

AFFIDAVIT

I, George Earl Parker, residing at 3006 Jonte Street,
Pascagoula, Mississippi, do swear and affirm:

1. I was employed by Johns-Manville Corporation in New York City in 1968 as an attorney and continued employment in various legal and business capacities in New York City and Denver, Colorado until 1987.

2. Attached to this affidavit is a copy of a letter from S. A. Williams, Vice President, Johns-Manville Corporation to Mr. A. R. Fisher, Manager, Manville Factory, dated August 29, 1933 and three pages of questions and answers referred to in the letter for a total of four pages.

3. I first encountered this letter and enclosures in 1968 at Johns-Manville Corporation headquarters at 22 East 40th Street, New York, New York, among various papers, medical journal articles, newspaper articles and correspondence from the files of the Industrial Relations Department of Johns-Manville Corporation made available to me for review by Hugh Jackson and Boyd Moulder of the Industrial Relations Department of Johns-Manville Corporation.

4. Subsequently, about June 1993, I encountered this document in files of Johns-Manville Corporation in the custody of Manville Personal Injury Trust in Denver, Colorado.

Sworn to this 30th day of June, 1993.

CONFIDENTIAL

STATE OF COLORADO)
) ss
COUNTY OF BOULDER)

Subscribed and sworn to before me this 30th day of June, 1993, by George Earl Parker.

Witness my hand and official seal.

My commission expires June 5, 1996.

Notary Public
1435 Arapahoe Avenue
Boulder, CO 80302-6390



General Headquarters,
August 29, 1933.

Personal & Confidential

Mr. A. R. Fisher,
Manager,
Marville Factory

QUESTIONS ASKED DR. A. J. LANZA
AND HIS ANSWERS VERBATUM

Attached is copy made by Mr. Kottcamp's office of questions asked Dr. A. J. Lanza by our local physician at Waukegan and his answers; also the recommendations by our plant physician.

I would like to have you turn this over to someone who could review this correspondence and then go over it yourself and write me your opinion of it.

S. A. WILLIAMS,

Vice President

cc - Mr. J. P. Kottcamp
Waukegan Factory



QUESTIONS ASKED DR. A. J. LANZA AND HIS ANSWERS VERBATIM

Question No.1.

Among eleven employees in the Textile department, all exposed to asbestos dust, one only wears a respirator, several on being questioned claim they cannot wear them continuously especially in hot weather.

Should all employees be forced to wear these respirators whether subjected to much or little asbestos dust? Is any such difficulty experienced at the Marville N.J. J-M plant or other places of which you have knowledge?

Answer:

Respirators are not satisfactory. It is possible to construct a respirator which will filter out fine dust, but it would offer so much resistance to respiration that it could not be worn continuously on an eight hour shift. There are on the market small face mask respirators which are equipped with positive pressure and these are both satisfactory, efficient, and comfortable but they cannot be worn except by a person who stands in one place as they have to be hooked up with a rubber tube to an air line. I doubt if they would be practical in a textile plant.

Questions No.2.

Do you agree with my recommendation that employees definitely be made aware of the fact that asbestos dust is hazardous to their health? My idea is that a poster be placed at one or more conspicuous places in the department, signed by the physician, stating that the dust is injurious, advising the continuous use of respirators while at work and cleansing of hands before eating lunch and after work.

Your comment on this please and particularly is there any additional advice that should be given?

Answer:

This is partially answered by No.1. I doubt if the hazard is sufficient to justify warning posters as might be used where lead, benzol or carbon monoxide are concerned. This is especially true in view of the extraordinary legal situation. If anything is said at all, it would be better to make a general statement that the company is taking steps to control the amount of dust in the air for general health purposes. Any action contemplated at Waukegan would probably be influenced by the experience at other plants of the Company.

PLAINTIFF'S
EXHIBIT

Question No.3.

Do you regard the finding of asbestosis bodies in the sputum as pathogenesis of asbestosis?

I have one employee with x-ray and physical findings pointing toward asbestosis but not sufficiently definite that I can be positive as to whether or not she has asbestosis. However, every one of four or five specimens of sputum examined show typical asbestosis bodies. On the other hand, is it possible for a person to have asbestosis and not be able, with careful and thorough search to find asbestosis bodies in the sputum?

Answer:

The presence of asbestos bodies in the sputum only implies that the individual has been exposed to asbestos dust. I am not certain of the exact pathological significance. My impression is that the presence of asbestos bodies in the sputum indicate some definite lung pathology. I believe it is quite possible for an individual to have asbestosis without asbestos bodies in the sputum.

Question No.4.

Are you of the opinion that the added information derived from stereoscopic films of the chest justified the procedure of taking a stereo on every case that is to be x-rayed? This is the conclusion I drew from Dr. Pancost's talk in Chicago.

Do you consider it advisable and practical that an x-ray film be taken of every employee in the Waukegan J.M plant who is exposed to asbestos or silica dust? To date I have x-rayed only those cases suspected, from history or physical findings, of having asbestosis or other lung pathology.

Answer:

Stereoscopic films are better than single films. They are also more expensive. In our work at the Picher Clinic, we used single films simply on account of the expense involved. You can diagnose silicosis or any other form of pneumoconiosis from a single flat film. On the other hand, you can probably get a more complete and accurate idea of the exact condition of any given case from a stereo.

If it is the intention to determine what may be the extent of pneumoconiosis among employees, obviously the only thing to do is to x-ray all of them and then correlate your findings with the length of exposure and nature of the job in order that you may get a fairly accurate idea of what the hazard is.

(Question No.5.

I have made a diagnosis of asbestosis on an employee who has been working in the card room of the textile department six years. This place is extremely dusty. He is not disabled. In my judgment the best disposition of such a case is to remove him from the dust and give him a job in some other part of the plant. From your remarks in Chicago I believe this was your advise as to the disposition of such cases.

Answer:

It is difficult to answer this question. I think it would depend upon the man's age, the nature of his work, his length of service, and other considerations which might have some bearing. If he is well along in years and shows no disability, it may be just as well to leave him alone. One of the difficulties and vexations in trying to deal with the problems of pneumoconiosis is that economic as well as production factors must be balanced against the medical factors.

Question No.6.

(We have what seems to be an unfortunate situation existing in the fact that the asbestos textile department including looms, twistars, pools, etc. occupies one side or about half the width of a long building, the other side of which is occupied by the packing, brake lining and other departments in which there is very little dust. The card room, or most dusty part of the textile department is isolated by partition. Further isolation of the textile department involves considerable expense. Should or would you be guided by the dust counts and other observations in these adjoining departments?

Answer:

I think the answer to the situation outlined in this question is the control of dust in those processes that cause it. When everything possible has been done to accomplish this result, it may then be necessary to isolate or confine the dusty processes so as to avoid needless exposure of other employees not concerned in these processes. This is a situation that occurs in many different types of industrial hazard. It calls for nothing more than the application of common sense to the problem.