

FILE NAME: Roemer (ROEM)

DATE: 1983 Sept 1

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DOCUMENT DESCRIPTION: Legal - Deposition of Charles H. Roemer

IN THE CIRCUIT COURT
ELEVENTH JUDICIAL CIRCUIT
MCLEAN COUNTY, ILLINOIS

- - -

JOHN WEHMEIER : NO. 81-L-229
Plaintiff :
VS. :
RAYMARK INDUSTRIES, INC. :
Defendants :

- - -

Oral Deposition of CHARLES H.

ROEMER, taken pursuant to notice, at the Holiday
Inn, Totowa, New Jersey, on Thursday, September 1,
1983, beginning at approximately 10:00 a.m., before
Brigitte A. Strain, Registered Professional
Reporter-Notary Public, there being present.

- - -

APPEARANCES:

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I N D E X

- - -

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
CHARLES H. ROEMER				
BY MR. WALKER	6	--	58	--
BY MR. MODESITT	--	28	--	69

EXHIBITS

EXHIBIT NO.	DESCRIPTION	PAGE MARKED
NUMBER 1	Notice of Deposition	28

BREAKS AND OFF THE RECORD DISCUSSIONS

Break - 11:20 to 11:30 a.m.	27
Off the record discussion from 11:50 to 11:51 a.m.	47
Off the record discussion from 12:054 to 12:10 p.m.	54

1 CHARLES ROEMER, having been first
2 duly sworn, was examined and testified as
3 follows:

4 - - -

5 THE COURT REPORTER: Any stipulations?

6 MR. WALKER: This is the deposition
7 of Charles H. Roemer, taken for evidence
8 pursuant to the Illinois Supreme Court Rules
9 by notice.

10 Mr. Roemer, Illinois law gives you
11 the right to read over the transcript that
12 this lady prepares and to note on it any
13 errors that you think she's made either in
14 questions or in the answers. Or, you can
15 waive the right to read that over and note
16 any errors that you think she's made and in
17 that case the transcript will just be used as
18 she prepares it as opposed to being her
19 transcript plus your corrections.

20 Do you wish to exercise that right,
21 to note the errors, or do you wish to waive
22 that right?

23 THE WITNESS: I want to be selfish
24 about it. I'd like to not waive it.

MR. WALKER: That's quite acceptable.

1 MR. MODESITT: For the record, and
2 for the defendant Raymark Industries, I'd
3 note that this is not taken for purposes of
4 evidence. It is taken pursuant to notice of
5 discovery deposition pursuant to the Illinois
6 Rules and that's what I'm here for, a
7 discovery deposition. We will tender, when
8 Mr. Walker is done with the notice for which
9 this deposition is taken, which as presently
10 having stated is a Notice of Discovery
11 Deposition.

12 MR. WALKER: I see this notice does
13 say discovery. That was an error.

14 MR. MODESITT: It may be an error,
15 but that's what we're here for.

16 MR. WALKER: I discussed with Mr.
17 Modesitt a week ago Monday, which would be
18 about August 22, or whatever the Monday is
19 near that, the fact that this deposition
20 would take place on this day for evidence and
21 recall Mr. Modesitt asking me who Mr. Roemer
22 was and what role did he play in the asbestos
23 litigation. I told him that he was a person
24 that had the conversation with Vandiver

and this deposition had been taken in

1
2
3 the Manville litigation. I don't believe
4 that the fact that this is for evidence comes
5 as any surprise.

6 If you wish to take the discovery
7 deposition of Mr. Roemer you're certainly
8 welcome to do so before I take his
9 evidence deposition, but I do plan to take
10 his evidence deposition.

11 MR. MODESITT: Well, I'm relying on
12 what the notice says, Jim, and the notice is
13 a discovery deposition.

14 MR. WALKER: Well, like I said, if
15 you want to go forward with a discovery
16 deposition you have that opportunity now, and
17 if you don't want to exercise that
18 opportunity then the thing I had planned to
19 do is to start the evidence deposition.

20 MR. MODESITT: I'm here because you
21 served a notice to take a discovery
22 deposition. You can start whatever you're
23 going to start, but so far as I'm concerned
24 it is a discovery deposition.

DIRECT EXAMINATION

1

2

3 BY MR. WALKER:

4 Q. State your name, please?

5 A. Charles H. Roemer.

6 Q. Where do you live?

7 A. I live in Fairlawn, New Jersey.

8 Q. What is your age?

9 A. 84.

10 Q. What is your profession?

11 A. I'm an attorney-at-law in New Jersey.

12 Q. Mr. Roemer, how long have you been licensed
13 to practice law in New Jersey?

14 A. Well, I was admitted during the February term
15 of the former Supreme Court of New Jersey in 1920.

16 Q. Has that been your profession throughout your
17 adult life, the practice of law?

18 A. I have had no other profession.

19 Q. In what communities have you practiced law?

20 A. I have practiced law -- my first office was
21 in Patterson, New Jersey and subsequently I moved my
22 office to Fairlawn, New Jersey. And about two years
23 ago I moved my office again to Elmwood Park, New
24 Jersey, in Bergen County, not Passaic County where

1 Q. So the basic office for your practice was in
2 Patterson for nearly all your adult life; is that
3 correct.

4 A. That's correct.

5 Q. Did you, during the course of your practice,
6 have any contact with the firm known as Union
7 Asbestos and Rubber Company?

8 A. I did.

9 Q. And how did you first have contact with Union
10 Asbestos and when was that?

11 A. During -- at the time that I met -- came in
12 contact with Union Asbestos and Rubber Company for
13 the first time I happened to be the Chairman of the
14 Patterson Industrial Commission. And I met the
15 president of Union Asbestos and Rubber Company and
16 convinced him that he ought to establish a new plant,
17 which he was planning to do, in Patterson.

18 The Union Asbestos and Rubber Company
19 at that time was located -- had its offices in
20 Chicago, Illinois and its plant in Cicero, Illinois.
21 There they manufactured, at the time -- according to
22 what the president of the company told me, they
23 manufactured railroad brakes -- brakes for railroad
24 cars. And they were -- had been ordered by the Navy

1 establish a plant for the weaving of asbestos
2 blankets for the Navy, either near the New York Navy
3 Yard or Brooklyn Navy Yard, as it's often called, or
4 the Philadelphia Navy Yard.

5 And at the conclusion, following the
6 meeting with the president of Union Asbestos, they
7 purchased the former Nicholson File Company plant in
8 Patterson, which was located along the Erie Railroad
9 Company and had previously been occupied by the
10 Nicholson people who are now located, I believe, in
11 Providence, Rhode Island. This occurred. The plant
12 was located there in Patterson after Pearl Harbor
13 Day, December 7, 1941.

14 And they were compelled to weave
15 asbestos blankets for the Navy from -- not from
16 American or North American asbestos, which was
17 unfit for the purpose, but had to weave them from
18 long fibered asbestos which came from Africa.

19 Q. Mr. Roemer, after your first contact with
20 Union Asbestos and Rubber Company, when you were
21 chairman of the Industrial Commission of Patterson,
22 did you have a subsequent relationship with them
23 where you performed some legal work for Union
24 Asbestos?

25 Yes. They -- I did incorporate them as a New

1 Jersey corporation, not for the purpose of taking
2 title or anything like that, but just to protect
3 their name against invasion by any possible
4 competitors.

5 Q. And did you have contact with particular
6 people from Union Asbestos?

7 A. Yes.

8 Q. Who do you remember of Union Asbestos
9 employees that you met with or talked with or dealt
10 with?

11 A. The manager of the Patterson plant was Robert
12 Cryor of Chicago, Illinois. And his assistant
13 manager was Ed Shuman, S-H-U-M-A-N, who, so far as I
14 know, was a New Yorker. They were both engineers
15 and both of them comparatively young men and both of
16 them are now dead, having died of asbestosis.

17 Q. What, if any, contact did you have with the
18 health program or the X-ray program of Union
19 Asbestos and Rubber Company?

20 A. Well, the only person really that they knew,
21 that Bob Cryor and Ed Shuman knew in Patterson was
22 Charles Roemer so that -- and I told them that I was
23 at their disposal if they needed any help around
24 Patterson.

So one day Bob Cryor called me and

1 told me that he wanted me to recommend an X-ray man
2 to them. And he told me substantially what this
3 X-ray man had to do. He said that he wanted every
4 employee X-rayed before they would finally hire them.

5 Q. Are you talking about an X-ray before the
6 decision is made to hire a particular employee?

7 A. Yes. In other words, he was not -- he might
8 have been selected, but he was not permitted to --
9 he was not considered hired until he had been
10 X-rayed and Dr. Roemer gave a favorable report. He
11 would then be hired, finally.

12 Q. And whom did you recommend to Bob Cryor for
13 this X-ray work?

14 A. I recommended Dr. Jacob Roemer, who was the
15 former president of the Passaic County Medical
16 Society and who was probably the outstanding X-ray
17 man, I guess, anywhere, who just happened to be a
18 cousin of mine, that's all.

19 Q. Did Bob Cryor tell you the portion of the
20 anatomy which would be X-rayed?

21 A. Yes. He wanted their lungs X-rayed.

22 Q. Did he tell you the reason why he wanted the
23 lungs X-rayed?

24 A. My recollection is that he did not.

Did, in fact, Dr. Roemer accept as work

1 X-raying the prospective employees of Union Asbestos?

2 A. Yes, he did.

3 Q. Did Dr. Roemer do any X-rays of the Union
4 Asbestos employees after they started working at the
5 Patterson plant?

6 A. Well, his instructions were to X-ray them
7 every six months.

8 Q. Did he do that, so far as you know?

9 A. So far as I know, he did.

10 Q. Did he ever discuss with you his findings
11 from these periodic X-rays?

12 A. Yes.

13 One day, without prior appointment,
14 Dr. Roemer appeared in my office. He said, "Charlie,
15 I have got to see you about a very important matter."
16 I said, "What is it." He told me that he had taken
17 some X-rays of the people who had reached the six
18 month period of employment and that either five or
19 six -- I forget now -- of them had shown signs on
20 their X-rays of some sort of serious involvement of
21 their lungs. And to make sure that there was no
22 possible mistake of judgment, at his own expense he
23 told me, he asked them to come back a second time
24 and a third time. And each time the same marks

on the film which caused him to

1 realize that some substantial changes had occurred
2 in their lungs.

3 And I asked him if he could explain
4 to me just what was occurring. He says, the
5 asbestos dust was settling in their lungs and, he
6 said, if they remain as employees of the company
7 that they will not only die, but die horrible deaths.

8 So he said, "Charlie, tell the
9 management to get them out of the plant as quickly
10 as possible." I said, "But, Doctor," I said, "Most
11 of these people are married men. They have families
12 to support." He says, "Charlie, I don't care if
13 they have to cut lawns or do something, but get them
14 out of there and get them into some outdoor work."
15 And I said, "Doctor, don't you think it would more
16 appropriate if you informed the company of this?"
17 He says, "Well, Charlie, you have more contacts with
18 the management than I have had." And he says, "I
19 think it would be better if you presented it to
20 them." Which I did. I met with Bob Cryor and Ed
21 Shuman and told them what Dr. Roemer had told me.
22 And he said -- I said, "I wish you'd get these men
23 out of the plant." He says, "Charles, we couldn't
24 do it."

25 Q. He meaning Mr. Cryor or Mr. Shuman?

1 A. Well, they both agreed on this. They said,
2 "We have a contract with the union. And the union
3 contract we have provides that no one is to be
4 discharged without the approval of the union. So
5 we'll have to take it up with the union first."

6 Subsequently they called me -- this
7 is maybe within a week -- and they said -- told me
8 that the union wouldn't go along and they accused
9 the company of engaging in a union busting activity.
10 And I wish to assure you that that was the last
11 thing in our minds. Our thoughts in -- and this was
12 rather shocking to me because Bob Cryor had advised
13 me that the company had supplied each employee with
14 the most expensive mine mask, breathing mask, I
15 guess, you'd call it, the type that's used in mines.
16 That this was the latest and the most expensive mask
17 that money could buy at that time. And Dr. Roemer
18 discussed that phase with me too. He said, "Men are
19 men." He says, "They will sometimes kick these --
20 you know, sort of push them aside."

21 Q. Dr. Roemer told you that the men found
22 wearing these masks to be uncomfortable and,
23 therefore, would be tempted not to wear them?

24 A. Well, or to keep them on their heads, you

1 Q. Keep them around their neck?

2 A. But not actually on their nose and mouth.

3 Q. Okay.

4 A. And --

5 Q. What, if anything, did Union Asbestos and
6 Rubber Company next do after exploring what you just
7 discussed?

8 A. It was then that I came forward with a
9 suggestion. I said, "This can't possibly be a
10 problem for just Union Asbestos and Rubber Company."
11 I says, "It must be a problem for the industry."
12 And I says, "I think you had better" -- I could have
13 done it myself but I felt it would be better if the
14 letter didn't come from a lawyer and if it was done
15 as an industry matter. I said, "Look, right here in
16 our own state Johns-Manville has their big plants
17 and, in fact, there's a town named after them,
18 Manville, New Jersey." I said, "They're the largest
19 asbestos people in the world, as I understand it.
20 They must have had this problem. Let's -- why don't
21 you set up a conference with them and see what they
22 do under these circumstances."

23 I assumed that they must have had the
24 same problem.

25 So Bob Cryor set up an appointment

1 with Johns-Manville at their offices on 40th Street,
2 East 40th Street, New York for himself, Ed Shuman
3 and myself. And we went there. And --

4 Q. Let me interrupt you now --

5 A. Surely.

6 Q. -- Mr. Roemer.

7 This conversation you had with Dr.
8 Roemer, can you fix that in point of time?

9 A. I would say that Pearl Harbor was December 7,
10 1941. I would say it was the fall of 1942 or, at
11 most, the spring of 1943.

12 The reason I say that is because my
13 recollection was that I was wearing a top coat which
14 was taken from me when I arrived at their offices on
15 the day of the conference.

16 Q. Are you talking about the conference with
17 Johns-Manville?

18 A. With Mr. Brown and the president of the
19 company.

20 Q. So it was still cold enough that you wore a
21 topcoat?

22 A. Yes.

23 Q. When you had the meeting at New York City?

24 A. Yes. So that I would say that this

1 spring of 19 -- no, no, no, it couldn't be.

2 Q. Either late '42 --

3 A. Late '42 or early spring, 1943 because Roemer,
4 by that time, had taken the six month X-rays and had
5 made several others at his own expense. So I
6 assumed, as I say, it was either late 1942 -- I mean
7 fall of 1942 or -- I remember it wasn't a heavy
8 overcoat, it was a top coat.

9 Q. Now, when you met with the Johns-Manville
10 people it was at the Johns-Manville offices in New
11 York City?

12 A. Yes. We were their guests and they supplied
13 us with lunch after our conference was over.

14 Q. Which Johns-Manville employees did you meet
15 with?

16 A. Well, I remember Vandiver Brown because Brown,
17 of course, was a very common name, no problem
18 remembering that. But I had never come across the
19 name of Vandiver. So I remember that. And his
20 brother who I -- at least my recollection was that
21 it was his brother, who was also introduced to me --
22 his name was Brown -- introduced to me as counsel of
23 the company and there were several other important
24 officials there, whom -- the names I can no longer
25 recollect.

1 Q. The meeting, was it the three of you that
2 came from New Jersey to meet with whoever was there
3 from Manville in one room?

4 A. One room.

5 Q. Who from your New Jersey delegation set forth
6 the reason that you had asked to meet with
7 Johns-Manville?

8 A. I believe I did.

9 Q. What did you say?

10 A. I told them about what had happened in our
11 place. And I said that we had informed the
12 employees of this situation and the result was that
13 they filed Workmen's Compensation cases against the
14 company. And when I told them that they sort of --
15 well, it wasn't very pleasant to hear, but they made
16 me appear and made all of us appear as sort of --
17 sort of foolish. They said, we're damn fools for
18 letting them know.

19 Q. Mean that the management of Union Asbestos
20 were damn fools for telling the employees that they
21 had any problems?

22 A. Yes. He says, they immediately go onto
23 compensation as a result of your alerting them. He
24 says -- I turned to Mr. Brown and I said, "Do you

1 they drop dead?" He says, "Yes." He says, "We save
2 a lot of money that way."

3 Q. Did Mr. Brown say that in the presence of the
4 other Johns-Manville employees?

5 A. He said it to everybody in the room. We were
6 all in one -- it wasn't a conference -- it was a
7 normal office room in their suite -- floor they
8 occupied. I think they occupied one or two floors
9 at the time.

10 Q. Did any of the other Johns-Manville employees
11 speak up when Mr. Brown said that it was the
12 practice of Johns-Manville to let their employees
13 work until they died?

14 A. There was no conference. I just nudged Bob
15 Cryor and said, "I think it's time for us to go
16 home" because I thought I was going to learn
17 something, you know, that I thought would be helpful
18 because of the attitude and conduct of the union.
19 And here I -- we were told that we were a bunch of
20 jerks, I guess.

21 Q. Did that end your conference?

22 A. That ended the conference, except this. That
23 Mr. Brown said that they had prepared a lunch for us,
24 so we did have lunch with them.

25 Q. Did you --

1 A. Right -- not in a restaurant, but right there
2 in their office suite.

3 Q. Did you have any more business discussions as
4 it related to whether the employees should be told
5 about the results of their X-ray during this lunch?

6 A. No. I -- There was nothing to discuss. I
7 knew what their program was. I mean, as a -- I just
8 shriveled up.

9 Q. Did Mr. Brown or anyone from Johns-Manville
10 indicate whether or not Johns-Manville took chest
11 X-rays of its employees?

12 A. No. They just indicated that that they would
13 depend on the Workmen's Compensation law in these
14 matters and they just postponed the whole affair as
15 long as possible. They claimed they saved a lot of
16 money that way.

17 Q. In other words, they didn't tell the employee
18 that he had an asbestos related disease, they waited
19 until the employee found it out from some other
20 source?

21 A. Well, he was lucky if he could breathe.
22 Roemer explained the thing to me.

23 Q. I understand. But to get back to your
24 conference with Johns-Manville, was there any other
25 discussion with any other Johns-Manville employee

1 that day then about the practices of Johns-Manville
2 as to whether or not it told its employees?

3 A. No further discussion about the thing.

4 Q. Did you or Mr. Cryor or Mr. Shuman, to your
5 knowledge, have any further contact with
6 Johns-Manville after that meeting that day in either
7 late '42 or early '43?

8 A. Never.

9 Q. Did you go anywhere else in order to learn
10 what might be the proper action regarding these men
11 that had the chest X-ray evidence of asbestos
12 disease?

13 A. Yes. I made some inquiries -- now, of whom I
14 don't know right now -- but I do know that someone
15 told me, I don't know whether it was Dr. Roemer or
16 someone else, that the Metropolitan Life Insurance
17 Company was subsidizing or in some fashion
18 maintaining a, shall we say, scientific study of
19 lung diseases at Saranac Lake in New York State.
20 And the result was that I wrote to the Metropolitan
21 Life Insurance Company and asked them to put me in
22 contact with the person in charge of that particular
23 study. I think, if my recollection is correct, his
24 name was Dr. Lanza. And he was very secretive

I mean, there was nothing that he

1 told us at the time that was of any assistance to us,
2 except to explain what happens in these cases.

3 Q. Did he explain whether or not you should tell
4 the employees or did he explain to you the mechanism
5 by which asbestos causes a disease?

6 A. No, the second situation.

7 Q. Was Dr. Lanza's response to you in person, by
8 phone, or by letter?

9 A. My recollection is that it must have been in
10 writing because I never went to Saranac Lake to talk
11 to him.

12 Q. Did you have any other contact with any other
13 person, other than this contact you described with
14 Johns-Manville and your letter to Dr. Lanza?

15 A. The only other person that I was involved
16 with in this situation was a lawyer in Newark by the
17 name of Arthur Meade, M-E-A-D-E, who was a
18 recognized expert in Workmen's Compensation matters
19 and who was hired by the company to handle its
20 Workmen's Compensation cases and he -- Oh, the
21 reason that it was necessary for us to do that was
22 because we could not get Workmen's Compensation
23 insurance from any company unless we paid them a
24 service fee for servicing them and paid the

1 Q. So Union Asbestos and Rubber Company was self-
2 insured, so to speak?

3 A. I would say that they would have to be self-
4 insured because no company would take the risk.

5 Q. Did you ever talk with any physician, other
6 than Dr. Jacob Roemer, who advised or counseled
7 Union Asbestos and Rubber Company concerning this
8 health problem?

9 A. Yes. Dr. Selikoff from Mount Sinai Hospital.

10 Q. When did you first talk with him?

11 A. I had my office in the Colt Building in
12 Patterson. And Dr. Selikoff or Mount Sinai Hospital,
13 I don't know which, took some offices in the Colt
14 Building so that Selikoff could conduct a scientific
15 investigation of every possible living employee of
16 Union Asbestos and Rubber Company for the purpose of
17 ascertaining what was going on with them.

18 Q. This would be at what point in time?

19 A. This would be after Union Asbestos and Rubber
20 Company left Patterson.

21 Q. During the time that Union Asbestos and
22 Rubber Company operated the plant in Patterson, did
23 you ever have contact with a physician from Chicago
24 by the name of Oscar Cowen, C-O-W-E-N?

25 A. Never heard of him.

1 Q. The only doctor that you're aware of that had
2 any relationship with the plant during the time the
3 plant was operating was Jacob Roemer?

4 A. That is right.

5 Q. You have already discussed that Dr. Roemer
6 had this contact in '42 and possibly early '43. Do
7 you know how long Dr. Roemer had a relationship with
8 the plant?

9 A. I would say as long as they were in Patterson.

10 Q. So far as you know Dr. Roemer continued to
11 maintain this X-ray surveillance of the employees
12 from time to time while he worked at the plant?

13 A. That's right.

14 Q. Did you ever render any legal services for
15 Union Asbestos and Rubber Company after the early
16 forties?

17 A. As I say, I incorporated Union Asbestos and
18 Rubber Company in New Jersey. And I believe I -- I
19 no longer have these files. I believe I represented
20 them when they sold the plant, when they left
21 Patterson.

22 Q. That's the only two pieces of work that you
23 did for them, that you remember?

24 A. Yes, that's right.

Do you remember the names of any other

1 employees that you had contact with over the years
2 that the plant was open in addition to Cryor and
3 Shuman?

4 A. I knew no other employees. That is, I had no
5 contact with them. I might say this: The -- I
6 visited the plant from time to time and the result
7 was that Selikoff even X-rayed me to make sure I
8 didn't have it.

9 Q. With whom would you visit the plant? Was it
10 a regular thing or just --

11 A. No. On occasion they wanted certain
12 information and, understanding the nature of the
13 thing, I would consider it Industrial Commission
14 work and I'd get it to them as quickly as possible.

15 Q. So you continued to be Chairman of the
16 Industrial Commission or related to the Industrial
17 Commission during that time?

18 A. Yes, during the entire period.

19 Q. And that was the reason for these periodic
20 contacts?

21 A. Yes.

22 Q. You probably had similar contacts with other
23 Patterson businesses during that time?

24 A. Yes, many of them.

Joseph Roemer is he still living?

1 A. No, he is not.

2 Q. When did he die?

3 A. Gee, I should remember that.

4 Q. Well, just approximately?

5 A. I could say -- Let's see now. I would say he
6 must have died about 1964 or five.

7 Q. When Dr. Selikoff took office space near you
8 in the Colt Building in Patterson, did he contact
9 you or was there any contact that you know of
10 between Dr. Selikoff and Union Asbestos so as far as
11 cooperation on this study is concerned?

12 A. Well, he conferred with me many times and not
13 only that, but he was a little presumptuous, I
14 thought, because -- I guess he didn't want to waste
15 his time, he didn't care about my wasting my time.
16 There was hardly a reasonable period that passed
17 that somebody didn't walk in the office that I knew
18 nothing of. They would just tell me that Dr.
19 Selikoff sent them to me because I knew all about
20 Union Asbestos and Rubber Company. He was
21 constantly sending people to me. But not only that,
22 but every time he had to deliver a speech in
23 Patterson about asbestosis, he would invariably send
24 me some tickets for the speech, and then torment me

1 who brought Union Asbestos and Rubber Company to
2 Patterson.

3 Q. I take it when you brought Union Asbestos and
4 Rubber Company to Patterson, if in fact that is a
5 way to characterize what you did, you weren't aware
6 at the time that there was any health hazard
7 associated with asbestos?

8 A. Not the slightest. My house was loaded with
9 asbestos. I had to make sure that no breezes would
10 blow on the kids at home.

11 Q. When did Selikoff first talk with you about
12 there being some health problem with the men who had
13 worked at Patterson?

14 A. I'll say this, that I received a letter from
15 him, which I still have -- I found it accidentally
16 the other day in going through some personal letters
17 -- in which he -- I think it was 1975, I think, or
18 maybe earlier than that, but at any rate, whatever
19 it was, it was a letter that he sent to me in which
20 he acknowledged the contributions that he said Jack
21 Roemer he called it -- or Jake Roemer in the letter,
22 and myself had made in the arresting of asbestosis
23 in the United States.

24 Q. That wouldn't have been the time you first
25 visited with him?

1 A. No.

2 Q. When did you first visit with Dr. Selikoff?
3 In other words, there was a point in time when you
4 didn't know Selikoff, right?

5 A. I didn't know him from a hole in the ground.

6 Q. When did he first come into your life so far
7 as talking with you about there being a health
8 problem among the former Patterson workers? Would
9 that be when he first moved into the Colt Building?

10 A. Yes, that was the first time.

11 Q. You thought that was about right?

12 A. And he did not occupy offices on the same
13 floor, but I think they were a floor apart and one
14 day he called me and asked me to come up to see him.
15 I went up there and I told him essentially what I
16 have told you today.

17 Q. That included the conversation with Vandiver
18 Brown?

19 A. That's right.

20 Q. That would have been in what year that you
21 told Dr. Selikoff?

22 A. I would say in the sixties.

23 Q. Would you like to take a break now?

24 A. No, no, I'm all right.

25 (Whereupon there was a recess in the

proceedings from 11:20 a.m. to 11:30 a.m.)

- - -

CROSS EXAMINATION

- - -

BY MR. MODESITT:

Q. Mr. Roemer, where is your home address?

A. You mean the street address?

Q. Yes, where do you actually live?

A. 37-27 Berdan Ave.

Q. Is that in --

A. In Fairlawn.

Q. What's the zip code there?

A. 07410.

Q. What your telephone number at home?

A. At home, is with SW6-4337.

Q. 643 --

A. 796-4337.

Q. I'm going to hand you --

MR. MODESITT: Would you mark that
please?

(Whereupon the Court Reporter marked
Roemer Exhibit Number 1, for identification
purposes, as of this date, September 1,
1983.)

BY MR. MODESITT:

1 Q. I'm going to hand what's been marked as
2 Roemer Number One. And ask you, is that a notice of
3 the discovery deposition regarding this deposition
4 today?

5 A. That's right.

6 Q. How did you receive that?

7 A. In the mail.

8 Q. From Mr. Walker?

9 A. Yes.

10 Q. Did it come with a cover letter?

11 A. Yes.

12 Q. What was the contents of the cover letter?

13 A. Just to the effect that enclosed -- he's
14 enclosing the notice of the deposition.

15 Q. Do you have the cover letter with you?

16 A. Yes, I believe I have.

17 (Witness handing letter to Mr.
18 Modesitt.)

19 MR. MODESITT: At this time the
20 defendant would ask that Roemer Deposition
21 Exhibit Number One, which is the Notice of
22 this discovery deposition, be made part of
23 and included as a part of this particular
24 transcript.

1 Q. You mentioned during your direct examination
2 that you first became aware of Union Asbestos and
3 Rubber Company shortly after Pearl Harbor in 1941?

4 A. Yes.

5 Q. You were at that time, what, the Chairman of
6 the Industrial Commission?

7 A. Of Patterson, yes.

8 Q. Is that a city --

9 A. City Board, yes.

10 Q. Was one of their functions to recruit new
11 businesses, that kind of thing?

12 A. That's right.

13 Q. Was Bob Cryor the person that you went to
14 talk to?

15 A. No, I never met Bob Cryor until the plant was
16 established in Patterson.

17 Q. Who did you talk to?

18 A. I spoke to the President of Union Asbestos
19 and Rubber Company.

20 Q. Do you remember who that was at that time?

21 A. I believe his name was Cohen, if I'm not
22 mistaken.

23 Q. Cohen?

24 A. Yes, either C-O-H-E-N, I believe, or C-O-H-N,

1 and wanted to know what we had to offer. I told him
2 about -- he wanted a plant with a railroad siding
3 and I was the one that alerted him to the fact that
4 the Nicholson plant was available.

5 Q. And did you then assist in the purchasing of
6 that plant?

7 A. No, I had nothing to do with that.

8 Q. Did you do any of the legal work involved
9 with the acquisition of the plant?

10 A. I am inclined to think I did. I probably
11 made the searches and secured the title policies and
12 all that sort of thing.

13 Q. Do you happen to know when that plant
14 actually opened for business for Unarco or for Union
15 Asbestos and Rubber Company?

16 A. I would say in the spring of 1942.

17 Q. That's your best recollection?

18 A. Yes.

19 Q. Is that when they actually starting producing?

20 A. I would say, yes.

21 Q. You --

22 A. Because it was a magnificent plant. I mean,
23 structurally it was a solid plant. I mean, one of
24 the best we had.

25 Q. What kind of business did Nicholson File run

1 out of it?

2 A. They made steel files, you know, that you'd
3 use in filing steel or iron or things of that -- you
4 know, the files. I don't know what else.

5 Q. You mean like a carpenter would carry around
6 a file or are you talking about a file cabinet?

7 A. Oh, no, no, no, no, no, no. A real file,
8 F-I-L-E. Not -- nothing to do with storing of any
9 kind.

10 Q. Like a sheet metal worker would carry with
11 him?

12 A. Yes. I think so, or a plumber, you know,
13 whoever would have occasion to use it.

14 Q. What kind of asbestos did they use at that
15 plant?

16 A. It was imported from Africa. Now, as I say,
17 I don't know now whether it was from North or South
18 Africa, but I do know that on one or two occasions
19 ship loads of that asbestos were sunk by German
20 submarines and the plant was really almost ready to
21 close except that another ship would arrive just in
22 time.

23 Q. Would you recognize whether or not you were
24 talking about a crocidolite type of fiber or an

25 amosite type of fiber?

1 A. Those words mean nothing to me.

2 Q. You used the phraseology earlier here in your
3 direct examination long fiber from South Africa?

4 A. Yes. The reason that they had to get it from
5 South Africa is because they didn't just have to
6 make an asbestos covering, they had to make blankets.
7 And blankets had to be woven so that they could be
8 wrapped around the pipes of these destroyers and
9 other vessels so that they could concentrate the
10 greatest amount of power in the least amount of
11 space.

12 I don't know whether I made myself
13 clear on that.

14 Q. Was that also for fire protection upon the
15 vessels?

16 A. I presume.

17 Q. Or do you know?

18 A. I don't know, but I -- the main reason -- if
19 it was just fire protection, they could have used
20 American or Canadian asbestos.

21 Q. You indicated that you had this conversation
22 with various persons of Johns-Manville and I believe
23 Mr. Cryor went with you and Mr. Shuman?

24 A. That's right.

25 Q. Was Mr. Cryor at that time still in Chicago

1 or did he have the direct responsibility for --

2 A. No, he was then the manager.

3 Q. Is that a working manager of Patterson, New
4 Jersey?

5 A. Yes, that's right.

6 Q. Was he also alarmed with the response or
7 surprised with the response that he had heard from
8 Mr. Brown?

9 A. Well, they knew that I didn't prolong the
10 conference. They knew that. There was no occasion
11 to prolong it. And they also did not oppose my
12 suggestion about -- I mean, there was nothing to
13 indicate that he wanted to change our policy.

14 Q. What was Union Asbestos' policy at that time?

15 A. At that time, of course, as far as Bob Cryor
16 and Ed Shuman were concerned, they did not know --
17 as far as I was concerned they did not know of the
18 fact that asbestosis was anything other than and
19 irritating problem if you didn't wear a mask.

20 Q. What --

21 A. And their policy was to compensate the
22 employees ten cents an hour over scale so that they
23 could sort of have some disciplinary power over
24 their employees. In other words, they weren't

25 wearing these masks as a matter of favor to the

1 company, they were being paid to wear them.

2 Q. That was at the Patterson plant?

3 A. At the Patterson plant, of my own knowledge,
4 that I know.

5 Q. Was the union you were talking about the
6 Textile Workers Union?

7 A. I believe so.

8 Q. That's the official union that represented
9 the workers of Patterson?

10 A. That is correct.

11 Q. Did you ever do any legal work for that union?

12 A. Absolutely not.

13 Q. When this problem came up through your cousin,
14 Dr. Jacob Roemer, explaining it to you, you
15 indicated in your direct examination that they
16 couldn't relieve these injured workers of their job
17 without the consent of the union?

18 A. That's right.

19 Q. And the union you were talking about was not
20 Union Asbestos and Rubber Company?

21 A. No, no, no.

22 Q. But the Asbestos Textile --

23 A. Labor union.

24 Q. Labor union?

25 A. Labor union, yes.

1 Q. Did you or Dr. Roemer explain to the labor --
2 Do you know whether anyone explained to the labor
3 union the reason that you were suggesting that they
4 be relieved of their duties?

5 A. Oh, of course, of course, but they claimed
6 that that was a fake and a fraud and that -- just an
7 attempt on the part of Union Asbestos to bust the
8 union.

9 Q. What did they think was a fake and a fraud?

10 A. The fact that these five or six people who
11 happened, I suppose, to be some big shots in the
12 union, in the plant, that they might have been some
13 delegates or something of that sort.

14 Q. Did they think that the management had
15 manufactured this story about these people being
16 sick?

17 A. I don't think that. I don't think that.
18 They -- the union thought that this was just a union
19 busting scheme.

20 Q. Was the union made aware -- was the labor
21 union made aware that these workers had contracted
22 some lung difficulty by reason of their work?

23 A. Oh, yes, they were told that Dr. Roemer had
24 recommended their dismissal.

25 Q. And the labor union refused to allow that?

1 A. Yeah, because they said that this this was
2 just a sort of an -- I guess conspiracy would be a
3 good word -- a conspiracy on the part of Union
4 Asbestos to bust the union.

5 Q. Were those workers involved told that they
6 had a problem?

7 A. They certainly were and, of course, they
8 immediately filed Workmen's Compensation claims
9 against the company.

10 Q. Were they compensated under the laws of New
11 Jersey at that time?

12 A. They were.

13 Q. To your knowledge, did other people who
14 worked at the Patterson plant who did not have a
15 disease at that time, were they told that they could
16 get a disease from working in that plant?

17 A. I don't know. I really don't know. I really
18 don't know.

19 Q. You don't know one way or the other?

20 A. No, I don't know one way or the other, I
21 don't know. I don't know.

22 Q. But the workers who had already contracted
23 the disease at the Patterson plant continued to work
24 there afterwards?

25 A. What happened was this, that Roemer, when he

1 would make this semi-annual examination of X-ray
2 business, saw some changes taking place in their
3 lungs, would notify the company that so and so looks
4 as though he's got something.

5 MR. WALKER: Excuse me, I don't
6 think Mr. Roemer was done with his answer.

7 MR. MODESITT: I'm sorry.

8 THE WITNESS: Well, I mean, as I
9 clarified the -- let's see, where were we?

10 MR. MODESITT: Let me re-ask the
11 question.

12 BY MR. MODESITT:

13 Q. At the time Dr. Roemer made these periodic
14 examinations of the employees in Patterson, you just
15 indicated a moment ago that if he had -- if he found
16 an abnormality in the lungs he would notify
17 management of Union Asbestos?

18 A. Yes, that's right.

19 Q. Did he also tell the employee of the
20 abnormality?

21 A. Oh, of course.

22 Q. And this was the routine procedure of Union
23 Asbestos and Rubber?

24 A. There was no resistance. In other words,
25 they would then file their claim and Mr. Arthur

1 Meade of Newark would handle the matter from that
2 point on.

3 Q. So, in other words, Johns-Manville apparently
4 had a different policy or theory about this,
5 advising the employees?

6 A. That's right.

7 Q. And their policy is different from the one
8 Union Asbestos had?

9 A. That's right.

10 Q. In other words, from your conversation with
11 Mr. Brown, did I glean from your direct testimony
12 that they did not tell their employees?

13 A. That's right.

14 Q. Whereas Union Asbestos did tell their
15 employees if they had a problem?

16 A. That's right. And the implication was that
17 we would adopt their policy to save money. I mean,
18 that's the only thing that I could extract from his
19 crack about when I said, "Mr. Brown, you mean to
20 tell me you let these people work until they drop
21 dead?" So he said, "yes." He says, "We save a lot
22 of money that way."

23 Q. That was one company's position?

24 A. That's right.

and that's not the position that your company

1 or that Union Asbestos took?

2 A. No. We never had that policy and so far as I
3 know we had no desire to do it.

4 Q. Did you have any contact with any other Union
5 Asbestos Company plants?

6 A. None whatsoever.

7 Q. Just the Patterson plant?

8 A. Just the Patterson plant.

9 Q. Do you know why the Patterson plant closed
10 down?

11 A. The war ended in '45. And the Navy, by that
12 time, was a seven ocean Navy. We were cutting back
13 and I suppose the only customer we had was the
14 United States Navy.

15 Q. Do you happen to remember what year the
16 Patterson plant closed?

17 A. No, but the exact time could be ascertained
18 by making a search of the -- in the Register of
19 Deeds office in Patterson where the deed from Union
20 Asbestos to the new owner was recorded.

21 Q. Do you remember who that new owner was?

22 A. I think his name was Jacob Moscow, spelled
23 the same way as the city in Moscow. Whether it was
24 taken in the corporate name by him or not, but the
25 man that I remember doing business was a man by the

1 name of Jacob Moscow.

2 Q. What did he use the plant for?

3 A. I don't know. I think he was a real estate
4 man. I think it was just an investment.

5 Q. You indicated that the only other thing that
6 you participated in regarding the asbestosis problem
7 was to talk to somebody at Saranac Lake?

8 A. Yes, Dr. Lanza.

9 Q. Do you have any recollection of what year you
10 talked to Dr. Lanza in?

11 A. Well, it was shortly after the visit to Union --
12 to Johns-Manville.

13 Q. My reason for inquiry is, do you know that
14 Dr. Lanza was not employed by the Saranac Lake in
15 1943. He didn't work at the Saranac Lake in 1943?

16 A. Well, there is something wrong there because
17 the reason I remember his name so well is because I
18 had a neighbor by the name of Lanza, so the name was
19 not strange to me whatsoever.

20 Q. Do you know that the person who was in charge
21 of Saranac Lake in 1943 was a person by the name of
22 Dr. Gardner?

23 A. Well, then it might have been -- I don't know
24 whether -- My recollection was that it was a man by
25 the name of Dr. Lanza and if you say Gardner was in

1 charge at that time then I'll have to say it was
2 Gardner. I spoke to whoever it was that -- when I
3 contacted the Metropolitan Life Insurance Company
4 they referred me to this outfit in Saranac Lake and
5 they told me that it was the only place, in the
6 United States at least, where any studies were being
7 made -- scientific studies were being made of
8 asbestosis.

9 Q. Did you know that in 1943 that Saranac Lake
10 was, in fact, conducting an extensive study of the
11 effects upon the human person of inhalation of
12 asbestos dust?

13 A. Not until -- my first letter was to the
14 Metropolitan Life Insurance Company.

15 Q. They directed you to Saranac Lake?

16 A. To Saranac Lake, yes.

17 I knew nothing of it, of course.

18 Q. Did you ever talk or know a Dr. Vorwalt also
19 at the Saranac Lake at this time?

20 A. The name doesn't register with me at all.

21 Q. Did you know that there was, at the time you
22 made your inquiry, an ongoing study that had been
23 started in 1936 by the people under Dr. Gardner at
24 the Saranac Lake?

1 anything about asbestos, except that it was supposed
2 to be a wonderful fire preventive. As I say, I used --
3 I had my whole house pumped full of it.

4 Q. When you talked to whoever you talked to at
5 the Saranac Lake, did you talk to him in person?

6 A. On the telephone. Yes.

7 Q. What was the purpose of that?

8 A. Well, I just wanted to know more about
9 asbestosis and they explained to me what happens.

10 Now I don't know what the present
11 state of the art is, but Dr. Lanza or Dr. Gardner --
12 I mean, the name is immaterial it seems to me --
13 told me that it differed from silicosis. Now, the
14 reason I mention that is because the Act making
15 industrial illnesses not -- I'm not talking about
16 trauma, traumatic situations which are covered by
17 the original 1911 Workmen's Compensation Act which
18 was adopted when President Wilson was governor of
19 New Jersey. The amendment took place many years
20 after, and it's called the Silicosis and Asbestosis
21 Act.

22 Q. What year was that in?

23 A. Oh, just about the time that these events
24 were happening with Union Asbestos and Rubber. I

1 just a few years before that.

2 Q. In the 1940's?

3 A. In the 1940's, I would say.

4 And Gardner or Lanza, this physician
5 spoke to me, and Dr. Roemer had the same views, said
6 that he compared the lungs to -- I mean this was his
7 explanation of what happens. He said, assuming that
8 you have a five pound bag, paper bag, he says, what
9 is it filled with. I says, it's filled with air.
10 He says, supposing you put a pound of sugar in the
11 bag. I says, well, I should imagine you drive out a
12 pound of air which is now occupied by sugar. He
13 says, but supposing you took some sugar and put it
14 in your coffee, what would happen? And I says, it
15 would dissolve. He says, but then you'd have a new
16 product, wouldn't you. You'd have sweetened coffee.
17 He says, the sugar and the coffee created a new
18 substance. He says, that's the difference between
19 silicosis and asbestosis. Asbestosis causes a
20 physical change. In other words, one of these
21 little things that make up this -- what are the
22 spongy parts of the lung called?

23 Q. The macrofaches?

24 A. No, you know, the lung is a sort of a sponge.

MR. WALKER: Do you mean the bronchi

1 or alveoli?

2 THE WITNESS: No, you know --

3 BY MR. MODESITT:

4 Q. The lung parenchyma?

5 A. These little, tiny, tiny, air --

6 Q. Little tiny air sacs?

7 A. Yes.

8 MR. WALKER: I think they're called
9 alveoli.

10 THE WITNESS: I don't know. There is --
11 I don't think that's the correct name for
12 them. But he says, when asbestos enters the
13 lung, he says they're breathed in. He says,
14 it fills up a certain portion of the lung
15 just like the sugar taking the place of the
16 air that formerly was there in this paper bag.
17 But he says, silicosis is the result of coal
18 mining which disintegrates the lung; do you
19 see? That was the explanation that was given
20 to me to indicate the difference between
21 silicosis and asbestosis. Whether that's the
22 present state of the art I don't know.

23 BY MR. MODESITT:

24 Q. With regard to this conversation, were you
25 satisfied that somebody at Saranac Lake was, in fact,

1 working on the problem?

2 A. Yes, because at that time I think Roemer said
3 the same thing to me too. I asked him to explain,
4 what the heck is asbestosis. I didn't have the
5 slightest idea what happens. So he says, well, he
6 says, fortunately, he says, most of us, he said,
7 don't use most of our lungs all the time. Dr.
8 Roemer said something to me at the time that shocked
9 me considerably. He said, very often, he says, in
10 the hospitals where people are immobilized and
11 unable to walk and a fire breaks out in the hospital
12 and they run, but they drop dead right after they
13 run because they have used up every bit of strength.
14 So it is with the lung, he said. He said, we,
15 fortunately, don't need all these little sacs in
16 order to survive and live. He says, every time you
17 take a deep breath, sometimes, he says, you'll get a
18 little shock there. He says, but actually that's
19 because your opening up a lot of these little sacs
20 of which there are already billions that make up the
21 lung, you see. And he says, if they leave the -- if
22 they leave the plant and take outdoor work, he says,
23 maybe over a period of years they can expectorate,
24 you know, or bring up some of this asbestos and
25 survive. Now --

1 Q. In other words, did you take that to mean
2 that if they left the working environment of the
3 indoor plant --

4 A. As early as possible. Then there was a
5 chance for survival because then they could, over
6 the years -- not all of it, but enough for them to
7 maintain some stability and some normality.

8 Q. Is it --

9 MR. WALKER: Off the record.

10 (Discussion held off the record from
11 11:50 a.m. to 11:51 a.m.)

12 BY MR. MODESITT:

13 Q. To the best of your recollection, this
14 conversation you had with the head of Saranac Lake
15 occurred around probably 1943, late '42; is that
16 what I understand?

17 A. I would say that that was substantially
18 correct.

19 Q. Again, I'm concerned about who you talked to
20 with, in particular. You mentioned on direct
21 examination it was Dr. Lanza and I understand now
22 you think it may not have been Dr. Lanza, but is it
23 your testimony whoever was in charge --

24 A. Yes.

25 Q. -- of the Saranac Lake in 1942 or '43?

1 A. Yes.

2 Q. And that's the person that you talked to?

3 A. That's right. And there were several phone
4 calls back and forth because I wanted to be of
5 service to Union Asbestos and Rubber Company. If
6 there was a way of ending this problem I thought I
7 would learn something there, but frankly I didn't
8 because they just backed up Roemer's explanation
9 that he had given me about this thing.

10 Q. Again, my question, if the evidence would
11 disclose, Mr. Roemer, that Dr. Gardner was in charge
12 of the Trudeau Institute of the Saranac Lake
13 Laboratories, then that would be the person you
14 talked to?

15 A. That's right.

16 Q. And not Dr. Lanza?

17 A. Well, as I say, I have taken an oath here to
18 tell the truth and my recollection was that it was a
19 Dr. Lanza.

20 Q. If I were to tell you that Dr. Lanza was the
21 medical director of the Metropolitan Life Insurance
22 Company, might you have first talked to him and then
23 he directed you to the Saranac Laboratory?

24 A. That's right. That is correct. In other

the name I remembered was Lanza because, I

1 say, I had a neighbor by that name. And he might
2 have directed me to, you know, to the Saranac people
3 directly. Lanza might have been connected with
4 Metropolitan Life because I contacted them first.

5 Q. And does that ring any kind of a bell that
6 that could very well have been the situation?

7 A. You're absolutely right.

8 Q. Did you get the impression when you talked to
9 the people at Saranac that they were doing the best
10 they could do in this research activity to determine
11 the problem involved with asbestos?

12 A. That's right.

13 Q. You had mentioned earlier that -- something
14 about Workmen's Compensation insurance coverage with
15 Union Asbestos and Rubber Company. Did you have any
16 personal involvement with seeking or trying to
17 obtain Workmen's Compensation insurance?

18 A. None whatsoever.

19 Q. Do you know whether they had any at this time?

20 A. They couldn't get it, they told me.

21 Q. Who told you that?

22 A. Bob Cryor, unless they were willing to be
23 self insurers. In other words, they had to pay the
24 judgments and there was a service fee involved

1 understand?

2 Q. I really don't.

3 A. Well, let's clarify it then.

4 In other words, normally, in the
5 usual case, you call up a broker and say, look,
6 write a Workmen's Compensation policy for the "X"
7 manufacturing company. But in this particular case
8 no company would take it. No one. There wasn't a
9 company that would insure us, except upon this basis,
10 that we would pay -- they would service all our
11 cases as if they were insurors, but actually they
12 weren't. We were self insurors. I think that's a
13 perfectly good legal word.

14 Q. In other words, Union Asbestos used a
15 separate agency to do their investigation and do all
16 of the other work that would ordinarily be done by
17 the insurance company in a Workmen's Compensation
18 case?

19 A. That's correct.

20 Q. And then Union Asbestos actually paid the
21 money?

22 A. That's right.

23 Q. Okay.

24 You don't know whether that was the
25 manner in which all companies operated, do you?

1 A. I don't have the slightest idea about that.

2 Q. Your cousin, Dr. Jacob Roemer, continued to
3 do the periodic chest X-rays on the Patterson
4 employees throughout the time Patterson was open?

5 A. So far as I know, he was the only one they
6 had.

7 Q. And when he noticed that lung abnormality he
8 advised the person who had the lung abnormality?

9 A. That's right, and they would then file a
10 claim for temporary -- I mean the Act was brutal in
11 a way. It was a much more costly thing than even
12 the old Workmen's Compensation.

13 Q. It was more liberal towards the employee, was
14 it not?

15 A. That's right.

16 Q. In other words, the employee-- that would be
17 an Occupational Disease Act?

18 A. That's right.

19 Q. And it paid more to the employee, required
20 payment of more money to the employee?

21 A. That's right. That's right. And because the
22 earlier you reported it, see, the earlier you'd get
23 on the pad.

24 Q. And Union Asbestos and Rubber was not

1 employees obtained disease?

2 A. Yes.

3 Q. Is that correct?

4 A. That's right.

5 In other words, at that point we
6 would accomplish the most important thing, which was
7 the saving of the man's life and comfort. In other
8 words, he had to get out while there was a still a
9 chance for him to resume a normal life.

10 Q. In your opinion, Mr. Roemer, did the
11 management of Union Asbestos and Rubber Company know
12 that without proper work protection their employees
13 could get disease from working with asbestos during
14 the 1942, '43 time period?

15 A. I suppose in a strict sense of the word they
16 didn't know because here was the manager and his
17 assistant manager, who became manager after Bob left,
18 both died of it. And I think they felt that getting
19 dust in your lungs wasn't going to do you any good
20 in any way because, although asbestos dust
21 apparently doesn't cause disintegration of the lung,
22 when it gets in there it's there, you see. So in
23 order to keep the dust out of their lungs, which was
24 unavoidable in working in a plant like that, they

did supply these masks. That's the only thing that

1 I would say about involvement or notice of any kind.

2 Q. What about after these -- let's talk about a
3 year or two after 1944, 1945. Were you involved in
4 any way at that period of time?

5 A. No. My involvement ended with Saranac Lake.

6 Q. That's the only involvement you had?

7 A. After -- yes.

8 Q. In other words, just so I'm clear in my mind,
9 there was just a short period of time when you
10 became involved in the situation and that's when
11 your cousin explained it to you and then you made
12 the arrangements to meet with Mr. Brown at
13 Johns-Manville --

14 A. I didn't make the arrangements. They were
15 made by Cryor on an industry-to-industry basis. I
16 thought that was a better way to do it.

17 Q. But that one occasion?

18 A. Yes.

19 Q. And then the only other time was the time you
20 talked -- went through Metropolitan to get to
21 Saranac Lake?

22 A. Yes.

23 Q. Did you then just drop it?

24 A. Well, I -- there was nothing more that I

couldn't do anything more

1 and I felt that the plant was being run by very
2 competent people. And I would say they were
3 compassionate people and decent people. I have
4 nothing but the highest regard for Union Asbestos
5 and Rubber Company management in the period that I
6 knew them. There was no attempt by them to adopt
7 the Manville approach.

8 Q. When you met with Dr. Selikoff, was that
9 after Patterson had been closed down or before?

10 A. I would say after.

11 Q. A short time after?

12 A. No, I don't think so. I think -- let's see,
13 the plant closed after the Japanese surrendered.

14 The -- off the record.

15 (Discussion held off the record.)

16 (Whereupon there was a recess in the
17 proceedings from 12:05 p.m. to 12:10 p.m.)

18 BY MR. MODESITT:

19 Q. Mr. Roemer, when you had first met with Dr.
20 Selikoff, what was his purpose in meeting with you?

21 A. Oh, he said that he had made a very thorough
22 investigation of the Union Asbestos and Rubber
23 Company. And, he says, "No matter where I turn," he
24 says, "I seem to come into involvement with you."

1 I told him essentially what I'm telling you.

2 Q. Do you remember when this was, what year?

3 A. No, I don't. I know that it was after they
4 had left Patterson. It was when he had rented -- or
5 the Mount Sinai Hospital of New York had rented this
6 space so that he could be more convenient, so it
7 would be more convenient for the Pattersonians who
8 were -- that he wanted to meet.

9 Q. Do you know whether he met with any other
10 officials of Union Asbestos during this period of
11 time?

12 A. He couldn't have. He couldn't have because
13 Bob Cryor had returned to Chicago before this. And
14 Ed Shuman was the manager and Ed Shuman was in a bad
15 way in later years before he died. I saw him for --
16 quite frequently.

17 Q. But what my question is: You're saying that
18 you don't think he did because they weren't in
19 Patterson any more, or that Bob Cryor was not in
20 Patterson any more?

21 A. No.

22 Q. Do you imagine that perhaps Dr. Selikoff
23 talked to him by phone to Chicago?

24 A. I wouldn't know that.

1 worked with or cooperated with Union Asbestos or not,
2 do you?

3 A. Oh, I would say not, that wasn't his duty.
4 His work was scientific. It was to gather
5 statistics and to study asbestosis.

6 In other words, he had no interest in --
7 he wasn't representing any company. He was sent
8 there by Mount Sinai Hospital.

9 Q. But you really don't know whether or not he
10 talked with Union Asbestos people?

11 A. I would say --

12 Q. No. I'm asking whether you know whether he
13 did or not.

14 A. No, I do not know. No.

15 Q. Did you ever read any of the papers or
16 materials that Dr. Selikoff published as a result of
17 his work from the Patterson plant?

18 A. I can only say this, that every time he had
19 to make a speech, say before the Chamber of Commerce
20 in Patterson or any other group, he would invariably
21 invite me as his guest. I'd hear his speeches.

22 Q. Did you ever read any of his papers?

23 A. Well, except what reports there were in the
24 newspapers of his speech.

1 A. I read none of his papers, as far as I know.

2 Q. Were these speeches always about the
3 Patterson plant itself?

4 A. That's right. And on one occasion when he --
5 well, made it appear that I had committed some great
6 sin by bringing the plant here, you know, to
7 Patterson, I had to rise right at the Chamber of
8 Commerce dinner and let him know that here was a
9 plant that was compassionate and that was desirous
10 of doing the right thing, even if it cost them some
11 money. I mean, I was in a very defensive move
12 against him at that time because, I said, Doctor, I
13 don't know who said that this company was doing some
14 terrible things. They were ordered to open this
15 plant, I said.

16 Q. That's by the U.S. government?

17 A. By the U.S. government, sure.

18 Q. That was to assist in the war time effort?

19 A. Absolutely. Nothing else. They never
20 manufactured any such things before, blankets.

21 Q. Did the government provide the asbestos that
22 was used in that plant?

23 A. Yes.

24 Q. During this period of time that you talked or
25 met with Johns-Manville personnel and met and talked

1 with Mr. Cryor and Mr. Shuman of Union Asbestos and
2 Rubber Company, did you ever meet and talk with any
3 people concerned or representing Raybestos-Manhattan,
4 Inc.?

5 A. Never.

6 Q. That's all I have.

7 - - -

8 REDIRECT EXAMINATION

9 - - -

10 BY MR. WALKER:

11 Q. Mr. Roemer, you contacted Metropolitan Life
12 Insurance Company and someone there, you said it may
13 have been Dr. Lanza, directed you to Saranac Lake in
14 New York; is that correct?

15 A. That's right.

16 Q. That would be a different community from the
17 one at which the Metropolitan Life Insurance offices
18 were located; is that true?

19 A. Oh, absolutely, yes.

20 Q. And the person or persons you talked to at
21 Saranac Lake did have some knowledge on the subject
22 of asbestos; is that correct?

23 A. That's right.

24 Q. And, in fact, engaged in one or more

1 A. That's correct.

2 Q. Part of what prompted you to contact
3 Metropolitan and then Saranac was that Jacob Roemer
4 had noticed these changes in the X-rays of the
5 Patterson workers and then when you -- you meaning
6 yourself and Robert Cryor and Mr. Shuman -- went to
7 New York and talked about these changes to
8 Johns-Manville you learned that it was Manville's
9 practice not to tell the employee that he had some
10 health affect as a result of working with asbestos,
11 but rather just let him work until he died; is that
12 correct?

13 A. That's right.

14 In effect, that's what it was because
15 they'd work as long as they could.

16 Q. Okay.

17 Until either he became disabled or
18 died, whatever took place first?

19 A. That's right.

20 Q. And rather than accept the position of
21 Manville you personally wanted to find a different
22 solution to this health condition brought about by
23 working around asbestos; is that correct?

24 A. That's right.

...if anything, did the people at Saranac

1 Lake tell you was their suggestion or recommendation
2 as it related to informing employees at an asbestos
3 plant that they had some --

4 A. They were --

5 Q. Excuse. Let me finish my question.

6 A. I'm sorry.

7 Q. -- as to inform the employees of an asbestos
8 plant as to whether they had an asbestos -- a
9 condition caused by asbestos?

10 A. I would say that I was just up against a
11 cul-de-sac there. I got nowheres. All I did -- I
12 did get an explanation of what asbestosis is and was,
13 which was substantially what Roemer told me
14 previously. But they weren't helpful to us with our
15 problem in any way, and on the contrary I think. I
16 just had the general feeling that they didn't want
17 to talk too much.

18 Q. You had the feeling that the people at
19 Saranac didn't want to address your concerns about
20 whether the employee should be alerted and if he was
21 alerted what response should be made by the company?

22 A. Yes. I had the general feeling when I went
23 up there that they were being subsidized probably --
24 maybe by Johns-Manville or something of that sort,

1 discuss the situation. I mean, that was really a
2 subjective thing.

3 Q. Saranac discussed with you the physiological
4 or medical aspects of asbestos disease, but refused
5 to discuss with you the ethical or legal
6 implications that arose once an employee had
7 asbestos disease; is that correct?

8 A. Yes, that's right. Then I had hit a stone
9 wall again.

10 Q. You were asked whether the United States
11 government provided the asbestos fiber used at the
12 Patterson plant. Do you know, from some knowledge
13 of your own, that that fiber was provided by the
14 government or is that an assumption that you made?

15 A. No, it was a fact which I was told about by
16 Cryor and Shuman. I mean, because there were
17 several situations there. There were two situations
18 that caused me to get information about that.

19 On one or more occasions I was told
20 by Cryor and Shuman that the ship bringing a
21 shipment of the asbestos from Africa had been
22 torpedoed, and the other was a railroad strike that
23 occurred so that the railroad siding was no longer
24 available to them. They had to truck the stuff from

And on each occasion, of

1 course, they were dealing -- I would be told that
2 a shipload of this asbestos had come from Africa and
3 they wanted to get it to the plant.

4 Q. But I don't understand from your answer how
5 that information led you to the conclusion that the
6 government was providing -- in other words, the
7 United States government was providing it?

8 A. Oh, well, Bob Cryor and Ed Shuman and I
9 proceeded upon that -- with that understanding.

10 Q. So these were just occasions when Cryor and
11 Shuman told you that the government was supplying
12 the asbestos?

13 A. Yes, and on other occasions too. I mean, I
14 asked him why he didn't use American asbestos. And
15 he said that they're using this asbestos which is
16 supplied by the government because the American and
17 Canadian asbestos is not adequate for their needs.

18 Q. Did you have the impression that Union
19 Asbestos and Rubber Company was paying the United
20 States government a price for the asbestos or
21 perhaps that it was some other arrangement under
22 which the asbestos fiber was being supplied to the
23 Union Asbestos and Rubber Company and then Union
24 Asbestos and Rubber Company was being paid some sum

1 perhaps some third alternative that I didn't
2 describe?

3 A. My understanding was that the raw materials
4 were supplied by the government and they were merely
5 manufacturing these blankets which were used
6 subsequently on vessels and used in the war by the
7 American Navy. Mostly for these torpedo boats and
8 other tormentors in the midst of a naval battle.

9 Q. Do you know the names of any other companies
10 that may have been supplying asbestos materials to
11 the Patterson plant?

12 A. I know of no other outfit that supplied the
13 asbestos.

14 Q. You said that you knew that Bob Cryor
15 returned to Chicago before the Patterson plant
16 closed; is that correct?

17 A. That's right.

18 Q. It was somewhat of a promotion for him; is
19 that true?

20 A. I presume because -- either that or he might
21 have been anticipating -- or I think his family came
22 from Chicago originally. In other words, he was
23 like -- I always thought of him as a Chicago boy
24 whereas Shuman, although he might have probably come

1 considered him a New Yorker.

2 Q. I think the sources will confirm that, in
3 fact, Cryor did return to Chicago and his
4 responsibilities were increased, which was we
5 traditionally call a promotion.

6 A. Yes.

7 Q. In any event, after Cryor left the Patterson
8 area, then Shuman assumed top responsibility at the
9 Patterson plant?

10 A. That's right.

11 Q. And is it your recollection that Mr. Shuman
12 continued to live in the Patterson area even after
13 the Union Asbestos and Rubber Company plant closed?

14 A. Well, he had a home in Teaneck, New Jersey
15 which is not too far from Patterson.

16 Q. But he continued to live here in your
17 community after the plant closed?

18 A. That's right.

19 Q. You saw him from time to time and saw his
20 health deteriorate?

21 A. Yes, terribly.

22 Q. Was there any social or business gathering at
23 which you normally saw him, you know, like the
24 meeting of such and such group or anything or were

1 A. You mean -- when was this, after the plant
2 closed?

3 Q. Yes.

4 A. Oh, no, no. It was personal all right. I
5 mean, he -- I -- it was not a chance meeting at all
6 because he was in a bad way. So bad, in fact, that
7 I believe his family broke up and he was living
8 alone, I think, when he died. His wife, I think,
9 and he separated. And he would come to me -- I
10 remember on one occasion to see if I could get
11 him into the Patterson Hospital, you know. And I
12 was appointed the executor of his will.

13 Q. Did you probate his Estate?

14 A. No, I did not because at that time he was
15 living in New York. And the -- I acted as Executor,
16 but he had a relative of his who was an attorney in
17 New York handle it. I mean, he actually handled the
18 legal mechanics.

19 Q. Did Mr. Shuman receive any financial benefits
20 from Union Asbestos and Rubber Company by way of
21 Occupational Disease or Workmen's Compensation Act
22 payments?

23 A. I haven't the slightest idea about that. I
24 assume that he was.

1 actually in your work as Executor having seen
2 documents that showed that he received such payments,
3 did you have such firsthand knowledge?

4 A. I have no recollection about that at all.

5 Q. What about his dependents after his death, do
6 you know if they received any payments from Union
7 Asbestos and Rubber Company?

8 A. I have no knowledge of that because I did not
9 know his wife at all.

10 Q. Did you ever meet a man, so far as you
11 remember now, by the name of Tom Callahan who worked --
12 who was associated with the Patterson plant?

13 A. I have no knowledge of Tom Callahan, no.

14 Q. The speeches that Dr. Selikoff made at the
15 Patterson Chamber of commerce and other places,
16 these speeches would have been to what we would call
17 a lay audience as opposed to an audience of a
18 particular profession, such as all doctors or all
19 lawyers or something of that nature.

20 A. It was a lay audience.

21 Q. And in his speeches did Dr. Selikoff ever
22 discuss his having talked about the asbestos disease
23 at Patterson with any Union Asbestos and Rubber
24 Company employees?

1 Q. Did he talk -- in his speeches did he say,
2 and I have talked to management of Union Asbestos
3 and their response has been such and such?

4 A. Never.

5 Q. You believe that some of these speeches were
6 reported in the press within the Patterson area?

7 A. Yes, they were reported the following day.

8 Q. Who left the Colt Building first, yourself or
9 the Mount Sinai group?

10 A. The Mount Sinai group.

11 Q. How many years did they have an office there?

12 A. I would say probably ten years.

13 Q. Were people examined there in addition to
14 records being kept there?

15 A. That's right. He had a secretary there all
16 the time. And -- now just what his professional
17 involvement was with these people, I don't know.

18 Q. Once, you've said, that Selikoff would send
19 people to talk with you. Were these -- Did he ever
20 send any Patterson workers to talk with you or were
21 these people different from Patterson workers?

22 A. Well, they weren't Patterson workers because
23 if they were, they would have been handled by Arthur
24 Meade, but they were relatives who became involved

1 that sort.

2 Q. When Selikoff sent people to you, would this
3 be with the idea that you -- that Selikoff suggested
4 that they go see you in order to obtain legal
5 services or in order to talk with someone who had
6 some information about the history of Union Asbestos?

7 A. My recollection was that it wasn't the
8 employees or even their relatives that were sent.
9 They were mostly -- you know, in every community,
10 especially one as old as Patterson, there are all
11 kinds of fellows who claim that they are great
12 historians, you know. Instead of his giving them
13 the story about the Union Asbestos and Rubber
14 Company in Patterson, he would send them to me to
15 unravel -- to give them that background, you know?

16 Q. He let you commit your time to telling these
17 historical facts rather than committing his own time
18 to that?

19 A. That's right.

20 Q. As I understand it, you never personally
21 represented employees of the Patterson plant in any
22 asbestos disease litigation nor did you represent
23 the plant itself in any asbestos disease litigation?

24 A. No, never. Although, as I say, I knew Arthur

1 never represented the company. I never did any
2 Workmen's Compensation work.

3 Q. Did you know the Gellman firm or any of the
4 lawyers who represented some of the interests --

5 A. I know Carl Gellman and his brother and his
6 son -- Carl's son John was up in Wayne, New Jersey.
7 In fact, John Gellman sat next to me at the Chamber
8 of Commerce dinner.

9 Q. When you responded to Selikoff's speech?

10 A. Yes, yes.

11 Q. Do you know about what year that would have
12 been?

13 A. I would say probably -- maybe 1970 or
14 thereabouts.

15 Q. That's all the questions I have.

16 - - -

17 RECROSS EXAMINATION

18 - - -

19 BY MR. MODESITT:

20 Q. I just have a very few questions.

21 When you were looking into this
22 problem in late 1942, early 1943, did you have an
23 occasion to read the public health report published
24 by Dr. Lanza in January of 1935 about cautions in
25 the plant environment wherein asbestos was used?

1 A. I might have, but I have no recollection of
2 it.

3 Q. How many actual conversations did you have
4 with whomever you spoke with at the Saranac
5 Laboratories?

6 A. I would say two or three.

7 Q. How many minutes would you manage -- how many
8 minutes would you think you talked?

9 A. Well, I would say maybe five or six minutes.

10 Q. Total?

11 A. No, I mean on each occasion.

12 Q. So would your best estimate be that you
13 talked a total of somewhere between ten minutes and
14 18 minutes?

15 A. That's right, plus any correspondence that I
16 might have received, which I no longer have.

17 Q. Do you remember specifically whether you
18 actually received any correspondence?

19 A. No, I do not.

20 Q. Did you ask the people at Saranac whether or
21 not employees should be told of the problem?

22 A. No.

23 Q. I assume the reason you didn't ask that is
24 because the company that you were inquiring for or

because the company that you were inquiring for or

1 A. Well, it might have been. It might have.
2 It's -- I know that I have no recollection of having
3 discussed that particular thing.

4 MR. MODESITT: Read the response back.
5 (Whereupon the Court Reporter read
6 back the answer.)

7 BY MR. MODESITT:

8 Q. In other words, Mr. Roemer, you didn't ask or
9 inquire of Saranac what you should be telling the
10 people at the plant and they didn't tell anything
11 about it?

12 A. Yes. I'm telling you, I was left in left
13 field. I was -- I just finally gave up, more than
14 anything else. I mean, I just felt that nobody
15 really wanted to talk to me.

16 Q. But my question was: You didn't ask them
17 about what to tell the people at the plant?

18 A. No, I just wanted information about
19 asbestosis.

20 Q. And they gave you that information.

21 A. Yes.

22 Q. All right.

23 So from that standpoint your inquiry
24 was satisfied.

1 because Roemer told me the same thing.

2 Q. Okay.

3 A. And --

4 Q. What I'm seeking --

5 MR. WALKER: Hold it just a minute.

6 If you had more answer, Mr. Roemer,
7 go ahead.

8 MR. MODESITT: I think he's answered
9 the question, but --

10 MR. WALKER: Did you have more answer
11 you wanted to give or was that the end of
12 your answer?

13 THE WITNESS: Well, I think I
14 answered it previously. In other words, when
15 I -- I must have done that because when I
16 entered that area, then Saranac Lake changed
17 its responses and its attitude. In other
18 words, I felt I was wasting my time with them,
19 just as I cut the conference with Vandiver
20 Brown short. In other words, I -- there was
21 no point in continuing.

22 BY MR. MODESITT:

23 Q. Well, okay. That's what you felt then?

24 A. Yes.

1 now that you did not inquire as to whether the
2 employees at the plant ought to be told of a health
3 hazard; isn't that correct?

4 A. Well, I have no recollection of that, except
5 that I remember the termination more than anything
6 else. And the termination of Saranac Lake
7 conferences was caused by the fact that when I
8 attempted to get help in areas which had nothing to
9 do with a -- what shall we call it, a --

10 Q. Physiological explanation?

11 A. Physiological explanation, they suddenly
12 became tongue tied or something. I don't know. I
13 just -- you know, you just felt that you couldn't
14 move any further.

15 Q. So what is it that you really wanted to know?

16 A. Well, I wanted to know primarily what we
17 might do. I explained our problem, that we hit this
18 difficulty with the union, and if they could give us
19 some suggestions as to how to handle that thing now.

20 In other words, the problem -- it was
21 the same problem that caused me to initiate the
22 conference with Vandiver Brown.

23 Q. Did that alter anything with regard to Union
24 Asbestos?

1 Q. In other words, Union Asbestos --

2 A. Just --

3 Q. -- continued to --

4 A. To do what it was formerly doing.

5 Q. And what it was formerly doing was taking
6 chest X-rays and telling the employees if they had a
7 bad chest X-ray?

8 A. That's right.

9 Q. Did you learn at any point during this period
10 of time that asbestos plants were utilizing and
11 developing engineering systems to exhaust away from
12 the worker the asbestos dust?

13 A. No. I wasn't so much interested -- see, I'm
14 not a doctor, I'm a lawyer, and I wasn't interested
15 in the medical phases so much as I was in trying to
16 extricate the company from this position they were
17 in, you see?

18 I mean, we had hit a stone wall with
19 Johns-Manville. And I thought possibly they might --
20 because it was the only place in the United States,
21 I was told -- now I didn't make a personal
22 investigation, but I was informed by the
23 Metropolitan Life Insurance Company that the Lake
24 Saranac thing was the only one -- the reason I

1 was because I know there is lot of T.B., you know,
2 in the United States and I know that there are
3 thousands of TB hospitals in hundreds of places,
4 that is, that have finally, I think, conquered TB.
5 So I thought there was some situation like that
6 where I could get some help somewheres, but I was
7 told that the only place in the whole United States
8 of America that was studying the asbestosis problem
9 was Lake Saranac.

10 Q. I'm confused about what it is you felt that
11 Saranac didn't disclose to you. You have told me
12 that you inquired about asbestosis and they
13 explained that to you which was consistent with what
14 your cousin had explained to you. What else did you
15 expect Saranac to tell you as a research facility?

16 A. Well, I had told them about why I was calling
17 them. I mean, I had to have some reason. I wasn't --
18 I didn't tell them that I was going to write a book
19 or an article about asbestosis. I told them that I
20 was speaking on behalf of Union Asbestos and Rubber
21 Company and that they had run into the particular
22 problem, if they could give me some advice about how
23 to deal with it.

24 Q. How to cure the medical problem?

No, no. How to deal with the problem from a

1 lawyer's point of view.

2 In other words, our problem was to
3 overcome the union resistance and I figured that
4 that sort of situation might have come into their
5 discussions or their surveys or what have you.

6 Q. Did you have any reason to believe that
7 Saranac was involved with the Textile Union workers?

8 A. Oh, no, not at all.

9 Q. Did you have any reason to believe that
10 Saranac Laboratory would be in a position to make --
11 to give advice about management and union
12 difficulties?

13 A. I thought because it was the nearest thing to
14 an outfit that -- where there was no conflict of
15 interest -- at least I thought there was no conflict
16 of interest there -- that having explained to them
17 how and why I came to them at all; do you see? I
18 didn't want them to think that I was coming there to
19 compete with them scientifically or a million and
20 one other reasons for knowing them. I told them why
21 I'm there. And I gave them the history -- our
22 history of -- in this matter.

23 Q. Did it occur to you that maybe Saranac
24 Laboratories was not completed with its research and
25 didn't have the final answer?

1 A. They didn't say that. They didn't say that.
2 I'm telling you, they left me out in left field when
3 I invaded that area. You see?

4 In other words, they knew why I was
5 at Lake Saranac. I wasn't there to get a cure for
6 asbestosis. They knew that.

7 Q. I'm still not sure what area and what you
8 really wanted them to do for you.

9 A. I thought that they might, as a result of
10 being the only scientific and disinterested outfit
11 in the country, might have some suggestion as to
12 procedure by us.

13 Q. Procedure for what? I don't know what
14 procedure you were looking for.

15 A. How are these things handled by the other
16 people that they are investigating.

17 In other words, why did I go to
18 Johns-Manville. I didn't go there to have a lunch.
19 I went there to find out how they handled the legal
20 situation when a -- when the doctor reported to them
21 that Mr. "X" had an involvement of asbestosis.

22 Q. And you did not receive -- you did not find
23 out from Saranac how other companies handled the
24 problem?

1 Q. And that's what -- when you refer to the fact
2 that you didn't feel fulfilled in your inquiry,
3 that's what you're talking about?

4 A. That's right.

5 Q. And the only textile company or the only
6 asbestos company you sought advice from was
7 Johns-Manville?

8 A. That's right.

9 Q. You did not seek advice from any other
10 company?

11 A. No, no, no. I did not.

12 Q. You don't know how any other company handled
13 that same problem?

14 A. I haven't the slightest notion.

15 Q. That's all I have.

16 MR. WALKER: That's all I have.

17 - - -

18 (Witness excused.)

19 - - -

20 (Deposition concluded at 12:50 p.m.)

21

22

23

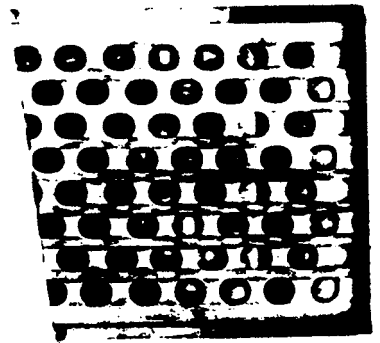
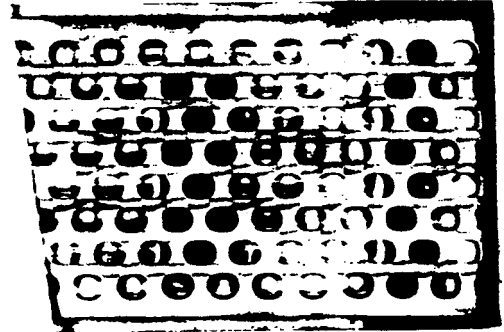
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C E R T I F I C A T E
OF PENNSYLVANIA:

: SS
PHILADELPHIA

I, Brigitte A. Strain, Registered
Reporter-Notary Public within and for
of Philadelphia, Commonwealth of
ia, do hereby certify that the foregoing
of Charles H. Roemer was taken before me
Holiday Inn, Route 46 West, Totowa, New
on Thursday, September 1, 1983; that the
testimony was taken in shorthand by myself
and to typing under my direction and
that the foregoing pages 1 to 98 contain a
correct transcription of all of the
of said Witness.

BRIGITTE A. STRAIN
Notary Public



1 I have read the foregoing deposition
2 and the answers given by me are true and
3 correct, to the best of my knowledge,
4 information and belief.
5
6
7

8 _____
9 CHARLES H. ROEMER
10
11
12

13 Sworn to and subscribed
14 before me, a Notary Public
15 this day of 1983.

16 _____
17 NOTARY PUBLIC
18
19
20
21
22
23
24