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MAYLAND CASUALTY COMPANY

CHARLES H. HUTCHISON, PRESIDENT

The Maryland American General Group, Inc. and Colonial Company, American General Insurance Company, Inc., Colonial Life Insurance Company, American General Life Insurance Company of Delaware, American General Insurance Co., Oklahoma Assurance Company of America, Maryland Life Insurance Co., Ltd., Marine Company and Casualty Co., American American General Insurance Co., National Standard Insurance Co., Northern Insurance Co. of N.Y., Patriot Life Insurance Co.

P. O. Box 1223 • Baltimore, Maryland 21203

January 26, 1968

Mr. Harry Bauer
Marsh & McLennan
71 Pine Street
New York, New York

Re: 750-C-890
W. R. Grace & Company
(Zonolite Division)
Lilas D. Welch

Dear Harry:

In accordance with our telephone conversation Friday, January 19, 1968, attached please find a copy of Attorney Larrick's report of November 25, 1967.

In answer to your question regarding apportionment, I refer you to the latest amendment to the Montana Compensation Act wherein it states; "Where compensation is payable for an occupational disease the only employer liable shall be the employer in whose employment the employee was last injuriously exposed to the hazard of such disease".

In my opinion, the Second Injury Fund pertains only to injuries and not to occupational diseases since Section 92-712 of the Montana Workmen's Compensation Act is silent on any increase or worsening of an occupational disease. If I can be of any further assistance, please advise.

Yours truly,

Bill Tappett

William Marquette
Supervisor

WM: gl