

FILE NAME: Fibreboard (FIB)

DATE: 1955

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DOCUMENT DESCRIPTION: Legal - Order of CA Industrial Accident
Commission

BEFORE THE INDUSTRIAL ACCIDENT COMMISSION OF THE STATE OF CALIFORNIA
CLAIM NO. 53 SF 145-939

ALTA ANN KISH,

Applicant,

vs.

WESTERN ASBESTOS COMPANY, CHARLES AYRES
COMPANY, CORK INSULATION COMPANY, MUNDET
CORK CORPORATION, PLANT ASBESTOS COMPANY,
J. T. THORPE AND SON, INCORPORATED,
DUTTON ASBESTOS AND SUPPLY COMPANY,
ARSTRONG CORK COMPANY, VAN ARSDALE-HARRIS,
PARAFFIN COMPANIES, INCORPORATED,
PABCO PRODUCTS, INCORPORATED, PLANT
RUBBER AND ASBESTOS COMPANY, JOHNS
MANVILLE COMPANY, FIREMAN'S FUND INDEMNITY
COMPANY, STATE COMPENSATION INSURANCE FUND,
UNITED STATES CASUALTY COMPANY,
AETNA CASUALTY AND SURETY COMPANY,
INDUSTRIAL INDEMNITY COMPANY, TRAVELERS
INSURANCE COMPANY, GIDDINGS SUPPLY COMPANY,
BAY CITIES ASBESTOS COMPANY, LIMITED,
ROBERTS ISLAND DREDGING AND IMPROVEMENT
COMPANY, INCORPORATED, VAN FLEET-FRIEDAR
COMPANY, IDEAL VENTILATING AND SHEET
METAL WORKS, LANGENDORF UNITED BAKERIES,
INCORPORATED, E. B. BADGER AND SONS
COMPANY, MADDEN PLUMBING AND HEATING
COMPANY, L. J. MADDEN (Owner), KAISER
ALUMINUM AND CHEMICAL CORPORATION,
RICHMOND SHIPBUILDING CORPORATION,
GENERAL INSULATION AND SUPPLY COMPANY, and
PACIFIC EMPLOYERS INSURANCE COMPANY,

Defendants.

ORDER
APPROVING
COMPROMISE
AND RELEASE

Transmitted from San Francisco Office

MAY 16 1955

Industrial Accident Commission
State of California

The parties to the above entitled action filed their compromise and release, with request for its approval, on May 3, 1955, settling for the total amount of \$2,750.00, payable by the different defendants as indicated.

This Commission having now considered said compromise and release, as well as the entire record herein, finds that it should be approved.

James W. Halley, attorney for applicant, is entitled to a lien for the reasonable value of his services in the sum of \$400.00, payable out of the contribution by Fireman's Fund Indemnity Company.

GOOD CAUSE APPEARING THEREFOR:

IT IS ORDERED that said compromise and release be and it is hereby approved, payable in lump sums by the following companies in the amounts set forth:

The Paraffine Companies, Inc, Pabco Products Inc., Plant Rubber and Asbestos Company . . .	\$ 350.00
Western Asbestos Company, Van Arsdale-Harris, Ideal Ventilating & Sheet Metal Works, and State Compensation Insurance Fund	100.00
Langendorf United Bakeries, Incorporated . .	10.00
Pacific Employers Insurance Company	65.00
J. L. Thorpe & Son, Incorporated, and United States Casualty Company	25.00
Aetna Casualty & Surety Company	25.00
Dutton Asbestos & Supply Company, Kaiser Aluminum and Chemical Corporation, and Industrial Indemnity Company	100.00
Charles Ayres Company and Fireman's Fund Indemnity Company, less an attorney's fee of \$400.00 payable to James W. Halley, attorney for applicant	2,075.00
	100 1075

INDUSTRIAL ACCIDENT COMMISSION
OF THE STATE OF CALIFORNIA

F.A. Lawrence

John J. Synon

Commissioners

EBS:MAM

BEFORE THE INDUSTRIAL ACCIDENT COMMISSION OF THE STATE OF CALIFORNIA

CLAIM NO. 53 SF 145-939

ALTA ANN KISH,

Applicant

vs

WESTERN ASBESTOS COMPANY, CHARLES AYRES COMPANY,
CORK INSULATION COMPANY, MUNDET CORK CORPORATION,
PLANT ASBESTOS COMPANY, J. T. THORPE AND SON,
INCORPORATED, DUTTON ASBESTOS AND SUPPLY COMPANY,
ARMSTRONG CORK COMPANY, VAN ARSDALE-HARRIS,
PARAFFINE COMPANIES, INCORPORATED, PABCO PRODUCTS,
INCORPORATED, PLANT RUBBER AND ASBESTOS WORKS,
JOHNS MANVILLE COMPANY, FIREMAN'S FUND INDEMNITY
COMPANY, STATE COMPENSATION INSURANCE FUND,
UNITED STATES CASUALTY COMPANY, AETNA CASUALTY
AND SURETY COMPANY, INDUSTRIAL INDEMNITY COMPANY,
TRAVELERS INSURANCE COMPANY, GIDDINGS SUPPLY
COMPANY, BAY CITIES ASBESTOS COMPANY, LIMITED,
ROBERTS ISLAND DREDGING AND IMPROVEMENT COMPANY,
INCORPORATED, VAN FLEET-FREAR COMPANY, IDEAL
VENTILATING AND SHEET METAL WORKS, LANGENDORF
UNITED BAKERIES, INCORPORATED, E. B. BADGER AND
SONS COMPANY, MADDEN PLUMBING AND HEATING COMPANY,
L. J. MADDEN (Owner), KAISER ALUMINUM AND CHEMICAL
CORPORATION, RICHMOND SHIPBUILDING CORPORATION,
GENERAL INSULATION AND SUPPLY COMPANY, AND
PACIFIC EMPLOYERS INSURANCE COMPANY,

Defendants

ORDER CORRECTING
ORDER APPROVING
COMPROMISE AND
RELEASE

Mailed From San Francisco Office

Industrial Accident Commission
State of California

Order Approving Compromise and Release having issued May 10, 1955,
wherein it appears that one of the defendant employers was incorrectly
named,

IT IS ORDERED that the title of the employer named as "Plant
Rubber and Asbestos Company" stand corrected to show the name to be
'Plant Rubber and Asbestos Works'.

75 weeks

1378.50

1916.77

3295.27

2350

49945.27

+ 4000 bonus

1345.27

INDUSTRIAL ACCIDENT COMMISSION
OF THE STATE OF CALIFORNIA

F. A. LAWRENCE

JOHN J. SYMON

Commissioners

ALF ANN KISH vs WESTERN ASBESTOS COMPANY, et al.

Eldon B. Spofford, Referee
June 3, 1955

Claim No. 53 SF 145-939
Injury: March 19, 1952

REPORT OF REFEREE ON ORDER CORRECTING
ORDER APPROVING COMPROMISE AND RELEASE

Order approving compromise and release issued herein May 16, 1955, stating that of the total settlement figure the sum of \$350.00 was to be paid by The Paraffine Companies, Inc., Pacco Products Inc., Plant Rubber and Asbestos Company. Counsel for said employers have now called attention to the error in the name of the latter employer, stating that the correct name is Plant Rubber and Asbestos Works, and it appears from the compromise and release agreement that Plant rubber and Asbestos Works was named and the word "Company" should be corrected to read "Works". The referee is accordingly attaching an order for such correction.

EBS:mam

ELDON B. SPOFFORD, Referee

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BROBECK, PHLEGER & HARRISON
ATTORNEYS AT LAW
ONE ELEVEN BUTTER STREET
SAN FRANCISCO 4

May 20, 1955

Eldon B. Spofford, Esq.
Referee,
Industrial Accident Commission,
965 Mission Street,
San Francisco, California.

Re: Alta Ann Kish v. Western
Asbestos Company et al.
Claim No. 33-SF-145-939

Dear Mr. Spofford:

In the above entitled matter we have received a copy of the Order Approving Compromise and Release dated May 16, 1955. You will recall that in this matter we represented The Paraffine Companies, Inc., Fabco Products Inc. and Plant Rubber and Asbestos Works. We note that the Order Approving Compromise and Release provides that the sum of \$350.00 is payable by The Paraffine Companies, Inc., Fabco Products Inc. and Plant Rubber and Asbestos Company although the release was executed by Plant Rubber and Asbestos Works and the latter is the correct corporate name.

We would appreciate it if you would be so good as to take such proceedings as may be necessary to properly

Eldon B. Spefford, Esq.

2.

**protect the interests of Plant Rubber and Asbestos
Works.**

Very truly yours,

BROECK, PHLEGER & HARRISON

By Rinaldo Sciaroni, Jr.

RS:afn

**cc: Messrs. Leonard, Hanna & Brephy,
100 Bush Street,
San Francisco 4, California.**

**James W. Milley,
Attorney at Law,
33 Post Street,
San Francisco, California.**

**State Compensation Insurance Fund,
450 McAllister Street,
San Francisco, California.**

**Hallen & Filippi,
Attorneys at Law,
315 Montgomery Street,
San Francisco, California.**

**Keith, Creeds & Sedgwick,
Attorneys at Law,
Hills Tower, 220 Bush Street,
San Francisco, California.**