

FILE NAME: Insulators Workers' Comp Claims (IWC)

DATE: 1960

DOC#: IWC035

DOCUMENT DESCRIPTION: Claimant - Templeton, Dean [Templeton v. J-M]

STATE OF MICHIGAN
WORKMEN'S COMPENSATION DEPARTMENT
LANSING 13, MICHIGAN



August 3, 1960

Ice R. Constan, Atty.
Van Born Rd.
born, Michigan.

Johns-Manville Sales, Corp.
12 Fisher Bldg.
Detroit, Michigan.

Owens-Corning Fibreglas Corp.
15300 " 8 Mile Rd.
Oak Park, Michigan.

Brown Insulation Co.
16200 Hubbell
Detroit, Michigan.

- Travelers Insurance Co.
930 Dime Bldg.
Detroit, Michigan.
- Aetna Casualty & Surety Co.
1000 Guardian Bldg.
Detroit, Michigan.
- Michigan Mutual Liability Co.
28 " Adams
Detroit, Michigan.

Gentlemen: RE: DEAN TEMPLETON VS: JOHNS-MANVILLE SALES CORP., ET AL.

An Application for Hearing and Adjustment of Claim has been filed and the case will be set for hearing at the earliest possible date. You will be duly notified of the exact time and place of hearing.

It will be necessary for you and your witnesses, if any, to be present at this hearing. If medical testimony is important you should have your doctor present. A mere statement or affidavit from him cannot be accepted as evidence.

If any medical or funeral expenses have been incurred an itemized statement of such expenses should be presented at the time of the hearing.

If for any reason you will not be able to proceed when the case is set for hearing, kindly advise the Department immediately. We are forwarding a copy of the Application for Hearing and Adjustment of Claim to the opposite party.

Very truly yours,

Tracy J. Miles
Secretary of the Department

born
Ass

STATE OF MICHIGAN
WORKMEN'S COMPENSATION DEPARTMENT
LANSING, MICHIGAN

NOTICE OF HEARING

PLAINTIFF

Dean Tompkins,
5855 McQuire,
Taylor, Mich.

Elmer A. Condon, Atty.,
213 Van Horn Rd.,
Dearborn, Mich.

John-Russville Sales Corp.,
672 Fisher Bldg.,
Detroit, Mich.

Providence Ins. Co.,
979 Mine Bldg.,
Detroit, Mich.

Lacey & Jones, Atty.,
1234 Mine Bldg.,
Detroit, Mich.

Crown-Corning Fibreglas
Corp.,
13700 W. 8 Mile Rd.,
Oak Park, Mich.

John E. & Sonny Co.,
1800 Guardian Bldg.,
Detroit, Mich.

DEFENDANTS

Edson Insulation Co.,
14200 Abbott,
Detroit, Mich.

Michigan Mutual Lish.
28 W. Adams,
Detroit, Mich.

Norman J. LeVasseur
Atty.,
682 Penobscot Bldg.,
Detroit, Mich.

STATE OF MICHIGAN,
County of Ingham

Date of Injury
Jan. 17, 1948

To the above named parties and each of them:

PLEASE TAKE NOTICE that a hearing on this case will be held before a Representative of the Workmen's Compensation Department on the matter indicated below:

- (☒) application for hearing and adjustment of claim
- () agreement to redeem liability
- () application for a lump sum advance
- () petition for additional medical benefits
- () order or petition for additional testimony
- () petition for determination of rights
- ()

at the 18th FLOOR, CADILLAC SQUARE BUILDING, in the city of DETROIT, county of WAYNE,
State of Michigan, on the 25th DAY OF December, 19 48 commencing
at 9:00 o'clock in the forenoon, LOCAL time.

YOU ARE DIRECTED to be present at the time and place above mentioned and to be prepared to proceed with the hearing with such witnesses and proofs as are necessary.

If approval of attorney fees is required, the attorney must file a statement of the proposed fee on or before the date of the hearing.

WORKMEN'S COMPENSATION DEPARTMENT

Edward H. Z...
Secretary of the Department Asst. Director

Dated at Lansing, Michigan, this 25th day of Nov. 1948,

DEPENDANTS

Johns-Manville Sales Corp.
832 Fisher Bldg.
Detroit, Mich.

Travelers Ins. Co.
930 Dime Bldg.
Detroit 26, Mich.

Mansfield, DeWitt,
Sulzbach & Jenkins
Attorneys at Law
1912 Guardian Bldg.
Detroit 26, Mich.

Owens-Corning Fibreglas Corp.
15300 W. 8 Mile Rd.
Oak Park, Mich.

Aetna Casualty & Surety Co.
1000 Guardian Bldg.
Detroit 26, Mich.

Alexander, Buchanan & Conklin
Attorneys at Law
2217 First National Bldg.
Detroit 26, Michigan

Brown Insulation Co.
16200 Eabbell
Detroit, Mich.

Michigan Mutual Liability Co.
28 W. Adams
Detroit 26, Mich.

LeVasseur and Werner
Attorneys at Law
515 Ford Bldg.
Detroit 26, Mich.

R. H. Andersen, Inc.
20483 Woodingham
Detroit, Mich.

Michigan State Accident Fund
1602 Cadillac Tower
Detroit 26, Michigan

Glantz & Killian Co.
1761 W. Forest
Detroit, Michigan

General Accident Assurance Corp.
15440 W. McNichols
Detroit, Michigan

PRAECIPE FOR HEARING
Workmen's Compensation Department
State of Michigan

Dean Templeton, 5885 McQuire, Taylor, Mich.

Plaintiff

Johns-Manville Sales Corp., et al (See attached list)

Defendant

Date of Dajury, June 17, 1960

To:

Director
Workmen's Compensation Department
1800 Cadillac Square Building
Detroit 26, Michigan

Please place the above entitled cause for hearing on the () First Hearing Docket or (X) Regular Trial Docket.

I, counsel for Plaintiff in the above cause, hereby certify that a copy of this praecipe has been served upon all opposite parties.

I, counsel for the Plaintiff have discussed this cause with counsel for Defendants and we have discussed all possibilities of amicable agreement and I am prepared for trial on the issues.

I, counsel for the Plaintiff certify that () no medical examination needed in this cause or () Defendant has complied with Section 19 of Part II and has furnished medical reports to the plaintiff.

/s/ David M. Roberts

David M. Roberts
Attorney for Plaintiff

23460 Church Rd., Oak Park 37, Mich.

Address

See attached list.

Attorney for Defendant

Address

Detroit 26, Michigan

February 17, 1961

This praecipe must be filed with the Workmen's Compensation Department, Detroit, Michigan

TO: WORKMEN'S COMPENSATION DEPARTMENT
DETROIT 26, MICHIGAN

STATE OF MICHIGAN }
COUNTY OF WAYNE } ss.

PROOF OF SERVICE

Mary Slabunek, being first duly sworn, deposes and says that on the 17th day of February, A.D. 1961, she caused to be served on (See attached list) attorney(s) for the above named defendant, a copy of this PRAECIPE FOR HEARING by placing same in an envelope addressed to (See attached list) All companies and attorneys.

and depositing the same with postage duly prepaid in the United States mail chute in the David Starr Building
Room 2600

Subscribed and sworn to before me
this 17th day of Feb., A.D., 1961

Notary Public, Wayne County, Michigan

My commission expires:

STATE OF MICHIGAN
WORKMEN'S COMPENSATION DEPARTMENT

DEAN TEMPLETON,
Plaintiff

vs

R. H. ANDERSON, INC. and
STATE ACCIDENT FUND,
Defendants.

NOTICE TO DISMISS

Now comes the Michigan State Accident Fund and moves to dismiss as against itself the Application filed by the last employer and its insurance carrier and Attorneys in connection with an Application for Apportionment under Section 9, Part VII of the Workmen's Compensation Act for the reason that the above named plaintiff, Dean Templeton, was employed by the R. H. Anderson, Inc. on April 17, 1958 and April 18, 1958 -- a period of two days -- on which dates the State Accident Fund was not the duly recorded Workmen's Compensation carrier for R. H. Anderson, Inc.

Further, in support of this Motion to Dismiss, the Michigan State Accident Fund avers that their policy became effective on July 15, 1958.

WHEREFORE, the State Accident Fund respectfully requests an Order from the Department dismissing them as a Defendant under the Apportionment Application.

R. H. ANDERSON, INC. and
MICHIGAN STATE ACCIDENT FUND



February 22, 1961

Workmen's Compensation Department
Lansing 13, Michigan

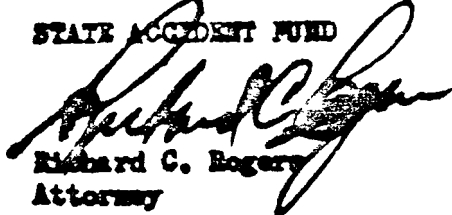
RE: Dean Templeton vs R. H. Anderson, Inc.

Gentlemen:

Enclosed herewith please find Motion to Dismiss in the above
entitled cause.

Very truly yours,

STATE ACCIDENT FUND


Richard C. Rogers
Attorney

RCR:hjb

Encl.

cc: John-Manville Sales Corp. ✓
Travelers Ins. Co.
Massfield, DeWitt, Sulzbach & Jenkins, Attys.
Owens-Corning Fibreglas Corp.
Aetna Casualty & Surety Co.
Alexander, Buchanan & Conklin, Attys.
Brown Insulation Co.
Michigan Mutual Liability Co.
LeYasseur & Warner, Attys.
R. H. Anderson, Inc.
Glenn & Hillman Co.
General Accident Assurance Corp.
Mr. David M. Roberts, Atty.
Mr. H. F. Briggs

Workmen's Compensation Department

NOTICE OF HEARING DATE

DEAN TEMPLETON

Plaintiff

CLARENCE R. CONSTAN
DAVID M. ROBERTS

Attorney

✓ JOHN-MANSVILLE SALES CORP.
OWENS-CORNING FIBERGLAS CORP.
BROWN INSULATING CO.
R. H. ANDERSON INC.
GLANZ & KILLIAN CO.

Defendant

TRAVELERS INS. CO.
AETNA CASUALTY & SURETY CO.
MICHIGAN MUTUAL LIABILITY CO.
STATE ACCIDENT FUND Insurance Company
GENERAL ACCIDENT ASSURANCE CORP.

MANSFIELD, DEWITT & SULLIVAN
ALEXANDER, NICHOLAS & CO. L.L.C.
LEVANDOUR, Assistant Attorney & HENRIET
RICHARD ROGERS, ATTY.

The above captioned matter will be heard on March 20, 1961
or as soon thereafter as possible at 1800 Cadillac Square Building, in the
city of Detroit, Michigan, commencing at 9:00 o'clock in the forenoon, LOCAL
time.

You are directed to be present at the time and place above mentioned
and to be prepared to proceed with the hearing with such witnesses and proofs
as are necessary.

WORKMEN'S COMPENSATION DEPARTMENT

David G. Gentry
Director

Dated March 6, 1961

Workmen's Compensation Department

AMENDED NOTICE OF HEARING DATE

DEAN TEMPLETON

Plaintiff

CLARENCE R. CONSTAN
DAVID M. ROBERTS

Attorney

JOHN-MANSVILLE SALES CORP.
OWENS-CORNING FIBERGLAS CORP.
BROWN INSULATING CO.
R. H. ANDERSON INC.
GLANZ & KILLIAN CO.

Defendant

TRAVELERS INSURANCE CO.
AETNA CASUALTY & SURETY CO.
MICHIGAN MUTUAL LIABILITY CO.
STATE Insurance Company
GENERAL ACCIDENT ASSURANCE CORP.

MANSFIELD, DEWITT & SULZBACH
ALEXANDER, BUCHANAN & CONKLIN
LEVASSEUR, WERNER Attorney & MITSEFF
RICHARD ROGERS, ATTY.

The above captioned matter will be heard on April 12, 1961
or as soon thereafter as possible at 1800 Cadillac Square Building, in the
city of Detroit, Michigan, commencing at 9:00 o'clock in the forenoon, LOCAL
time. This matter has been reset because the medical examinations
will not be completed until March 27, 1961.

You are directed to be present at the time and place above mentioned
and to be prepared to proceed with the hearing with such witnesses and proofs
as are necessary.

WORKMEN'S COMPENSATION DEPARTMENT

David Keung
Director

Dated March 9, 1961

WORKMEN'S COMPENSATION DEPT.
LANSING, MICH.

[illegible] 11

WORKMEN'S COMPENSATION DEPARTMENT

DECISION

by Defendant on attached sheet

Employer-Insurer(s)
Michigan, on application of Plaintiff, J. J. [Name], follows:
That the above named employee, [Name], was employed by the above named employer on [Date] and, as of said date of injury, said employee had an average weekly wage of \$ [Amount], is skilled () unskilled () labor, and had the following dependents: [List Dependents]

IT IS THEREFORE ORDERED that said Defendant(s) pay compensation at the rate of \$ [Amount] per week for [Period] by a single payment in lieu of weekly payments by a Hearing Referee of the Workmen's Compensation Department, [Date] inclusive, [Date] inclusive, and for partial disability at the rate of \$ [Amount] per week, [Date] inclusive, and further, that said employee is still totally - partially disabled and Defendant(s) shall pay compensation at the rate of \$ [Amount] until further order of the Department; and, that said Defendant(s) shall reimburse said employee \$ [Amount] for [Specify whether medical, hospital, etc.] with interest thereon at the rate of 5% per annum from the date each payment was due until paid.

IT IS THEREFORE ORDERED that the employee is entitled to receive from said defendant(s) compensation at the rate of \$ [Amount] per week for the specific period of [Period] weeks from [Date] 19 [Year] for the loss of [Specify whether partial, hospital, etc.] and, that said Defendant(s) shall reimburse said employee \$ [Amount] with interest thereon at the rate of 5% per annum from the date each weekly payment was due until paid.

IT IS THEREFORE ORDERED that said Defendant(s) shall pay compensation to said Applicant(s) at the rate of \$ [Amount] per week as total - partial dependents of [Employee] until further order of the Department but not to exceed 450 weeks from the date of death of said employee; and further, that said Defendant(s) shall pay \$ [Amount] as follows: [Specify whether medical, hospital, etc.] with interest thereon at the rate of 5% per annum from the date each weekly payment was due until paid.

Plaintiff's Application is hereby dismissed for lack of prosecution.

MAILED
OCT 4 1961
WORKMEN'S COMPENSATION DEPT.
LANSING, MICH.

By [Signature]
Hearing Referee

UNLESS A CLAIM FOR REVIEW IS FILED BY EITHER PARTY WITHIN TEN DAYS FROM THE DATE STAMPED HEREON AS "FINAL DECISION", THIS DECISION SHALL STAND AS THE FINAL DECISION OF THE WORKMEN'S COMPENSATION DEPARTMENT.
AND WHEREBY THE WORKERS' DEPT. OF THE COMPENSATION ACCRUED IS AUTHORIZED, EXCEPT FROM SPECIAL PAYMENTS, TO BE PAID TO THE EMPLOYEE OR HIS BENEFICIARY FOR REMOVAL OF SAID TAX.

PLAINTIFFS

Dean Campbell

Clarence E. Constan, Atty.

David H. Roberts, Atty. at
Law

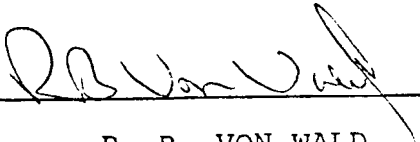
DEFENDANTS

Johns-Manville Sales Corp.
Travelers Insurance Co.
Sumfield, Bewitt & Bullock, Atty.
James Gurning Fibreglass Corp.
Johns Casualty & Surety Co.
Alexander, Buchanan & Conklin, Atty.
Brown Insulating Co. - Mich. Mutual Bldg.
DeVasseur & Warner, Atty.
J. H. Anderson, Ins. - State Accident Fund
Richard H. Rogers, Atty.
Hans & Millian Co.
General Accident Assur. Corp.
Looney, Jones, Atty.
Hendel Cork Company
Crimmins & Son Construction Co.
Employees Mutual Bldg. Ins. Co.
Willis Gandy Co.
General Accident Ins. Co.
Whitcomb Company
Johns-Manville Sales Corp.

AFFIDAVIT

STATE OF COLORADO)
) ss:.
COUNTY OF JEFFERSON)

R. B. VON WALD being duly sworn according to law deposes and says he is Vice President and Corporate Counsel of JOHNS-MANVILLE SALES CORPORATION, a defendant in this action, that he is authorized to make this Affidavit on its behalf and that the facts set forth in the foregoing pleading have been supplied to him by others upon whom he relies and are true and correct to the best of his knowledge, information and belief.



R. B. VON WALD

Sworn and subscribed to
before me this 2nd day
of June, 1982.



NOTARY PUBLIC

My Commission Expires My Commission expires Oct. 15, 1984

P.O. Box 5723
Denver, CO 80217

