

OWENS-CORNING
FIBERGLAS

INTRA-COMPANY CORRESPONDENCE

To Mr. J. M. Briley
From R. Logan
Subject EMPLOYEE ASBESTOSIS CASES

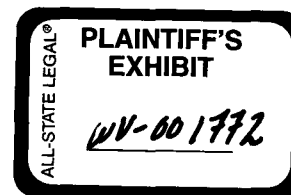
Date August 28, 1967
cc: F. H. Edwards
C. G. Staelin

A review of the various asbestosis cases mentioned in your memo of August 2 reveals the following status of each case:

1. Fred Moffet case - On March 27, 1967 a Hearing Officer allowed Moffet's claims of asbestosis resulting from working with insulating materials over the past 20 years. This claim had originally been denied, but was allowed on re-hearing. The State of Oregon, acting on behalf of OCF, has appealed the finding in favor of Moffet.
2. Lee Mabry case - Information not yet reported from Portland Supply & Contracting Unit.
3. K. M. Frederick case - Aetna attempting to develop facts showing that Kendrick had asbestosis prior to employment with OCF. No trial dates have been set as each side is in the process of preparing its case. Aetna has asked OCF for information on the exact composition of Kaylo, which we have not, to date, provided.
4. C. J. Tomplait case - A number of motions for more definite statement as to the nature of the plaintiff's case have been filed. Hearings and rulings on these motions will not be accomplished until October or November, 1967.

E. Logan

RLL:rdn



02 209 0473



OWENS-CORNING
FIBERGLAS

INTRA-COMPANY CORRESPONDENCE

EXHIBIT

Konzen 23

9A 5/12/90

To Mr. J. M. Briley - Toledo

Date February 29, 1968

From Mr. R. L. Logan - Toledo

cc Messrs. C. C. Staalin - Toledo

F. H. Edwards - Toledo

J. L. Konzen - Toledo

Subject

J. Vyverberg - New York

R. H. Knight - Shearman & Sterling, New York

In reply to your memo of February 1, 1968 to Mr. Staalin, the Legal Department is aware of the following cases involving alleged occupational health hazards.

I. Litigation

1. Claude J. Tomplait - On December 23, 1966 Claude J. Tomplait filed suit against OCF and a number of other insulation material manufacturers claiming personal injuries resulting from handling insulation materials injurious to health. This action is currently pending in the U. S. District Court, Eastern District of Texas, Beaumont, Texas. Aetna Casualty & Surety Co. has undertaken defense of this suit on behalf of OCF and the Legal Department has been in continual contact with local counsel concerning investigation of the claim and conduct of our defense.

II. Workmen's Compensation

1. John G. Ogle, Jr. - On January 22, 1968 OCF received notice of a Compensation claim filed by John Ogle with the State of Maryland alleging disability resulting from inhalation of insulation materials. Ogle worked for the OCF Baltimore S&C unit from June 14, 1967 to November 10, 1967. Aetna Casualty & Surety Co. has been advised of this claim and has undertaken a defense on behalf of OCF. OCF is presently arranging for a medical examination of Ogle.
2. Henry L. Leedy - On December 5, 1967 OCF received notice of a compensation claim filed by Henry L. Leedy with the State of Maryland alleging disability resulting from prolonged exposure to dust and fumes. Aetna Casualty & Surety Co. has been advised of this claim and has undertaken a defense on behalf of OCF.
3. John L. Carmany - On August 10, 1967 OCF received notice of a compensation claim filed by John Carmany with the State of Pennsylvania alleging disability resulting from asbestosis. Aetna Casualty & Surety Co. has been advised of this claim and has undertaken a defense on behalf of OCF. The claim against OCF has been consolidated with similar claims against four other former employers of Carmany. Carmany worked for OCF for only 2 months and under Section 301(g) of the Pennsylvania Occupational Disease Act is not entitled to compensation since his employment was for less than a 6 months period.

02 209 0578

4. Louis Briones - On October 9, 1967 OCF received notice of a compensation claim filed by Louis Briones with the State of Maryland. Aetna Casualty & Surety Co. has been advised of this claim and is in the process of negotiating a settlement with the claimant's attorney.

I have just received an extensive number of papers from Paul Van Buren concerning Workmen's Compensation cases under his jurisdiction and shall include a report on these next month.

I suggest you may also wish to make a report request of the OCF Insurance Department as it handles the administration of workmen's compensation claims and is more likely to know of alleged occupational hazard claims than the Legal Department.

Also, I suggest it is appropriate at this time to review the nature of OCF's interest in these type of claims and how they should be handled with our insurance carrier. Included in this review should be consideration of assigning specific responsibility for the OCF department which is to follow these matters. At present OCF's knowledge of and attention to this type of claim seems to be distributed among a number of people in various departments of the Company. Paul Van Buren's departure from Santa Clara emphasizes the need for a specific assignment as I do not now know who will be following these types of cases in the Western States.

iii
R. Logan

FLL:rdn

02 209 0579

Mr. J. M. Briley - Toledo

April 2, 1968

R. L. Logan - Toledo

Messrs. C. G. Staelin - Toledo
F. H. Edwards - Toledo
J. L. Konzen - Toledo
J. Vyverberg - New York
R. H. Knight - Shearman &
Sterling, New York

As of April 1, 1968 the status of various claims pending against Owens-Corning, and known to the Law Department, involving claimed occupational health hazards are as follows:

I. Litigation

1. Claude J. Tomplait - No action since previous report.

II. Workmen's Compensation

1. John D. Baile - On January 11, 1968 Mr. Baile's widow was awarded a payment of \$15,275 by the Department of Labor and Industries, State of Washington. This award was charged to ten different employers of Baile, with Owens-Corning's share being 21%. Paul Van Buren was investigating grounds for an appeal, which appeal should have been made not later than March 12, 1968. Since this date is now past and I find no evidence of an appeal in Paul's file I assume the case is closed.
2. Louis Briones - No action since previous report.
3. Leonard C. Brokenshire - On January 12, 1968 an award was made to Brokenshire by the Workmen's Compensation Appeals Board, State of California. Owens-Corning's share, as one of nine employers, was 24.5%. Aetna has been requested to investigate grounds for an appeal.
4. John L. Carmany - No action since previous report.
5. K. M. Frederick - On June 23, 1966 Owens-Corning received notice of a Workmen's Compensation claim. Frederick died on July 8, 1966 and post-mortem examination revealed cancer in the lung, pleura, liver and possibly brain. As part of its case investigation Aetna has requested information as to the per centage of asbestos fibers in our Kaylo products which, to date, Owens-Corning Fiberglas has not furnished to Aetna.
6. Alvin A. Hagg - On December 15, 1967 the Department of Labor and Industries, State of Washington, advised Owens-Corning of its share of the cost of compensation in the amount of \$215 per month payable to Hagg, such share being 6%. Owens-Corning is one of eight employers sharing the award. Paul Van Buren was investigating grounds for an appeal. However, the time for an appeal has now expired and I find no indication in Paul's file that an appeal was made.

02 209 0575

7. Henry L. Leedy - No action since previous report.
8. W. L. Mabrey - On October 27, 1967 the State of Oregon Workmen's Compensation Board denied a death claim filed by the widow of Mabrey. An appeal of this action was taken by the widow and the State of Oregon is defending this appeal on behalf of Owens-Corning.
9. Fred Moffet - On November 21, 1967 the State of Oregon Workmen's Compensation Board referred Moffet's claim to its Medical Board of Review to obtain the Board's opinion as to whether Moffet's employment by Owens-Corning contributed to his claimed disease of asbestosis. No report has yet been received from the Medical Board of Review.
10. John G. Ogle, Jr. - Ogle was examined by a Baltimore physician on March 25, 1966. Written medical report has not been received as of this date.
11. Henry Puetz - On December 4, 1967 Astma received notice of a claim by Puetz alleging asbestosis occurring while employed by Owens-Corning. Astma is presently investigating the employment background of Puetz.


Robert L. Logan, Jr.

KLL/aa

MEMO FOR RECORD

July 3, 1968

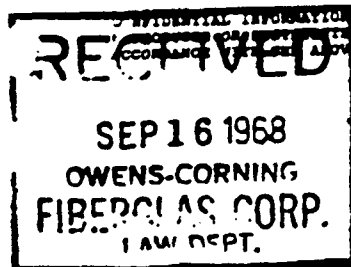
Subject: Orientation Meeting on Workmen's Compensation held on July 2nd

Those in attendance were Mr. Briley, Mr. Vyverberg, Mr. Logan, Mr. Saxby, Mr. Harter, Mr. Edwards, Mr. Sepessy, Mr. Person, and Dr. Konzen.

It was brought out at this meeting that Workmen's Compensation is divided into two areas; those which belong to the S & C Division and those which belong to the plant. The problems of the S & C division are no pre-placement physical examinations, no periodic physical examinations and the fact that the men, although are employees, are hired out of a hiring hall and stay with us -- only a limited period of time. During this time we are susceptible to workmen's compensation claims with special regard to pulmonary diseases, i.e., asbestos.

Mr. Harter brought out the fact that the insurance company, although they document the case, frequently lose it before the Workmen's Compensation Commission in the various states. It was pointed out that we believe that the number of claims will increase.

The case reporting take place were again reviewed. The local S & C operation is to forward notice of any compensation claims to my office as well as copies to Bob Logan. Bob, in turn, is to make up a roster once a month to submit to Marshall Briley of the pending cases. It was felt that this brought all cases to light even though some may arrive somewhat late.



J. H. Briley - Toledo

September 13, 1968

F. H. Woods - Toledo

J. L. Kensen, M.D. - Toledo

R. L. Logan - Toledo

H. Harter - Toledo

T. A. Dailey - Santa Clara

Report of Current Workmen's Compensation
Claims and Litigation

This and future reports will include additions, settlements and deletions, and changes of status of workmen's compensation claims and cases involving litigation or threatened litigation. My memo of August 14, 1968 serves as the base against which the listed revisions are made.

I. Litigation

- a. Claude J. Templait vs. Combustion Engineering Co., et al.,
Beaumont, Texas

The trial, originally docketed for September 23, 1968, has been continued into 1969 and is not yet docketed for that year.

- b. Robert Danison vs. J. P. Stevens Co., Inc., Thornville, Ohio

Suit has not been filed but claims for approximately \$700 compensatory damages plus an unnamed amount for punitive damages are being negotiated between Mr. Danison's attorney and Liberty Mutual Insurance Co., underwriter for J. P. Stevens. It is expected that the case will be settled or suit filed within the next few weeks. To date, O-C Fiberglas has not been made party to any action.

- c. R. C. Freeman vs. Rich's Department Store, Atlanta, Ga. and O-C Fiberglas Corp.

Suit has been filed but no date set for trial.

II. Workmen's Compensation Claims

A. Plants

1. Santa Clara

- a. Troy A. Sturdivant, deceased.

Since the last report, Leon Lewis, M.D. has been retained to testify to the innocuous nature of Fiberglas at the hearing which has been set for September 23, 1968.

- b. James H. Heflin

Hearing of this case was set for September 12, 1968. Every possible effort was made to successfully contest this claim

02 209 0564

3. San Francisco, California, S & C Unit

- a. Herbert C. Ryan . . . Hearing loss claim . . . No trial date set.
- b. Henry C. Potts . . . Asbestosis . . .
Preliminary hearing on March 4, 1968 . . . No trial date set.
- c. Harold Hooper . . . Hearing loss claim . . . No pre-trial date set.

4. Los Angeles, California, S & C Unit

- a. William L. Munnies . . . Asbestosis, Cancer of Lung, Pulmonary fibrosis, Emphysema . . .
Widow has filed for death benefits . . . Widow's potential claim against Fiberglas is 60% of \$18,100 . . . No trial date set.
- b. Leonard Charles Breckmehire . . . Asbestosis . . .
Order issued against Actna for payment of 24.5% of claim or \$3,404.93. Actna is considering an appeal.

5. Baltimore, Maryland, S & C Unit

- a. Jesse William Padgett . . . Lung disease (not specified) . . .
Claimant being examined by Fiberglas physician and report will be forthcoming.
- b. John G. Ogle . . . Asbestosis (asbestos and glass particles in lung) . . .
Examined by Fiberglas physician and his report denies serious lung involvement . . . No trial date set.

6. Florida

1. Frank Flatt

- a. Eugene Harris . . . Glass blower's cancer . . .
Claim being protested by Fiberglas and is being prepared for hearing before the Industrial Commission of Ohio . . .
National consultant evaluating the relationship of claimant's occupational exposure to his disease.

2. Spots Clara Flatt

- a. Troy A. Sturdivant . . . Bronchogenic cancer . . .
Claimant deceased and widow is pursuing claim . . . Fiberglas has filed a petition to dismiss the case and petitioner's attorneys have filed an objection to dismissal.

- b. James H. MacLin . . . Chronic lung disease with emphysema due to inhalation of Fiberglas dusts . . . Employed by Fiberglas for less than 90 days . . . Fiberglas will protect claim taking any necessary steps to effectuate protest.
- c. Two potential but unfilled Workmen's Compensation claims:
 - 1. Alvis Sismaros
 - 2. Michael L. Stevenson

F. H. Edwards

FHE:jm

Mr. J. M. Briley - Toledo

F. H. Edwards - Toledo

November 27, 1968

Report of Current Workman's
Compensation Claims and Litigation

*litigation
Noted
File
JH
12/2/6*

I. Litigation

- A. Claude J. Tomplait vs. Combustion Engineering, et. al.
Beaumont, Texas.

Owens-Corning Fiberglas is one of six defendants. It has been reported that Kaylo has not been identified by the plaintiff as one of the asbestos containing products applied by him.

Trial is reportedly set for January, 1969 after two continuances but has not been docketed.

- B. Robert Danison vs. J. P. Stevens Company, Inc.
Thornville, Ohio.

Notice has been received that this claim was settled for a total of \$750.00 which has been paid equally by Stevens and O-CF. Releases were received by the Company.

- C. R. C. Freeman vs. Rich's Department Store and O-CF Corporation
Atlanta, Georgia.

No activity reported.

II. Workman's Compensation

A. Supply and Contracting Division

1. Seattle, Washington, S & C Unit

- a. Alvin J. Hagg . . . Asbestosis . . . No change.
b. J. D. Baile . . . Asbestosis . . .
Correction of August 14, 1968 report is that O-CF share is \$ 3,207.75 rather than \$ 15,275.00.

2. Portland, Oregon, S & C Unit

- a. Fred Moffett (deceased) . . . Asbestosis . . .
Widow appealed denial of claim. Hearing date is December 16, 1968.
b. William Lee Mabrey (deceased) . . . Asbestosis . . .
No change.

02 209 0561

3. San Francisco, California, S & C Unit

- a. Herbert C. Ryan . . . Hearing loss claim. . .
Hearing set for January 21, 1969.
- b. Henry C. Pueta . . . Asbestosis . . .
Medical report supports asbestosis and indicates
severe disability. No date set for hearing.
- c. Harold Heeper . . . Hearing loss claim. . .
Results of pre-trial hearing not yet received.

4. Los Angeles, S & C Unit

- a. William C. Manzies . . . Asbestosis, cancer of lung
and emphysema.
No change.
- b. Leonard C. Brokenshire . . . Asbestosis . . .
Settled by Aetna for \$ 1,854.00.

5. Fresno, California S & C Unit

- a. K. M. Frederick (deceased) . . .
Petition to dismiss denied in June, 1968. Aetna has
authorized payment of \$ 750.00 to settle case.

6. Phoenix, Arizona, S & C Unit

- a. George Nelson . . . Asbestosis . . .
Arizona Industrial Commission denied petition to
reopen claim. Case closed.

7. Flint, Michigan, S & C Unit

James E. White, Sr. (deceased) . . . Unknown
Detroit, Flint and Grand Rapids S & C Units checking
records of employment and exposure. Detroit S & C
has received notice of hearing but no date has been set.

8. Baltimore, Maryland, S & C Unit

- a. Jesse W. Padgett . . .
No change.
- b. John G. Ogle . . .
Mr. Ogle requested dismissal of claim against
Fiberglas in October, 1968.

B. Plants

1. Newark Plant

- a. Eugene Harris . . . Glass blower's cataract . . .
No change.

2. Santa Clara Plant

- a. James A. Haflin . . .
No change.

F. H. Edwards

FHE:jn

**LIST OF PENDING WORKMEN'S COMPENSATION
SUITS AGAINST OWENS-CORNING FIBERGLAS
PACIFIC COAST REGION
AS OF DECEMBER 31, 1968**

1. Anchorage, Alaska SAC Sub-Unit

- A. Charles L. Vincent v. Lawler, Inc., et al
Alaska Workmen's Compensation Board,
Anchorage, Alaska

Attorney: Conway of Atkinson, Wada and Conway

An appeal of second Workmen's Compensation Board's Decision against Claimant. Claim was originally filed in 1964. Permanent injury due to asbestosis. Presently, awaiting court's decision.

2. Fresno, California SAC Unit

- A. Minnie Louise Frederick v. Owens-Corning Fiberglas Corporation,
Aetna, et al
Workmen's Compensation Appeals Board, State of California
Case No. 66F16482

Attorney: William K. Gillaspay of Creede, Dawson, Gillaspay,
Law Firm, Fresno, California.

Action is by widow of deceased employee. It is based upon husband's former claim of asbestosis. Attorney Gillaspay is negotiating settlement. Aetna has authorized payment of \$750.00 to settle this suit. *Hearing date was 1-27/73-bq. No report from Aetna.*

3. Los Angeles, California SAC Unit

- A. Maurine Clark(widow), Dean Clark(deceased) v. Baldwin-Ehret-Hill, Inc.,
et al.
Workmen's Compensation Appeals Board, State of California.
Case No. 66LA292043

Attorney (checking with Aetna)

Claim by widow that husband's death caused by asbestosis. Filed ~~8/17/68~~, last amendment ~~9/14/68~~. *12/1/68*

See - B - ~~check A here~~
4. San Francisco, California SAC Unit

- A. Herbert E. Ryan v. Associated Insulation of California, et al.
Workmen's Compensation Appeals Board, State of California.
Case No. 68OAK26896

Attorney: (Aetna - have requested name)

Hearing loss claim. The claim will be heard by Workmen's Compensation Appeals Board on January 21, 1969, in Oakland.

2. Henry C. Peack v. Owens-Corning Fiberglas Corp. et al
Workmen's Compensation Appeals Board, State of California

Attorney: Ted Weidarmuller of Sedgwick, Detert, Moran & Arnold

Claim based upon asbestosis. Medical report supports asbestosis and indicates severe disability. No date set for hearing.

- C. Harold Hooper v. Pacific Ship Repair, et al
Workmen's Compensation Appeals Board, State of California
Claim No. 6787217-081

Attorney: (checking with Aetna)

Claim for hearing loss. *Pre-trial conference held in attempt to*
This claim is expected to go before

U. C. Appeals Board in near future.

verify and confirm coverage. Matter was ordered off calendar & remains
in that status.

5. Seattle, Washington S&C Unit

- A. Lloyd Lason
Workmen's Compensation Claim, Department of Labor and Industries,
State of Washington.

Laceration of scalp and neck sprain. Asbestos worker injured on
vessel "Flying Dragon" on 7/30/68. On 11/16/68, admitted to
Providence Hospital and a myelogram performed.

Aetna report of 1-yr-6q advises claimant released by
physician. Total cost to date \$1435 which is expected
to close case.

6 → *Smith C*

LIST OF WORKMEN'S COMPENSATION
SUITS AGAINST OWENS-CORNING FIBERGLAS
PACIFIC COAST REGION
THAT WERE CLOSED
IN
1968

CLAIMED
PRIVILEGED
BY OCF

1. Los Angeles, California S&C Unit

- A. Charles C. Brokenshire v. Armstrong Contracting and Supply et al
Workmen's Compensation Appeals Board, State of California
Case No. 63LA250-245

Attorney: Elsworth H. Kendig, Jr. of Weingard, Kendig & Stockwell

Action based upon illness due to asbestosis. This claim was closed on 2/12/68 for a total indemnity figure of \$1,854 pursuant to a compromise and release.

- B. William C. Menzies v. Owens-Corning Fiberglas Corp. et al
Workmen's Compensation Case, State of California

This action is now closed. Total settlement of \$13,994. Decedent's representatives claim was based on asbestosis, cancer of the lung and emphysema.

2. Portland, Oregon S&C Unit

- A. William Lee Mabrey
Workmen's Compensation Board, State of Oregon
Case No. WCB 67-1351
SCD ODC 1506

Attorney: Clayton Hess, Assist. Attorney General

Deceased representatives death claim based upon asbestosis. Settled for \$3,000 in September or October of 1968.

3. Fred F. Moffet
Workmen's Compensation Board, State of Oregon
Case No. WCB 68-1335
SCD PDC-276

Attorney: Clayton Hess, Assist. Attorney General

Deceased representatives death claim based upon asbestosis. Settled for \$3,000 in December, 1968.

3. Seattle, Washington S&C Unit

- A. J. D. Baile v. Owens-Corning Fiberglas Corporation et al
Workmen's Compensation Claim, Department of Labor and Industries,
State of Washington.
Claim No. F56122

02 209 0553

Claim based upon asbestosis filed by widow. Closed on January 17, 1968. OCF's share, \$916.50.

OWENS-CORNING
FIBERGLAS

INTRA-COMPANY CORRESPONDENCE

To F. H. Edwards - Toledo Date June 27, 1969

From T. A. Dailey - Santa Clara

Subject REPORT OF CURRENT PCR S&C UNIT
WORKMEN'S COMPENSATION CLAIMS

1. ANCHORAGE, ALASKA S&C SUB-UNIT
 - A. Charles L. Vincent ... Asbestosis ... No change.
2. FRESNO, CALIFORNIA S&C UNIT
 - A. K. M. Frederick (Deceased) ... Asbestosis ... No change.
3. LOS ANGELES, CALIFORNIA S&C UNIT
 - A. Wayne E. Boyer ... Asbestosis.
Awaiting report on results of 6/2/69 hearing.
 - B. Maurine Clark (Widow) Dean Clark (Deceased)...
Further hearing scheduled for August 27, 1969 before Workmen's
Compensation Appeals Board.
 - C. John Stanley ... Asbestosis ... No change.
4. SAN FRANCISCO, CALIFORNIA S&C UNIT
 - A. Harold Hooper ... Hearing Loss Claim ... No change.
 - B. Edward L. Pflighar ... Asbestosis ... No change.
 - C. Henry C. Puetz ... Asbestosis ... No change.
 - D. Herbert E. Ryan ... Hearing Loss Claim ... No change.
5. SEATTLE, WASHINGTON S&C UNIT
 - A. Howard V. Belka vs. Fiberglas Engineering & Supply Div.
Hearing scheduled 6/27/69 before Board of Industrial Insurance
Appeals, State of Washington. First Notice of Hearing received
at Santa Clara on 6/24/69.
 - B. Willis W. Moore ... Asbestosis ... No change.
 - C. William E. Tudor ... Asbestosis ... No change.

02 209 0503

June 27, 1969

6. PHOENIX, ARIZONA S&C UNIT

- A. Jack R. Chambers ... Toxic Gastritis (caused by inhalation of sulfuric acid fumes).

Hearing before Industrial Commission of Arizona was held 6/25/69.
Awaiting report from Aetna.

- B. Terry E. Hurley vs. OCF et al

Claimant injured by 2' x 12' scaffolding which fell from roof of shopping center during construction of the Tri-City Shopping Center, Mesa, Arizona, on or about 5/27/68.

Claimant asking \$125,000 for general damages plus medical, loss of wages and other expenses incurred.

Advised by Aetna that law firm of Black and Robertshaw, Phoenix, is representing OCF in this action.

T. A. Dailey

T. A. Dailey
Law Department

TAD:cl

02 209 0504

OWENS-CORNING

FIBERGLAS

INTRA-COMPANY CORRESPONDENCE

To F. H. Edwards - Toledo

From T. A. Dailey - Santa Clara

Subject REPORT OF CURRENT PCR S&C UNIT
WORKMEN'S COMPENSATION CLAIMS

Date July 31, 1969

cc:

1. ANCHORAGE, ALASKA S&C SUB-UNIT
 - A. Charles L. Vincent ... Asbestosis ... No change.
2. FRESNO, CALIFORNIA S&C UNIT
 - A. K. M. Frederick (Deceased) ... Asbestosis ... No change.
3. LOS ANGELES, CALIFORNIA S&C UNIT
 - A. Wayne E. Boyer ... Asbestosis
Following with Aetna for results of 6/2/69 hearing.
 - B. Marjorie Clark (Widow) Dean Clark (Deceased) ... No change.
 - C. John Stanley ... Asbestosis ... Compromise and Release approved by
W. C. Appeals Board in the amount of \$10,045.48. Portion of award
against Aetna was \$3,497.00. Awaiting final report from Aetna.
4. SAN FRANCISCO, CALIFORNIA S&C UNIT
 - A. Harold Hooper ... Hearing Loss Claim ...
Received from W. C. Appeals Board copy of "Order Taking Off Calendar"
dated June 27, 1969.
 - B. Edward L. Pflieger ... Asbestosis ... No change.
 - C. Henry C. Puetz ... Asbestosis ... No change.
 - D. Herbert E. Ryan ... Hearing Loss Claim ... No change.
5. SEATTLE, WASHINGTON S&C UNIT
 - A. Howard V. Belka vs. Fiberglas Engineering & Supply Div.
Hearing that was scheduled 6/27/69 before Board of Industrial
Insurance Appeals, State of Washington was recessed to Olympia for hearing
on July 21, 1969. Following with Board.
 - B. Willis W. Moore ... Asbestosis ... No change.

02 209 0498

uly 31, 1969

- C. William E. Tudor ... Asbestosis
Conference was scheduled before Board of Industrial Insurance Appeals
on 7/15/69. Awaiting report of our attorney, Edward S. Franklin,
Seattle.

6. PHOENIX, ARIZONA S&C UNIT

- A. Jack R. Chambers ... Toxic Gastritis (caused by inhalation of
sulfuric acid fumes).
Hearing before Industrial Commission of Arizona was held 6/25/69.
Referee's Report states it finds applicant is entitled to 10 days'
accident (medical) benefits. Awaiting final report from Aetna.
- B. Terry E. Hurley vs. OCF et al - Bodily Injury ... Filed in
Superior Court, State of Arizona, County of Maricopa. No trial
date set.



T. A. Dailey
Law Department

TAD:cl

02 209 0499

OWENS-CORNING
FIBERGLAS

8/11
8/11
Intra-company correspondence

to Mr. J. M. Briley - Toledo

from F. H. Edwards - Toledo

date August 5, 1969

subject REPORT OF CURRENT
WORKMEN'S COMPENSATION CLAIMS
AND LITIGATION

cc: J. L. Konzen, M.D. - Toledo
Mr. R. L. Logan - Toledo
Mr. H. G. Harter - Toledo
Mr. T. A. Dailey - Santa Clara
Mr. K. S. Johnson - Santa Clara
Mr. J. F. Vyverberg - New York

6/15
Add. Summary →
I. Litigation

- A. The Freeman vs. O-CF, et. al., Atlanta, Georgia, is currently in the discovery stage with new interrogatories.
- B. Trosby v. O-CF. No action.
- C. Samuel R. Potter vs. Fiberboard Paper Products Co., et. al., pending in U. S. District Court for the Eastern District of Texas at Beaumont, Texas, O-CF defense being handled by Aetna. Most aspects of case are identical to the C. J. Tomplait case which was settled earlier in the year.
- D. Terry E. Hurley vs. O-CF, et. al. Claimant injured on May 27, 1968, by scaffolding from roof of Tri-City Shopping Center, Mesa, Ariz.

Claimant seeking \$125,000.00 damages.

Aetna has appointed Black and Robertshaw, Phoenix to represent O-CF.

II. Workmen's Compensation Claims.

A. Supply and Contracting Division.

1. Anchorage, Alaska

a) C. L. Vincent -- asbestosis -- No change.

2. Fresno, California

a) Minnie L. Frederick (widow) -- No change.

02 209 0494

3. Los Angeles, California

- a) Wayne E. Boyer -- Asbestosis -- Awaiting report of results of June 2, 1969, hearing.
- b) Maurine Clark (widow) vs. Baldwin-Ehret-Hill, et. al.
- c) Robert J. Horsman vs. Thorpe Insulation Co., et. al. -- Asbestosis.
- d) Frances E. Owens (widow), Glen R. Owens (deceased) vs. Western Asbestos Co., et. al. -- Exposure to lung irritants.

Hearing scheduled for July 25, 1969, but report has not been received.

- e) John Stanley -- Asbestosis. On June 19, 1969, W. C. Appeals Board awarded Stanley \$10,045.00 of which O-CF directed to pay \$3,497.00.
- f) Vernon F. Tucker vs. Western Asbestos Co., et. al. -- Asbestosis.

Hearing scheduled for October 8, 1969.

4. San Francisco, California

- a) Stanley Hallmark -- Asbestosis. Claim settled.
- b) Harold Hooper -- Hearing Loss.

Pending filing of medical reports by applicant's counsel, claim is ordered off the calendar subject to further action.

- c) Edward L. Pflughar -- Asbestosis. No change.
- d) Henry C. Puetz -- Asbestosis. No change.
- e) Herbert E. Ryan -- Hearing Loss. No change.

August 5, 1969

5. Seattle, Washington

- a) Howard V. Belka vs. O-C Fiberglas -- Disability unknown.

Hearing before Industrial Insurance Board of Appeals on July 24, 1969. No report has been received.

- b) Marion W. Cooper (deceased) vs. O-C Fiberglas, et. al. -- Asbestosis.

Claim filed by widow. State has assigned 13% of the total award of \$19,500.00 or \$2,535.00 to O-CF for payment.

- c) Willis W. Moore -- Asbestosis. No change.

- d) Cecil B. Lockwood vs. O-CFiberglas, Atomic Energy Commission, and Blue Mountain Contractors Co.

Claimant has compensable asbestosis but is continuing to work. Therefore, no payments will be made by defendants until Mr. Lockwood is incapacitated. When full disability occurs (asbestosis is a progressive disease), the State has assigned the following pro-rated shares of the eventual award: Atomic Energy Commission, 62%; O-CFiberglas, 22%; Blue Mountain Contractors, 16%.

- e) William E. Tudor -- Asbestosis. No change.

6. Phoenix, Arizona

- a) Jack R. Chambers vs. O-CFiberglas.

Alleges temporary, total disability of toxic gastritis from inhalation of sulphuric acid fumes.

Award by State:

1. Medical expenses from Nov. 5, 1968, through November 14, 1968.

2. Disability award of \$40.12 to cover lost time.

02 209 0496

August 5, 1969

7. Flint and Grand Rapids, Michigan

- a) Lawrence F. Brimmer vs. William Asbestos Co., et. al.

Alleges asbestosis. Worked for Flint S&C from 11-21-65 through 6-26-66 with a total of 32 working days applying Kaylo.

B. Manufacturing Plants

1. Newark Plant

- a) Eugene Harris -- Eye cataracts.

The claimant has filed an amended petition which has been accepted and a second pre-trial hearing is scheduled for September, 1969.

- b) Clarence Arthur Okey -- Tuberculosis and emphysema.

Dr. Hook, Newark examined Mr. Okey and concluded that his pulmonary disease is not attributable to occupational exposures. Dr. Hook's report has been sent to McHugh Associates, Columbus, for introduction as evidence at the hearing.

F. H. Edwards

FHE/dsl

02 209 0497

OWENS-CORNING
FIBERGLAS

INTRA-COMPANY CORRESPONDENCE

To F. H. Edwards - Toledo Date August 29, 1969

From T. A. Dailey - Santa Clara cc

Subject REPORT OF CURRENT PCR S&C UNIT
 WORKMEN'S COMPENSATION CLAIMS

1. ANCHORAGE, ALASKA S&C SUB-UNIT

A. Charles L. Vincent ... Asbestosis ... No change.

2. FRESNO, CALIFORNIA S&C UNIT

A. K. M. Frederick (Deceased) ... Asbestosis

Aetna's attorney, Mr. Gillaspay, feels we should be able to dispose of this matter by way of Compromise and Release in the \$750-\$1000 range. Unfortunately, applicant's attorney is at present in the hospital recovering from major surgery. Mr. Gillaspay will proceed toward settlement of this claim as soon as applicant's attorney is back at his desk.

3. LOS ANGELES, CALIFORNIA S&C UNIT

A. Wayne E. Boyer ... Asbestosis

At June 2, 1969 hearing before Workmen's Compensation Appeals Board, applicant's medical history was provided (Dr. Kritzer). OCF is one of 25 employers joined in this case. Several hearings yet to come.

B. Maurine Clark (Widow) Dean Clark (deceased) ... No change.

C. John Stanley ... Asbestosis ... Compromise and Release approved by W. C. Appeals Board. Awaiting final report from Aetna.

4. SAN FRANCISCO, CALIFORNIA S&C UNIT

A. James E. Clark (disability unknown)

Advised by Aetna's Oakland, California, office that the above does have a claim against OCF. Hearing was scheduled for August 26. Awaiting report from Aetna.

Theodore P. Niedermuller is attorney handling this case.

B. Harold Hooper ... Hearing Loss Claim ... No change.

02 209 0491

- C. Edward L. Pflgar ... Asbestosis ... No change.
- D. Henry C. Puetz ... Asbestosis ... No change.
- E. Herbert E. Ryan ... Hearing Loss Claim ... No change.

5. SEATTLE, WASHINGTON S&C UNIT

- A. Howard V. Belka ... Aggravation of previous industrial injury.

Claimant has appealed prior settlement in amount of \$3,000 for approx. 9 months temporary total disability plus partial permanent disability due to back injury and severe injury to both heels. Under Workmen's Compensation Act of the State of Washington, claimant had five years from consummation of above settlement in which to reopen claim for aggravation of disability (settlement was reached in August, 1964).

- B. Willis W. Moore ... Asbestosis

Have authorized Attorney Edward S. Franklin to proceed with dismissal of the pending appeal of the Department of Labor and Industries' assessment of 23% of the compensation payment to Moore that has been charged against OCF as we are unable to prove that Moore was not exposed to asbestos dust while in our employ.

- C. William E. Tudor ... Asbestosis

Same as comments for Willis W. Moore (above) - 7% assessment.

6. PHOENIX, ARIZONA S&C UNIT

- A. Jack R. Chambers ... Toxic Gastritis

No change.

- B. Terry E. Hurley vs. OCF et al ... Bodily Injury

No change.

Mr. John M. Briley - NBB Toledo

Robert S. Atkinson - FG Tower 11

October 13, 1969

**REPORT OF CURRENT
WORKMEN'S COMPENSATION CLAIMS
AND LITIGATION**

Jon L. Konzen, M.D. FG Tower 11
R. S. Logan - FG Tower 26
H. G. Harter - FG Tower 26
T. A. Dailey - Santa Clara
K. S. Johnson - Santa Clara
J. F. Vyverberg - New York
L. W. Saxby - FG Tower 25

I. LITIGATION

- A. Freeman vs. O-CF, et al., Atlanta, Georgia - No new action.
- B. Trosby vs. O-CF - No action.
- C. Samuel R. Potter vs. Fiberboard Paper Products Co. et. al.,
pending in U. S. District Court, Beaumont, Texas - No new action.
- D. Terry E. Hurley vs. O-CF, et. a. - Bodily Injury - No change.
- E. David Parker vs. O-CF, et. al. - Lake Charles, Louisiana -
Claiming Asbestosis. Summons and Complaint issued August 4,
1969. The amount claimed is \$500,000 general damages and
\$500,000 exemplary damages. Complaint is virtually identical
to Tomplait and Potter actions.

II. WORKMEN'S COMPENSATION CLAIMS

A. Supply and Contracting Division.

1. Anchorage, Alaska

- a) Charles L. Vincent - Asbestosis - No change.

2. Fresno, California.

- a) Minnie L. Frederick (Widow) - Aetna attorney believes claim
can be settled by Compromise and Release. Unable to proceed
at this time as applicant's attorney is in hospital re-
covering from surgery.

02 209 0488

3. Los Angeles, California S & C Unit

- a) Wayne E. Boyer - Asbestosis - At June 2, 1969, hearing before Workmen's Compensation Appeals Board, applicant's medical history was provided by Dr. Kritzer. O-CF is one of 25 employers named as defendants. Next hearing scheduled December 11, 1969.
- b) Maurine Clark (Widow) vs. Baldwin Ehret-Hill, Inc., et al. - Compromise and Release approved by Workmen's Compensation Appeals Board on August 28, 1969. Total settlement for \$5,410.50 in addition to sums previously paid.
- c) Robert J. Horsman vs. Thorpe Insulation Co., et al. - Asbestosis - No change.
- d) Frances E. Owens (Widow) vs. Western Asbestos Co., et. al. - No change.
- e) John Stanley - Asbestosis - Compromise and Release approved by Workmen's Compensation Appeals Board. Awaiting final report from Aetna.
- f) Vernon F. Tucker vs. Western Asbestos Co., et al. - Asbestosis - Hearing scheduled October 8, 1969.

4. San Francisco, California

- a) Harold Hooper - Hearing Loss Claim - No change.
- b) Edward L. Pfliegner - Asbestosis - No change.
- c) Henry C. Puetz vs. C. F. Braun, et. al. and American Motorists Insurance Company, et. al - Asbestosis. Award made in favor of applicant by Workmen's Compensation Appeals Board. Awaiting further word from Aetna.
- d) Herbert E. Ryan - Hearing Loss - No change.
- e) James E. Clark (Disability Unknown) - Advised by Aetna's Oakland, California, office that the applicant does have a claim against O-CF. Hearing was scheduled for August 26. Awaiting report from Aetna.

5. Seattle, Washington.

- a) Howard V. Belka, vs. O-CF - Aggravation of Previous Industrial Injury - Claimant has appealed prior settlement made in August, 1964, for \$3,000 for approximately nine months temporary total disability plus partial permanent disability due to back and heel injuries under Workmen's Compensation Act of the State of Washington; claimant had five years from consumation of settlement to reopen claim for aggravation of disability. Awaiting report from Board of Industrial Insurance Appeals.
- b) Willis W. Moore - Asbestosis - Attorney Edward S. Franklin has been authorized to proceed with the dismissal of pending appeal of the Department of Labor and Industries assessment of 23% of compensation to Moore charged to O-CF. We are unable to prove that Moore was not exposed to asbestos dust while in our employ.
- c) William E. Tudor - Asbestosis - Attorney authorized to proceed with dismissal of pending appeal as in the Moore case outlined above. O-CF Assessment in this case 7%.

6. Phoenix, Arizona.

- a) Jack R. Chambers vs. O-CF et al. - Toxic Gastritis - No change.
- b) Terry E. Hurley vs. O-CF et al. - Bodily Injury - No change.

7. Flint and Grand Rapids, Michigan.

- a) Lawrence F. Brimmer vs. William Asbestos Co., et. al - Awaiting local hearing.

B. Manufacturing Plants.

1. Newark Plant.

- a) Eugene Harris - Eye Cataracts - No change.
- b) Clarence Arthur Okey - Tuberculosis and emphysema - No change.

Robert S. Atkinson

RSA/dsl

02 209 0490

NOV 3 1969

OWENS CORNING
FIBERGLAS

Intra-company correspondence

to Robert S. Atkinson - Toledo from T. A. Dailey - Santa Clara
date October 29, 1969
subject REPORT OF CURRENT PCR S&C UNIT cc:
WORKMEN'S COMPENSATION CLAIMS

1. ANCHORAGE, ALASKA S&C SUB-UNIT

A. Charles L. Vincent ... Asbestosis ... No change.

2. FRESNO, CALIFORNIA S&C Unit

A. K. M. Frederick (Deceased) ... Asbestosis ... No change.

3. LOS ANGELES, CALIFORNIA S&C Unit

A. Wayne E. Boyer ... Asbestosis ... No change.

B. Maurine Clark (Widow) Dean Clark (Deceased) ... No change

C. John Stanley ... Asbestosis ... No change.

4. SAN FRANCISCO, CALIFORNIA S&C UNIT

A. No change... JAMES E. CLARK ... (Disability unknown)

B. HAROLD HOOPER ... Hearing Loss Claim ... No change.

C. Edward L. Pfleggar ... Asbestosis ... No change.

D. Henry C. Puetz ... Asbestosis ... No change.

E. Herbert E. Ryan ... Hearing Loss Claim ... No change.

5. SEATTLE, WASHINGTON S&C UNIT

A. Howard V. Belka ... Aggravation of previous industrial injury.
No change.

B. Willis W. Moore ... Asbestosis ... No change.

C. William E. Tudor ... Asbestosis ...
Conference has been scheduled before the Board of Industrial
Insurance Appeals for Nov. 3, 1969, for purpose of determining
feasibility of settlement concerning final disposition of appeal.

~~6. PORTLAND, OREGON, S&C UNIT~~

A. JACK R. Chambers ... Toxic Gastritis ... No change.

B. Terry E. Hurley vs. OCF et al ... Bodily Injury ... No change.



intra-company correspondence

to Robert S. Atkinson - Toledo from T. A. Dailey - Santa Clara
date November 26, 1969
subject REPORT OF CURRENT PCR S&C UNIT cc:
WORKMEN'S COMPENSATION CLAIMS

1. ANCHORAGE, ALASKA S&C SUB-UNIT

A. Charles L. Vincent ... Asbestosis ... No change.

2. FRESNO, CALIFORNIA S&C UNIT

A. K. M. Frederick (Deceased) ... Asbestosis ...
Aetna Attorney, Mr. Gillaspay, advised applicant's attorney has
contacted him and wants to get together for settlement conference
in near future. He will keep Aetna informed.

3. LOS ANGELES, CALIFORNIA S&C UNIT

A. Wayne E. Boyer ... Asbestosis ...
Los Angeles S&C office contacted by Aetna re need for someone who
could testify on behalf of OCF at next hearing. OCF employee
Tom Curzio will be present at hearing.

B. Maurine Clark (Widow) Dean Clark (Deceased) ... No change.

C. Robert E. Goodwin ... Claims injury to lungs due to exposure to
asbestos and other noxious dusts.

Claim filed 10-30-69 with W. C. Appeals Board. Claim against
Fiberglas Engineering & Supply Co. plus five other employers
for period from Feb. 1942 to Sept. 25, 1969. Claims disability
since 9-26-69 to date. Hearing set for 1-15-70, Long Beach, Calif.

D. Roy B. Merrell ... Claims injury to lungs due to exposure to asbestos
and other noxious dusts. Claims disability since May, 1969 to date.
Hearing requested. No date set.

E. John Stanley ... Asbestosis ... No change.

4. SAN FRANCISCO, CALIFORNIA S&C UNIT

A. James E. Clark ... (Disability unknown) ... No change.

B. Harold Hooper ... Hearing Loss Claim ... Hearing scheduled for
1-27-70, San Francisco, Calif.

C. Edward L. Pfleggar ... Asbestosis ... No change.

D. Henry C. Puetz ... Asbestosis ... No change.

E. Herbert E. Ryan ... Hearing Loss Claim ... No change. 02 209 048

5. SEATTLE, WASHINGTON S&C UNIT

- A. Howard V. Belka ... Aggravation of previous industrial injury ...
No change.
- B. Willis W. Moore ... Asbestosis ... No change.
- C. William E. Tudor ... Asbestosis ... No change.

6. PHOENIX, ARIZONA S&C UNIT

- A. Jack R. Chambers ... Toxic Gastritis*... No change.
- B. Terry E. Hurley vs. OCF et al ... Bodily injury ... No change.

TAD:cl

02 209 0486



intra-company correspondence

to Robert S. Atkinson - Toledo (11) from T. A. Dailey - Santa Clara

date December 31, 1969

subject REPORT OF CURRENT PCR S&C UNIT cc:
WORKMEN'S COMPENSATION CLAIMS

1. ANCHORAGE, ALASKA S&C SUB-UNIT

A. Charles L. Vincent ... Asbestosis ... No change.

2. FRESNO, CALIFORNIA S&C UNIT

A. K. M. Frederick (Deceased) ... Asbestosis ... No change.

3. LOS ANGELES, CALIFORNIA S&C UNIT

A. Wayne E. Boyer ... Asbestosis ... No change.

B. Maurine Clark (Widow) Dean Clark (Deceased) ... No change.

C. Robert F. Goodwin ... Claims injury to lungs due to exposure to asbestos and other noxious dusts. No change.

D. Roy B. Merrell ... Claims injury to lungs due to exposure to asbestos and other noxious dusts. No change.

E. John Stanley ... Asbestosis ... No change.

4. SAN FRANCISCO, CALIFORNIA S&C UNIT

A. James E. Clark ... (Disability unknown) ... No change.

B. Harold Hooper ... Hearing Loss Claim ... No change.

C. Edward L. Pflighar ... Asbestosis ... No change.

D. Henry C. Puetz ... Asbestosis ... No change.

E. Herbert E. Ryan ... Hearing Loss Claim ... No change.

5. SEATTLE, WASHINGTON S&C UNIT

A. Howard V. Belka ... Aggravation of previous industrial injury ... No change.

B. Willis W. Moore ... Asbestosis ... No change.

C. William E. Tudor ... Asbestosis ... No change.

02 209 0483

6. PHOENIX, ARIZONA S&C UNIT

A. Jack R. Chambers ... Toxic Gastritis ... No change.

B. Terry E. Hurley vs. OCF et al ... Bodily injury ... No change.

J. H. [unclear]
TAD:cl

Mr. John M. Briley - Tower 27

Robert S. Atkinson - Tower 11

January 12, 1970

**REPORT OF CURRENT WORKMEN'S
COMPENSATION CLAIMS AND
LITIGATION**

T. A. Dailey - Santa Clara
H. G. Harter - PG Tower 26
K. S. Johnson - Santa Clara
Jon L. Kouzen, M.D. - Tower 11
R. S. Logan - PG Tower 26
L. W. Saxby - PG Tower 25
J. F. Vyverberg - New York

I. LITIGATION

- A. Freeman vs. O-GP, et. al., Atlanta, Georgia - No new action.
- B. Trosby vs. O-CF - No action.
- C. Samuel R. Potter vs. Fiberboard Products Co., et. al., pending in U. S. Court, Beaumont, Texas - No new action.
- D. David Parker vs. O-CF, et. al. - Lake Charles, Louisiana - Suit dismissed. All parties dissolved from any liability.
- E. J. J. Crawford vs. O-CF, et. al. - Suit filed in U. S. Court, Beaumont, Texas, December 4, 1969. Claiming damage of \$1,000,000 for personal injury resulting from use of asbestos insulation products. O-CF has denied any liability.

II. WORKMEN'S COMPENSATION CLAIMS

A. Supply and Contracting Division

1. Anchorage, Alaska

- a) Charles L. Vincent - Asbestosis - No change.

2. Fresno, California

- a) Minnie L. Frederick (Widow) - No change.

3. Los Angeles, California

- a) Wayne E. Boyer - Asbestosis - No change.
- b) Maurine Clark (Widow) vs. Baldwin Ehret-Hill Inc., et. al. - Compromise and Release approved August 28, 1969. Awaiting final report from Aetna.

- c) Robert J. Horsman vs. Thorpe Insulation Co., et. al. - Asbestosis - No change.
- d) Frances E. Owens (Widow) vs. Western Asbestos Co., et. al. - No change.
- e) John Stanley - Asbestosis - Compromise and Release approved. Awaiting final report from Aetna.
- f) Vernon F. Tucker vs. Western Asbestos Co., et. al. Asbestosis - Compromise and Release approved by Workmen's Compensation Appeal Board on October 15, 1969. Total settlement for \$3,500 in addition to all sums previously paid.
- g) Robert E. Goodwin - Claims injury to lungs due to exposure to asbestos and other noxious dusts. Claim filed October 10, 1969, with Workmen's Compensation Appeals Board. Claim against Fiberglas Engineering & Supply Co. plus five other employers for period from February, 1942, to September 25, 1969. Claims disability since September 26, 1969, to date. Hearing scheduled January 15, 1970.
- h) Roy B. Merrill - Claims injury to lungs due to exposure to asbestos and other noxious dusts. Claims disability since May, 1969, to date. Hearing requested, but no date set.

4. San Francisco, California

- a. Harold Hooper - Hearing Loss Claim - Hearing scheduled January 27, 1970, San Francisco.
- b. Edward L. Pflagher - Asbestosis - No change.
- c. Henry C. Puetz vs. C. F. Braun, et. al. and American Motorist Insurance Company, et. al. - Asbestosis - Final report promised by Aetna in four weeks.
- d. Herbert E. Ryan - Hearing Loss - No change.
- e. James E. Clark (Disability Unknown) - No change.

5. Seattle, Washington

- a) Howard V. Belka - Aggravation of Previous Industrial Injury - Board of Industrial Insurance Appeals on December 22, 1969, sustained the order of Department of Labor & Industry (State of Washington) denying claimant's application to reopen claim on the grounds that claimant's present condition and complaints are the result of automobile accident.
- b) Willis W. Moore - Asbestosis - No change.
- c) William E. Tudor - Asbestosis - No change.
- d) James Clark - Asbestosis - Claim has been accepted as compensable by Department of Labor and Industries. O-CF pro rata share of cost is 10%.

6. Phoenix, Arizona

- a) Jack R. Chambers - Toxic Gastritis - No change.
- b) Terry E. Burley vs. O-CF et. al. - Bodily Injury - No change.

B. Manufacturing Plants

1. Newark Plant

- a) Eugene Harris - Eye Cataracts - Trial has been rescheduled March 9, 1970.
- b) Clarence Arthur Okey - Tuberculosis and Emphysema - No change.

Robert S. Atkinson

OWENS CORNING
FIBERGLAS

Intra-company correspondence

to R. S. Atkinson - Toledo 11

from T. A. Dailey - Santa Clara

date January 29, 1970

subject REPORT OF CURRENT PCR S&C UNIT cc:
WORKMEN'S COMPENSATION CLAIMS

1. ANCHORAGE, ALASKA S&C SUB-UNIT

- A. Charles L. Vincent ... Asbestosis
Aetna advised on 1/19/70 that their attorneys had informed them that at long last the plaintiff's memorandum on appeal, the defendant Arctic Insulation, Inc., based on appeal and memorandum of the defendant Charles L. Vincent, and a memorandum of OCF have now been filed with the Superior Court in Juneau. The plaintiffs have an additional 20 days to file a reply brief and at that time the matter will be submitted to the Court for decision. As yet we have not been informed that there has been any decision.

2. FRESNO, CALIFORNIA S&C UNIT

- A. K. M. Frederick (Deceased) ... Asbestosis ... No change.

3. LOS ANGELES, CALIFORNIA S&C UNIT

- A. Wayne E. Boyer ... Asbestosis ... No change.
- B. Maurine Clark (Widow) Dean Clark (Deceased)
Still open. Medical Reserve: \$10; Indemnity Reserve, \$1,634.
- C. Robert E. Goodwin ... Claims injury to lungs due to exposure to asbestos and other noxious dusts.
Hearing before Appeals Board was scheduled for 1/15/70.
- D. Roy B. Merrell ... Claims injury to lungs due to exposure to asbestos and other noxious dusts. No change.
- E. John Stanley ... Asbestosis
Aetna advises this case was closed 7/30/69. Indemnity paid: \$3,620; Medical paid: \$111.

4. SAN FRANCISCO, CALIFORNIA S&C UNIT

- A. James E. Clark ... (Disability unknown) ... No change.
- B. Harold Hooper ... Hearing Loss Claim ...
Hearing was scheduled before Appeals Board for 1/27/70

02 209 06!

C. Edward L. Pflighaar ... Asbestosis ... No change.

D. Henry C. Puetz ... Asbestosis ... Aetna settled this claim for approximately \$2,400. Expect to receive final report in February. Will close file at that time.

E. Herbert E. Ryan ... Hearing Loss Claim ... No change.

5. SEATTLE, WASHINGTON S&C UNIT

A. Howard V. Belka ... Aggravation of previous industrial injury ... No change.

B. Willis W. Moore ... Asbestosis ... No change.

C. William E. Tudor ... Asbestosis ... No change.

6. PHOENIX, ARIZONA S&C UNIT

A. Jack R. Chambers - Toxic Gastritis ... No change.

B. Terry E. Hurley vs. OCF et al ... Bodily Injury ... No change.

TAD/cl

02 209 0651

OWENS CORNING
FIBERGLAS

Intra-company correspondence

to R. S. Atkinson - Toledo 11 from T. A. Dailey - Santa Clara
date February 27, 1970
subject Report of Current PCR S&C Unit cc:
Workmen's Compensation Claims

1. ANCHORAGE, ALASKA S&C SUB-UNIT

A. Charles L. Vincent ... Asbestosis ... No change.

2. FRESNO, CALIFORNIA S&C UNIT

A. K. M. Frederick (Deceased) ... Asbestosis
Mr. Gillasp, Aetna's attorney, notified their office that he is advising the plaintiff's attorney to join whatever additional parties he wishes to in this matter in order that we can proceed to a hearing. Mr. Gillasp has diaried his file for the end of February, 1970, and if he does not hear from Mr. Fyer pertaining to settling this matter for hearing, he has instructions from Aetna to file a petition to dismiss. Aetna feels their exposure in this matter is \$750 to \$1,000.

3. LOS ANGELES, CALIFORNIA S&C UNIT

- A. Wayne E. Boyer ... Asbestosis ... No change.
- B. Maurine Clark (Widow) Dean Clark (Deceased)
Aetna advises that other defendants have settled their part of the case. Aetna has not heard from their attorneys since Sept., 1969. Apparently, applicant's attorney is not in any hurry to push this case, and Aetna is not going to either. Aetna will wait to hear from either their attorney, applicant's attorney, or the Appeals Board.
- C. Robert E. Goodwin ... Injury to lungs ... No change.
- D. Roy B. Merrell ... Injury to lungs ... No change.

4. SAN FRANCISCO, CALIFORNIA S&C UNIT

- A. James E. Clark ... Disability Unknown ... No change.
Awaiting report from Aetna in response to our phone call of 2/27/70.
- B. Harold Hooper ... Hearing Loss Claim ... No change.
- C. Edward L. Pflieghaar ... Asbestosis ... No change.

02 209 0647

MAR 2 1970

February 27, 1970

- D. Henry C. Puetz ... Asbestosis ... Aetna settled this claim for approximately \$2,400. Awaiting final report from Aetna. CLAIMED
PRIVILEGED
BY OCF
- E. James J. Reilley (Deceased)
Aetna advised on 2/12/70 that they were reviewing this case and awaiting further notice of hearings as they expect Mr. Reilley's survivors to claim their apportionment. Case is expected to be lengthy due to numerous employers involved.
- F. Herbert E. Ryan ... Hearing Loss Claim ... No change.
- G. John Straba ... Back Injury
On 2/17/70 received from Aetna notice of payout in amount of \$2,226.91. Aetna advises that this was OCF employee who injured his back while working at Shriners Hospital job. At about time he thought his back was completely well, he reinjured it and had to enter hospital for operation. Aetna awaiting report from doctor.

5. SEATTLE, WASHINGTON S&C UNIT

- A. Howard V. Belka ... Aggravation of previous industrial injury ... No change.
- B. Stanley W. Dawson ... Disability unknown ...
Report received from Aetna dated 2/1/70 advising that status remains the same - that Mr. Dawson is still not working and that his physical condition is still not improving. Date of accident is listed as 9/18/61. Writing Aetna for further details.
- C. Willis W. Moore ... Asbestosis ... No change.
- D. William E. Tudor ... Asbestosis ... No change.

6. PHOENIX, ARIZONA S&C UNIT

- A. Jack R. Chambers ... Toxic Gastritis ... No change.
- B. Terry E. Hurley vs. OCF et al ... Bodily Injury ... No change.

TAD:cl

02 209 0648

Mr. J. M. Briley - Tower 27

Robert S. Atkinson - Tower 11

April 9, 1970

REPORT OF CURRENT WORKMEN'S
COMPENSATION CLAIMS AND LITIGATION.

G. C. Cherry - Tower 26
T. A. Dailey - Santa Clara
H. G. Harter - Tower 26
K. S. Johnson - Santa Clara
J. L. Konzen, M.D. - Tower 11
R. S. Logan - Tower 26
L. W. Saxby - Tower 25
J. P. Vyverberg - New York

I. LITIGATION

- A. Freeman vs. O-CF, et. al., Atlanta, Georgia - No significant change.
- B. Trosby vs. O-CF - No action.
- C. Samuel R. Potter vs. Fiberboard Products Co., et al., pending in U. S. Court, Beaumont, Texas. Each side in process of discovering facts for use in trial. No other action.
- D. J. J. Crawford vs. O-CF, et. al., Beaumont, Texas - No new action.
- E. Clarence Borel vs. O-CF, et. al., Beaumont, Texas - No new action. Summons and Complaint filed October 20, 1969.
- F. Finis A. Bassham vs. O-CF, et. al., Albuquerque, New Mexico - O-CF served with Summons and Complaint on March 17, 1970. This suit is for damages alleging asbestos poisoning caused by defendants negligence and breach of implied warranty. The plaintiff prays for compensatory damages of \$500,000 and punitive damages of \$500,000.

II. WORKMEN'S COMPENSATION CLAIMS

A. Supply and Contracting Division

1. Anchorage, Alaska

- a) Charles L. Vincent - Asbestosis. Aetna attorney has advised that plaintiff has filed Notice of Appeal to Alaska State Supreme Court. Attorney will respond to plaintiff's effort to reverse decision of Workmen's Compensation Board.

02 209 0640

April 9, 1970

CLAIMED
PRIVILEGED
BY OCF

- b) Gerald D. Herrick vs. Aber Co., et al. - Asbestosis. The Alaska Workmen's Compensation Board concluded on February 4, 1970 that O-CF be joined as a defendant in this case. A hearing has been scheduled in April.

2. Fresno, California

- a) Minnie L. Frederick (Widow) - Aetna attorney has requested plaintiff's attorney to join additional parties to case in order to proceed with hearing. If plaintiff does not respond, he has instructions from Aetna to file a petition to dismiss.

3. Los Angeles, California

- a) Wayne E. Boyer - Asbestosis - Compromise and Release filed on February 24, 1970 was approved by Workmen's Compensation Appeals Board on March 6, 1970. Total settlement for \$30,000 in addition to all prior payments.
- b) Maurine Clark (Widow) vs. Baldwin Ehret-Hill Inc., et. al. -
Maurine Clark (Widow) vs. Murdet Cork Corporation et. al. Other defendants have settled. Aetna has made no payments. Hearing scheduled April 28, 1970.
- c) Robert J. Horsman vs. Thorpe Insulation Co., et. al - Asbestosis - No change.
- d) Francis E. Owens (Widow) vs. Western Asbestos Co., et. al. Hearing scheduled April 16, 1970.
- e) Robert E. Goodwin - Pneumoconiosis from asbestos and other dusts - No change.
- f) Roy B. Merrill - Pneumoconiosis from asbestos and other dusts - No change.

02 209 0641

April 9, 1970

CLAIMED
PRIVILEGE
BY OCF

4. San Francisco, California

- a) Harold Hooper - Hearing Loss Claim - Compromise and Release for \$83.00 approved on January 27, 1970.
- b) Edward L. Pflighar - Asbestosis - No change.
- c) Henry C. Puetz vs. C. F. Braun, et. al., and American Motorist Insurance Company et. al. - Asbestosis - Reconsideration granted. Compromise and Release approved on March 9, 1970 for lump sum total payment of \$8,280 less certain specified deductions.
- d) Herbert E. Ryan - Hearing Loss - No change.
- e) James E. Clark - Disability Unknown - No change.

5. Seattle, Washington

- a) Howard V. Belka - Statement of Exception to Decision and Order of December 22, 1969, filed by claimant's attorneys on January 9, 1970.
- b) Willis W. Moore - Asbestosis - No change.
- c) William E. Tudor - Asbestosis - No change.

6. Phoenix, Arizona

- a) Jack R. Chambers - Toxic Gastritis - No change.
- b) Terry E. Hurley vs. O-CF, et. al. Bodily Injury - No change.

B. Manufacturing Plants

1. Newark Plant

- a) Eugene Harris - Eye Cataracts - Jury trial held March 9, 1970. Jury decided in favor of plaintiff. OOCF plans to appeal case.
- b) Clarence Arthur Okey - Tuberculosis and Emphysema - Industrial Commission disallowed claim December 12, 1969. No proof in file that claimant was exposed to dust while working at Q-CF. No further action.

Robert S. Atkinson

To F. H. Edwards - Toledo

Date March 28, 1969

From T. A. Dailey - Santa Clara

cc:

Subject REPORT OF CURRENT PCR S&C UNIT
WORKMEN'S COMPENSATION CLAIMS

1. ANCHORAGE, ALASKA S&C SUB-UNIT

- A. Charles L. Vincent ... Asbestosis ...
Aetna advised by their Alaska attorneys on Feb. 25, 1969 that this matter is on file to be tried in Superior Court of Alaska, but no trial date has been set. Aetna anticipates no trial date before October.

2. FRESNO, CALIFORNIA S&C UNIT

- A. K. M. Frederick (Deceased) ... Asbestosis ... No change.

3. LOS ANGELES, CALIFORNIA S&C UNIT

- A. Maurine Clark (Widow) Dean Clark (Deceased) ... Asbestosis... No change.

4. SAN FRANCISCO, CALIFORNIA S&C UNIT

- A. Harold Hooper ... Hearing Loss Claim ... No change.
B. Edward L. Pflieger ... Asbestosis ... No change.
C. Henry C. Puetz ... Asbestosis ... No change.
D. Herbert E. Ryan ... Hearing Loss Claim ... No change.

5. SEATTLE, WASHINGTON S&C UNIT

- A. Lloyd Lazon ... Laceration of scalp and neck sprain... No change.
B. William E. Tudor ... Asbestosis ...
Our Seattle attorney wrote the Dept. of Labor & Industries on 3/20/69, noting that on June 1, 1967 Mr. Tudor was examined by a Spokane physician, who recommended at that time that the claim be closed with 70% permanent partial disability, and inquiring as to why this recommendation was not followed.

Also, our attorney has asked for withdrawal of the Dept. of Labor & Industries request for acceptance of the cost experience in this matter by OCF.

T. A. Dailey
T. A. Dailey
Law Department

TAD:cl

02 209 0529

OWENS CORNING
FIBERGLAS

INTRA-COMPANY CORRESPONDENCE

To F. H. Edwards - Toledo
From T. A. Dailey - Santa Clara
Subject REPORT OF CURRENT PCR S&C UNIT
WORKMEN'S COMPENSATION CLAIMS

Date Feb. 26, 1969

cc:

1. ANCHORAGE, ALASKA S&C SUB UNIT

A. Charles L. Vincent ... Asbestosis ... No change.

2. FRESNO, CALIFORNIA S&C UNIT

A. K. M. Frederick (Deceased) ... Asbestosis ... No change.

3. LOS ANGELES, CALIFORNIA S&C UNIT

A. Maurine Clark (Widow) Dean Clark (Deceased) ... Asbestosis.
Hearing date was January 22-23, 1969, before W. C. Appeals Board.
Counsel for Claimant demanded settlement in total sum of \$13,000.00.
Further negotiations were had and Claimant agreed to accept \$9,000.00
as full settlement of her claim. Matter has been continued for 30
days in order for parties to submit a Compromise and Release.
Attorney for Aetna, Hazel D. Rogers of Weingand, Kendig & Stockwell,
advised Aetna that serious consideration be given to disposition
of case for sum of \$9,000.00. Aetna advised on 2/6/69 that they
did not intend to settle case at this time.

4. SAN FRANCISCO, CALIFORNIA S&C UNIT

A. Harold Hooper ... Hearing Loss Claim ... No change.

B. Edward L. Pflighar ... Asbestosis ... No change.

C. Henry C. Puetz ... Asbestosis ... No change.

D. Herbert E. Ryan ... Hearing Loss Claim.

On 1/17/69 Defendant Hardware Mutual Casualty Company Petitioned
for Dismissal of matter on grounds Applicant failed to prosecute
his case since it was Ordered Off Calendar in March, 1968.

Order Dismissing Petition For Dismissal was issued when Defendant
agreed to withdraw said Petition since Applicant plans to amend
the Application and institute further proceedings herein.

Attorney: Ted Niedermuller with law offices of Sedgwick, Detert,
Moran & Arnold.

02 209 0530

5. SEATTLE, WASHINGTON S&C UNIT

- A. Lloyd Lazon ... Laceration of scalp and neck sprain.
Awaiting final report from Aetna to close file.
- B. William E. Tudor ... Asbestosis ... Claim filed with
Dept. of Labor & Industries, State of Washington. Claimant
currently receiving compensation payments of \$215.00/month
allowable from 10/25/66. Claim costs being charged against
ten Washington employers with OCF's share being 7%. Appeal
of cost apportionment must be filed by 4/11/69.

Attorney: Edward S. Franklin with law offices of Sogle,
Gates, Dobrin, Wakefield & Long.

T. A. Dailey
T. A. Dailey
Law Department

TAD:cl

02 209 0531



CLAIMED
PRIVILEGED
BY OCF

Intra-company correspondence

to J. M. Briley-Toledo

subject Report of Current
Workmen's Compensation
Claims & Litigation

from F. H. Edwards-Toledo

date February 4, 1969

cc: Dr. J. L. Konzen-Toledo
Mr. G. W. Handel-Toledo
Mr. R. L. Logan-Toledo
Mr. H. G. Harter-Toledo
Mr. T. A. Dailey-Santa Clara

I. Litigation

- A. Claude J. Tomplait vs. Combustion Engineering, et. al., District Court for the Eastern District of Texas, Beaumont, Texas.

Trial is docketed for March, 1969.

- B. Freeman vs. Owens-Corning Fiberglas, et. al., Superior Court for County of Fulton, Atlanta, GA.

No action reported.

- C. Trosby vs. Owens-Corning Fiberglas, Superior Court for the State of Rhode Island, Providence, R.I.

Owens-Corning has filed a demurrer to the complaint.

II. Workmen's Compensation Claims

A. Supply and Contracting Division

1. Anchorage, Alaska S&C Sub-Unit

- A. Charles L. Vincent vs. Lawler, Inc., et. al.
Alaska Workmen's Compensation Board,
Anchorage, Alaska

Attorney: Conway of Atkinson, Wade and Conway

An appeal of second Workmen's Compensation Board's Decision against Claimant. Claim was originally filed in 1964. Permanent injury due to asbestosis. Presently, awaiting court's decision.

2. Fresno, California S&C Unit

- A. Minnie Louise Fredrick vs. Owens-Corning Fiberglas Corporation, Aetna, et al,
Workmen's Compensation Appeals Board, State of California
Case No. 66F16482

Attorney: William K. Gillaspay of Creede, Dawson,
Law Firm, Fresno, California.

02 209 0532

February 4, 1969

Action is by widow of deceased employee. It is based upon husband's former claim of asbestosis. Attorney Gillaspay is negotiating settlement. Aetna has authorized payment of \$750.00 to settle this suit. Hearing date was 1-22/23-69. No report from Aetna.

3. Los Angeles, California S&C Unit

- A. Maurine Clark (widow), Dean Clark (deceased) v. Baldwin-Ehret-Hill, Inc., et al.
Workmen's Compensation Appeals Board, State of California.
Case No. 66LA292043

Attorney (checking with Aetna)

Claim by widow that husband's death caused by asbestosis.
Filed June 25, 1968.

- B. Fred Moffett (deceased) --- Asbestosis. Widow's claim settled for \$3000.

4. San Francisco, California S&C Unit

- A. Herbert E. Ryan v. Associated Insulation of California, et al.
Workmen's Compensation Appeals Board, State of California,
Case No. 68OAK26896

Attorney: (Aetna - have requested name)

Hearing loss claim. The claim will be heard by Workmen's Compensation Appeals Board on January 21, 1969, in Oakland.

- B. Henry C. Puetz v. Owens-Corning Fiberglas Corp. et al
Workmen's Compensation Appeals Board, State of California

Attorney: Ted Neidermuller of Sedgwick, Detert, Moran & Arnold

Claim based upon asbestosis. Medical report supports asbestosis and indicated severe disability. No date set for hearing.

- C. Harold Hooper v. Pacific Ship Repair, et al
Workmen's Compensation Appeals Board, State of California
Claim No. 67SF217-081

Attorney: (checking with Aetna)

Claim for hearing loss. Pre-trial conference held in attempt to verify and confirm coverage. Matter was ordered off calendar & remains in that status.

02 209 0533

February 4, 1969

- D. Edward L. Pflagher --- Asbestosis. Advised by Aetna on 12-27-68 that a claim had been filed against O-CF. No further reports.

5. Seattle, Washington S&C Unit

- A. Lloyd Leson
Workmen's Compensation Claim, Department of Labor and Industries, State of Washington.

Laceration of scalp and neck sprain. Asbestos worker injured on vessel "Flying Dragon" on 7/30/68. On 11/16/68, admitted to Providence Hospital and a myelogram performed.

Aetna report of 1/22/69 advised claimant released by physician. Total cost to date \$1435 which is expected to close case.

6. Baltimore, Md. S&C Unit

- A. Jesse William Padgett
Lung disease (not specified)
Unchanged

- B. John G. Ogle
Claim withdrawn

7. Flint and Grand Rapids, Mich, S&C Units

- A. Robert Lemmox --- Asbestosis

Employment data filed with Aetna Casualty, Saginaw, Mich.

Claim still under investigation.

- B. James E. White, Sr. (deceased).

Lung disease (not specified)

Claim still under investigation.

B. Manufacturing Plants

1. Newark Plant

- A. Eugene Harris

Sustained cataracts of the lensed of both eyes and alleges that they were caused by exposure to molten glass.

Claim being protested by Fiberglas but no date set for a hearing.

02 209 0534

B. Clarence Arthur Okey --- Tuberculosis

Alleged lung disease resulted from exposure to air-borne contaminants as a saw operator.

Plan to contest claim. No hearing date set.

2. Santa Clara Plant

A. James H. Heflin

Lung disease. No change.



F. H. Edwards

FHE/cd

Mr. J. M. Briley

F. H. Edwards-Toledo

April 9, 1969

REPORT OF CURRENT
WORKMEN'S COMPENSATION
CLAIMS AND LITIGATION

Dr. J. L. Kossen-Toledo
Mr. G. W. Handel-Toledo
Mr. R. L. Logan-Toledo
Mr. H. G. Harter-Toledo
Mr. T. A. Dailley-Santa Clara
Mr. K. S. Johnson-Santa Clara
Mr. J. F. Vyverberg, New York

I. Litigation

- A. The C. J. Tomplait vs. Combustion Engineering Co., et. al., has been settled out of court.
- B. Freeman vs. Owens-Corning Fiberglas, et. al., Atlanta, GA. We have completed and filed answers to an interrogatory submitted by Mr. Freeman's attorneys.
- C. Trosby vs. Owens-Corning Fiberglas. No action.

II. Workmen's Compensation Claims

A. Supply and Contracting Division

1. Anchorage, Alaska S&C Sub-Unit

- A. C. L. Vincent vs. Lawler, Inc., et. al.
Filed with Superior Court of Alaska but no trial date has been set. Estimated that trial will not be scheduled before October, 1969.

2. Fresno, California S&C Unit

- A. Minnie L. Frederick (widow) vs. Owens-Corning Fiberglas.
No change.

3. Los Angeles, California S&C Unit

- A. Maurine Clark (widow), Dean Clark (deceased) vs. Baldwin-Ehret-Hill, Inc., et. al.

Claimant agreed to accept \$9,000.00 as full settlement of claim. Aetna does not agree to settlement.

- B. John Stanley vs. Multiple Defendants

Claim for alleged asbestosis filed January 15, 1969, but only recently received in Toledo.

April 9, 1969

4. San Francisco, California S&C Unit.

A. Harold Hooper vs. Pacific Ship Repair, et. al.

No change.

B. Edward L. Pflieger vs. Twenty Employers
Workmen's Compensation Appeals Board, State of California.

Attorney: Ott and Williams, San Francisco, California.

Claim alleges asbestosis. No date set for hearing.

C. Stanley Hallmark vs. Western Asbestos Co., et al.

First notice of this claim received on 3-31-69 in the form of a "Compromise and Release." All defendants ordered to apportion a lump sum settlement. No further details.

O-CF considering appeal.

D. Henry C. Puetz vs. Owens-Corning Fiberglas.

No change.

E. Herbert E. Ryan vs. Associated Insulation of California, et. al.

Defendant petitioned for dismissal. Applicant plans to amend his application and institute further proceedings.

5. Seattle, Washington S&C Unit

A. William E. Tudor vs. Ten Defendants.

Aetna's attorneys checking reason why recommended award has not been honored and asking for withdrawal of request that defendants pay claim costs.

B. Willis W. Moore vs. Nine Defendants

First notice of claim was received on April 7, 1969, and was addressed to Owens-Corning Fiberglas Corp., Toledo, Ohio. Letter states that claim for asbestosis was approved by the Washington Compensation Commission, and O-CF was ordered to pay 23% of the total award which is the largest assignment to any of the nine defendants.

O-CF considering appeal.

02 200 0522

April 9, 1969

6. Baltimore, Md. S&C Unit.

A. Jesse W. Padgett

Claim withdrawn.

7. Flint and Grand Rapids, Mich., S&C Units

A. Robert Lennox vs. Six Defendants

No change.

B. James E. White (deceased) vs. Six Defendants

Widow filed for award claiming lung disease (not specified).

Claim under investigation.

8. Phoenix, Ariz., S&C Unit.

A. Jack R. Chambers vs. Owens-Corning Fiberglas Corp.

Claim alleges injury from "inhaling acid dust."

No hearing date set.

B. Manufacturing Plants

1. Newark Plant

A. Eugene Harris vs. Owens-Corning Fiberglas Corp.

On January 6, 1969, a pre-trial hearing was held in Newark at which O-CF protested the claim of occupationally incurred cataracts.

Trial date is expected to be in April, 1969.

B. Clarence Arthur Okay vs. Owens-Corning Fiberglas Corp.

Admitted to Newark Hospital on 4-8-69 for examination by Dr. Hook. Medical report will be forthcoming.

April 9, 1969

C. Donald E. Landerbeck vs. Owens-Corning Fiberglas Corp.

Filed claim alleging pulmonary emphysema due to occupational exposure.

May be confined in Newark Hospital for thorough examination.

2. Santa Clara Plant

A. James H. Hafflin vs. Owens-Corning Fiberglas

Claim settled.

B. Troy Sturdivant

Claim settled.

3. Barrington Plant

A. Daniel Haury vs. Owens-Corning Fiberglas

On 11-3-68 Mr. Haury left Fiberglas reporting he had another job. On 2-18-69 he filed claim against O-CF alleging aggravation of a lung problem.

Attorneys: Finn and Rimm, Atlantic City.

Francis H. Edwards

FHE/dsl

02 209 0524

APR 9 1969

OWENS-CORNING
FIBERGLAS

Intra-company correspondence

to Mr. J. M. Briley

from F. H. Edwards-Toledo

date April 9, 1969

subject REPORT OF CURRENT
WORKMEN'S COMPENSATION
CLAIMS AND LITIGATION

cc: Dr. J. L. Konzen-Toledo
Mr. G. W. Handel-Toledo
Mr. R. L. Logan-Toledo
Mr. H. G. Harter-Toledo
Mr. T. A. Dailey-Santa Clara
Mr. K. S. Johnson-Santa Clara
Mr. J. F. Wyverberg-New York

I. Litigation

- A. The C. J. Tomplait vs. Combustion Engineering Co., et. al., has been settled out of court.
- B. Freeman vs. Owens-Corning Fiberglas, et. al., Atlanta, GA. We have completed and filed answers to an interrogatory submitted by Mr. Freeman's attorneys.
- C. Crosby vs. Owens-Corning Fiberglas. No action.

II. Workmen's Compensation Claims

A. Supply and Contracting Division

1. Anchorage, Alaska S&C Sub-Unit

- A. C. L. Vincent vs. Lawler, Inc., et. al.
Filed with Superior Court of Alaska but no trial date has been set. Estimated that trial will not be scheduled before October, 1969.

2. Fresno, California S&C Unit

- A. Minnie L. Frederick (widow) vs. Owens-Corning Fiberglas.
No change.

3. Los Angeles, California S&C Unit

- A. Maurine Clark (widow), Dean Clark (deceased) vs. Baldwin-Ehret-Hill, Inc., et. al.

Claimant agreed to accept \$9,000.00 as full settlement of claim. Aetna does not agree to settlement.

- B. John Stanley vs. Multiple Defendants

Claim for alleged asbestosis filed January 15, 1969, but only recently received in Toledo.

No hearing date set.

02 209 0517

2211

April 9, 1969

4. San Francisco, California S&C Unit.

A. Harold Hooper vs. Pacific Ship Repair, et. al.

No change.

B. Edward L. Pflieger vs. Twenty Employers
Workmen's Compensation Appeals Board, State of California.

Attorney: Ott and Williams, San Francisco, California.

Claim alleges asbestosis. No date set for hearing.

C. Stanley Hallmark vs. Western Asbestos Co., et al.

First notice of this claim received on 3-31-69 in the form of a "Compromise and Release." All defendants ordered to apportion a lump sum settlement. No further details.

O-CF considering appeal.

D. Henry C. Puetz vs. Owens-Corning Fiberglas.

No change.

E. Herbert E. Ryan vs. Associated Insulation of California, et. al.

Defendant petitioned for dismissal. Applicant plans to amend his application and institute further proceedings.

5. Seattle, Washington S&C Unit

A. William E. Tudor vs. Ten Defendants.

Aetna's attorneys checking reason why recommended award has not been honored and asking for withdrawal of request that defendants pay claim costs.

B. Willis W. Moore vs. Nine Defendants

First notice of claim was received on April 7, 1969, and was addressed to Owens-Corning Fiberglas Corp., Toledo, Ohio. Letter states that claim for asbestosis was approved by the Washington Compensation Commission, and O-CF was ordered to pay 23% of the total award which is the largest assignment to any of the nine defendants.

O-CF considering appeal.

02 209 0518

April 9, 1969

6. Baltimore, Md. S&C Unit.

A. Jesse W. Padgett

Claim withdrawn.

7. Flint and Grand Rapids, Mich., S&C Units

A. Robert Lennox vs. Six Defendants

No change.

B. James E. White (deceased) vs. Six Defendants

Widow filed for award claiming lung disease (not specified).

Claim under investigation.

8. Phoenix, Ariz., S&C Unit.

A. Jack R. Chambers vs. Owens-Corning Fiberglas Corp.

Claim alleges injury from "inhaling acid dust."

No hearing date set.

B. Manufacturing Plants

1. Newark Plant

A. Eugene Harris vs. Owens-Corning Fiberglas Corp.

On January 6, 1969, a pre-trial hearing was held in Newark at which O-CF protested the claim of occupationally incurred cataracts.

Trial date is expected to be in April, 1969.

B. Clarence Arthur Okey vs. Owens-Corning Fiberglas Corp.

Admitted to Newark Hospital on 4-8-69 for examination by Dr. Hook. Medical report will be forthcoming.

April 9, 1969

C. Donald E. Landerbeck vs. Owens-Corning Fiberglas Corp.

Filed claim alleging pulmonary emphysema due to occupational exposure.

May be confined in Newark Hospital for thorough examination.

2. Santa Clara Plant

A. James H. Heflin vs. Owens-Corning Fiberglas

Claim settled.

B. Troy Sturdivant

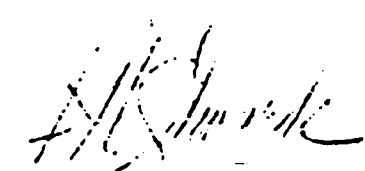
Claim settled.

3. Barrington Plant

A. Daniel Haury vs. Owens-Corning Fiberglas

On 11-3-68 Mr. Haury left Fiberglas reporting he had another job. On 2-18-69 he filed claim against O-CF alleging aggravation of a lung problem.

Attorneys: Finn and Rimm, Atlantic City.



Francis H. Edwards

FHE/dsl

02 209 0520

To F. H. Edwards - Toledo

From T. A. Dailey - Santa Clara

Subject REPORT OF CURRENT PCR S&C UNIT
WORKMEN'S COMPENSATION CLAIMS

Date April 30, 1969

cc:

1. ANCHORAGE, ALASKA S&C SUB-UNIT
 - A. Charles L. Vincent ... Asbestosis ... No change.
2. FRESNO, CALIFORNIA S&C UNIT
 - A. K. M. Frederick (Deceased) ... Asbestosis ... No change.
3. LOS ANGELES, CALIFORNIA S&C UNIT
 - A. Maurine Clark (Widow) Dean Clark (Deceased) ... Asbestosis ... No change.
 - B. John Stanley ... Asbestosis ... Awaiting reply from Aetna.
4. SAN FRANCISCO, CALIFORNIA S&C UNIT
 - A. Stanley Hallmark ... First notice of this claim received from Aetna on 4/23/69 in form of Final Report. Compromise & Release signed. OCF's share of settlement \$689.85.
 - B. Harold Hooper ... Hearing Loss Claim ... No change.
 - C. Edward L. Pflieggar ... Asbestosis ... Checking employment history to determine extent F/G may have contributed to claimant's disability.
 - D. Henry C. Puetz ... Asbestosis ... No change.
 - E. Herbert E. Ryan ... Hearing Loss Claim ... No change.
5. SEATTLE, WASHINGTON S&C UNIT
 - A. Lloyd Lezon ... Laceration of scalp and neck sprain ... this file was to have closed in January. Following with Aetna.
 - B. Willis W. Moore ... Asbestosis

Attorney checking into record of employment and will determine if appeal is warranted.

Attorney: Edward S. Franklin of Bogle, Gates, Dobrin, Wakefield & Long, Seattle, Washington.

~~WILLIAM~~ E. Tudor ... Asbestosis

02 209 0509

A Notice of Appeal was given by the Atomic Energy Commission. In reply thereto, the Board of Industrial Insurance Appeals of the State of

April 30, 1969

Washington granted an Appeal to this case but did not set a date for the hearing of this appeal. We are represented in this matter by attorney Edward Franklin of Bogle, Gates, Dobrin, Wakefield & Long of Seattle, Washington.

6. PHOENIX, ARIZONA S&C UNIT

A. Jack R. Chambers vs. OWENS-CORNING FIBERGLAS CORP.

Petition for Hearing filed by claimant before Arizona State Compensation Fund on Feb. 10, 1969. We wrote State Compensation Fund on 4/14/69 requesting that we be notified when date for such hearing is set.

T. A. Dailey
Law Department

TAD:cl

02 209 0510

OWENS CORNING
FIBERGLAS

INTRA-COMPANY CORRESPONDENCE

To F. H. Edwards - Toledo
From T. A. Dailey - Santa Clara
Subject REPORT OF CURRENT PCB S&C UNIT
WORKMEN'S COMPENSATION CLAIMS

Date May 29, 1969

1. ANCHORAGE, ALASKA S&C SUB-UNIT

A. Charles L. Vincent ... Asbestosis ... No change.

2. FRESNO, CALIFORNIA S&C UNIT

A. K. M. Frederick (Deceased) ... Asbestosis

Status report received from Aetna 5/8/68 advises Aetna's attorney (Gillaspy) feels they should be able to dispose of this matter by maximum contribution of \$750.

3. LOS ANGELES, CALIFORNIA S&C UNIT

A. Wayne E. Boyer ... Asbestosis

Hearing to be held on 6-2-69 before Workmen's Compensation Appeals Board. Following with Aetna.

B. Maurine Clark (Widow) Dean Clark (Deceased) ... Asbestosis ... No change.

C. John Stanley ... Asbestosis ...

Aetna has authorized a Compromise and Release Agreement for a maximum of \$3,500 to be negotiated. Since Aetna represents OCF and two other employers we would not bear the full amount of this settlement although we would bear the brunt of it because we are the primary employer.

4. SAN FRANCISCO, CALIFORNIA S&C UNIT

A. Harold Hooper ... Hearing Loss Claim ... No change.

B. Edward L. Pflighar ... Asbestosis No change.

C. Henry C. Puatz ... Asbestosis ... No change.

D. Herbert E. Ryan ... Hearing Loss Claim ... No change.

5. SEATTLE, WASHINGTON S&C UNIT

A. Willis W. Moore ... Asbestosis ... No change.

B. William E. Tudor ... Asbestosis

... before Board of Industrial Insurance Appeals in this matter expected to be completed by end of September, 1969.

WORK ORDER

02 209 0507

May 29, 1969

6. PHOENIX, ARIZONA S&C UNIT

- A. Jack R. Chambers ... Toxic Gastritis (caused by inhalation of sulfuric acid fumes).
Following with Aetna.

T. A. Dailey

T. A. Dailey
Law Department

TAD:cl

02 209 0508

- b) Gerald D. Harrick vs. Aber Co., et al. - Asbestosis. The Alaska Workmen's Compensation Board concluded on February 4, 1970 that O-CF be joined as a defendant in this case. A hearing has been scheduled in April.

2. Fresno, California

- a) Minnie L. Frederick (Widow) - Aetna attorney has requested plaintiff's attorney to join additional parties to case in order to proceed with hearing. If plaintiff does not respond, he has instructions from Aetna to file a petition to dismiss.

3. Los Angeles, California

- a) Wayne E. Boyer - Asbestosis - Compromise and Release filed on February 24, 1970 was approved by Workmen's Compensation Appeals Board on March 6, 1970. Total settlement for \$30,000 in addition to all prior payments.
- b) Maurine Clark (Widow) vs. Baldwin Ehret-Hill Inc., et. al. -
Maurine Clark (Widow) vs. Murdet Corb Corporation et. al. Other defendants have settled. Aetna has made no payments. Hearing scheduled April 28, 1970.
- c) Robert J. Horsman vs. Thorpe Insulation Co., et. al - Asbestosis - No change.
- d) Francis E. Owens (Widow) vs. Western Asbestos Co., et. al. Hearing scheduled April 16, 1970.
- e) Robert E. Goodwin - Pneumoconiosis from asbestos and other dusts - No change.
- f) Roy B. Merrill - Pneumoconiosis from asbestos and other dusts - No change.

4. San Francisco, California

- a) Harold Hooper - Hearing Loss Claim - Compromise and Release for \$83.00 approved on January 27, 1970.
- b) Edward L. Pflieger - Asbestosis - No change.
- c) Henry C. Puetz vs. C. F. Braun, et. al., and American Motorist Insurance Company et. al. - Asbestosis - Reconsideration granted. Compromise and Release approved on March 9, 1970 for lump sum total payment of \$8,280 less certain specified deductions.
- d) Herbert E. Ryan - Hearing Loss - No change.
- e) James E. Clark - Disability Unknown - No change.

5. Seattle, Washington

- a) Howard V. Belka - Statement of Exception to Decision and Order of December 22, 1969, filed by claimant's attorneys on January 9, 1970.
- b) Willis W. Moore - Asbestosis - No change.
- c) William E. Tudor - Asbestosis - No change.

6. Phoenix, Arizona

- a) Jack R. Chambers - Toxic Gastritis - No change.
- b) Terry E. Hurley vs. O-CF, et. al. Bodily Injury - No change.

B. Manufacturing Plants

1. Newark Plant

- a) Eugene Harris - Eye Cataracts - Jury trial held March 9, 1970. Jury decided in favor of plaintiff. OOCF plans to appeal case.
- b) Clarence Arthur Okey - Tuberculosis and Emphysema - Industrial Commission disallowed claim December 12, 1969. No proof in file that claimant was exposed to dust while working at O-CF. No further action.

CLAIMED
PRIVILEGED
BY OCF

Mr. J. M. Briley - Tower 27

Robert S. Atkinson - Tower 11

July 28, 1970

REPORT OF CURRENT WORKMEN'S
COMPENSATION CLAIMS AND LITIGATION

G. C. Cherry - Tower 26
T. A. Dailey - Santa Clara
H. G. Harter - Tower 26
K. S. Johnson - Santa Clara
J. L. Konzen, M.D. - Tower 11
R. S. Logan - Tower 26
L. W. Saxby - Tower 25
J. F. Vyverberg - New York

I. LITIGATION.

- A. Freeman vs. OCF, et. al., Atlanta, Georgia - No action.
- B. Trosby vs. OCF - No action.
- C. Samuel R. Potter vs. Fiberboard Products Co., et. al. -
No new action.
- D. J. J. Crawford vs. OCF, et. al., Beaumont, Texas - No
new action.
- E. Clarence Borel vs. OCF, et. al., Beaumont, Texas - No
new action.
- F. Finis A. Bassham vs. OCF, et. al., Albuquerque, New Mexico. -
Answers to interrogatories being prepared by OCF Legal
Department.

II. WORKMEN'S COMPENSATION CLAIMS.

A. Supply and Contracting Division.

1. Anchorage, Alaska.

- a) Charles L. Vincent - Asbestosis. Report from Aetna
advises that attorneys for last employer are making
overtures to dismiss the appeal and pay Aetna's at-
torneys \$250. This is maximum Aetna's attorneys
would receive, so they are agreeable with this procedure.

02 209 0635

7/28/70

- b) Gerald D. Herrick vs. Aber Co., et. al. - Asbestosis. On May 29, 1970, the Alaskan Workmen's Compensation Board dismissed applicant's claim against defendants E. J. Bartells Co., and OCF. Herrick's last employer, Aber Company has been ordered to pay disability, medical and legal fees. Unless decision of the Board is appealed, case can be closed.

2. Fresno, California.

- a) Minnie L. Frederick (Widow) - Asbestosis. Aetna report dated June 2, 1970, advises matter not set. Aetna attorney believes that we should not be prime mover in this case as we have small exposure. Aetna has diaried for November 26, 1970.

3. Los Angeles, California.

- a) Wayne E. Boyer - Asbestosis - No change.
- b) Maurine Clark (Widow) vs. Baldwin Ehret Hill Inc., et. al.
Maurine Clark (Widow) vs. Murdet Cork Corp., et. al.
Further hearing scheduled August 4, 1970.
- c) Robert E. Goodwin - Pneumoconiosis from asbestos and other dusts - No change.
- d) Robert J. Horsman vs. Thorpe Insulation Co., et. al. - Asbestosis - No change.
- e) Francis E. Owens (Widow) vs. Western Asbestos Co., et al. - Compromise and Release settling case for claim of \$8,665.00 approved May 25, 1970. (Aetna's portion \$900.00).
- f) Roy B. Merrill (Deceased) - Pneumoconiosis from Asbestos and other dusts. Hearing scheduled August 6, 1970.
- g) Charles F. Funkhouser vs. City of Los Angeles, Department of Water and Power, et. al. - Asbestosis. New case served June 17, 1970.

02 209 0636

4. San Francisco, California.

- a) Harold Hooper - Hearing Loss Claim - No change.
- b) Edward L. Pflighar - Asbestosis - No change.
- c) James E. Clark - Disability Unknown - No change.
- d) Henry Pubitz - Asbestosis - No change.
- e) James J. Reilly (Deceased) - No change.
- f) Herbert E. Ryan - Hearing Loss Claim - No change.

5. Seattle, Washington.

- a) Howard V. Belka - Aggravation of previous industrial injury. Board of Industrial Insurance Appeals upheld decision of Department of Labor and Industries on June 11, 1970, which denied applicant's claim. Case was appealed to Superior Court on June 19, 1970.
- b) Willis W. Moore - Asbestosis - No change.
- c) William E. Tudor - Asbestosis - No change.

6. Phoenix, Arizona.

- a) Jack R. Chambers - Toxic Gastritis - No change since referee issued the Ultimate Findings and Conclusions of the Industrial Commission of Arizona on June 25, 1969, that Findings and Awards for Compensable Claims and Temporary Disability be made. Case is marked closed.
- b) Terry E. Hurley vs. OCF et. al. - Bodily injury - No change.

B. Manufacturing Plants.

1. Newark Plant.

- a) Eugene Harris - Eye Cataracts - Trial decided in favor of plaintiff. OCF to appeal case.

Robert S. Atkinson

Robert S. Atkinson



Intra-company correspondence

to R. S. Atkinson - Toledo 11 from T. A. Dailey - Santa Clara

date

subject Report of Current PCR S&C Unit cc:
Workmen's Compensation Claims

1. ANCHORAGE, ALASKA S&C SUB-UNIT

- A. Charles L. Vincent ... Asbestosis ...
John M. Conway, attorney handling matter for Aetna, advised on 2/16/70 that plaintiff R. L. Lawler, Inc. filed Notice of Appeal to Alaska State Supreme Court. He will continue to respond to plaintiff's efforts to overturn decision of Workmen's Compensation Board.

2. FRESNO, CALIFORNIA S&C UNIT

- A. K. M. Frederick (Deceased) ... Asbestosis ... No change.

3. LOS ANGELES, CALIFORNIA S&C UNIT

- A. Wayne E. Boyer ... Asbestosis ... No change.
- B. Maurine Clark (Widow) Dean Clark (Deceased) ... No change.
- C. Robert E. Goodwin ... Injury to Lungs ... No change.
- D. Roy B. Merrell ... Injury to lungs ... No change.

4. SAN FRANCISCO, CALIFORNIA S&C UNIT

- A. James E. Clark ... Disability Unknown ... No change.
- B. Harold Hooper ... Hearing Loss Claim ... No change.
- C. Edward L. Pflleghaar ... Asbestosis ... No change.
- D. Henry C. Puetz ... Asbestosis ... No change.
- E. James J. Reilley (Deceased) ... No change.
- F. Herbert E. Ryan ... Hearing Loss Claim ... No change.
- G. John Straba ... Back Injury ... No change.

5. SEATTLE, WASHINGTON S&C UNIT

- A. Howard V. Belka ... Aggravation of previous industrial injury ... No change.

02 209 064'

B. Stanley W. Dawson ... Back Injury ...

On 9/18/61 Mr. Dawson tripped on a welder's lead line while carrying chalk board on board the S. S. Lelani where he was employed as a ship wright.

He injured his lower back and lumbar spine and ultimately had surgery on his spine. Aetna paid temporary total disability thru 8/10/64 and began permanent partial disability payments of \$24.66 every two weeks beginning August 11, 1964 and are continuing to pay on the basis of 30% permanent partial disability. Mr. Dawson is still not working.

C. Willis W. Moore ... Asbestosis ... No change.

D. William E. Tudor ... Asbestosis ... No change.

6. PHOENIX, ARIZONA, S&C UNIT

A. Finis A. Bassham v. OCF et al ... Asbestos Poisoning ...

Suit filed in U. S. District Court, State of New Mexico, claiming \$500,000 Compensatory damages, and \$500,000 Punitive damages. Irving E. Moore is attorney who is handling suit for Aetna.

B. Jack R. Chambers ... Toxic Gastritis ... No change.

C. Terry E. Hurley vs. OCF et al ... Bodily Injury ... No change.

TAD:cl

02 209 0644

OWENS-CORNING
FIBERGLAS

Intra-company correspondence

to **D. C. Glosser - T/23**

from **R. Logan**

date **January 4, 1971**

subject

cc: **J. P. Kern - T/23**

Per your request, the following is a brief description of each lawsuit relating to insulation products containing asbestos fibers which is pending against OCF as of this date.

1. Finis A. Bassham - Albuquerque, New Mexico

This suit was filed in the U. S. District Court in Albuquerque, New Mexico on March 17, 1970. The plaintiff (Bassham) is claiming damages of \$1,000,000 for injury to his person and for "punishment" purposes allegedly arising out of the failure of various manufacturers of insulation products containing asbestos fibers to warn users of such products of the danger to human health of asbestos fibers. In addition to OCF, the following companies are defendants in this lawsuit:

Johns-Manville Products Corporation
Eagle-Picher Industries, Inc.
Ryder Industries, Inc.
Philip Carey Corporation
Standard Asbestos Manufacturing & Insulating Co.
Acands, Inc.

The lawsuit is currently in the stage where each party is endeavoring to discover the strengths and weaknesses of the opposition's case. No trial date has yet been set, but it is quite possible this case will be tried (if not settled) in the latter part of 1971.

2. Clarence Borel - Beaumont, Texas

This suit was filed in the U. S. District Court in Beaumont, Texas on October 24, 1969. The damages claimed (\$1,000,000) and theory of liability are the same as in Bassham, above. In addition to OCF, the following companies are defendants in this lawsuit:

01 025 0280

D. C. Glessner
January 4, 1971
Page 2

Fibreboard Paper Products Corporation
Combustion Engineering, Inc.
Johns-Manville Products Corporation
Eagle-Picher Industries, Inc.
Pittsburgh Corning Corporation
Unarco Industries, Inc.
Philip Carey Corporation
Acanda, Inc.
Standard Asbestos Manufacturing & Insulating Co.
Ruberoid Company

Clarence Borel died on June 3, 1970 so his widow is now the plaintiff. This case has been set for a jury which will commence February 8, 1971.

3. Jesse Jackson Crawford - Beaumont, Texas

This suit was filed in the U. S. District Court in Beaumont, Texas on December 9, 1969. The damages claimed (\$1,000,000) and the theory of liability are identical to Bassham and Borel. In addition to OCF, the following companies are defendants in this lawsuit:

Fibreboard Paper Products Corporation
Johns-Manville Products Corporation
Philip Carey Corporation
Ruberoid Company

To the best of our knowledge, Crawford is still living. However, this case is dormant pending the outcome of Borel.

4. Beuna Mae McDaniel - Beaumont, Texas

This suit was filed in the U. S. District Court in Beaumont, Texas on November 30, 1970 by the widow of an asbestos worker claiming damages of \$1,000,000 on the same theory of liability as Bassham, Borel and Crawford. Only OCF and Johns-Manville Products Corporation are defendants in this action.

Since this lawsuit was only filed a month ago, we are just commencing defensive maneuvers.

5. Samuel R. Potter - Beaumont, Texas

This suit was filed in the U. S. District Court of Beaumont, Texas on May 27, 1969. The amount of damages claimed (\$1,000,000) and theory of liability is the same as in the above-noted cases. In addition to OCF, the following companies are defendants in this action:

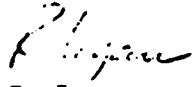
01 025 0281

D. C. Glessner
January 4, 1971
Page 3

Fibreboard Paper Products Corporation
Combustion Engineering, Inc.
R. & I. Refractory and Insulation Corporation
Johns-Manville Products Corporation
Eagle-Picher Industries, Inc.
Pittsburgh Corning Corporation
Unarco Industries, Inc.
Philip Carey Corporation
Acands, Inc.

This lawsuit is presently in the "discovery" stage and will probably remain dormant pending the outcome of Borel.

Aetna Casualty & Surety Company has undertaken the direct obligation of defending each of the above-noted cases but with the considerable advice and consent of the corporate law department. Pursuant to the terms of our existing product liability insurance coverage, Aetna will pay any judgment rendered against OCF, as well as attorneys fees and court costs. However, if any such payments are made, OCF's product liability insurance costs will be substantially increased and the coverage may be withdrawn entirely by the insurance carrier. With the continuing increase in product liability claims today, all insurance carriers are re-evaluating this type of coverage and it may soon not be available from any carrier in any area.


R. Logan

RLG/dd

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SECRET

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Joint Committee on Governmental Operations

REPORT OF COMMITTEE ON GOVERNMENTAL OPERATIONS
COMPENSATION, CLAIMS, AND
LITIGATION

W. F. Sullivan - Chairman
C. C. Cherry - Member
H. C. Hart - Member
W. S. Johnson - Member
R. S. Long - Member
W. P. Sizoo - Member

1. Litigation

1. Stacy v. OGC, et al., Atlanta, Georgia - No. 10,000
2. Stacy v. OGC, et al., et al. - No. 10,000
3. Stacy v. OGC, et al., et al. - No. 10,000
4. Stacy v. OGC, et al., et al. - No. 10,000
5. Stacy v. OGC, et al., et al. - No. 10,000
6. Stacy v. OGC, et al., et al. - No. 10,000
7. Stacy v. OGC, et al., et al. - No. 10,000
8. Stacy v. OGC, et al., et al. - No. 10,000
9. Stacy v. OGC, et al., et al. - No. 10,000
10. Stacy v. OGC, et al., et al. - No. 10,000

2. Compensation

a. Compensation of Members

1. Compensation of Members

1. Compensation of Members
2. Compensation of Members
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9. Compensation of Members
10. Compensation of Members

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JAN 1 1971

OWEN
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

02 209 0614

3. Los Angeles, California.

a) Wayne E. Royer - Asbestosis - No change.

b) Maurine Clark (Widow) vs. Mordet Corp. Corporation, et al., - No change.

c) Robert E. Goodwin - Pneumococcosis from asbestos and other dusts - No change.

d) Robert J. Horsman vs. Thorpe Insulation Co., et al. - Asbestosis - Compromise and Release for \$12,500 approved by Workmen's Compensation Appeals' Board on September 1, 1970.

e) Roy E. Merrill (Deceased) - Pneumococcosis from Asbestos and other dust - No change.

f) Charles F. Furthouser vs. City of Los Angeles, Department of Water and Power, et al. - Asbestosis - No change.

g) George M. Hunt vs. J. T. Thorpe, Inc., et al. - Asbestosis - Case filed August 15, 1970 - Hearing scheduled February 1, 1971.

h) Velma E. Short (Widow) vs. OGC, et al. - Asbestosis - Case filed October 5, 1970.

i) Clarence E. Thomson vs. Mordet Corp. Corporation, et al. - Asbestosis - Case filed November 17, 1970.

4. San Francisco, California.

a) Harold Hooper - Hearing lost claim - No change.

b) Edward L. Pflieger - Asbestosis - No change.

c) James E. Clark - Knee/Back Injury - Aetna advised that our attorney is trying to negotiate settlement and release.

d) Henry C. Fouts - Asbestosis - Aetna, in answer to inquiry of December 17, 1970, advised that this case was closed.

5. Seattle, Washington.

a) Howard T. Baker - Asbestososis of lung and injury - No change.

b) Willie P. Moore - Asbestososis of lung and Industries assessed OCF 25% of the compensation payable to Moore. Investigation of Moore's employment with OCF offered no proof that Moore was not exposed to asbestos while in our employ. Appeal of this assessment has been dropped, and file should be closed.

c) William S. Tudor - Asbestososis - OCF assessed 75% of compensation payable to Tudor. Tudor's employment with OCF offered no proof that Tudor was not exposed to asbestos while in our employ. Appeal of this assessment has been dropped, and file should be closed.

d) Harold Winston - Asbestososis of lung and injury - complained by NIOSH, 1974.

6. Spokane, Washington.

a) Tom, J. ... OCF ...

7. Portland, Oregon.

8. Other Areas.

a) Eugene ... OCF ...

Robert ...
Helen ...

OVER/COVERING
FIBERGLAS

Intra-company correspondence

to Jon L. Kouzen, M.D. - T 11

from Robert S. Atkinson - T 11

date June 4, 1971

subject **REPORT OF CURRENT WORKMEN'S
COMPENSATION CLAIMS AND
LITIGATION.**

cc: W. W. Boeschenstein - T 27
G. C. Cherry - T 26
H. G. Harter - T 26
K. S. Johnson - Santa Clara
R. S. Logan - T 26
L. W. Saxby - T 25
J. P. Vyverberg - New York

I. Litigation.

- A. Freeman vs. OCF, et. al., Atlanta, Georgia - No new action.
- B. Samuel R. Potter vs. Fiberboard Products Co., et. al. - Case settled by Aetna. Closed.
- C. J. J. Crawford vs. OCF, et. al., Beaumont, Texas - No new action.
- D. Clarence Borel vs. OCF, et. al., Beaumont, Texas - No new action.
- E. Finis A. Bassham vs. OCF, et. al., Albuquerque, New Mexico - No change.
- F. Beuna Mae McDaniel vs. OCF and Johns-Manville (Two defendants), Beaumont, Texas - No new action.
- G. Carol Anholtz vs. OCF, et. al., - Duluth, Minnedota - Asbestosis - No new action.
- H. John A. Karjala vs. OCF, et. al., Duluth, Minnesota - Asbestosis - Case filed February 23, 1971. Referred to Aetna.
- I. Floyd Gustafson vs. OCF, et. al. - Duluth, Minnesota - Asbestosis - Case filed May 4, 1971. Referred to Aetna.

II. Workman's Compensation Claims.

A. Supply and Contracting Division.

1. Fresno, California

- a) Minnie L. Fredericks (Widow) - Asbestosis. Aetna advised on April 26, 1971, that claimants' attorney in his letter of March 18 outlined settlement demands. Aetna recommends that since our exposure is slight we will not be prime mover to reach a settlement.

02 209 0610

6/4/71

2. Los Angeles, California

- a) Wayne E. Boyer - Asbestosis - No change.
- b) Maurine Clark (Widow) vs. Mundet Cork Corporation, et. al. - Case settled on March 31, 1971, with award to claimant of \$17,500 plus burial and legal-medical expenses of \$1,100. OCF, one of three defendants.
- c) Robert E. Goodwin - Pneumoconiosis from asbestos and other dusts. No change.
- d) Roy B. Merrill (Deceased) - Pneumoconiosis from asbestos and other dusts. No change.
- e) Charles F. Funkhouser vs. City of Los Angeles, Department of Power and Water, et. al. - Asbestosis. No change.
- f) George W. Hunt vs. J. T. Thorpe, Inc., et. al. - Asbestosis - No new action.
- g) Vella B. Short (Widow) vs. OCF, et. al. - Asbestosis. Hearing was scheduled February 10, 1971. No further information received.
- h) Clarence E. Thompson vs. Mundet Cork Corporation, et. al., Asbestosis. Petition for Hearing requested February 10, 1971.
- i) Evelyn Geiger (Widow) vs. Alcoa Aluminum Company of America, et. al. - Asbestosis. Case taken off calendar on March 25, 1971, at request of applicant's attorney.
- j) Morris L. Frislie vs. OCF, et. al. - Hearing was scheduled April 13, 1971. No further information.
- k) William J. Tangney Jr., vs. OCF, et al. -- Notice for Request for Allowance of Lien made April 15, 1971.

3. San Francisco, California

- a) Harold Hooper - Hearing loss claim -- No change.
- b) Edward Pflagher - Asbestosis -- No change.
- c) James E. Clark - Knee/Back Injury -- No change.
- d) George T. Fuqua vs. Associated Insulation Company et al., and Fireman's Fund Insurance Company, et al. -- Pneumoconiosis from asbestos and other dusts -- Conference scheduled June 4, 1971.

02 209 0611

6/4/71

4. Seattle, Washington

- a) Harold Hilstrom (Deceased) — No new action.

5. Phoenix, Arizona.

- a) Terry E. Hurley vs. OCF, et. al - Bodily injury.
Unit manager advises that he believes case has
been dropped.

B. Manufacturing Plants

1. Barrington Plant

- a) Angelo Allesse - Alleged aggravation of emphysema.
Case settled with payment of \$10,000 medical to
claimant as provided under the terms of New Jersey's
Workmen Compensation Act.

Robert S. Atkinson
Robert S. Atkinson
Medical Administrator

RSA/dsl

02 209 0612