

FILE NAME: Keene (KNE)

DATE: 1983 Aug 29

DOC#: KNE005

DOCUMENT DESCRIPTION: Legal - Deposition of Dwight Lord
Satterthwaite with BC notes

Worked for Cabnet
1976-1975

- Bell started Phila contracting
ofc in 1945

42 he knew of lung damage
of everyone in plant supposed to
wear respirators very dusty
mostly magnesium

45 learned of 1st day in the first
30 days on the job
Workers ordered to wear
masks sometimes ~~and~~
refused because of difficulty
heat, breathing difficulty
mostly Black workers
15/ high temperature

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA
3 NORFOLK AND NEWPORT NEWS DIVISIONS

4 - - -
In Re: All Asbestos Cases : C.P. 77-1
5 - - -

6 Oral Deposition of DWIGHT LORD

7 SATTERTHWAITE, taken pursuant to notice, at 427
8 Norma Road, Ambler, Pennsylvania, on Monday, August
9 29, 1983, beginning at approximately 5:15 p.m.,
10 before Brigitte A. Strain, Registered Professional
11 Reporter-Notary Public, there being present.

12 - - -
APPEARANCES:

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I N D E X

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WITNESS

DIRECT CROSS REDIRECT RECROSS

DWIGHT LORD SATTERTHWAITE

BY MR. SCHMIDT	4	--	45	--
BY MR. LEDWITH	--	25	--	58
BY MS. HALPERN	--	35	--	--



1 THE COURT REPORTER: Any
2 stipulations?

3 MR. LEDWITH: It's my understanding
4 that all objections are reserved
5 until the time of trial, except as to the
6 form of the question.

7 MR. SCHMIDT: That is correct.

8 - - -

9 (It is hereby stipulated and agreed
10 by and among counsel for the respective
11 parties that reading and signing are waived
12 and that all objections, except as to the
13 form of questions, be reserved until the time
14 of trial and that any objection by one
15 defense counsel will inure to the benefit of
16 all other defense counsel present.)

17 - - -

18 DWIGHT LORD SATTERTHWAITE, after
19 having been first duly sworn, was examined
20 and testified as follows:

21 - - -

22 DIRECT EXAMINATION

23 - - -

24 BY MR. SCHMIDT:

25 Q. Good morning. For the record, sir, could you

1 state your full name and present home address?

2 A. Right.

3 Dwight, first name, D-W-I-G-H-T.

4 Middle name Lord, L-O-R-D. Last name Satterthwaite,
5 S-A-T-T-E-R-T-H-W-A-I-T-E, Satterthwaite.

6 Q. What is your present home address, sir?

7 A. 427 Norma Road, Ambler, Pennsylvania.

8 Q. And you have been living in Ambler for quite
9 some time?

10 A. How long?

11 Q. Couple of years, right?

12 A. Two years.

13 Q. Sir, when did you start working for Ehret
14 Magnesia Manufacturing Company?

15 A. 1936.

16 Q. And when did you stop working for the company?

17 A. 1975.

18 Q. Do you recall what the name was on your
19 payroll check when you left the company; what the
20 name of the company was at that time?

21 MRS. SATTERTHWAITE: State the
22 companies you worked for, that's all. You
23 started with Ehret and then it became?

24 I think I'll leave. It will be best.

25 Don't worry about anything. If it confuses

1 you at all just say, I don't know or I can't
2 remember. That's all.

3 (Whereupon Mrs. Satterthwaite left
4 the room.)

5 BY MR. SCHMIDT:

6 Q. That's good advice.

7 I understand that Ehret changed its
8 name at some point to Baldwin-Ehret-Hill?

9 A. Yes.

10 Q. Then the name changed to Keene Corporation.

11 MR. LEDWITH: I would object to that.
12 That's a clearly leading question.

13 MR. SCHMIDT: Okay.

14 BY MR. SCHMIDT:

15 Q. What name changes were there after Ehret, if
16 you remember now?

17 A. Baldwin-Ehret-Hill.

18 Q. Was there any name change after that?

19 (Whereupon the witness answered his
20 phone.)

21 BY MR. SCHMIDT:

22 Q. I had asked you about the name changes from
23 Ehret and you mentioned Baldwin-Ehret-Hill. Was
24 there a name change after that?

25 A. It was really part of Keene Corporation. I

1 don't know just when that happened.

2 Q. What name was on your payroll check when you
3 left; do you remember?

4 A. I do not remember.

5 Q. Now in 1936, when you started with Ehret,
6 what was your job at that time?

7 A. I was a clerk in the sales department.

8 Q. How long was that your job, approximately?

9 A. I was transferred in 1945 to the contract
10 division warehouse office in Philadelphia.

11 Q. During that first job, between 1936 and 1945,
12 where was your office located then?

13 A. Valley Forge.

14 Q. And did you visit the Ehret plant at Valley
15 Forge when you had that job?

16 A. Not really. Only, I would say, to consult
17 sometimes with the shipping department on the first
18 floor of the -- In other words, the office -- the
19 plant building was different, separate from the
20 office building. It was in the same, just a little
21 distance between them. You entered another building
22 to get where they were and I used to go out into
23 that office, not very often.

24 Q. What products were being made in the Valley
25 Forge plant during that first ten years you were

1 with the company?

2 A. Primarily the 85 percent magnesia pipe and
3 boiler insulation.

4 Q. And when you did have occasion to visit the
5 plant itself, did you see any part of the
6 manufacturing process of those products?

7 A. No, not -- never got involved with that. I
8 got involved in the factory only with the shipping
9 department.

10 Q. Can you describe what you observed in the
11 shipping department during that period?

12 A. Well, mainly the -- in the shipping
13 department, near it, they had a -- they had chutes
14 coming down from the floor above. And that was the
15 cartoning of the material, the block form and the
16 flat cartons, that type. That would come down these
17 chutes and I observed this quite often. I had some
18 doings with the shipping department, which was in
19 the factory, factory office, shipping, but not very
20 much. I mean maybe a small amount every day,
21 particularly if we were shipping something.

22 Q. And what, if anything, would happen when the
23 blocks would come down the chute?

24 A. Well, it would create a dust. In other
25 words, they would hit the bottom of this metal--

1 like a skid thing, you know, and then there was a
2 carton there and they would just take the stuff and
3 put it in. When they hit the bottom of that chute,
4 it created a cloud of dust. Now, I can't tell you
5 what the dust was. Could be a combination of things,
6 but it was a whitish dust because the material was
7 white.

8 Q. This was the 85 percent magnesia block?

9 A. Yeah, or covering. This particular one I'm
10 talking about, the slabs, yes. The covering was --
11 that was cartoned in a similar manner.

12 Q. The 85 percent magnesia block, are you aware
13 of how much asbestos was in that?

14 A. Well, it's called 85 percent supposedly
15 because its 15 percent something else. I think
16 there's a couple of small -- I would say that eight
17 or ten percent was probably asbestos fiber but I --
18 you know, I wasn't in the technical end of it. I
19 never paid too much attention to that. I was mainly
20 with figures, dollars and figures, how to make a
21 buck.

22 Q. Now, with respect to this process by which
23 the blocks would come down the chute and create the
24 dust, what special equipment, if any, was given to
25 employees for that job?

1 A. They were supposed to wear -- they were given
2 a mask and supposed to wear a face mask.

3 Q. What would happen if they didn't wear it?

4 A. Well, basically they would get a warning or
5 two, then it was automatic dismissal. But they gave --
6 they were a little bit lenient at the plant because
7 it was something new at that time and it was ungodly
8 hot out, 120 to 130 degrees, you know, no air
9 conditioning, so they was the guys that the masks
10 helped them a lot, helped them get some oxygen or
11 get -- at least keep out the -- you know, the fibers
12 in the air.

13 Q. Now, sir, when did you first become aware of
14 the disease asbestosis?

15 A. Well, I would say -- I don't know exactly
16 when, but it was basically, I think, after I moved
17 down to Cumberland Street.

18 Q. Pardon?

19 A. I think it was after 1945. 1945 is when I
20 moved from Valley Forge down to the other operation.

21 Q. Do you recall approximately when it was that
22 you did become aware of that disease, asbestosis?

23 A. Well, I never thought I was -- I never
24 thought about it as affecting me because the
25 warehouse was a little different than the plant. It

1 wasn't anywhere near as big. It was right on the
2 street and the doors were open and we didn't really
3 have to handle it that much. We had our trucks that
4 delivered to our jobs and it didn't really get
5 handled too much.

6 Q. Insofar as the plant, when did you become
7 aware of asbestosis?

8 A. Because I had left the plant -- I visited the
9 plant occasionally, the years that I was down
10 running the contract division, but I didn't pay much
11 attention to the plant then, only to have
12 conferences with the owners of the company and
13 executives of the company. And that was it, right
14 back to Cumberland Street in my little office and
15 operated the contract division.

16 Q. Insofar as relation to the plant, was it
17 before you moved to Cumberland Street in 1945 that
18 you became aware of asbestosis or after you moved?

19 MR. LEDWITH: I object. He already
20 testified to that. It's a leading question.

21 THE WITNESS: 1945, that was when
22 that -- is when I took over the contract
23 division.

24 BY MR. SCHMIDT:

25 Q. The masks that you mentioned, what was the

1 purpose of those masks?

2 A. In the factory?

3 Q. Yes.

4 A. To keep the dust from -- In other words, they
5 wore the mask where they were around this material
6 at the point where it was dusty, when they were
7 cracking the containers or handling it. The
8 slightest handling of it -- now you could say it was
9 asbestos and you can say it wasn't, but it was
10 basically magnesia. But you had to have a small
11 amount of asbestos with it. Lord knows, we didn't
12 want to use asbestos. We had to get it through
13 Canada in cars and whatnot, but it was the only way,
14 at that time anyway, that you could use it to mold
15 the magnesia into shapes.

16 Q. Why didn't you want to use asbestos?

17 A. We didn't want to use -- It was the only
18 thing we knew about. The fiberglass later came
19 along. In the early days there was no fiberglass
20 insulation as such. And I think all of our
21 competitors who made magnesia used - I'm sure that
22 Keasbey-Mattison did and I know Johns-Manville did.
23 And I know Philip Carey did.

24 Q. You indicated that you didn't want to use
25 asbestos. Why was that?

1 A. Well, there was a general feeling, I think,
2 that asbestos -- not many people knew about it
3 except that it's fire proof. Most people could
4 think only of theater curtains when they heard the
5 word asbestos or something. I think it's fire
6 resistant and fireproof. But for that reason is why
7 it had that advantage in what might have been
8 competitive material.

9 Q. What was this general feeling that you
10 mentioned?

11 A. You know, that --

12 Q. As far as asbestos, yes, sir.

13 A. I think the feeling in general was that the
14 more you were around asbestos in a pure form of any
15 kind, the more likely it would be to cause you
16 trouble, probably.

17 Q. Are you talking about lung trouble?

18 A. I would say that would be the main thing.

19 Q. And when did you first understand that to be
20 the case?

21 A. Well, shortly after I started work there.

22 Q. You started work there in --

23 A. 1936.

24 Q. Now, the products that were made there, the
25 magnesia pipe covering and block, -- you indicated

1 that you were in sales between 1936 and 1945. Who
2 were your customers during that period?

3 A. Well, they were mostly contractors,
4 insulation contractors. Wherever -- in the
5 territory that we covered which was mostly the
6 Eastern Seaboard. We didn't ship -- we didn't do
7 business on the coast, too expensive freightwise, so
8 most of our material came out of the Valley Forge
9 plant. All of the material that came into our
10 warehouse was incorporated in the five county area
11 plus New Jersey plus local. And we had certain
12 customers which is one of the reasons maybe that
13 we're here today. I don't know, but we had a very
14 close relationship with the American Viscose
15 Corporation. And it was through my connection there
16 with one of the top men that we were given the two
17 huge renovation jobs in Virginia for American
18 Viscose. One in Nitro, West Virginia. One in Front
19 Royal, Virginia.

20 Those jobs were done -- I ran them.
21 I had the superintendent running those jobs out of
22 Philadelphia. This rest were all hired out of the
23 union, except for maybe a couple foremen and the job
24 superintendent.

25 Q. During that first ten year period you were

1 with the company, 1936 to 1945, to what extent, if
2 at all, were you involved in sales to the Navy or to
3 the government?

4 A. Yes. Navy, some smaller divisions of the
5 government. Quite a bit in the Navy through the
6 Navy Yard. We bid on their inquiries, particularly
7 the Philadelphia Navy Yard.

8 Q. In terms of the total volume of their sales
9 during that period, what percent would you estimate
10 were to the Navy?

11 A. Well, I would -- it's a guess. I would guess
12 maybe 20 percent, 25 percent.

13 Q. Now, after 19 -- in 1945 you indicated that
14 your job at Ehret changed. What was the new job you
15 started at that point?

16 A. They -- the -- Ehret operated a branch office
17 in Philadelphia engaged primarily in handling the
18 contract work, hiring of insulators as needed,
19 ordering the material.

20 What was your question again?

21 Q. Basically I wanted to know what your job --
22 what your new job was that you assumed in 1945, what
23 that involved.

24 A. This involved -- In other words, the company
25 had an office in Philadelphia which sold materials

1 out of the warehouse, but mainly it was on a
2 supplying basis, application, bid on the insulation
3 material.

4 In 1945, upon the retirement of the
5 former manager who was for many years with Ehret,
6 Mr. Supplee -- Mr. Supplee was there almost from the
7 beginning. He retired. And he was -- sent me down
8 to run that operation in Valley Forge.

9 Q. If you would like to rest a few minutes, that
10 will be fine. One thing you have to do is sort of
11 keep your voice up so this lady can pick up what
12 you're saying.

13 A. Right.

14 Q. So I take it in 1945 your office moved to
15 Philadelphia?

16 A. Yeah. I moved, really.

17 Q. You moved?

18 A. Yeah, I mean they had --

19 Q. The office was already there?

20 A. Yes, and a man was temporarily running it for
21 a small amount of time until they got ready to send
22 me down there.

23 Q. And your job title at that point was contract
24 manager or --

25 A. Branch manager is what -- when I took that

1 job.

2 Q. And did that remain your job until you left
3 in 1976 or 1975?

4 MR. LEDWITH: I object to the question.

5 MR. SCHMIDT: On what basis?

6 MR. LEDWITH: It's leading.

7 BY MR. SCHMIDT:

8 Q. Were you branch manager up until you left in
9 1975 or did you take some other job?

10 MR. LEDWITH: Same objection.

11 THE WITNESS: Same objection?

12 MR. LEDWITH: You can answer the
13 question.

14 THE WITNESS: I retired in 1975.

15 BY MR. SCHMIDT:

16 Q. Now, what were the materials that you were in
17 involved in selling as the branch manager of Ehret
18 in Philadelphia?

19 A. Well, 85 percent magnesia which we stored,
20 not in huge quantities, in our warehouse, but we had
21 to carry a respectable amount of it because people
22 from Philadelphia would want -- they would want to
23 come get it and pick it up the same day, you know,
24 in small orders, but we -- and we got -- whenever we
25 got to a certain point, the factory would send us

1 another trailer load of material which we always --
2 we told them what size and what thicknesses we need.
3 They would send it down, and we'd start over again.

4 Q. Were there other materials that were sold out
5 of that warehouse in addition?

6 A. Yes, there were. I mean some low pressure
7 insulation we carried, commonly known as Aircell,
8 wool felt had been replaced. These were low quality
9 efficient and they were all doomed when fiberglass
10 came out. That replaced nearly all that type of
11 material over the years.

12 Q. That replaced the Aircell?

13 A. And the wool felt and anti sweat and all.
14 And a lot of the cork-- well, a lot of cork is still
15 used.

16 Q. Were there any other products, other than the
17 85 percent magnesia pipe covering and block and the
18 Aircell and the wool felt, that were sold out of the
19 Philadelphia office?

20 A. We carried insulation -- two or three
21 insulating cements, two or three grades of
22 insulating cement.

23 Actually, we had never had a very
24 large amount in the warehouse because it was -- most
25 of the time it was overnight to get it from the

1 plant, I mean a couple of days. If we had a sudden
2 run on something we could replenish it.

3 Particularly they would pay attention to their own
4 branch. You know, I'm sure some of their customers
5 got a little mad at them if they fell behind on
6 shipping dates because who are you going to feed,
7 your son or your son-in-law, you know?

8 Q. You mentioned insulating cements. Do you
9 recall any of the names of the insulating cements
10 that were sold out of the Philadelphia branch?

11 A. Yes. Powerhouse was one. Super Powerhouse
12 was one later on manufactured by Baldwin-Ehret-Hill
13 or Baldwin-Hill.

14 Q. Do you recall any other cements other than
15 the Powerhouse and Super Powerhouse?

16 A. And the asbestos cement which we imported
17 from Canada. There was no commercial production so
18 that was stamped on every -- because there-- there
19 are a few asbestos deposits in the United States,
20 but very scattered, hardly worth doing anything with.
21 So everybody has to use the Canadian material.

22 Q. Do you recall any other kinds of cements that
23 were sold out of the Philadelphia branch?

24 A. Well, as I said Powerhouse would be one,
25 asbestos cement was sold in 50 and 100 pound bags.

1 Not as much of that, that was in the process of
2 being replaced by the Powerhouse type cement, which
3 was a much more efficient insulation than asbestos,
4 and still was fireproof.

5 Q. Are you familiar with Number One Plus?

6 A. Yeah, that's --

7 Q. What was that?

8 A. That's a Super Powerhouse, BEH Plus, Number
9 One Plus, yeah.

10 Q. So I take that's a cement?

11 A. Yeah.

12 Q. Are you familiar with Thermasil?

13 A. Yes.

14 Q. What is that?

15 A. That's a calcium silicate pipe -- or block
16 insulation, or both. That was a trade name.

17 Q. And were both of those materials also sold
18 out of the Philadelphia branch?

19 A. Yes, later.

20 Q. Now, I understand that you were branch
21 manager between 1945 and 1975?

22 A. Yes, I didn't think that was true when I
23 heard it. 30 years in the same plant, but that's --
24 that was it. I mean, you know, I visited the Valley
25 Forge plant quite often on business. We discussed

1 things but I was headquartered that long on
2 Cumberland Street. I retired at age 65 -- 63.

3 Q. At the time that you retired, I think in 1975 --

4 A. Yes.

5 Q. At that point in time were there any of these
6 different materials that you mentioned not being
7 sold out of the Philadelphia branch?

8 A. No. I think we sold the same type of
9 material that we did prior to 1975.

10 Q. These different materials that you have
11 mentioned here. Who made those materials? What
12 company or companies made those materials?

13 A. Well, you mean the cements and the type of
14 pipe covering?

15 Q. Yes.

16 A. We made magnesia and we made what was known
17 as high temperature insulation, which our trade name
18 was Enduro. This was for 1,800 degree limits.
19 Magnesia was 600 degree limits. They were replaced
20 mainly by calcium silicate which was a 1,200 degree.
21 That's high enough. You don't have to specialize it.

22 Q. When you say we, do you mean Ehret?

23 A. Yes, Ehret.

24 Q. Now, what about the cements? Do you know
25 where they were made or who made them?

1 A. Well, basic asbestos cement, which we used
2 most of by far, that was a Canadian product. It was
3 all marked, Canadian product. Every bag was marked,
4 no commercial production in the United States.
5 That was to keep people from hollering about using
6 imported material from other countries.

7 Q. What about the Powerhouse and Super
8 Powerhouse that you mentioned that replaced that?

9 A. They were mineral wool basis and were
10 actually I think the trade name of Baldwin Hill.

11 Q. What about the Number One Plus?

12 A. Number One Plus might have been somebody
13 else's, I think. Could be.

14 Q. If you don't remember, that's fine.

15 A. Yeah. It's hard to remember that far back
16 but --

17 Q. These materials, where were they stored in
18 connection with the Philadelphia branch?

19 A. The Philadelphia branch was primarily a
20 warehouse operation, a fairly good size, about half
21 a block long on the 1300 block of Cumberland Street,
22 right near the North Broad Street station of the
23 Reading.

24 Q. Was your office in that warehouse?

25 A. Yes, it was divided by the big door, the big

1 heavy metal door.

2 Q. These materials in the warehouse in
3 Philadelphia, to what extent were they stored in
4 their original containers?

5 A. Mostly-- I mean, of course, we had to split
6 cartons I mean we had a small business as well as a
7 big business we were furnishing our jobs with
8 material, but a lot of people were picking up from
9 us, you know, a carton here, carton there for their
10 own use or something, for doing a little -- some
11 little plumber's -- the employers had a job to do.
12 Rather than contract somebody to do it, he would do
13 what he wasn't supposed to do, put the insulation on
14 himself, which was -- this we didn't like but, after
15 all, we could not refuse to sell it.

16 Q. I take it that by and large they were in
17 their original containers?

18 A. Yes.

19 Q. During the time you were branch manager, how
20 often would you visit those areas of the warehouse
21 where these products were stored?

22 A. Well, I would say, as an average, probably at
23 least once a day. Sometimes -- I mean it was right
24 there. You just opened the door. Sometimes it was
25 easier to do that than give an instruction to

1 somebody, rather than to pick up the intercom phone.
2 I mean, it was just right there.

3 Q. And was this true up until the time you
4 retired?

5 A. As far as I can recall, yes.

6 Q. I understand these were Ehret an Baldwin Hill
7 materials?

8 MR. LEDWITH: Objection. Leading
9 question.

10 BY MR. SCHMIDT:

11 Q. Who made these materials?

12 MR. LEDWITH: Well, I would ask, what
13 materials are you referring to.

14 BY MR. SCHMIDT:

15 Q. The pipe covering and block and cement in the
16 warehouse that we have been talking about.

17 A. Well, for instance, all of the -- any
18 magnesia or calcium silicate insulation that we
19 would have in the warehouse would have been
20 manufactured in Valley Forge. Other materials which
21 we had to stock, such as Aircell, wool felt, pipe
22 covering were purchased from Norristown Magnesia and
23 Asbestos Company.

24 Q. What about the cement?

25 A. Cements, Number One BEH, Super Powerhouse

1 Powerhouse, BEH.

2 Q. BEH meaning Baldwin-Ehret-Hill?

3 A. Baldwin-Ehret-Hill.

4 MR. SCHMIDT: Was there an answer to
5 that on the record?

6 THE COURT REPORTER: Yes.

7 Baldwin-Ehret-Hill.

8 BY MR. SCHMIDT:

9 Q. During these visits to the part of the
10 warehouse right outside the door where these
11 products were stored, during the time that you were
12 branch manager, did you ever see anything on the
13 containers of these materials that would warn people
14 who were using these materials that asbestos dust
15 could be harmful?

16 A. I never saw them myself that I can recall,
17 warnings.

18 Q. Thank you. I don't have any further
19 questions. I think the other people here may have
20 some questions for you.

21 A. Okay, sir.

22 - - -

23 CROSS EXAMINATION

24 - - -

25 BY MR. LEDWITH:

1 Q. Do you want to take a break?

2 A. I shouldn't because all I'll do is smoke a
3 cigarette. I'm trying to cut that out.

4 MR. SCHMIDT: It's up to you,
5 whatever you would like.

6 THE WITNESS: Let's go ahead.

7 BY MR. LEDWITH:

8 Q. Mr. Satterthwaite, when did the branch at
9 Cumberland Street close down?

10 A. I don't know that I know that. I have always
11 said that I left there -- I retired in 1975. And as
12 far as I know I was -- that's when the branch was
13 closed.

14 Q. But you didn't retire from that branch
15 location, did you?

16 A. I believe so. I didn't go back to the Valley
17 Forge at any point, that I remember.

18 Q. Didn't you work in the main office in
19 Princeton for a while?

20 A. That's a part at the end my wife remembers,
21 but I -- that clearly is a blank to me.

22 Q. What is a blank, working in Princeton?

23 A. Yeah. For any length of time. Of course, my
24 memory is even worse now than it was then about
25 these things. You go back too far. It's just -- a

1 stone wall hits me.

2 Q. What's that, with your memory?

3 A. Yeah.

4 Q. You are having a problem with your memory;
5 isn't that right?

6 A. Yes, somewhat. Particularly if it's quite a
7 while ago.

8 Q. Has your memory gotten worse in the past year?

9 A. Well, I think it has to a point that I
10 sometimes forget things quicker than I would a
11 couple -- even a couple of years ago. In other
12 words, to me that's probably just disintegration in
13 general. I'm in the seventies. I mean, I have had
14 a lung problem anyway all my life, pneumonia at age
15 five. I have had three attacks of pneumonia before
16 I was 15 years old. That's serious. Each time it
17 rendered my lungs less. So for the last 15 or 20
18 years there is no way I can run from here to that
19 car there. As long as I can walk and walk slowly,
20 as long as I lie in bed or sleep, no problems.

21 Q. You're under treatment by a doctor for --

22 A. From time to time. There is nothing that can
23 be done about it. It's simply a restriction in my
24 lungs that cannot be -- the only thing you have to
25 be careful is not to make it worse and one of the

1 things you should never do is smoke, for instance.

2 Q. You're also under treatment for a heart
3 problem?

4 A. No. I don't know where that came from. As
5 far as I know, I never had any heart trouble.

6 Q. Mr. Satterthwaite, the best recollection you
7 have now is that you remained manager of the
8 Cumberland Street branch up until the time you left
9 the company?

10 A. Yes. Actually, that's when I left to retire
11 which was a little bit before the usual age. I just
12 decided I had enough of it.

13 Q. You were never an officer of the company,
14 were you?

15 A. No, not at Ehret Magnesia.

16 Q. And, essentially, your job from 1936 to 1945
17 was as an inside salesman; isn't that right?

18 A. Right, clerk in the sales department.

19 Q. You were a clerk?

20 A. Yeah.

21 Q. Who did you work --

22 A. For the vice president in charge of sales,
23 John D. DuBois.

24 Q. You were 22 when you started?

25 A. I was 23. 1936. I was born in 1913.

1 Q. When you ran the contracting branch would you
2 characterize your job as sales there?

3 A. Basically I -- one thing was peculiar. I had
4 never worked as a pipecoverer, never in the field,
5 and most -- that was a big part of the job. I never
6 had that experience. I never thought you had to
7 have it. We had a capable man doing it for me who
8 knew -- who was an ex-asbestos worker himself, who
9 retired, as many did, and became superintendents of --
10 because they still had the know-how, maybe not --
11 you know, up to know what to do.

12 Q. Are you saying you had a superintendent who
13 ran jobs for you?

14 A. Well, we had an outside superintendent who
15 paid -- who handled only the contract part of the
16 work. Because, see, we sold materials too. Of
17 course, he'd have nothing to do with that. We had
18 almost as big a material sales business as we did
19 contract.

20 Q. So you spent most of your day at the place on
21 Cumberland Street?

22 A. Yes. I -- we had an efficient superintendent,
23 two of them when we were very busy who went out on
24 almost every job every day almost without exception,
25 checking. And I did all the buying, all the billing,

1 of course. I did the billing or told them what to
2 bill, when to bill. Typical branch manager's job.
3 Had to be careful I didn't get -- step on Valley
4 Forge's toes too much. They might think I was
5 pretty dispensable. He's not indispensable.

6 Q. You were never involved in the manufacturing
7 side of the business, were you?

8 A. No, other than the location of the sales
9 department in the building next to the factory in
10 Valley Forge. And I used to walk out in the plant
11 occasionally. Generally only to the shipping
12 department which was only about 50 yards -- 50 feet
13 inside the -- from the door to the office part. I
14 used to go out there to check on the shipping
15 sometimes, see if they were getting the stuff out on
16 time. Too many cartons lying around, so on, but
17 most of the time I never had particular reason to go
18 into the plant very off.

19 Q. You were never involved in formulating the
20 composition of the material?

21 A. No.

22 Q. Your answer is no?

23 A. (No response.)

24 MR. LEDWITH: Off the record.

25 (Discussion held off the record.)

1 BY MR. LEDWITH:

2 Q. You're not a chemist by training, are you?

3 A. No.

4 Q. Or a geologist?

5 A. No. I have no degrees of any kind, except
6 one year at Haverford College.

7 Q. You went one year at Haverford or two years?

8 A. One, I think. No, I guess maybe two, yeah.

9 MR. SCHMIDT: Pardon? I didn't hear
10 that question.

11 MR. LEDWITH: I said, did you go one
12 or two years at Haverford.

13 THE WITNESS: I think only one. I'm
14 not sure. I think it's one, not two because
15 it was approaching the deep depression
16 period.

17 BY MR. LEDWITH:

18 Q. When you went to the warehouse, how often
19 would you go to the warehouse from '36 to '45?
20 Would be it be once a month, once a year?

21 A. To the warehouse on Cumberland Street?

22 Q. I'm sorry. The finishing department at
23 Valley Forge.

24 MR. SCHMIDT: I think he called it
25 shipping.

1 BY MR. LEDWITH:

2 Q. I'm sorry.

3 A. Did I visit it, did you say?

4 Q. Yes.

5 A. Well, I -- only if there were complaints that
6 certain orders were not being shipped on time. And
7 actually there that had happened occasionally. That
8 was really -- the vice president had the authority
9 more than I had as an assistant. I mean -- In other
10 words, I did not go out into the plant very often.
11 And when I did it was only into the first part of
12 it, to the shipping floor. And there was some dust
13 around in there. When they were loading these
14 blocks in cartons there would be a little, but
15 outside of that I never really got around -- didn't
16 even -- I never even saw a lot of the plant where
17 the earlier -- where the starting manufacturer
18 began, the molding, all these processes to come up
19 with the pipe insulation and blocks. They were all
20 molded in the finishing department.

21 Q. Was Mr. DuBois still there when you left?

22 A. I think so, yeah.

23 Q. Let me --

24 A. I thought I would have never forgotten the
25 answer to that question.

1 Q. Was he your boss?

2 A. He was a tough one.

3 Q. Was he your boss when you left, for the
4 contracting division?

5 A. I don't think so. I think I asked Mr. Ehret,
6 Junior, who was president of the company, if he
7 would think about giving me a crack at replacing Mr.
8 Supplee as a contract manager of the branch office.
9 I figured -- I asked him this for one reason, that I
10 don't see any possible promotion for me here because
11 they were all taken. There were only four
12 executives; Russell Crawford in Norristown was the
13 secretary and Al Ehret, Junior was president. John
14 DuBois was vice president in charge of sales and
15 Henry Howell was vice president in charge of
16 purchasing.

17 Q. Were you essentially in the same position in
18 1945 as when you started in '36?

19 A. Well, I had had -- they were -- let me put it
20 this way. They were fairly well satisfied with my
21 work at Valley Forge and I got periodic increases.
22 I was not unhappy there. But when this opportunity
23 came because of Mr. Supplee's ill health and whatnot
24 I asked for a crack at a lot more responsibility and
25 consequently assuming they'll pay me a better wage,

1 which he did.

2 Q. But essentially for the nine years that you
3 were there you were doing inside sales work?

4 A. Yes, inside sales.

5 Q. And from '36 to '45 where did Ehret sell most
6 of its products?

7 A. Well, we had -- they had a distributorship
8 all -- reasonably -- not on the Pacific coast but as
9 far as -- we had a Chicago office and a smaller
10 warehouse and we had contracts -- we dealt mostly
11 with contractors who had their own facilities,
12 mechanical contractors or insulation contractors,
13 which we manufactured insulation and did ship often
14 to our competitors.

15 Q. Is that who you dealt with mostly, mechanical
16 contractors?

17 A. Yes, and large industrial firms who some of
18 them wanted to deal direct.

19 Q. How about in the period from 1936 to '45, did
20 you deal mainly with mechanical contractors?

21 A. Yes. Insulation was nearly always a sub of
22 the plumbing, heating and air conditioning
23 contractors, unless it was a very large job or
24 unless it was a large industrial company, such as
25 American Viscose and again because they let their

1 insulation work directly to us. And they had --
2 that's when they were on a tremendous expansion. I
3 spent five years in Virginia and West Virginia, not
4 steadily, but going down there at least two or three
5 times a month.

6 Q. What years were they, do you remember? Was
7 that in the sixties?

8 A. Let's see now. This would be in the fifties.
9 The first one in 1954 was Nitro -- or Front Royal,
10 Virginia. And the second one was -- my mind is bad.
11 Nitro, West Virginia.

12 Q. Did you do any selling on the road during the
13 period '36 to '45?

14 A. No.

15 Q. I have no other questions.

16 - - -

17 BY MS. HALPERN:

18 Q. Mr. Satterthwaite, I'm Linda Halpern. I'm
19 with the Department of Justice. I'm going to ask
20 you some questions now too.

21 When you were with the contracting
22 unit in Philadelphia, did you ever sell any of the
23 fireproofing sprays that Baldwin-Ehret-Hill made,
24 Fire spray or any of those?

25 A. No, to my knowledge.

1 Q. You did sell, you mentioned earlier, to the
2 Philadelphia Naval Shipyard; is that correct?

3 A. We sold insulation to them, yes.

4 Q. Now, were any of these sales in the form of
5 blanket sales agreements; do you remember that term?

6 A. I don't think we ever had that relationship
7 with them. We had contracts for purchase from the
8 Philadelphia Navy Yard. For instance, they
9 purchased materials from us all the time.

10 Q. Did you sell them material from 1945 on into
11 the 1960's?

12 A. Yes, although mainly -- yes, I'd say we did.
13 Generally because they wanted material in a hurry
14 and if we had to ship it through Valley Forge, they
15 were running backlogged then. We had to keep as
16 much as we could in the warehouse. It spoiled them.

17 Q. When you would sell to a customer, did you
18 make a practice of doing some sort of a background
19 investigation about the customer before you would
20 sell the product?

21 A. If it were any -- involved any sizeable
22 amount of work, before we'd get into that we would
23 have to take it up with our home office to see if
24 they wanted to go out of the territory or okay the --
25 doing something differently. They more or less bid

1 as a contractor.

2 Q. Now, I'm not talking about contract work
3 where you have to arrange for the people to go out
4 and put the insulation on. I'm just talking
5 generally about selling Baldwin-Ehret-Hill supplies
6 or materials to purchasers.

7 A. Yes.

8 Q. Would you do some sort of a credit check or
9 some kind of a background check on the customer or
10 would you just sell them the stuff if they wanted it?

11 A. Well, if it was a new customer, somebody we
12 weren't selling generally, I would ask for a credit
13 reference or get Valley Forge to ask for a credit
14 reference.

15 Q. Would you check on anything else about them
16 besides whether their credit was good, anything else
17 that you had to check?

18 A. Well, mainly what they would furnish me with
19 or -- either the information in, or give me a copy
20 of the D and B Report.

21 Q. Dun and Bradstreet Report?

22 A. Yes, on the case -- firm involved.

23 Q. Now, you occasionally sold -- Well, it's
24 more than occasionally. You sold asbestos products
25 to the Philadelphia Naval Shipyard, right? You said

1 already that you had?

2 A. Yeah.

3 Q. Did you ever send --

4 MR. LEDWITH: Off the record.

5 (Discussion held off the record.)

6 BY MS. HALPERN:

7 Q. When you sold material to the Philadelphia
8 Naval Shipyard, and any other Shipyard that you sold
9 to, what factors did you consider when you were
10 deciding how to make the sale? Obviously you don't
11 have to check the federal government's credit
12 reference, but were there other factors that you
13 considered, or not?

14 A. The price we would quote them, charge them,
15 would depend on several factors. It was one,
16 whether it was a hundred dollar order or a hundred
17 thousand dollar order, which they had -- hundred
18 thousand dollars is a little high for one, but we
19 had -- you had to check -- credit was never a
20 question if you were dealing with the government.
21 And we made sure that the material that we furnished
22 to the Philadelphia Naval Shipyard met their
23 specification.

24 Q. Okay.

25 Did you ever go yourself or send

1 somebody to check to see how the materials were
2 being installed at the Shipyard?

3 A. Not really, no, because they were doing all
4 their own. The Navy Yard had maybe a hundred
5 pipecoverers employed in the forties and fifties.

6 Q. Did you ever ask any Navy personnel questions
7 about how your materials were being used?

8 A. No.

9 Q. Did you have any reason to?

10 A. No. Primarily they were going into the
11 making of vessels or refurbishing them, equipping
12 vessels, maintenance of the vessels as well as
13 possibly new construction.

14 Q. Nobody from the Philadelphia Naval Shipyard
15 ever made you any promises about how they would use
16 your products once they purchased them, did they?

17 A. Well, they would -- we knew they were using
18 it to insulate hot surfaces, whether it be a pipe or
19 a flat surface.

20 Q. What was your connection with Miles Wilson?
21 Did you work for him or was he in another chain of
22 command altogether?

23 A. He was not involved in the contracts
24 operation as such.

25 Q. Do you recall what his title was?

1 A. (No Response.)

2 Q. Was he involved in sales?

3 A. He was involved in sales, I think, but I
4 think completely out of Trenton, wasn't he; out of
5 Baldwin Hill.

6 Q. Did you ever sell anything to anybody on an
7 as is basis?

8 A. On a what?

9 Q. As is?

10 A. No. What do you mean, insulating material?

11 Q. Right.

12 A. Not to my knowledge. I mean, some goods get
13 damaged, we'd throw them out, if the cartons got wet
14 or something, but I can't remember selling damaged
15 insulation.

16 Q. I'm going to ask you about some names and I'd
17 like you to tell me if you know who these people are.

18 Does the name J. A. McCague,

19 M-c-C-A-G-U-E, mean anything to you?

20 A. M-c-C-A- --

21 Q. C-A-G-U-E.

22 A. Not off -- no, I have to say.

23 Q. All right.

24 How about an F. Watson?

25 A. Frank Watson.



1 Q. Do you recall that name?

2 A. I remember him, yes. I had some dealings
3 with him.

4 Q. Do you have any idea where he would be today?

5 A. No, I don't. I don't know whether he was --
6 I think he was slightly older than I and I'm '70 so
7 he's probably retired if he's anywhere.

8 Q. Did you have any dealing with the people who
9 did the purchasing for Baldwin-Hill or
10 Baldwin-Ehret-Hill, people like Mr. Forina?

11 A. Yes. I mean, not really dealing with, but I
12 knew him pretty well.

13 Q. Do you know who replaced him when he left?

14 A. No, I do not.

15 Q. At the time that you left the Valley Forge
16 plant and took over the contract unit in
17 Philadelphia, did you at that point already know
18 that there might be some problem with breathing
19 asbestos?

20 MR. LEDWITH: I object to that
21 because it's a leading question. It's been
22 already gone over.

23 MS. HALPERN: I'm entitled to ask
24 leading questions. He's not my witness,
25 counselor.

1 MR. LEDWITH: I object. It's a
2 leading question.

3 MS. HALPERN: Well, that's fine. I'm
4 a third party defendant and I'm on cross
5 examination, as far as I'm concerned.

6 BY MS. HALPERN:

7 Q. Did you know that there might be some danger
8 in connection with breathing asbestos prior to the
9 time you left Valley Forge and went to the
10 Philadelphia contract unit?

11 MR. LEDWITH: I object.

12 BY MS. HALPERN:

13 Q. You can answer the question anyway.

14 A. Would you restate it again?

15 Q. At the time that you -- in 1945, when you
16 went to the contract unit in Philadelphia, at that
17 point in time did you already know there was some
18 problem or some danger of breathing asbestos or did
19 that knowledge come later?

20 MR. LEDWITH: I object.

21 BY MS. HALPERN:

22 Q. Answer the question anyway.

23 A. Yes, I knew that there was a danger.

24 Q. Okay.

25 Was that something that had you read

1 or something that you heard or --

2 MR. LEDWITH: I object to the
3 question.

4 THE WITNESS: I could only say again
5 that there -- if I was -- if I were out in
6 the plant at any time or in the work -- doing
7 anything with this material -- whoever went
8 into the plant really was supposed to wear a
9 mask at all times because of the -- of the
10 dust in the air. Call it asbestos, maybe
11 it's wrong or maybe it's right because this
12 dust -- the 80 percent magnesia itself, the
13 material was very dusty. And it's exactly --
14 it's a little whiter than the asbestos cement,
15 or asbestos, but they're entirely different
16 as far as the insulation value is in the
17 magnesia and the asbestos. It's only there
18 because you have to have something there with
19 a fiber that -- you could use fiberglass if
20 you wanted to.

21 MR. LEDWITH: May I have that answer
22 read back?

23 (Whereupon the Court Reporter read
24 back the pending answer.)

25 BY MS. HALPERN:

1 Q. During the period that you were in the
2 contract office in Philadelphia, you have testified
3 that you sold to the Philadelphia Naval Shipyard,
4 you sold to building contractors?

5 A. Yes.

6 Q. Or sub-contractors, insulation
7 sub-contractors?

8 A. Insulation contractors and industrial
9 customers.

10 Q. What kind of industrial customers?

11 A. Well, those who -- for instance, American
12 Viscose for one.

13 Q. American West Coast?

14 A. Viscose.

15 Q. What kind of company is that?

16 A. This is the company that is involved in our
17 case in Virginia and West Virginia.

18 Q. What kind of a company is it? What do they
19 make or do, if you know?

20 A. They make various and different chemicals. I
21 can't tell you too much about them, but it's a
22 chemical operation.

23 Q. You sold them asbestos insulation products?

24 A. Yes, and tremendous amounts.

25 Q. Did you ever buy asbestos insulation products

1 from other companies such as Raybestos-Manhattan or
2 Unarco for resale to the Philadelphia Naval Shipyard?

3 A. No.

4 Q. Items that you yourself didn't carry?

5 A. Can't think of any.

6 Q. For example, did you ever buy any asbestos
7 tape from somebody else and then turn around and
8 sell that to the Philadelphia Shipyard?

9 A. No, not that I recall.

10 Q. I don't have any other questions.

11 MS. DRUCKER: No questions.

12 MR. SCHMIDT: I'd like to just clear
13 up one area here.

14 - - -

15 REDIRECT EXAMINATION

16 - - -

17 BY MR. SCHMIDT:

18 Q. When you were with the Philadelphia branch
19 between -- when you were manager of the Philadelphia
20 branch between 1945 and 1975, who were the customers
21 for the materials warehouse there?

22 A. Who were the customers?

23 Q. Yes, sir.

24 A. Well, it varied; and industrial customers and
25 plumbing and steam fitting companies who owned their

1 own insulation -- the heating contractor -- in most
2 big jobs the insulation is kept out of the contracts
3 because the insulation is so important today that it
4 becomes a separate bid or a sub-bid. It used to be
5 that nearly all the pipe covering that was ever used
6 was generally a sub -- generally just a -- just sold
7 to -- direct to the consumer.

8 Q. You indicated for the 1936-45 period that 20
9 percent of your sales were to the Navy. To what
10 extent did you make sales to the Navy out of
11 Philadelphia during the 1945-1975 period?

12 A. You're talking about the amounts?

13 Q. Yes.

14 A. I don't know that I can even guess at that
15 intelligently. They had -- sometimes they would
16 call us up and get a small order without even
17 competition. Most of it was the result of bidding,
18 and larger ones specifically. I think it was up to
19 the Navy Yard to do -- what they did generally is
20 that they had -- they favored everybody a little bit.
21 In other words, anybody who faithfully quoted them
22 on sub-contracts was going to get an order now and
23 then. They didn't want it all in one spot. They
24 didn't want to sign a contract.

25 Q. Can you estimate for me, as far as material

1 sales go, in the 1945-1975 period what percentage of
2 the sales of insulation materials were to the Navy?

3 A. It would have to be a real guess, but I'd say --
4 now, of course, you're talking about -- the thing
5 here that gets a little hairy about it is the Valley
6 Forge office back at Ehret Magnesia maintained a
7 right to quote the U.S. Government at any time. In
8 other words, our territory was not considered tight
9 and they -- the Philadelphia Naval Shipyard was --
10 they had had -- had the right, it was said, that we
11 could bid as long as they didn't say they were going
12 to bid instead, and they didn't or they couldn't.
13 They could.

14 Q. Was there any difference like in the size of
15 the sales made from Valley Forge as compared to the
16 size of the sales from Philadelphia?

17 Do you understand that question?

18 A. Yes, I think I do.

19 But most of the time most of the Navy --
20 the Philadelphia Naval Shipyard material required
21 inspection before shipment, most of it. So,
22 therefore, mostly it was shipped from the plant
23 because the inspector had work in the plant to do,
24 other things to do. I mean, the Navy -- they almost
25 had a man there permanently. But they had one out

1 of Norristown, it was to help -- I'd say 20 or 30
2 hours a week anyway, checking requirements for Navy
3 or Navy sub.

4 Q. Are you familiar with the firm of C. E.
5 Thurston?

6 A. Yes. When I say familiar, I mean I know the
7 company. I know Mr. Thurston and he used to be a
8 distributor or a contractor for Ehret.

9 Q. During the time you were in charge of the
10 Philadelphia branch, 1945 to 1975, how were sales to
11 C.E. Thurston accomplished? That is, were they
12 through Valley Forge or were they through
13 Philadelphia primarily?

14 A. Never through me.

15 Q. Were they handled then by Valley Forge?

16 A. Yes. Our territory -- see, really, the
17 branch's territory was basically limited to the five
18 metropolitan counties and Philadelphia. That was
19 our territory. However, if American Viscose wanted
20 something done and they wanted it done in Nitro,
21 West Virginia, we went there. But basically we
22 hired local and did local work.

23 We kept the warehouse fairly well
24 stocked so -- because it was the waiting time at the
25 plant. I mean, you could get an emergency. We had --

1 everybody got to depend on us for fast deliveries
2 because we had a sizeable warehouse. That paid for
3 us. Other people wouldn't meet deliveries. It kind
4 of spoiled them because -- it hurt us in the long
5 run because they expected us to drop everything.

6 Q. Was it cheaper to handle the large sales
7 through Valley Forge than through Philadelphia?

8 A. Yes, it would be, I mean, but sometimes they
9 wanted stuff in a hurry. Normally any sizeable one --
10 the order came to us but the order went from me to
11 the factory to ship to the Philadelphia Naval Yard
12 and bill the branch office at our distributorship,
13 regular price. And they would allow us the
14 difference between what we sold the Navy and of
15 course the branch cost were their profits.

16 Q. Now, you have indicated that you realized
17 there was a problem with asbestos shortly after
18 coming with the company in 1936. My question --

19 MR. LEDWITH: I object to that. I'm
20 not sure he said that.

21 MR. SCHMIDT: Would you find that
22 part of the transcript here. It's in the
23 beginning.

24 I just want to ask the question: What did
25 you mean by shortly after.

WORD SARTTERHWAITE
(Whereupon the Court Reported
as follows:

"Q. that you mentioned?

"A. What was this general

general was that the
asbestos in a pure form of any kind, the more
likely it would be to cause you trouble, yes, sir
probably.

"Q. Are you talking about lung

"A. I would say that would be the
he cases? Well, shortly after I started

And when did you recall
and you giving me
I said.

1 Q. What did you mean by shortly after coming to
2 Ehret, when you understood that be the general
3 feeling?

4 A. Coming to Ehret?

5 Q. What did you mean by shortly after coming to
6 Ehret?

7 A. Shortly after beginning employment with Ehret?

8 Q. Yes.

9 A. Okay.

10 Well, that would be 1936, is when I
11 started working for Ehret Magnesia Manufacturing
12 Company. And I remained at the home office in
13 Valley Forge until they sent me down to the branch
14 office in 1945. So I was nine years in Valley Forge
15 before I ever went to Philadelphia.

16 MR. SCHMIDT: Could you read that
17 back aloud, please, again.

18 (Whereupon the Court Reporter read
19 back the following questions and answers:

20 "Q. What was this general feeling
21 that you mentioned?

22 "A. You know, that --

23 "Q. As far as asbestos, yes, sir.

24 "A. I think the feeling in
25 general was that the more you were around

1 asbestos in a pure form of any kind, the more
2 likely it would be to cause you trouble,
3 probably.

4 "Q. Are you talking about lung
5 trouble?

6 "A. I would say that would be the
7 main thing.

8 "Q. And when did you first
9 understand that to be the case?

10 " A. Well, shortly after I started
11 work there."

12 BY MR. SCHMIDT:

13 Q. My question is: What did you mean when you
14 said shortly after coming to work there?

15 A. The work at Valley Forge?

16 Q. Yes, sir.

17 A. Say that again, what I didn't answer.

18 Q. Well, no, you answered the questions I asked
19 you before. I'm just going to ask you a limited
20 question about what you answered. I don't
21 understand part of your answer, that's all.

22 MR. SCHMIDT: Please read it back
23 again?

24 (Whereupon the Court Reporter read
25 back the following questions and answers:

1 "Q. What was this general feeling
2 that you mentioned?

3 "A. You know, that --

4 "Q. As far as asbestos, yes, sir.

5 "A. I think the feeling in
6 general was that the more you were around
7 asbestos in a pure form of any kind, the more
8 likely it would be to caause you trouble,
9 probably.

10 "Q. Are you talking about lung
11 trouble?

12 "A. I would say that would be the
13 main thing.

14 "Q. And when did you first
15 understand that to be the case?

16 "A. Well, shortly after I started
17 work there."

18 BY MR. SCHMIDT:

19 Q. My question now is: What did you mean when
20 you said shortly after you started working there,
21 within what period of time?

22 A. I only worked in two locations. One was the
23 Valley Forge plant. And the other one was
24 Cumberland Street. And I know that I started in '36
25 at Valley Forge. And I was transferred to



1 Philadelphia in '45, in '45 as contract manager.

2 Q. How soon after you started with the company
3 in 1936, approximately how soon was it before you
4 came to the understanding that has just been
5 mentioned?

6 A. What understanding?

7 Q. That asbestos was a problem or could be a
8 problem.

9 MR. LEDWITH: I object to that
10 question.

11 THE WITNESS: He objected to that.

12 BY MR. SCHMIDT:

13 Q. That doesn't mean that it shouldn't be
14 answered.

15 A. Repeat it once more.

16 Q. How soon after you started at Valley Forge in
17 1936 did you come to understand that breathing
18 asbestos could be a problem?

19 MR. LEDWITH: I object to that
20 question too.

21 THE WITNESS: Which means I'm not
22 permitted to say.

23 MR. LEDWITH: You can answer the
24 question. I am registering my objection
25 on the record. The Court will decide the

1 objection at a later date.

2 THE WITNESS: Uh-huh.

3 Now, will you word me just once more
4 so I know it's right.

5 BY MR. SCHMIDT:

6 Q. Okay.

7 MS. HALPERN: If I could interpose at
8 this point. We're going to have the question
9 again and then we're going to have an
10 objection again and then we're going to be
11 asking the question again. It might be a lot
12 simpler if you state a continuing objection
13 to a particular question so we don't have to
14 have an objection every time the question is
15 asked.

16 MR. LEDWITH: I prefer to register my
17 objection to each question.

18 MS. HALPERN: In other words, you
19 prefer to interrupt the line of questioning
20 each time with an objection?

21 MR. LEDWITH: Characterize it as you
22 wish, but I will reserve my right to object
23 to the question.

24 MR. SCHMIDT: One more time. I'm
25 sorry, read back the testimony from the

1 beginning, those three questions there.

2 Off the record.

3 (Discussion held off the record.)

4 (Whereupon the Court Reporter read
5 back the pertinent testimony as follows:

6 "Q. What was this general feeling
7 that you mentioned?

8 "A. You know, that --

9 "Q. As far as asbestos, yes, sir.

10 "A. I think the feeling in
11 general was that the more you were around
12 asbestos in a pure form of any kind, the more
13 likely it would be to cause you trouble,
14 probably.

15 "Q. Are you talking about lung
16 trouble?

17 "A. I would say that would be the
18 main thing.

19 "Q. And when did you first
20 understand that to be the case?

21 "A. Well, shortly after I started
22 work there."

23 BY MR. SCHMIDT:

24 Q. Do you remember me asking those questions and
25 you giving me those answers a little while ago that

1 she just read?

2 A. I would think so. I am sort of in my dotage,
3 but I think I can --

4 Q. In connection with those questions, what did
5 you mean when you said shortly after you came there?

6 A. To Ehret Magnesia?

7 Q. Yes, sir.

8 A. Shortly. How long a period after I came
9 there -- in there?

10 Q. Yes.

11 A. That what happened, that I --

12 Q. That you came to understand what she jsut
13 read?

14 A. How long a period of time after --

15 Q. You came there did you come to understand
16 that?

17 A. Oh, I would say -- I don't know, but very
18 shortly. I mean, although I was hired to do a job
19 that was in part of the plant that did not have the
20 asbestos problem, because it was an office building,
21 but that I realized that I -- that my work in the
22 sales department would occasionally take me out into
23 the plant. My boss, Mr. DuBois, would sometimes
24 want something out there from the shipping
25 department or something and send me out into the

1 plant and get it.

2 Q. By very shortly do you mean less than a year
3 or more than a year?

4 MR. LEDWITH: Object.

5 THE WITNESS: What do you mean by
6 very shortly? I mean, less than what?

7 BY MR. SCHMIDT:

8 Q. Less than a year or more than a year?

9 A. On what?

10 Q. You used the phrase very shortly. What did
11 you mean by that?

12 A. Very shortly after --

13 Q. Coming there?

14 A. I don't know exactly but I would think very --
15 I didn't -- the first 30 days, I would say. Maybe
16 sooner. It was a known fact it was a problem.

17 Q. Thank you. I don't have any further
18 questions.

19 - - -

20 RECROSS EXAMINATION

21 - - -

22 BY MR. LEDWITH:

23 Q. Mr. Satterthwaite, during the questioning by
24 Miss Halpern you referred to American Viscose
25 Company?

1 A. Yes.

2 Q. And you said that, words to the effect that
3 it's involved in cases in Virginia.

4 A. Well, it's -- I assumed it, that this thing
5 started -- I heard this started in Virginia. And
6 somehow I got information, somewhere, I don't know,
7 that it must be these two -- these jobs because we
8 never contracted in Virginia. Never had men in
9 Virginia.

10 Q. But you believe that this case that this
11 deposition is being taken in involves American
12 Viscose Company?

13 A. Well, I don't know how to answer that. I
14 mean, we bid on the work in Philadelphia. The home
15 office was in Philadelphia. All my dealings with
16 the company was in Philadelphia. And everything was
17 handled out of Philadelphia. And I think in the
18 contracts all we did was man the job for them. All
19 we did was hire people locally to apply the material
20 which we furnished because it -- we operated under a
21 union shop, pipe insulators. And we were allowed to
22 only send a man and a helper out in the territory.

23 Q. Well, to go back to my original question: Do
24 you know of any cases arising out of American
25 Viscose?

never...
...ia, except on...
...e American Viscose went
...very close relationship and became
...were not satisfied with anybody else's work
ours. And the Philadelphia man up here had the
authority in Viscose to call the shots on what
company did the insulation. They insisted on Ehret
Magnesia Manufacturing Company as long as they were
le and willing to do so.

You used the expression 30 days after you got
ted in 1936 a few minutes ago; do you recall
Uh-huh.

n response to Mr. Schmidt's question?
e question was --
used the time period of 30 days after you

plant.
ight? 1936?

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1 A. Yes.

2 Q. What happened in that 30 day period?

3 A. I was -- As far as I knew I was hired as an
4 assistant to the sales manager and I don't recall
5 what I meant by that if I said a ten or whatever
6 waiting period or whatever it was you said, 30.

7 Q. I used the period 30 days.

8 A. 30 days.

9 Well, I got a tip from a friend of
10 mine to go up and see a Mr. John DuBois at a plant
11 called Ehret Magnesia Manufacturing Company, which I
12 had never heard of, who wants a young man help him
13 out. I went up there, met Mr. DuBois, met Mr. Ehret.
14 And they hired me. That was in 1936. And in 1945
15 they put me out to the contract division.

16 My employment with Ehret -- with --
17 our work with American Viscose goes back from way
18 back. It just so happened that there -- if those --
19 an expansion plant had been built in New Jersey or
20 Connecticut or New York, we wouldn't have had a
21 prayer.

22 Q. Well, to get back when you started in 1936,
23 did you know anything about the insulation business
24 when you started?

25 A. Not really, no. I knew there was such a

1 thing but, you know, but pipecovering -- I had seen --
2 I just happened to see it, not looking for it but I --
3 and then suddenly I -- as soon as I started there I
4 started to read books about it.

5 Q. About what?

6 A. About insulation and what it does and what it
7 doesn't do and what it -- how it is applied, how
8 it's made.

9 Q. Did you read books about asbestos at that
10 time?

11 A. Pamphlets and things, yes.

12 Q. Do you remember --

13 A. Actually it didn't seem to make much
14 difference because what I was doing then was just
15 assisting the vice president in charge of sales and
16 learning a little bit about how he handled his job,
17 what his duties were. What they were apparently
18 thinking eventually of somebody who could replace
19 him in "X" number of years.

20 Q. Did you learn anything about masks when you
21 first went there?

22 A. About what?

23 Q. Masks for your face?

24 A. No.

25 Q. No?

1 A. Not when I first went there because -- not
2 until I saw how the plant -- I guess saw them, some
3 of them wearing masks. This was back early when
4 they weren't very popular. Now I think they have
5 rules, have had for some time now, that if they're
6 caught -- I just heard this lately -- if a man in
7 the plant up there now is caught without a face mask
8 in certain areas he is fired on the spot.

9 Q. What plant is that?

10 A. Valley Forge.

11 Q. You heard that recently?

12 A. Yes. That's what I heard. Scuttlebutt.

13 Q. Can you tell us --

14 A. But they're having trouble with the masks up
15 there where there's dust, asbestos all over the
16 place.

17 Q. When did you first become aware of any
18 problems with asbestos?

19 MR. SCHMIDT: Objected to as
20 repetitious.

21 THE WITNESS: Well, I said when I
22 started to work there. I knew somebody who
23 had worked there, but he said there should be
24 no problem. You're not -- don't -- they
25 won't take you in the plant. You don't have

1 to go in the plant. You don't have to go out
2 in the -- you'll be in an office isolated --
3 in a building that's separate from the
4 manufacturing and warehousing operation. And
5 you should have no problem. He said the
6 offices are air conditioned. Later, I think.
7 But, so, I very seldom got out into the plant.
8 As I say, only when I had a problem with the
9 shipping department, the shipping department
10 was in the corner of a part of the plant
11 right nearest the office building.

12 BY MR. LEDWITH:

13 Q. Was there a problem in the plant?

14 A. What?

15 Q. Was there a problem?

16 A. Well, there was -- there was no question
17 about the dust that was around.

18 Q. There was dust in the plant?

19 A. Yes, particularly in the loading platform,
20 where they packed them in the cartons there would be
21 a cloud of dust go up and that dust -- this is why --
22 and in handling any of those asbestos slabs, they
23 would tend to dust. And the plant was told by the
24 safety people they would have to wear a mask. And
25 most of the help in the plant areas where this was

1 happening were pretty -- not very well educated, to
2 say the least. I'm not going to say black because
3 they weren't all black, but they would not -- they
4 could not stand that thing on their nose. And
5 they'd throw them way. And they'd get warned once
6 or twice, then they got fired. Then they get a set
7 of new ones and the same thing would happen.

8 Q. Set of new what, new employees?

9 A. New employees. Most of the -- the wages were
10 low and there was unemployment and this job took no
11 skills, really, just putting stuff in cartons. But --
12 And they wouldn't wear their masks half the time and
13 they'd get fired when they didn't maybe one morning.
14 So it certainly was a -- it had to be a hazard
15 working there steadily, I'm sure.

16 Q. Because the dust --

17 A. Uh-huh, hazard of breathing because even the
18 mask, they certainly did -- stopped ninety percent
19 of the problem, but they would get so hard, so tough
20 on the guys at 110 degrees out there. They were
21 tight masks. They would just -- they'd just throw
22 them down in disgust sometimes and walk out. They
23 can't stand, -- can't breathe with it and can't
24 breathe without it.

25 Q. I have no other questions, Mr. Satterthwaite.

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MS. HALPERN: No questions.

MR. SCHMIDT: No more questions.

- - -

(Witness excused.)

(Deposition concluded at 1:25 p.m.)



C E R T I F I C A T E

COMMONWEALTH OF PENNSYLVANIA:

: SS

COUNTY OF PHILADELPHIA

I, Brigitte A. Strain, Registered Professional Reporter-Notary Public within and for the County of Philadelphia, Commonwealth of Pennsylvania, do hereby certify that the foregoing testimony of Dwight Lord Satterthwaite was taken before me at 427 Norma Drive, Ambler, Pennsylvania, on Monday, August 29, 1983; that the foregoing testimony was taken in shorthand by myself and reduced to typing under my direction and control, that the foregoing pages 1 to 66 contain a true and correct transcription of all of the testimony of said Witness.

BRIGITTE A. STRAIN

Notary Public

1 I have read the foregoing deposition
2 and the answers given by me are true and
3 correct, to the best of my knowledge,
4 information and belief.

5

6

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8

DWIGHT LORD SATTERTHWAITE

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13 Sworn to and subscribed
14 before me, a Notary Public
15 this day of

1983.

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NOTARY PUBLIC

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