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June 9, 1992

IN THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT
IN AND FOR DUVAL COUNTY, FLORIDA

TONY B. SCOTT and LOIS B. SCOTT, his wife, Plaintiffs, vs. JOHNS-MANVILLE SALES CORPORATION, et al., Defendants.	CASE NUMBER 81-1743-CA Division F Deposition of DR. DANIEL C. BRAUN Filed on Behalf of the Plaintiffs Counsel of Record for this Party: Thomas H. Hart, III, Esq. Blatt & Fales P. O. Box 365 Barnwell, S.C. 29812

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found in your files?

A Yes, sir.

Q And Exhibit 22, sir? I ask if you can identify that.

A Yes, sir. That is a copy of a report to Industrial Hygiene Foundation of America, Incorporated, stationery, 4400 Fifth Avenue, Pittsburgh 13, Pa. It is dated June 18, 1947 entitled, "Report of Preliminary Dust Investigation for Asbestos Textile Institute, June, 1947, by W. C. Nemeon, Head Engineer" signed for the Industrial Hygiene Foundation of America, Incorporated by John F. McMahon, Managing Director.

Q And Mr. McMahon was Managing Director of the Industrial Hygiene Foundation in 1947; is that correct?

A Yes, he was.

Q Who was Mr. Nemeon in 1947?

A He was the chief industrial hygienist, but his title was Head Engineer.

Q For what organization?

A Industrial Hygiene Foundation.

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Q Was this report found in the files of Industrial Health Foundation?

A No. It was requested on one of the early subpoenas, and identified. We didn't have it. This copy or the copy from which this copy was made was obtained by me from Mr. Hemeon at that time.

Q Okay. Did Mr. Hemeon, in fact, prepare this in the ordinary course of his duties with the Industrial Health Foundation?

A Yes.

MR. YOUNG: I object to the form of the question.

Q Has a copy of this been placed in the files of Industrial Health Foundation subsequent to your obtaining it from Mr. Hemeon?

A Subsequent, yes.

Q Were you employed in 1947 by the Industrial Hygiene --

A No, I was not.

Q When you did join the Industrial Hygiene Foundation, did you come to learn of this report?

A No, I didn't.

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Q And did you learn of this investigation and the visit they had made to the plants?

A I don't think I did until these depositions began.

Q Have you, in fact, discussed this report with Mr. Hemeon?

A Only to the extent of obtaining a copy of it.

Q Okay. You know Mr. Hemeon, do you not?

A Yes, I do.

Q And he is a lunch partner of yours on occasion?

A Yes.

Q Is this a true and accurate copy of the report that he prepared for the Industrial Hygiene Foundation?

A True and accurate copy of the one that I obtained from him.

MR. YOUNG: Object to the form of that question.

Q Is that the letterhead of the Industrial Hygiene Foundation of America, Incorporated?

A Yes, it is.

Q In 1947?

A Yes.

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CERTIFICATE

I, Dr. Daniel C. Braun, do hereby certify that I have read the foregoing transcript and it is a true and correct copy of my deposition, except for the changes, if any made by me on the attached Deposition Correction Sheet.

Daniel C. Braun

Dr. Daniel C. Braun

DATE: June 30, 1987