

FILE NAME: Insulators Workers' Comp Claims (IWC)

DATE: 1957

DOC#: IWC068

DOCUMENT DESCRIPTION: Claimant - Munger, Lewis K. [Pt.2]

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6 Attorneys for Defendant
7 RILEY STOKER CORPORATION

8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
9

10 IN RE:) NO. 828684
COMPLEX ASBESTOS LITIGATION))
11) DEFENDANT RILEY STOKER
CORPORATION'S AMENDED RESPONSES
12) TO PLAINTIFFS' STANDARD GENERAL
ORDER 129 INTERROGATORIES
13)
14)

15
16
17 Riley Stoker Corporation "Riley Stoker" or the "Company"),
18 pursuant to and under the protection of the California Rules of
19 Civil Procedures, hereby files these responses to Plaintiffs'
20 Standard Asbestos Case Interrogatories (hereinafter
21 "Interrogatories") pursuant to San Francisco Superior Court
22 General Order No. 129.

23 RESPONSE NO. 1

24 James S. Brantl, General Counsel, DB Riley, Inc., P.O. Box
25 15040, Worcester, MA. 01615-0040.

26 RESPONSE NO. 2

27 James S. Brantl, Esquire, joined Riley Stoker as an
28 Attorney in October of 1976. He became Senior Corporate Attorney

RECEIVED
JAN 22 1957
STATE OF MICHIGAN
WORKMEN'S COMPENSATION COMMISSION
DATE AWARDED
AWARDED BY

STATE OF MICHIGAN

WORKMEN'S COMPENSATION COMMISSION

AWARD

PLAINTIFF'S EXHIBIT

RS-376

Application for an adjustment of a claim having been scheduled for hearing at 1612nd Michigan, on 1-16 1957, I find as follows:

1. That the above named employee did - did not receive a personal injury arising out of and in the course of his - her employment by the above named employer on 19.
2. That the employee's average weekly wage at the time of injury was \$ and his - her occupation was skilled () common labor ().
3. That the employee is entitled to receive from the respondent(s) compensation at the rate of \$ per week for total disability from 19 to 19 and at the rate of \$ per week for partial disability from 19 to 19.

further, that the employee is still totally - partially disabled and entitled to continue to receive compensation at the rate of \$ per week until further order of the commission.

4. That the employee is entitled to receive from said respondent(s) compensation at the rate of \$ per week for the specific period of weeks from for the loss of
5. That the applicant(s) is - are entitled to receive from said respondent(s) \$

Specify whether medical, hospital, funeral, etc.

6. That the applicant(s) is - are entitled to receive out of the compensation due to employee - dependents the sum of \$ in full of all legal services rendered in the above entitled cause to the date hereof and the respondent(s) is - are hereby authorized to pay the same and to deduct said amount from sums payable to the employee - dependents, same to be payable as follows:

7. That the applicant(s) is - are entitled to receive from the respondent(s) compensation at the rate of \$ per week as total - partial dependent(s) of Employee from 19.

until further order of the Commission but not to exceed a period of 400 weeks from the date of the death of the above named employee.

8. Names and ages of minor dependents (If none, so state)

That the "prior" employers listed hereafter have agreed to pay to Electro
Lock Co. and Travelers Insurance Co. as their proportionate share for compensation
further expenses benefits owed and can be paid by Travelers Insurance Co. to Electro
Lock Co. as plaintiff, the sum of \$150.00 per month for each month the said Electro
was in their employ. The parties further agree to pay the accrued portions of
their liability at this time and that Travelers Insurance Co. will bill them
at the end of each year until such time as the amount of benefits as set forth
in the award dated 2/1/57 has been paid.

(SIGNED)

James W. Nolan

District Commissioner
Hearing Referee

Signed this 18th day of January A.D. 1957

THE ABOVE AWARD IS ENTERED IN ACCORDANCE WITH THE PROVISIONS OF ACT NO. 10, PUBLIC ACTS, FIRST EXTRA SESSION OF 1912, AS AMENDED. UNLESS A CLAIM FOR REVIEW IS FILED BY EITHER PARTY WITHIN TEN DAYS FROM MAILING DATE OF THIS AWARD, IT SHALL STAND AS THE FINAL DECISION OF THE WORKMEN'S COMPENSATION COMMISSION.

EXHIBIT

Ridder 7
2/1/57

RS-000063
1/17/52
NUECES

STATE OF MICHIGAN
WORKMEN'S COMPENSATION DEPARTMENT
APPLICATION FOR HEARING AND ADJUSTMENT OF CLAIM
IN THE NATURE OF APPOINTMENT

EMPLOYER Lewis M. Munger 110 E. Midland Ave., ANN ARBOR, Michigan
and
EMPLOYER ARMSTRONG CORK CO. Lancaster, Pa.
INSURANCE CARRIER Travelers Insurance Company

The applicant respectfully shows:

1. That this claim relates to a personal injury which occurred on or about

OR to a disablement from occupational disease which occurred on or about August 7, 1953.

2. That the injury or disablement occurred at Midland, Midland, Michigan and in the following
City County State

This proceeding is for an apportionment of liability for medical expense in the total amount of \$5,157.16 which became payable and was paid by your petitioner by virtue of an Appeal Board Order dated January 1, 1956, among prior employers in accordance with the attached list under the provision of Sec. 17.223 of the M.S.A. being Sec. 417.9 of C.L. 1948.

(Last day worked) (Daily Wage at time of injury or disablement) (Weekly Compensation)

3. Nature of disability ~~Occupational~~ pneumoconiosis; asbestosis

Date of recovery

Date of return to work

4. If death resulted, give date of death

Relationship of applicant to deceased

5. Names of persons dependent upon injured employee on date of injury.

6. If adjustment of attorney or medical fees or funeral expense is sought, please state which and amount.

Wherefore applicant requests that he be granted such relief as he is entitled to under the Workmen's Compensation Law of Michigan and that the Department set this matter for hearing so that the parties herein may have a determination of their rights under the Workmen's Compensation Law.

Dated at Detroit, Michigan

this 30th day of July 1959
ARMSTRONG CORK CO. and TRAVELERS INSURANCE CO.

signed *[Signature]* (Applicant must sign here) Attorney

Address 1204 Dime Building, Detroit, MI

NOTE: - Either party to a dispute regarding compensation matters may apply to the Department for an adjustment of its claim. Three copies of this application must be mailed to the Workmen's Compensation Department, Lansing 13, Michigan. The applicant should keep one copy.

EMPLOYER

INSURER

Jackson Insulating Company

Michigan Mutual Liability Co.
28 West Adams
Detroit 26, Michigan

Riley Stoker Company

Michigan Mutual Liability Co.
28 West Adams
Detroit 26, Michigan

Everts Asbestos Company

Continental Casualty Company
515 Ford Building
Detroit 26, Michigan

J. W. Wellman Asbestos Co.

State Accident Fund
1602 Cadillac Tower
Detroit 26, Michigan

Johns-Manville Company

Travelers Insurance Company
930 Dime Building
Detroit 26, Michigan

Central Asbestos & Magnesia Co.

Hartford Accident & Indemnity
1000 National Bank Building
Detroit 26, Michigan

Parham Insulation Company

American Automobile Insurance
1100 Guardian Building
Detroit 26, Michigan

RS-000000
1/17/02
NUECES

RILEY STOKER CORPORATION
WORCESTER, MASSACHUSETTS

PLAINTIFF'S EXHIBIT

RS-377

January 9, 1957

Michigan Mutual Liability Insurance Company
25 West Adams Street
Detroit, Michigan

RE: ACCIDENT CONTROL PROGRAM
LEWIS MUNGER

EXHIBIT

Gentlemen:

We are enclosing herewith a notice of hearing received from the Workmen's Compensation Department of the State of Michigan indicating the hearing to be held on a petition for apportionment of liability on January 18, 1957, commencing at 9:30 a.m. This is in connection with a claim instituted by Lewis K. Munger against several defendants, listed and attached to the notice of hearing of which Riley Stoker Corporation is included.

Please refer to the writer's letter of August 13, 1956, wherein a letter received from Workmen's Compensation Department of Michigan covering a case for Lewis Munger versus Armstrong Cork Company was mailed to your office.

The writer at that time advised that this employee worked for the Riley Stoker Corporation from June 19, 1952 through August 15, 1952 on the James DeYoung Steam Plant, Riley Contract B-1947. This employee was employed as an insulator mechanic and was removed on August 15, 1952 because of "a reduction in working force." While in our employ, this employee was not injured.

We believe that we have mailed all pertinent information concerning this matter to your attention. However, if you should require any further information, please do not hesitate to contact the writer.

Very truly yours,

RILEY STOKER CORPORATION

We wish to thank Mr. Peck for his cooperation in this matter, and will be interested to learn of the decision in this hearing if it should be sent direct to the Detroit Office.

P. A. Michaelian
Safety Supervisor

PAL/ph
enc.

cc: Detroit Office Ind. Relations Dept.
L. O. Peck, Mr.

C O P Y

RS-000346
1/17/52
NUECES