

**PLAINTIFF'S
EXHIBIT**

GP-137

CITATION

ATLANTA, GA 30303
LA VISTA INDUSTRIAL AND MFG. COMPANY
SHEPHERD INDUSTRIAL
TUCKER, GEORGIA 30084

1-2-10	157	100
AREA	SECTION	
0280	04	

TO:

Georgia Pacific Corporation
P. O. Box 776
Marietta, Georgia 30060

3. Citation Number 1

4. Page 1 of 8. 1

6. TYPE OF ALLEGED VIOLATION(S): Non-Serious

An inspection was made on July 31, 1975 of a place of employment located at:
1456 White Circle Court, Marietta, Ga. and described as follows:
Manufacturing

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970,
29 U.S.C. 651 et seq., in the following respects:

11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
1 29 CFR 1910.22(a)(1)	Failed to keep place of employment clean, orderly, and in a sanitary condition exposing employees to hazard of tripping and slipping at Ready or Wet Area.	3 Working Days from receipt of Citation
2 29 CFR 1910.1001(f)(1)	Failed to perform initial determination of asbestos within six (6) months of the publication of section 1910.1001, exposing employees to the hazard of asbestos in the: a. Railcar unloading area b. Bagging Machine Operator c. Bag Stacker at Bagging Machine.	October 7, 1975
3 29 CFR 1910.1001(f)(2)	Failed to take asbestos samples for the determination of the 8 hour time-weighted average airborne concentration of asbestos fibers, exposing employees to the hazard of asbestos in the Dry Mixer.	October 7, 1975
4 29 CFR 1910.1001(g)(1)(1)	Failed to display caution signs at each location where airborne concentrations of asbestos fibers may be in excess of the exposure limits.	September 1, 1975
5 29 CFR 1910.1001(h)(2)	Failed to dispose asbestos bags and containers in sealed impermeable bags, or other closed impermeable containers.	3 Working Days from receipt of Citation
6 29 CFR 1910.1001(j)	Failed to provide employees exposed to asbestos a medical examination which shall include as a minimum a chest X-ray, history and pulmonary functions tests to include forced vital capacity (FVC) and forced expiratory volume at one second (FEV 1.0).	October 7, 1975

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days*, whichever period is longer.

NOTICE TO EMPLOYEES

Any employee who believes that any part of this citation is in error or who wishes to file a complaint with the U.S. Department of Labor, should do so within 15 working days of the date of this citation. The employee should file a written complaint with the nearest U.S. Department of Labor office or with the nearest U.S. District Court. The employee should also file a copy of the complaint with the employer. The employee should also file a copy of the complaint with the nearest U.S. District Court. The employee should also file a copy of the complaint with the nearest U.S. District Court. The employee should also file a copy of the complaint with the nearest U.S. District Court.

*Under the Occupational Safety and Health Act, the term "Working Day" means Monday through Friday but does not include Saturdays, Sundays, or Federal holidays.

14. Area Director's Signature: James H. Sullivan Issuance Date: August 7, 1975

(NOTICE: Additional Important Information On Reverse Side)

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

ATLANTA AREA OFFICE
LA VISTA PENNSYLVANIA OFFICE PARK
BUILDING 10 - SUITE 20
TUCKER, GEORGIA 30084

Case No.	7-2710	157	76
Area	0200	05	

Georgia Pacific Corporation
P. O. Box 776
Marietta, Georgia 30060

3. Date August 7, 1975
THERE IS NO REQUIREMENT THAT
THIS NOTIFICATION BE POSTED.

NOTIFICATION OF PROPOSED PENALTY

This notification and the penalty (if any) proposed by the Secretary of Labor shall be deemed to be the final order of the Occupational Safety and Health Review Commission for independent review with authority to issue decisions respecting questions and proposed penalties and are subject to review by any court or agency unless, within 15 working days from the date of receipt of this notification, you submit a letter of contest. The letter of contest should be mailed or otherwise delivered to the Area Director named below at the address shown at the top of this notification. If no notice of contest is filed within the 15 working day period the proposed penalty (if any) becomes final and is immediately payable.

Payment of all penalties shown is to be made by check or money order payable to the order of "Occupational Safety and Health-Labor". Payment on "checks" should be remitted to the Area Director at the address shown above.

Section 17(1) of the Act states: "Civil penalties owed under this Act shall be paid into the Treasury of the United States and shall accrue to the United States and may be recovered in a civil action in the name of the United States brought in the United States district court for the district where the violation is alleged to have occurred or where the employer has its principal office."

On the 7th day of AUGUST, 1975, a citation(s) was issued to you in accordance with the provisions of Section 9(a) of the Occupational Safety and Health Act of 1970 (84 Stat. 1601; 29 U.S.C. 651, et seq.) hereinafter referred to as the Act. You were then notified of certain alleged violations of the Act, as specified in that citation(s).

YOU ARE HEREBY NOTIFIED that pursuant to the provisions of Section 10(a) of the Act, the penalty(ies) set forth below is/are being proposed, based on the citation(s).

Non-Serious VIOLATIONS			VIOLATIONS		
5A. Citation No.	5B. Item No.	5C. Proposed Penalty	6A. Citation No.	6B. Item No.	6C. Proposed Penalty
1	1	\$25.00			
	2	None			
	3	None			
	4	None			
	5	None			
	6	None			

Total Proposed Penalty for
All Alleged Violations

\$ 25.00

Area Director

John L. Gray

August 7, 1975

For each and every violation of safety and health standards collected a 10 percent adjustment factor for enforcement is to be taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, the 10 percent adjustment will be added to each other penalty as may subsequently be proposed for failure to correct a violation within the statement period. No adjustment credit is allowed for violations of recordkeeping or posting requirements.

A INSPECTION. DATE 07-31-75

ITEM

- 1.) COMPLETED WITHIN 3 WORKING DAYS FROM RECEIPT OF CITATION.
- 2.) GEORGE FOWLER COLLECTED AIR-BORNE SAMPLES IN DESIGNATED AREAS A, B, C. THESE SAMPLES WERE MAILED TO GEORGE GREEN AT TIGER who IN TURN SECURED CONCENTRATIONS OF ASBESTOS. COMPLETED BY OCT. 7, 1975.
- 3.) SAMPLES WERE TAKEN AS OUTLINED IN PARAGR. #2 ABOVE. (NOTE ON OCTOBER 16, 1975 A REINSPECTION WAS CONDUCTED & WE WERE FOUND TO BE IN VIOLATION.)
- 4.) SIGNS WERE ORDERED & PASTED AS REQUESTED (N. ON 10-16-1975, ON REINSPECTION, WE WERE FOUND TO BE IN VIOLATION.)
- 5.) WE COMPLIANCE - BY PURCHASING HEAVY DUTY PLASTIC BAGS, & INSERTING ALL MTY ASBESTOS BAGS IN THESE PLASTIC BAGS. A CAUTION LABEL WAS PASTED IN THESE CONTAINERS & SEPARATED WITH OUR OTHER DUMP MATERIALS. COMP WITHIN 3 WORKING DAYS.
- 6.) WE ESTABLISHED A MEDICAL EXAMINATION TO INCLUDE CHEST-X RAY, & PULMONARY FUNCTION TESTS, ALL EMPLOYEES. COMPLETED WITHIN TIME (10 THESE TESTS WERE CONDUCTED ANNUALLY THE LAST SERIES OF TESTS WAS JUN-1976

WE WERE FINESTED - 25 AC CA. ITEM # 1.

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

ATLANTA OFFICE
LA VISTA REHABILITATION OFFICE
BUILDING 10 - SUITE 105
TUCKER, GEORGIA 30084

CY-NO	157
T-2710	
AREA	REGION
0280	06

TO:
Georgia Pacific Corporation
P. O. Box 776
Marietta, Georgia 30060

Subject: Citation(s) for Alleged Occupational Safety and Health Violation(s)

An inspection of a place of employment has revealed conditions which we believe do not comply with the provisions of the Occupational Safety and Health Act of 1970, (29 U.S.C. 651 et seq.). The nature of such alleged violations is shown in the enclosed citation(s) with references to applicable standards, rules, regulations and provisions of the Act. These conditions must be corrected on or before the date shown to the right of each alleged violation.

The Act requires that a copy of the enclosed citation(s) be prominently posted "in a conspicuous place upon receipt of such citation(s) at the place of employment referred to in the citation(s). It must remain posted until all violations are corrected, or for 3 working days", whichever period is longer. A sufficient number of copies of the citation(s) should be prepared to permit posting in accordance with the requirements of the Act. The Act also provides for penalties for violation of the posting requirements.

You are hereby notified, or will soon be notified, whether or not penalty(ies) will be proposed as a result of the citation(s). You have the right to contest any or all parts of either the citation(s) or the proposed penalty(ies) before the Occupational Safety and Health Review Commission. The Review Commission is an independent agency with authority to make decisions regarding citation(s) and proposed penalty(ies). If you do contest, you should submit a written notice of contest to the Area Director at the address shown above within 15 working days* after receipt of the certified mailing of the citation(s) and proposed penalty(ies). If you fail to contest within the 15 working day period, the citation(s) and proposed penalty(ies), as proposed, shall be deemed to be a final order of the Review Commission and not subject to review by any court or agency.

If an employer contests the citation, the abatement period specified therein does not begin to run until the date of the Commission's final order in the case PROVIDED the employer initiated his contest in good faith and not solely for the purpose of avoidance of penalties.

You have a right to request a discussion with the Area Director concerning any results of the inspection (abatement, citations, penalties, etc.). Please direct correspondence to, or call, the Area Director at the address shown at the top of this letter. A request for an informal discussion cannot extend the 15 working day period allowed for filing a notice of contest. Therefore, a request for an informal discussion should be brought to the attention of the Area Director prior to the end of the 15 working days allowed for filing a notice of contest, preferably as soon as possible.

An employee or representative of employees may file a notice (letter) to contest the reasonableness of the time stated in the citation for the abatement of the alleged violation(s).

Alleged violations that are not contested shall be corrected within the abatement period specified in the citation. Followup inspection may be made for the purpose of ascertaining that the employer has posted the citation(s) as required by the Act and corrected the alleged violations. Failure to correct an alleged violation within the abatement period may result in further proposed penalties for each day the alleged violation has not been corrected. Timely correction of an alleged violation does not affect the initial proposed penalty.

Correction of alleged violations which have an abatement period of 30 days or less should be reported in writing to the Area Director promptly upon correction. Reports of corrections should show specific corrective action on each such alleged violation and the date of such action. On alleged violations having an abatement date of more than 30 days, a written progress report should be submitted each 30 days. The progress report should detail what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, the Area Director should be so advised.

The Act provides that whoever knowingly gives false information is subject to a fine up to \$10,000, imprisonment up to 6 months, or both.

If you wish additional information, you may direct such request to the undersigned at the address shown above.

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include 3rd days, Sundays, or Federal Holidays.

3. Citation(s) Enclosed		
Quantity		Pages
_____	Nonserious	1
_____	Serious	_____
_____	Willful	_____
_____	and/or Repeated	_____
4. Notification of Proposed Penalty enclosed		
☒ Yes ☐ No		

U.S. Department of Labor
by Area Director

Joseph L. Smith
Joseph L. Smith
Date AUGUST 7 1975

OSHA 1
Gen. Inv.

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

Case No.	1
T-2710	
Area	0280
REC	0

CITATION

ATLANTA AND MARIETTA
LA VISTA INDUSTRIAL DEVELOPMENT PARK
BUILDING MATERIALS
TUCKER, GEORGIA 30084

TO: 1

Georgia Pacific Corporation
P. O. Box 776
Marietta, Georgia 30060

2. Citation Number 1
4. Page 1 of 5. 1

6. TYPE OF ALLEGED VIOLATION(S): Non-Serious

7. An inspection was made on July 31 1975 of a place of employment located at:
8. 1666 White Circle Court, Marietta, Ga. and described as:
9. Manufacturing

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 29 U.S.C. 651 et seq., in the following respects:

10. Item number	11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date(s) alleged to have occurred
1	29 CFR 1910.22(a)(1)	Failed to keep place of employment clean, orderly, and in a sanitary condition exposing employees to hazard of tripping and slipping at Ready or Wet Mine Area.	3 Work Days for receipt Citation
2	29 CFR 1910.1001(f)(1)	Failed to perform initial determination of asbestos within six (6) months of the publication of section 1910.1001, exposing employees to the hazard of asbestos in the: a. Railcar unloading area b. Bagging Machine Operator c. Bag Stacker at Bagging Machine.	October 1975
3	29 CFR 1910.1001(f)(2)	Failed to take asbestos samples for the determination of the 8 hour time-weighted average airborne concentration of asbestos fibers, exposing employees to the hazard of asbestos in the Dry Mixer.	October 1975
4	29 CFR 1910.1001(g)(1)(i)	Failed to display caution signs at each location where airborne concentrations of asbestos fibers may be in excess of the exposure limits.	September 1975
5	29 CFR 1910.1001(h)(2)	Failed to dispose asbestos bags and containers in sealed impermeable bags, or other closed impermeable containers.	3 Work Days for receipt Citation
6	29 CFR 1910.1001(j)	Failed to provide employees exposed to asbestos a medical examination which shall include as a minimum a chest X-ray, history and pulmonary functions tests to include forced vital capacity (FVC) and forced expiratory volume at one second (FEV 1.0).	October 1975

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until alleged violations cited therein are corrected, or for 3 working days*, whichever period is longer.

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the corrective action is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of Labor at the address shown above within 15 working days* of the issuance of this citation.

*The person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint, instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in any proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. (1) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, 660(c)(1).

*Under the Occupational Safety and Health Act, the term "working day" means Mondays through Fridays but does not include Saturdays, Sundays or Federal Holidays.

14. Area Director's Signature Joseph L. Camp Issuance Date August 7 19 75

(NOTICE: Additional Important Information On Reverse Side)

U.S. DEPARTMENT OF LABOR Occupational Safety and Health Administration		CARGO NO. T-2710	CITATION 152
ATLANTA AREA OFFICE LA VISTA PERIMETER OFFICE PARK BUILDING 10 - SUITE C3 TUCKER, GEORGIA 30084		AREA 0280	REGIO 04

TO: 1. Georgia Pacific Corporation P. O. Box 776 Marietta, Georgia 30060	3. Date <u>August 7, 1975</u> THERE IS NO REQUIREMENT THAT THIS NOTIFICATION BE POSTED.
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NOTIFICATION OF PROPOSED PENALTY

This notification and the penalty(ies) proposed by the Secretary of Labor shall be deemed to be the final order of the Occupational Safety and Health Review Commission (an independent agency with authority to make decisions respecting citations and proposed penalties not subject to review by any court or agency other than the Commission) within 15 working days from the date of receipt of this notification, you submit a notice of contest. The notice of contest should be mailed or otherwise delivered to the Area Director named below at the address shown at the top of this notification. If no notice of contest is filed within the 15 working day period the proposed penalty(ies) becomes final and is immediately payable.

Payment of all penalties shown is to be made by check or money order payable to the order of "Occupational Safety and Health-Labor." Payment of penalties should be remitted to the Area Director at the address shown above.

Section 17(1) of the Act states: "Civil penalties owed under this Act shall be paid into the Treasury of the United States and shall be to the United States and may be recovered in a civil action in the name of the United States brought in the United States district court in the district where the violation is alleged to have occurred or where the employer has its principal office."

On the 7th day of August, 1975, a citation(s) was issued to you in accordance with the provisions of Section 17 of the Occupational Safety and Health Act of 1970 (84 Stat. 1601; 29 U.S.C. 651, et seq.) hereinafter referred to as the Act. You were notified of certain alleged violations of the Act, as specified in that citation(s).

YOU ARE HEREBY NOTIFIED that pursuant to the provisions of Section 10(a) of the Act, the penalty(ies) set forth below is/ are proposed, based on the citation(s).

5. Non-Serious VIOLATIONS			6. VIOLATIONS		
5A. Citation No.	5B. Item No.	5C. Proposed Penalty	6A. Citation No.	6B. Item No.	6C. Proposed
1	1	\$25.00			
	2	None			
	3	None			
	4	None			
	5	None			
	6	None			

7. Total Proposed Penalty for All Alleged Violations \$ 25.00
 Area Director [Signature] Date August 7, 1975
 Joseph L. Cero

The proposed penalty for Non-serious Violations of safety and health standards reflects a 10 percent adjustment factor for correction to be taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, the 10 percent adjustment will be added to such other penalty as may subsequently be proposed for failure to correct a violation within the abatement period. No abatement credit is allowed for violations of recordkeeping or posting requirements.

B Reinspection. OCT. - 16, 1975

WE WERE CITED FOR ITEMS # 3 & 4 ON
INSPECTION CONDUCTED AUGUST 7, 1975.
FINES WERE #3 - \$225.00
#4 - 185.00.

ITEM #3 - ON REINSPECTION WE WERE FOUND GUILTY
NOT TAKING THE SAMPLE IN ACCORDANCE TO
THE STANDARD REGULATIONS IN DISCUSSING THIS
WITH THE INSPECTOR & GEO. FOLLER THE
PROPER METHOD WAS REVIEWED, & ADDITIONAL
SAMPLING WAS INITIATED & CONTINUED UNTIL
APRIL - 1976.

ITEM #4 - ON REINSPECTION WE WERE TOLD, OUR
SIGN WERE NOT POSTED IN THE CORRECT
PLACES. AT THE TIME OF INSPECTION, THE SIGNS
WERE DESIGNATED & SIGN WERE PLACED
FOLLOWING BY.

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

Case No.	Date
T-3710	11
Area	Project
0280	

TO:
George's Penitentiary Institution
P.O. Box 778
Marietta, Georgia, 30060

NOTIFICATION
OF FAILURE TO CORRECT ALLEGED VIOLATION
AND OF PROPOSED ADDITIONAL PENALTY

On the 7th day of August, 1975,
a Citation(s) was (were) issued to you in accordance with the provisions of section 9(a) of the Occupational
Safety Act of 1970 (84 Stat. 1601; 29 U.S.C. 651, et seq.), hereinafter referred to as the Act, notifying
you of alleged violations of the Act and the dates by which they were to be corrected.
On reinspection conducted on October 16, 1975, it was determined that you have failed to correct the alleged violation(s) specified below within the times prescribed:

1. SERIOUS VIOLATIONS:

Violation No. and Item No.	Number of Days Failed to Correct	X	5C. Proposed Daily	=	Proposed Total
			Additional Penalty		5D. Additional Penalty For Failure To Correct

2. NON-SERIOUS VIOLATIONS:

6A. Violation No. and Item No.	6B. Number of Days Failed to Correct	6C. Proposed Daily Additional Penalty	6D. Proposed Total Daily Additional Penalty	6E. Previously Allowed Abatement Credit	6F. Proposed Total Additional Penalty For Failure To Correct
Item 3	9	\$25.00	\$225.00	None	\$225.00
Item 4	10	\$18.50	\$185.00	None	\$185.00
Total					\$410.00

1. Area Director Joseph L. Corn 8. Date October 22

(NOTICE: Additional Important Information On Reverse Side)

Form
OSHA-1

The proposed penalty for failure to correct each alleged violation is computed by multiplying a proposed da penalty times the number of days the alleged violation remained uncorrected, counting from the prescribed abatement date to the date of reinspection. In the case of nonserious violations, the 50 percent adjustment timely statement, which had been deducted in calculating the initial proposed penalty, has been added to the proposed penalty for failure to correct.

Additional penalties may be proposed on a daily basis for each violation that is allowed to continue unabated beyond the date of reinspection appearing on the front of this form. You are to notify the Area Director named on the front of this form of the date and nature of any abatement action which you have taken.

The payment of penalties is to be made by check or money order, payable to the order of "Occupational Safety and Health-Labor". Remit to the Area Director whose address appears on the front of this notification.

YOU ARE FURTHER NOTIFIED that this notification and the penalties, as proposed, shall be deemed to be the final order of the Occupational Safety and Health Review Commission and not subject to review by any court or agency unless, within 15 working days from the date of receipt of this notification, you notify in writing the Area Director named on the front of this notification that you intend to contest this notification with the proposed additional penalty before the Review Commission. The Review Commission is an independent with authority to issue decisions respecting citations and proposed penalties including this "Notification of Failure to Correct Alleged Violation and of Proposed Additional Penalty".

There is no requirement that this notification be posted.



①

THIS INSPECTION OCCURRED ON OCT. 16, 1975
THEY ARE HARD TO READ, & ITS THE ONLY COPY
@ MARIETTA. TO THE BEST OF MY KNOWLEDGE
WE WERE ^{NOT} FINED FOR ANY, & WE COMPLY.
WITHIN THE TIME FRAME.

ITEM #1 & #2 WERE NOT ASBESTOS RELATED

ITEM #3 WE FAILED TO INCLUDE LABORATORY
EMPLOYEES WHEN MONITORING ASBESTOS AND
THIS PROGRAM WAS ADDED TO THE OTHER
TEST PROGRAMS.

CITATION

7-2710	134
0.80	64

George Foster, Manager,
P. O. Box 776
Marietta, Ga., 30067

Warehouse

Page 1 of 1

1. Name of employer:

2. Name of employee:

3. Date of citation:

4. Section of Act:

5. Description of violation:

6. Date of citation:

7. Name of employee:

8. Date of citation:

9. Name of employee:

10. Date of citation:

11. Name of employee:

12. Date of citation:

13. Name of employee:

14. Date of citation:

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50. Date of citation:

1. Name of employer:

2. Name of employee:

3. Date of citation:

4. Section of Act:

5. Description of violation:

6. Date of citation:

7. Name of employee:

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