

FILE NAME: Mundet Cork (MCK)

DATE: 1978

DOC#: MCK144

DOCUMENT DESCRIPTION: WC Claim of Swartout, Pt. 1

COMMISSIONER'S OFFICE
FOR NORTHERN CALIFORNIA
INDUSTRIAL ACCIDENT COMMISSION
205 WILSON STREET
SAN FRANCISCO 2
FOR SACRAMENTO COUNTY ONLY
Room 200, 211 J Street
SACRAMENTO
FOR SOUTHERN CALIFORNIA
1400 FT SAN JOSE COUNTY
201 STATE BUILDING
LOS ANGELES 14
FOR SAN DIEGO COUNTY ONLY
1221 FARMERS AVENUE
SAN DIEGO 1

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
INDUSTRIAL ACCIDENT COMMISSION

APPLICATION FOR HEARING

55 SF
Case No. 169-171

DO NOT WRITE IN
THIS SPACE
FILED
DEC 7 1955
ENTERED IN BOOKET
BY 728

Employee's Name John E. Swartout

Employee's Address 5000 Harrywood Drive
3943 Country Way

Social Security No. 472 - 10 - 9896

City and State Sacramento 17 California

Name of Employer Vanicor

Employer's Address California companies

Name of Insurance Carrier See attached list

Insurance Carrier's Address

Employee's name John E. Swartout

Employee's date of birth September 5, 1889

Date of your injury Exposure over a long period
Place where of time ?
injury occurred California

Employee's occupation
at time of injury ARBESTON Insulation

How did injury occur Working with asbeston

When did you leave work
as a result of this injury January 6, 1955

What part or parts
of your body were injured ARBESTON's

When did you return to work Still off Full or part time work
and at what wage

Your wages or salary (before deductions) \$ per hour or \$ 3.15 per week or \$ per month
If paid on hourly rate, how many hours did you work per week 40 hour week plus overtime sometimes
Did you receive any of the following? Board? Yes ☒ No ☐ Lodging? Yes ☐ No ☐ Tip? Yes ☐ No ☐ Other advantages? Yes ☐ No ☐
State their weekly value \$ (Only on some jobs)

Have you been paid any compensation? Yes ☐ No ☒ How much \$ 910.00 Weekly rate of payments \$ 35.00

Date when last payment was made Up to Sept. 13, 1955
Has the employer or the insurance carrier furnished you with any medical treatment? Yes ☐ No ☒
Date when last treatment was given Sept. 16, 1955

List names of all doctors who have treated you and who were furnished by the employer or insurance carrier

Have you obtained any medical treatment at your own expense? Yes ☒ No ☐
List names of all doctors who have treated you at your own expense Dr. Fortier with Clinic at Springvale
Hospital; Dr. Webster, Sacramento Hospital; Dr. Allan Mac, Sacto.

Are you claiming any of the following benefits (Answer Yes or No):

- (a) Temporary disability payment Yes
(b) Permanent disability payment Yes
(c) Further medical treatment Yes
(d) Cost of your medical expense Yes
(e) List other benefits claimed and not mentioned above

Have you ever before filed a claim with this Commission? Yes ☐ No ☒ If so, when was it filed

SMITH & PARRISH
DEVELOPERS OF AN APPROPRIATE AND ANNUITY

1616 Financial Center Bldg.
Oakland, California

GLENCOURT 2-2000

Date 12/28

1955

NOTE—CLEARING: After this application has been filed with the Industrial Accident Commission the carrier will be notified in writing of the date and place of hearing. Within sixty days be
advised by carrier, by agreement, or other means.
ANSWER: The defendant is required to file an answer within 10 days after service of a copy of this application, unless the carrier has been notified in writing of the date and place of hearing. If a defendant answers is received
and the necessary answer is properly served on the defendant, the carrier will be notified by the carrier of the date and place of hearing. If a defendant answers is received, then the
employee should notify the carrier immediately on the ground carrier and in filed.

DATE OF SERVICE

9/2/56

SERVICED BY

Al. P. Harris - Sec. of Labor - NE.

PLAINTIFF EXHIBIT

CCS 5143

John E. Swartout, Asbestos Worker
Sickness -- Asbestos

Asbestos Companies for whom he Worked.

1905 to 1939 -- Companies in Minnesota and 1 year in New Mexico --
these are in office files of John L. Lewis.

Job location

1940	S. R. Dutton Co. 4 months (July, Aug., Sept., Oct.) Western Asbestos Co. - Nov. and Dec.	S.F. S.F.
1941 to Nov., 1947	Western Asbestos Company, S.F.	— <i>St Paul</i>
1948	(Away from this work for 6 mos.)	
1948	May Cities Asbestos Co., Oakland Western Fiberglass Supply, S.F.	3 mos. Stockton, Calif. 2 " " and Watsonville
	General Insulation Co., S.F.	1 mo. Fresno
1949	General Insulation Co. Armstrong Cork Co. Western Asbestos Co. J.T. Thorpe & Son, Inc. The Asbestos & Magnesia Materials Co. Chicago Asbestos Supply Co. of Seattle	2 mos. Stockton (Boys Sc 2 " Stockton (creamery 1 mo. Livermore (Hosp. 1 " Watsonville 1 " Casper, Wyo. - 5 mos. Fairbanks, Alaska
1950	C. C. Moore & Co., S.F. M. R. Carpenter, Sacto. Phillip Carey Mfg. Co., Cincinnati Armstrong Cork Co. of Lancaster, Pa.	2 mos. Carlsbad, N. Mex. 7 " Sacto. 1 1/2 " Pittsburgh, Pa. 1 1/2 " "
1951	Armstrong Cork Co. Tacoma Asbestos Co. of Tacoma Jamar-Olmen Co. of Chicago	6 mos. Anchorage, Alaska 2 " " " 4 " Terre Haute, Ind.
1952	Jamar-Olmen Co. of Chicago Johns-Manville	2 " " " 3 " Trenton, N. J.
1953	Phillip Carey Mfg. Co. Insulation Services of Minn. (St. Paul) Johns-Manville Sales Corp.	2 " Huntington, W. Va. 9 " Terre Haute, Ind. 1 mo. Indianapolis, Ind.
1954	Insulation Services of Minn. XXXX/CAT/XXXX/XXXX Hunter Mfg. Corp. of Bristol, Pa. Armstrong Cork Co. of Lancaster, Pa. M. R. Carpenter, Sacto. Western Asbestos Co. of S.F.	4 mos. Terre Haute -- 2 " Tucson, Ariz. --- 1 mo. Spokane, Wash. --- 2 mos. Sacto. 3 " Porterville, Cal.
1955	Armstrong Cork Co. - In January of 1955 (Traveler) but became ill Jan. 10th and left job. Went into hospital Jan. 17th.	

COMMISSED OFFICES
FOR NORTHERN CALIFORNIA
RECEIPT SACRAMENTO COUNTY
605 MICHIGAN STREET
SAN FRANCISCO 2
FOR SACRAMENTO COUNTY ONLY
ROOM 200, 421 J STREET
SACRAMENTO
FOR SOUTHERN CALIFORNIA
RECEIPT SAN DIEGO COUNTY
601 STATE BUILDING
LOS ANGELES 12
FOR SAN DIEGO COUNTY ONLY
1821 FOURTH AVENUE
SAN DIEGO 1

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
INDUSTRIAL ACCIDENT COMMISSION

APPLICATION FOR HEARING
DEATH CLAIM

JUN 13 1956

DIVISION OF INDUSTRIAL
ACCIDENTS

Case No. 169-171

DO NOT WRITE
THIS SPACE
FILED
JUN 13 1956
ENTERED IN DOCKET
BY R405A

Name of Applicant:

Mrs. JOHN E. SWARTOUT

Address of Applicant:

3000 Merrywood Drive

Sacramento 21, California

Name of Employer: Listed on separate sheet
as filed December 28, 1955.

Address of Employer:

Name of Insurance Carrier: See attached list as
per December 28, 1955.

Address of Insurance Carrier:

Name of Deceased Employee: John E. Swartout

Date of Employee's Birth: September 5, 1889

Date of employee's injury: May 30, 1956

Date of employee's death: May 30, 1956

Employee's occupation: Asbestos Worker

Place where injury occurred: Various jobs

What work was employee doing at time of injury: Asbestos Insulation Work

Was any medical or hospital expense involved? Yes ☒ No ☐ Amount paid \$

Was any compensation paid to the employee after his injury? Yes ☐ No ☒ If so, how much \$

List names of all doctors who treated the employee after his injury: Dr. W.B. Parkinson, Porterville, Calif.; Dr. C. Webster, Springville, Calif.; Dr. Robert Harris, Porterville, Calif.; Dr. Allan Moser, Porterville, Calif.

Has burial expense been paid? Yes ☐ No ☒ If so, how much \$

List all those who claim to have been dependents of the employee at time of injury

NAME	AGE (if under 21)	RELATIONSHIP TO THE EMPLOYEE	ADDRESS
Mrs. John E. Swartout		Wife	3000 Merrywood Drive Sacramento 21, Calif.

IMPORTANT—If any applicant is under 21 years of age, it will be necessary to file Petition for Appointment of Guardian of Life. Forms for this purpose may be obtained at the offices of the Industrial Accident Commission.

Reason for filing this application:

SMITH & PARRISH

ATTORNEYS AT LAW

501 Financial Center Bldg.
Oakland, California
CLERK 2-2000

Mrs. John E. Swartout

SIGNATURE OF APPLICANT

Date: June 13, 1956

NOTE—STAMPING: After this application has been filed with the Industrial Accident Commission the parties will be notified by notices of the date and place of hearing. Either party may, by notice, be summoned, or notice may be served by mail.

ANSWER: The defendant is required to file an answer within 10 days after service of a copy of this application, using the form furnished for that purpose. If a defendant employer and the insurance carrier is properly named in the application, an answer need not be filed by the employer, or that will be done by the carrier, but if the insurance carrier is not named, the employer should timely file an answer.

DATE OF SERVICE

SERVICE BY

6/22/56.

al Porter NE.

State of California

INDUSTRIAL ACCIDENT COMMISSION

965 Mission Street

San Francisco

(Mr.)

JOHN E. SWARTOUT,

Applicant

vs

MUNDET CORK CORPORATION, et al,

Defendant

Claim No. 55SP 169-171

NOTICE OF HEARING
OF APPLICATION
FOR ADJUSTMENT
OF CLAIMDEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF INDUSTRIAL ACCIDENTS
FILED
JUN 22 1956

You are hereby notified that an application to adjust a claim for compensation (a copy of which is attached hereto) has been filed with the Industrial Accident Commission of the State of California. You are further notified that said application has been set for hearing at

Room 206, 1531 Webster Street
Oakland
August 15, 1956
9:00 a.m.
All Morning
All issues

and that at said time and place the Industrial Accident Commission of the State of California will proceed to hear and dispose of the said application in the manner prescribed by law.

Note: The parties are expected to submit all issues in controversy for decision at this hearing; therefore, all necessary witnesses, evidence, documents, medical reports, payrolls, and other essential proof must be available and ready for submission at the hearing.

Dated:

INDUSTRIAL ACCIDENT COMMISSION

The undersigned certifies that as an employee of the Industrial Accident Commission she served the foregoing notice on the parties hereinafter mentioned, at the time set opposite their respective names, by depositing a copy of said notice attached to a copy of the application therein mentioned, in a sealed envelope in the United States mail on said day, at San Francisco, California, with the postage thereon fully prepaid, and addressed to the said parties at their last known places of business or residence, as follows, to wit:

(See attached sheet for Service)

FORM 35-S(new 4-56)

Signature

Julius Ellis

NAMES OF PARTIES SERVED

DATE OF SERVICE

JUN 22 1950

John E. Swartout, 3000 Merrywood Drive, Sacramento, Calif.
 Smith & Parrish, 501 Financial Center Bldg., Oakland, Calif.
 Mundet Cork Corp., 7101 Tonnelie Ave., North Bergen, N. J.
 Harry A. Dutton, Inc., 532 Natoma St., S.F., Calif.
 Dutton Asbestos Co., 532 Natoma St., S.F., Calif.
 Dutton Asbestos & Supply Co., 532 Natoma St., S.F., Calif.
 Western Asbestos Co., 675 Townsend St., S.F., Calif.
 Bay City Asbestos Co., Ltd., 251 - 5th Ave., Oakland, Calif.
 Cork Insulation Co., Inc., 730 - 5th Ave., N. Y.
 Western Fibrous Glass Prod. Co., 739 Bryant St., S.F., Calif.
 General Insulation & Rubber Corp., 1247 Main St., El Centro, Calif.
 Armstrong Cork Co., Lancaster, Penn.
 Johns Manville Sales Corp., 22 East 40th St., N.Y.
 C. C. Moore & Co., 450 Mission St., S.F., Calif.
 J. T. Thorpe & Son, Inc., 1351 Ocean Avenue, Emeryville, Calif.
 M. R. Carpenter, 907 Front St., Sacramento, Calif.
 S. R. Dutton Company, 532 Natoma St., S.F., Calif.
 Bay Cities Asbestos Co., 251-5th Ave., Oakland, Calif.
 Western Fiberglass Supply, 739 Bryant St., S.F., Calif.
 General Insulation Co., S.F., Calif.
 The Asbestos & Magnesia Materials Co., Chicago, Ill.
 Asbestos Supply Co. of Seattle, Fairbanks, Alaska
 Phillip Care Mfg., Co., Cincinnati, Ohio
 Tacoma Asbestos Co. of Tacoma, Anchorage, Alaska
 Jemer-Olsen Co. of Chicago, Terre Haute, Indiana
 Johns-Manville, Trenton, New Jersey
 Insulation Services of Minn., Terre Haute, Indiana
 Hunter Manufacturing Corp. of Bristol, Pa, Tucson, Arizona
 Johns Manville, Pittsburg, Calif.
 Pillsbury, Madison & Sutro, 225 Bush St., S.F., Calif.
 Aetna Insurance Co., 220 Montgomery St., S.F., Calif.
 State Compensation Insurance Fund, Personal Service
 Industrial Indemnity Exchange, 155 Sansome St., S.F., Calif.
 Industrial Indemnity Co., 350 Sansome St., S.F., Calif.
 Pacific Indemnity Co., 114 Sansome St., S.F., Calif.
 Liberty Mutual Insurance Co., 215 Pine St., S.F., Calif.
 Employers Mutual Liab. Ins. Co. of Wisconsin, 114 Sansome St., S.F., Calif.
 Travelers Ins. Co., 315 Montgomery St., S.F., Calif.
 Standard Accident Ins. Co., 417 Montgomery St., S.F., Calif.
 Pacific Employers Ins. Co., 505 Montgomery St., S.F., Calif.
 Pacific Employers Ins. Co., 3770 Piedmont Ave., Oakland, Calif.
 Keith, Creeds & Sedgwick, 100 Bush St., S.F., Calif.
 Leonard, Hanna & Brophy, 100 Bush St., S.F., Calif.

Retd.
 Retd.
 Retd.
 Retd.
 Retd.

Dir of Labor - Personal Service.