

LAW OFFICES OF
PAUL, HASTINGS, JANOFFSKY & WALKER

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1050 THOMAS JEFFERSON STREET, N. W.

SIXTH FLOOR

WASHINGTON, D. C. 20007

TELEPHONE (202) 333-8800

CABLE ADDRESS: PAULHAST WSH

TWX: 710-822-8082

August 4, 1982

ORANGE COUNTY OFFICE
SEVENTEENTH FLOOR
505 TOWN CENTER DRIVE
COSTA MESA, CALIFORNIA 92626
TELEPHONE (714) 641-1100

WEST LOS ANGELES OFFICE
FIFTH FLOOR
1800 OCEAN AVENUE
SANTA MONICA, CALIFORNIA 90401
TELEPHONE (213) 481-2438

OF COUNSEL
LEE S. PAUL
ROBERT P. HASTINGS
CHARLES H. WALKER
LOS ANGELES OFFICE
TWENTY-SECOND FLOOR
505 SOUTH FLOWER STREET
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 488-4000

ATLANTA OFFICE
SUITE 1400
550 PEACHTREE STREET, N. W.
ATLANTA, GEORGIA 30303
TELEPHONE (404) 588-9999

OUR FILE NO. _____

Mr. Wolfgang H. Schmidt
Spencer, Fane, Britt & Browne
1000 Power and Light Building
106 West 14th Street
Kansas City, Missouri 64105

Re: Norman Van Bebber, et al. v. GAF Corporation, et al.

Dear Mr. Schmidt:

Enclosed are various materials to assist in responding to interrogatories concerning the development of asbestos-free insulation products by GAF Corporation. Also attached is a brief summary of these enclosures. The memoranda prepared by Paul Zevnik describe the history of GAF's asbestos-free Calsilite (Enclosure A) while the remaining documents provide somewhat of a chronology of the products' development and eventual discontinuance. Please remember that some of these documents are sensitive in nature, and that they are being provided solely for the purpose of responding to those relevant interrogatories.

GAF manufactured Calsilite Block and Calsilite Pipe Covering in compliance with MIL-I-2819E and MIL-I-2781D, respectively, and all predecessors of these specifications. "MIL" indicates Military Specifications which set government standards for products used in military projects and facilities. Although asbestos was not expressly required as an ingredient under these specifications, as a practical matter, only an asbestos-containing product could meet essential performance criteria, principally, (1) changes under soaking heat, (2) loss in weight, (3) linear shrinkage, and (4) resistance to abrasion.

MICH09052

PAUL, HASTINGS, JANOFSKY & WALKER

Mr. Wolfgang H. Schmidt
August 4, 1982
Page Two

The Navy's insistence upon inclusion of asbestos in thermal pipe covering and block for its vessels is demonstrated by the Navy's refusal to revise its specifications in minor fashion to permit the use of the non-asbestos insulation product GAF developed in 1970 for use on Navy ships (See Enclosure J). GAF's non-asbestos calcium silicate pipe covering ("Calsilite II") met virtually all applicable government specifications. GAF sought to have this product approved by the Navy and placed on the applicable "Qualified Products Lists." GAF even engaged independent experts to demonstrate that the non-asbestos product could satisfy effectively government requirements and, where applicable, sought a slight modification in the heat soaking criterion (See Enclosure K). The Navy, however, refused to approve GAF's non-asbestos product and continued to insist upon inclusion of asbestos in its thermal insulation.

I hope these materials provide you with the necessary background information to respond to plaintiff's interrogatories. If you should have any questions or comments regarding the enclosed documents, do not hesitate to call.

Very truly yours,

Jill A. Franklin

Jill A. Franklin
Litigation Legal Assistant

JAF/mm

Enclosures

cc: Edward D. Tanenhaus, Esq. (w/o encl.)
Ms. Vanessa Morgan (w/o encl.)

MICH09053