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**Summary of the Deposition of Arthur R. Hooker
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9	Arthur Riverious Hooker, Jr. Business Address: 580 Decker Drive, Irving, TX 75062 Home Address: 7051 Orchid Lane, Dallas, TX 75230 Business Phone: 214-659-9800 Home Phone: 214-692-6428
10	First time being deposed.
12	His asbestos files are set aside in his office for review by anyone. He reviews his files from time to time to respond to counsel inquiries.
13	He is not aware of his files being copied. He reviewed hundreds of documents to help refresh his memory for today's deposition.
16	He is manager of purchasing for Genstar Bldg. Materials Company. Flintkote is a wholly owned subsidiary of Genstar, Inc.
17	His responsibilities include negotiating contracts, administrating, purchasing products for manufacturing plants, establishing some purchasing policies and sometimes making recommendations for purchasing policy. He is also responsible for editing and signing request for admission and responses to interrogatories. Genstar acquired FK in December of 1980 or January of 1981. He became a Genstar employee at this time. He became employed by FK beginning in 1946 as a sales trainee for approximately one year.
18	He then became assistant sales manager for industrial products department in the Vernon, CA plant. His responsibilities were office administration and was responsible for sales to selected segments of customers by industry. These were automotive, railroad and some sales to local and federal government levels. He doesn't have any records that would show sales meetings or contracts they might have had with various federal agencies.
19	As assistant sales manager (1947 to 1949), he was involved with roof coatings, highway joint ceiling compounds, commercial decorative paint, asphaltting paint compounds and general coatings which were asbestos products. He was not involved with floor tiles at this time.
20	His next position was administrative assistant to the general manager of the Pioneer Division of FK. His responsibilities were as the supervisor for priority

and price controls related to the Korean War. This job lasted for 3 years, 1949-1952.

- 21 His next position was assistant director of purchasing for Pioneer division. This included overall administration, contract negotiations, lower level policy decisions on source of supply and administration of the purchasing office in Vernon, and all plants in Pioneer division. His only responsibility for sales of FK products was related to surplus materials for his plant. This included anything but the finished product.
- 22 He doesn't recall ever selling asbestos fiber FK was unable to use. He doesn't have any records reflecting whether this may have occurred. He worked as assistant director of purchasing until 1956.
- 23 The Flintkote Company was the parent company of Pioneer from 1949-1952. (These dates may be longer). He believes FK was incorporated in MA in 1918. IN 1956, he became the director of purchasing. He was responsible for administration of the total purchasing function for the Pioneer Division of FK at all plant locations.
- 24 Only sales he would have been involved with when he was director of purchasing would have been the surplus or disposable materials. He doesn't remember selling any asbestos fiber surplus. He doesn't have or know of any records regarding this.
- 26 He knows that a search has been done with regard to the sale of asbestos products. Seth Smith in their legal department has looked at documents. Smith is now with a law firm in NYC.
- 27 Tony McCloud was chief counsel and Smith's boss. He has also looked at documents. He does not know where McCloud is today. FK keeps personnel records on former employees. Clifford Carr, corporate personnel manager, is responsible for maintaining personnel files. Legal counsel outside the company has done a search of FK's documents. He knows people within the company have also done searches, but doesn't know who.
- 28 He was director of purchasing for FK Pioneer Division until 1962. At that time, he transferred to the corporate offices in NYC as manager of trade relations. His responsibilities were to maintain corporate relationships with the thousands of companies which FK did business with in the U.S.
- 29 FK had a license from JM to produce asbestos cement pipe in accordance with JM patented process. There was an ongoing relationship with JM. He worked with Dick Amburg of JM. Amburg has been retired for some years. Amburg lives in a Denver suburb.

- 30 His position of corporate manger of trade relations was a new position. He does not know why this position was created. Other people he worked with at JM from '62-'67 were the sales manager for Canadian JM, Noel Hendry, and the director of purchasing. He does not know where Hendry is now.
- 31 He would coordinate sales relationships with OCF. OCF was a customer of more than one division of FK. OCF was also a supplier. His counterpart at OCF was Dick Ringwald. The last he knew, Ringwald was retired in Florida. He thinks he retired 10 years ago. He also had dealings with an OCF purchasing agent whose name he can't remember. ('62-'67).
- 32 He did not have any relationship with HK Porter or Raymark between '62-'67. He did not have the similar kinds of involvement with JM or OC while he was assistant sales manager.
- 33 FK had business dealings with JM prior to 1962. FK purchased JM asbestos fiber, but he doesn't know when they began purchasing it. He first became aware of FK purchasing JM's asbestos fiber in 1952 as assistant director of purchasing for the Pioneer division.
- 34 He doesn't remember exact dates, but maybe prior to 1962, FK was a distributor of OCF insulation products. FK distributed roofing insulation, and what was commonly referred to as insulation and what was commonly referred to as insulation batts and blankets for OCF in the early '60s. To the best of his knowledge, these did not contain asbestos. He has no records to show what products were distributed for OCF, nor does he know who might have such records.
- 36-37 He does not recall ever having any corporate dealings with HK Porter or Raybestos Manhattan.
- 38 He had a relationship with Raybestos Manhattan as a salesman, he called on them for asbestos fiber. He doesn't recall having any relationship with Celotex.
- 39-40 He doesn't recall having relations with Celotex, Philip-Carey, Unarco, Fibreboard, PC, Armstrong, EP, Keene, GAF or Nicolet during the time he was corporate relations officer.
- 40 After '67, he became manger of national accounts for Hankins Container Division. This division is no longer affiliated with FK, but it was at the time. Its primary product was corrugated shipping containers.

- 40-41 His responsibilities were coordinated sales from eleven plant locations to major industrial users of corrugated shipping containers. He was also responsible for lamp wraps. He held this position for 2 years, until about '69.
- 41-42 At this time, he was transferred back to NYC to the corporate office as National Accounts Sales Manager. He was also sales manager for FK Mines, Ltd.
- 42 As National Accounts Sales Manager, he coordinated the sales activities and relationships with major industrial companies throughout all divisions of the company.
- 43 He was involved with sales policy making decisions. He was not involved with policy regarding the safety and welfare of FK employees. As sales manager for FK Mines, they manufactured and sold raw asbestos fiber throughout the world. He was responsible for this sale. Flintkote Mines was located in Thetford Mines, Quebec, Canada.
- 44 Flintkote Mines, Ltd. was a wholly owned subsidiary of Flintkote Company. Flintkote Mines sole to Ataka in Japan, and Mardilar Premchand in India.
- 45 FK mines sold to Raybestos-Manhattan, Celotex, Huxley Development and JM (in Canada only - not U.S.) He was sales manager for FK mines in for three years, until the mine shut down in 12/71. The mines opened in late 1945 or early 1946. He is generally familiar with the sales of FK Mines from 1946 until the time he was sales manager.
- 46-47 James A. Main was his predecessor at FK Mines. Main is retired and resides in Connecticut and Florida. His Boca Raton number is 305-997-8173 and his Connecticut phone number is 203-245-7230.
- 48-49 He believes he has sales records back to 1959. Some of these records are in his file. FK in house counsel and outside counsel have sales records.
- 49-50 He remembers sales to Philip Carey when he was sales manager of FK Mines. He also remembers selling to XXXXXXXX or GAF.
- 50 In 1971, he became VP, general manager of FK International Licensing. His responsibilities were to develop contractual sales for manufacturing systems and product application systems patented by FK.
- 51 His jobs of national account sales, mine sales and international licensing overlapped briefly. He was involved with international licensing from 1970 to 12/73. At that time, he became manager of producing for the building

materials division. His responsibilities were to administer the purchase of critical or large volume raw materials for various manufacturing operations.

- 52 Asbestos was included in the raw materials. He purchased asbestos from FK Mines, Union Carbide, Atlas Asbestos and Huxley Development Company. Atlas was located in Coalinga, CA. The records for the purchase of asbestos fiber should be in retained files in Irving, TX. He has not reviewed these files before today's deposition.
- 53 He is still manager of purchasing for the Building materials division of FK company. The only sales which he has been involved in as purchasing agent are surplus or reject materials.
- 53-54 He doesn't remember selling any reject asbestos fiber from 1973 to present. He doesn't know if any records would exist.
- 54-55 With regard to the sale of asbestos products, he recalls seeing sales records in the group of documents he reviewed for today's deposition.
- 56 FK had about 10 divisions when he joined them in 1946. The major product categories in 1946 were roofing, industrial products, floor tile, insulation board, wood fiber insulation board, some misc. specialty products and marine products.
- 57-58 In 1946, "liquid products" were referred to as "industrial products." In 1946, FK did not have a product category of "asbestos cement pipe." This came about in the 1960s. This start-up coincided with the JM agreement. He believes the Orangeburg acquisition was in the '60s.
- 60 Van Packer Chimneys was a separate company in existence in 1946. It was not owned by FK.
- 61 Ready-mix joint compounds were made by independent companies and sold by FK from 1935 onward.
- 62 FK first sold Powder Joint Treatment Compound in the late '50s or early '60s. FK did not have a spray texture product in 1946. Some of the roofing products in 1946 contained asbestos.
- 62-63 (1946) With regard to "industrial products" there is a breakdown into subgroups such as liquid products and floor patching compounds. Exhibit A attached to Answers to Interrogatories in Beauregard case "FK Asbestos Industrial Products." To the best of his knowledge, this is a complete list of asbestos industrial products manufactured or sold by FK during various years. Some of these products contained asbestos.

- 64 In 1946, the floor tile product group contained asbestos. The wood fiber insulation board did not contain asbestos. The group of specialty products - some of these contained asbestos in '46. He doesn't know if any of the marine products contained asbestos in '46. The cement shingles and boards contained asbestos.
- 65 In '46, FK had only one major division in the company, that's the Flintkote Company, U.S.A., and that was the Pioneer Division of The Flintkote Company. All other facilities were basically part of the FK Building Materials. The Pioneer Division and the Building Materials Division were the only manufacturing business in '46.
- 66 Tile-Tex fell under Building Materials Division. Other businesses FK had in '46 were the Patent and Licensing Division. As far as the U.S., that was all there was in '46. The Pioneer Division came into place in the early to mid '20s. This was in Vernon, CA.
- 67 There was another facility in the Pioneer Division in 1946, which was the Hollywood Box Company. In '46, the Vernon facility was a paper mill, a folding carton plant, a corrugated box plant, and a floor tile plant. The Hollywood plant set up boxes. The Vernon facility in the mid '40's was engaged in the manufacturing of asbestos-containing products.
- 68 These products included liquid products, floor tile products and soon thereafter, roofing products. In '46, there were three roofing plants other than Vernon: East Rutherford, NJ, New Orleans, LA and Chicago Heights, IL. Chicago Heights was the only other floor tile plant besides Vernon in '46.
- 68-69 In '46, FK had plants other than Vernon making liquid products: East Rutherford, NJ, Chicago Heights, IL and possibly New Orleans, LA. Atlas, the Eastern Division in Manayunk, PA, was making a liquid product.
- 69 Other products manufactured by Building Materials Division, besides those made at Rutherford in '46 were wood fiber insulation in Meridian, MS., 3 locations for asbestos cement shingles and board, Atlas Adhesives operating felt mills and a paper operation in Vernon.
- 70 The three plants involved in asbestos cement shingles and board are East Rutherford, NJ, Chicago Heights, IL and New Orleans, LA. At the time he joined the company, Simpson was in charge of the Pioneer Division.
- 71 George Pecaro headed up the Pioneer Division in the '50s. Pecaro is in Pauma Valley, CA. Wilson Harvey succeeded Pecaro. He believes Wilson is retired in Florida.

- 72 William Harvey was head of the Pioneer Division from '58 to '79. Al Whersdofer succeeded William Harvey. Whersdofer is still employed by FK, as a manager of the Florence, CO plant, gypsum board plant. When he joined the company in '46 as a sales trainee, Harkin was the sales manager and was sales manager when he was assistant sales manager. He did not report to Harkin, he reported to a departmental sales manager.
- 73 In the industrial products division, he reported to the manager, Robert Hodges. As part of his responsibility of assistant sales manager, he was responsible for automotive, railroad and certain government entities. This included the sale of FK products containing asbestos. Not floor tile. Between the years of 1946 and 1949, he sold asbestos containing FK products which were manufactured in the Vernon Plant. Roofing materials were not included in these products. The only asbestos-containing products that he was responsible for selling between '46 and '49 were the liquid products.
- 74 He believes that Angelo Gossman was the sales manager for the floor tiles department. He does not know whether Gossman is still alive. The last contact he had with him was two years ago. After he retired, he was living somewhere in Southern California.
- 75 To his knowledge, he was last employed as a sales manager for the floor tile division on the west coast. Gossman was the manager of floor tile operations some time in the late '40s until sometime in the late '50s or '60s. He does not know who succeeded Mr. Gossman in this department. The last floor tile operation at the Vernon plant was closed in 1981. Walter Golovack was the manager of the floor tile operation at that time. Golovack is no longer employed by FK. He is on medical leave and is living in Southern California.
- 76 He believes that there were four sales representatives of the industrial products department during this period of time. When compared to other departments, his department was smaller in terms of staffing for sales purposes. He is unaware of a particular sales rep who was responsible for the sale of these products to the U.S. Government.
- 77 Between the years of '46 to '49, the distribution area of the floor tile manufactured at Vernon was the 11 western states. At some point in time, the New Orleans plant started manufacturing floor tiles. He does not know the exact date, but it was sometime in the late '40s or early '50s.
- 78 In the '50s, the floor tile manufacturing facilities included Vernon, Chicago Heights, New Orleans, Chillicothe, Ohio, East Rutherford, NJ and Watertown, MA.

- 79 Sometime in the late '50s or early '60s, the East Rutherford facility shut down so that left five floor tile facilities in the '60s. In the '70s, Watertown, MA shut down and that was followed by the Chillicothe plant and in '81, all of these floor tile facilities were shut down.
- 79-80 The distribution pattern for the Vernon plant in the '40s, '50s, '60s, '70s and into the '80s was limited to the 11 western states.
- 80 The Vernon plant did not make all of the floor tile lines which FK had. Floor tiles were shipped from other locations for distribution in these 11 western states and not just from the Vernon facility.
- 81 Of the floor tile line that FK had in the '40s, '50s, and '60s, Vernon did not manufacture all of this line.
- 83 To his knowledge, the cover base that was manufactured by FK did not contain asbestos. During the various positions he had with FK over the years, he did not have any direct responsibility for the sale of floor tiles, nor did he have responsibility for the manufacture of them. The relationship he had with the production of floor tiles was from a purchasing standpoint for the raw materials that were required. This was in his capacity as the manager of purchasing. During the years '46 to '49 when he was in sales in Los Angeles, he does not know what percentage of total sales of the Vernon facility were comprise of floor tiles. To his knowledge, records were not kept in any fashion in those days. He is aware that in the '40s, the individual products department maintained its own accounting records. He is unsure about the floor tile department because he was not involved in keeping those records. He was not aware in the 1940s that there was ever a comparison made to the relative sales of floor tile and industrial products by any other department.
- 85 He does not know or have an estimate of the sales of floor tiles for any of the years from '46 to '49. He does not know if any of these records are in existence at the present time.
- 86 Major competitors of FK floor tiles during the '50s and '60s were Armstrong, JM, Ruberoid and Kentile.
- 87 He believes that JM had a manufacturing facility in the Western United States during the 1950s and '60s, as did Armstrong which was located in the Los Angeles area, Ruberoid, which was located in Long Beach and Kentile which had a plant in the San Francisco bay area. Azrock had a manufacturing facility in Texas. He is unable to rank these manufacturers by total unit sales or dollar sales.

- 87-88 FK's ranking in comparison with these other manufacturers during the years 1950-1960 was only a minor position. This is based on the fact that they had one plant minor in overall market.
- 88 Exhibit 2 is marked for identification. It is Exhibit A to answers to interrogatories. It is eight pages and is entitled "Flintkote Asbestos Industrial Products" and is dated 7/27/83. The last page also bears a title of "Additional Asbestos Products Once Manufactured by Flintkote." It is one page long and is dated 8/3/83.
- 89 During the period of '49 - '52, it was his job to prepare a manual for the Pioneer Village of the FK company to be used by all people at management level to show them how to get priority status for the purchasing of materials for construction products. In the cases of price control, what regulations they had to observe, how to price their products in accordance with federal regulations. He was also to serve on the production authority for its products committee in Washington, DC, which met every sixty days. He served to represent the West Coast Pulp and Paper Producers and Consumers. In his role as administrative assistant of the Pioneer Division, he did not have any supervisory position over the products line of the company.
- 90 In priority and price controlling issues, he had access to sales information at the Pioneer Village for various product groups, as was required to administer his job. He does not have or know of any sales records that exist going back to a period of time prior to '52. From '52-'56 as the assistant director of purchasing for the Pioneer Village, he reported to Arthur Carlson, who was the director of purchasing. He succeeded Carlson in '56.
- 91 Part of his responsibility at that time was to acquire raw materials for the Pioneer Village, which included asbestos products. This was done by open purchase orders from '52 to '56, the Pioneer Division purchased raw asbestos fibers from the FK mines as Atlas Asbestos and Pacific asbestos. Chrysotile asbestos was provided by Atlas, FK and others.
- 92 During those years, he personally saw packages of raw asbestos being delivered to the Pioneer Division facilities. He does not know if these deliveries being loaded or unloaded created dust. These were packaged in 80-100 lb bags. Some of the bags were made of burlap and some were paper. These bags could be distinguished between various companies because of the identification of the mine and producer. Between '52-'56 the majority of the asbestos purchased for Pioneer Division was from the FK mines.
- 93 During the years he was assistant director of purchasing, he had opportunities to see manufacturing operations for raw asbestos being used.

individuals at the Pioneer division about the advisability of having workers wear breathing protection of some sort.

- 101 He is not aware of any discussions that took place during the years that he was director of purchasing that suggested that a voluntary adoption of rules requiring wearing of respirators be made. He has some knowledge about federal rules being promulgated about asbestos. His first knowledge was in '72 when OSHA issued their regulations concerning asbestos fiber.
- 102 He personally learned of the concern about the health hazards of exposure to asbestos in 1969 through his activities with FK Mines. This was through attending the QAMA meetings. He was an alternate representative of FK Mines and he did attend meeting of this association. In '69, he learned a very general overview of the work that QAMA was sponsoring in Canada and that studies were being made concerning asbestos fiber exposure.
- 104 Dalna Poirier, a mine manager, Monte Carpenter, Vice President of FK, who later in '81 became President attended QAMA meetings with deponent.
- 107 He has no information in his files with respect to whether or not any employee of FK knew or had any reason to know about the health effects of asbestos exposure before 1969, when he first learned of it. He believes that his predecessor, Mr. Main, knew something of this.
- 108 Mr. Main attended QAMA meetings. The studies that he is familiar with were started before he began attending these meetings.
- 110 He has never discussed with Mr. Main when either of them first learned about the health effects of asbestos exposure. As a FK mine representative at the QAMA meetings, he did receive minutes. After '69, he did receive copies of studies and articles. The minutes he received from QAMA he did not read or review as a general rule.
- 111 These minutes of the meetings would have been filed in the appropriate QAMA file. It was not the custom to circulate information such as the QAMA minutes to anyone else within the department, nor was it custom to circulate medical studies or worker studies to anyone else. At the time he first learned of the health effects of asbestos exposure in '69, he did not communicate this knowledge to anyone else at the Flintkote Mines who wasn't present at the QAMA meetings, nor did he communicate this to anyone at any of the operations divisions of FK. He did not personally become concerned about the possible health effects on workers exposed to asbestos in his manufacturing plant. It was not his responsibility.

- 112 He believes it would have been the responsibility of the corporate safety direction or department, which was headed up by John Schmitt.
- 113 Mr. Schmitt is now with Genstar in New Jersey. Schmitt was preceded by Sy Weiss. The last he knows of, Mr. Weiss was with Marsh McLennan insurance brokers in either New York or New Jersey. He believes that Mr. Schmitt has been the safety director from '81 to present and believes Mr. Weiss was safety director sometime in the '70s.
- 114 He has attended association meetings of the Asbestos Information Association, the National Purchasing Management Association, the National Trade Relations Association and QAMA.
- 114-115 He attended AIA meetings from sometime in the mid '70s until '82. The subject of health effects related to asbestos exposure was discussed at these meetings and it was the first he learned that using raw asbestos to manufacture products could be dangerous.
- 116 Upon learning of this health risk, he reported this information directly to the heads of divisions or departments.
- 117 He believes that John Schmitt also attended these AIA meetings. William Mortonson and legal counsel from FK also attended.
- 118 Mortonson was manager of industrial products in the '70s. In the papers that he reviewed for his deposition, he did see memoranda which reflected his expression of concern which he learned at these AIA meetings.
- 119-120 He heard that asbestos cement pipe, shingles and sheets made by FK could pose a health risk. He did not learn from the AIA meetings that floor tiles could pose a potential health risk, except in the sanding.
- 120-121 The sanding of floor tile is not an accepted practice. He has known this for as long as he has been associated with floor tile, back into the '40s. The reason it is not accepted is because of the potential release of asbestos fiber in the sand. This is something that should be avoided.
- 121 When he first learned that there may be a health risk associated with exposure to certain finished products that contained asbestos, he did hear that the cutting, chipping or sanding of the manufactured product could release asbestos fiber.

- 122 He learned this specifically about asbestos cement pipe manufactured by FK. Asbestos containing floor tile manufactured by FK would not release asbestos fiber if cut, chipped or broken because the product was made in such a way that the fiber becomes bound into the product. He is not aware of any tests that were conducted by FK at any time to determine whether breakage, chipping or cutting of the FK floor tile resulted in a release of airborne fibers.
- 124-125 Whatever products were discussed in AIA meetings or whatever information was handed out, this was passed on to the appropriate