



CAUSE NO. 96-12386-M

AUGUSTIN SANCHES LISERIO; § IN THE DISTRICT COURT OF DALLAS COUNTY, TEXAS
DONALD BRUCE MOORE; ET AL §
§
VS. §
§
OWENS-CORNING FIBERGLAS §
CORPORATION, ET AL § 298TH JUDICIAL DISTRICT

**DEFENDANT, J. T. THORPE COMPANY'S ANSWERS TO
PLAINTIFFS' FIRST SET OF INTERROGATORIES AND REQUEST FOR PRODUCTION**

TO: PLAINTIFFS, BY AND THROUGH THEIR ATTORNEY OF RECORD, MR. PETER KRAUS,
BARON & BUDD, THE CENTRUM, SUITE 1100, 3102 OAK LAWN AVE., DALLAS,
TEXAS 75219

NOW COMES J. T. THORPE COMPANY, Defendant in the above-styled and numbered
cause of action, and files this its Answers to the Master Interrogatories and Request for
Production of the Plaintiffs, and in answer to said Interrogatories and Request for Production
makes the following answers thereto as shown on the attached pages.

Respectfully submitted,

FAIRCHILD, PRICE, THOMAS, HALEY & WILLINGHAM, L.L.P.
P. O. Drawer 1719
Center, Texas 75935
(409) 598-2981
(409) 598-7712 - fax
David J. Fisher, TBA #07049530
W. Miller Thomas, TBA #19874500

By: David J. Fisher
DAVID J. FISHER, TBA #07049530
ATTORNEY FOR DEFENDANT,
J. T. THORPE COMPANY

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the above and foregoing instrument has been
provided to all known counsel of record on this the 16th day of September, 1998.

David J. Fisher
DAVID J. FISHER

INTERROGATORIES

INTERROGATORY NO. 1:

For each person who has supplied any information used in answering these interrogatories state the name, address, job title, length of time employed by defendant, and a year-by-year list of all other positions, titles, or jobs held when working for defendant.

ANSWER: Defendant objects to this interrogatory, pursuant to Rule 166 of Texas Rules of Civil Procedure, in that it is over-broad, unduly burdensome and can serve only to harass or annoy Defendant. Subject to and without waiving the foregoing objection, the information was supplied by current or former employees including but not limited to Gerald Scott, Richard Nowland, and Melvin Proctor.

INTERROGATORY NO. 2:

Please identify each person known to Defendants as having knowledge of facts relevant to this case. For each person identified, please describe the relevant facts which you believe are within such person's scope of knowledge and about which such person could be expected to testify if called to trial as a witness. Further, if such person is or has been an employee of Defendant, please state the years of employment and the person's employment positions.

ANSWER: Defendant objects to this Interrogatory, because it is overly broad, unduly burdensome and exceeds the scope of discovery as set out in Rule 166b of the Texas Rules of Civil Procedure. Rule 166b(2)(d) only requires that a party provide the name, address and telephone number of potential parties and witnesses. Plaintiff's request can only serve to harass and annoy the Defendant. Subject to and without waiving said objection, Defendant would show that the following have knowledge of relevant facts:

J. T. Thorpe Company's Representatives/Employees

**Floyd "Red" Cryer
6833 Kirbyville Street
P.O. Box 330403
Houston, Texas 77233**

**Gary Musick
6833 Kirbyville Street
P.O. Box 330403
Houston, Texas 77233**

**Jerry Nelson
6833 Kirbyville Street
P.O. Box 330403
Houston, Texas 77233**

**Richard Nowland
6833 Kirbyville Street
P.O. Box 330403
Houston, Texas 77233**

**Melvin Proctor
6833 Kirbyville Street
P.O. Box 330403
Houston, Texas 77233**

INTERROGATORY NO. 3:

Please state whether a medical monitoring program, medical examination program or other medical surveillance program ("program") was provided to your employees working with or around asbestos. If such programs were offered, please describe these programs in detail; describe the dates that the aforementioned programs were in place; and state what documents concerning the described programs exist.

ANSWER: **No.**

INTERROGATORY NO. 4:

Please state the years during which Defendant operated a medical department and identify all persons who directed, headed or supervised said department and the years of their service in that capacity.

ANSWER: **Defendant corporation has never had or operated a medical department.**

INTERROGATORY NO. 5:

Please state the years during which Defendant operated a safety department and identify all persons who directed, headed or supervised said department and the years of their service in that capacity.

ANSWER: **Will supplement.**

INTERROGATORY NO. 6:

Have you ever provided safety equipment to your employees? If so, please list the safety equipment provided and indicate when the equipment was provided, and under what circumstances the equipment was provided. Further, identify the person with the most knowledge of your "safety equipment" policies.

ANSWER: **Will supplement.**

INTERROGATORY NO. 7:

Have you ever warned your employees of the hazards of asbestos and asbestos-containing products? If so, describe in detail the methods of such warnings, including but not limited to, who you warned and when. Please include in your response a description of any written warnings relating to the hazards of asbestos and whether you have ever

published or distributed any printed material containing any warnings concerning the possibility of injury resulting from the use of asbestos-containing products or exposure to asbestos? Further, please describe the printed material and identify each person responsible for having drafted or issued the warning statements or written materials, and the dates when the printed material was first issued or distributed.

ANSWER: Defendant objects to this interrogatory, pursuant to Rule 166(b) of the Texas Rules of Civil Procedure in that it is overly broad, unduly burdensome and can serve only to harass or annoy Defendant.

Subject to this objection and without waiving same, See Exhibits "A", "F" and "I".

INTERROGATORY NO. 8:

Please list all asbestos-containing products delivered by Plaintiff's decedent on behalf of Defendant and state when these products were delivered, to whom these products were delivered, from whom these products were purchased, and whether Defendant installed these products.

ANSWER: Defendant objects to this interrogatory, pursuant to Rule 166(b) of the Texas Rules of Civil Procedure in that it is overly, broad, unduly burdensome, and vague. This Interrogatory can only serve to harass or annoy Defendant.

Additionally, Defendant is unable to provide such information requested by the Plaintiff's Interrogatory simply from the fact that such information would be impossible to obtain by the defendant.

However, subject to and without waiving the foregoing objections, beginning in January 16, 1961, Defendant, J. T. Thorpe Company, through its unincorporated division Thorpe Products Company, began distribution in the Texas Gulf Coast region of certain Johns-Manville Thermal Insulation Products. The John-Manville asbestos containing products were primarily Thermobestos pipe covering and block, Superex pipe covering and block, Johns-Manville 301, 302, 352 cement and Johns-Manville asbestos paper. This distribution was primarily limited to the petro-chemical industry. Sales ceased in approximately 1972, except for isolated sales of certain encapsulated thermal insulation products specifically requested by customers.

Additionally, J. T. Thorpe Company was a refractory contractor. As a refractory contractor, J. T. Thorpe Company would have used or applied the following types of material which were non-asbestos:

<u>Type Material</u>	<u>Manufacturer or Supplier</u>
Fire Brick	Johns-Manville Harbison-Walker ACME General Refractories

	A. P. Green
Cement	Johns-Manville Harbison-Walker ACME General Refractories
Mineral Wool Block	M. H. Detrick Combustion Engineering
Refractory Castables	Combustion Engineering Johns-Manville A. P. Green
Coatings & Adhesives	Vimasco Benjamin Foster
Expansion Joint	Fiber Frax, a ceramic fiber material manufactured by Carborundum

Asbestos containing materials utilized by J. T. Thorpe Company, in its capacity as a refractory contractor was on a limited basis, as follows:

- 1) Asbestos Rope - Manufactured by Johns-Manville, utilized as an expansion joint until the late 1950's.
- 2) Asbestos Paper - Manufactured by Johns-Manville, utilized when specified by a customer when there was a known or potential burning of sulphur compound.
- 3) Asbestos Block-Superex, Manufactured by Johns-Manville was utilized when specified by a customer.

INTERROGATORY NO. 9:

For the years 1960 to the present, identify all current and former employees of Defendant who were responsible for supervising the Defendant's activities at job sites, including, but not limited to, job sites where Plaintiff's Decedent was present.

ANSWER: Defendant objects to this interrogatory because the discovery sought constitutes an undue burden to Defendant because the breadth of the inquiry requires this defendant to perform an inordinate amount of work compiling information not presently in its possession.

INTERROGATORY NO. 10:

For the years 1960 to the present, identify all current and former employees of Defendant who were responsible for ensuring compliance with applicable safety rules and regulations at job sites at which Defendant was present, including but not limited to, job sites where Plaintiff's Decedent was present.

ANSWER: Defendant objects to this interrogatory, pursuant to Rule 166b of the Texas Rules of Civil Procedure, because the discovery sought constitutes an undue burden to Defendant because the breadth of the inquiry requires this Defendant to perform an inordinate amount of work and can serve only to harass or annoy Defendant.

INTERROGATORY NO. 11:

Please identify all job sites at which Plaintiff's Decedent worked while employed by Defendant.

ANSWER: Defendant objects to this request pursuant to Rule 166(b) of the Texas Rules of Civil Procedure, as over broad and unduly burdensome. This Interrogatory can only serve to annoy or harass the Defendant.

INTERROGATORY NO. 12:

Please describe in detail the types of work done by Defendant at job sites with respect to asbestos, including but not limited to, installation of asbestos-containing products and removal of asbestos-containing products between the years 1960 and 1985.

ANSWER: Defendant objects to this request pursuant to Rule 166(b) that the same is overly broad and unduly burdensome on the Defendant.

Subject to and without waiving the foregoing objection, Defendant would show:

Beginning 1/16/61, J. T. Thorpe Company through its unincorporated division Thorpe Products Company began distribution in the Texas Gulf Coast Region of certain Johns-Manville Thermal Insulation Products. The Johns-Manville asbestos containing products were primarily Thermobestos pipe covering and block, Superex pipe covering and block, Johns-Manville 301, 302, 352 cement and Johns-Manville asbestos paper. This distribution was primarily limited to the petro-chemical industry. Sales ceased in approximately 1972, except for isolated sales of certain encapsulated thermal insulation products specifically requested by customers.

Additionally, J. T. Thorpe Company was a refractory contractor. As a refractory contractor, J. T. Thorpe Company would have used or applied the following types of material which were non-asbestos:

<u>Type Material</u>	<u>Manufacturer or Supplier</u>
Fire Brick	Johns-Manville Harbison-Walker ACME General Refractories A. P. Green

Cement	Johns-Manville Harbison-Walker ACME General Refractories
Mineral Wool Block	M. H. Detrick Combustion Engineering
Refractory Castables	Combustion Engineering Johns-Manville A. P. Green
Coatings & Adhesives	Vimasco Benjamin Foster
Expansion Joint	Fiber Frax, a ceramic fiber material manufactured by Carborundum

Asbestos containing materials utilized by J. T. Thorpe Company, in its capacity as a refractory contractor was on a limited basis, as follows:

- 4) Asbestos Rope - Manufactured by Johns-Manville, utilized as an expansion joint until the late 1950's.
- 5) Asbestos Paper - Manufactured by Johns-Manville, utilized when specified by a customer when there was a known or potential burning of sulphur compound.
- 6) Asbestos Block-Superex, Manufactured by Johns-Manville was utilized when specified by a customer.

INTERROGATORY NO. 13:

State in detail what tests have been conducted with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using, working with or around, or installing asbestos-containing products. Please state where and when these tests were conducted, by whom these tests were conducted, and the results of any such test.

ANSWER: Defendant objects to this Interrogatory in that the same is vague, indefinite and is not limited to a particular time period and by reason of such may seek immaterial irrelevant information.

Subject to this objection, and without waiving same, based on information available to current management of the Defendant, dust monitoring tests were first performed in 1972, the exact dates and locations are unknown, except for air sampling done on December 27, 1972 by Johns-Manville Environmental Control Systems Division at the request of the Defendant.

See attached Exhibit "K".

The Defendant continues to seek information as to the other tests performed by the Defendant, Johns-Manville, other manufacturers or by premise owners.

INTERROGATORY NO. 14:

Have you ever had a policy requiring Defendant's employees to use respirators? If so, please state when this policy was implemented, describe this policy in detail, and describe what types and brand names of respirators were required by you.

ANSWER: See Exhibits "A", "B", "F", "I" and "J".

INTERROGATORY NO. 15:

If you contend that you have not been grossly negligent towards plaintiff, as Plaintiff has alleged in Plaintiff's Original Petition and any amendments thereto, please state in full the basis for the contention and describe all regulations, laws statutes, or other authority including internal procedures relating to asbestos that you have relied upon in making this contention.

ANSWER: Defendant objects to this Interrogatory pursuant to Rule 166b of Texas Rules of Civil Procedure in that it is overly broad, unduly burdensome, vague and can only serve to harass or annoy the Defendant. Furthermore, said request invades the attorney/client privilege, the party communications privilege and the work product privilege as provided by Rule 166b of the Texas Rules of Civil Procedure and Article V of the Texas Rules of Evidence.

INTERROGATORY NO. 16:

Does Defendant have in its possession documents which would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings? If so, identify such publications and state the custodian of such documents.

ANSWER: The discovery sought is outside the scope of discovery allowed under Texas Rule of Procedure 166b as it is so overbroad that it seeks information or documents neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence.

This request for production is objected to insofar as it fails to state time reference, and more particularly, insofar as it seeks items and information occurring or arising after the dates of the events or occurrence made the subject of this lawsuit.

Subject to and without waiving the foregoing objections, Defendant has documents sent to them by the manufacturer, Johns-Manville Corporation that are available for inspection at Defendant's attorney's office.

INTERROGATORY NO. 17:

If Defendant has ever been a member of any trade organization that published or disseminated any documents or information relating to the hazards of asbestos, state the names of such organizations and list the dates of Defendant's membership.

ANSWER: **No.**

INTERROGATORY NO. 18:

Identify every individual ever employed by Defendant who has made or presented a Worker's Compensation or other claim for personal injury or death resulting from inhalation of asbestos. Please include in your response the date of any such claims and a description of the injury alleged.

ANSWER: **Defendant J. T. Thorpe Company objects to this Interrogatory in that the same is vague, indefinite and is not limited to a particular time period and by reason of such may seek immaterial and irrelevant information.**

Furthermore, pursuant to 166b(3)(e) of Texas Rules of Civil Procedure Defendant objects to this Interrogatory for the reason that the inquiry seeks to invade the privacy right of the individuals who may have presented worker's compensation or other similar claims against the Defendant.

Subject to and without waiving the foregoing objections the Defendant would show:

INTERROGATORY NO. 19:

If Defendant has insurance policies that might cover the claims made by Plaintiff in this case, please list the name of each insurance carrier, the policy number, the amount of available coverage, and the effective dates of each policy.

ANSWER: **See Exhibit "L".**

INTERROGATORY NO. 20:

Please identify the following with respect to each expert witness that you may call during trial of these cases:

- a. The expert witnesses;
- b. The subject matter on which the expert is expected to testify;
- c. The substance of the facts and opinions which underlie the expert's opinion; and
- d. A summary of the grounds for each opinion and whether any such expert has provided a report or other documentation.

ANSWER: Although defendants have not made a specific determination as to expert witnesses it may call during trial of this case, please see attached Exhibit "V".

INTERROGATORY NO. 21:

Please describe the nature of Defendant's entity structure. Include in your response, a description of Defendant's business entity, from whom the entity was acquired and when, and, the nature of Defendant's business.

ANSWER: See Exhibit "W" attached.

INTERROGATORY NO. 22:

Please state the year you first learned that persons could suffer physical injury through the inhalation of asbestos fibers and how you became aware of the existence of asbestos hazards.

ANSWER: J. T. Thorpe Company first became aware of the reported association between asbestos dust and asbestosis, pleural thickening and pleural plaques in 1970.

INTERROGATORY NO. 23:

Identify by style, cause number, and date, every lawsuit filed against Defendant wherein the Plaintiff alleged injury from exposure to asbestos.

ANSWER: Defendant J. T. Thorpe Company objects to this Interrogatory pursuant to Rule 166b of Texas Rules of Civil Procedure in that the same is vague, indefinite and is not limited to a particular time period and by reason of such may seek information that is not reasonably calculated to lead to the discovery of evidence that is relevant to the issues in this suit.

INTERROGATORY NO. 24:

If you, or persons acting on your behalf, have performed measurements or studies to determine quantity of asbestos fibers in the air at the job sites, please state when and where these tests were conducted, state the results of said tests, and identify any documents relating to said tests, identify each and every fact which supports this contention and identify all documents which specifically support this contention.

ANSWER: Defendant, J. T. Thorpe Company, objects to this Interrogatory, in that same is vague, indefinite, and is not limited to a particular time period and by reason of such may seek immaterial and irrelevant information.

Subject to and without waiving the foregoing objections:

- (a) Thorpe Corporation and Thorpe Products Company, none in that said Defendants have never manufactured, sold or installed any asbestos-containing products.

- (b) Thorpe Insulation Services Company since Defendants inception in 1989 has performed air sample tests in connection with its work as a licensed abatement contractor.
- (c) J. T. Thorpe Company, based on information available to current management of the Defendant, J. T. Thorpe Company obtained dust monitoring test at its premises in 1972. This testing was done by Johns-Manville Environmental Control Systems Division. J. T. Thorpe Company did air sampling on certain refractory jobs to determine if the work being performed was in compliance with applicable OSHA regulations and TLV's in the late 1970's. J. T. Thorpe Company also performed air sampling studies on asbestos abatement jobs it performed. The Defendant continues to seek information regarding tests performed at other locations by other Defendants or premises owners.

See also Exhibit "I".

INTERROGATORY NO. 25:

Identify by name and location each facility owned or operated by you in which asbestos-containing products have been manufactured, assembled, distributed, or sold. Include in your response a detailed description of each such product and the amount of asbestos in each such product.

ANSWER: Defendant objects to this request for the following reasons:

- 1) Defendant objects to this request in that the same is overly broad and outside the scope of permissible discovery.
- 2) Defendant objects to this request in that the same is overly broad and not limited to any product in question or products that have been identified by Plaintiffs, by reason of such said inquiry seeks irrelevant information.

Subject to and without waiving the foregoing objections, Defendants respond as follows:

- (a) Thorpe Corporation, Thorpe Products Company and Thorpe Insulation Services Corporation have never manufactured, sold or installed asbestos containing material.
- (b) Beginning 1/16/61, J. T. Thorpe Company, through its unincorporated division Thorpe Products Company, began distribution in the Texas Gulf Coast Region of certain Johns-Manville Thermal Insulation Products. The Johns-Manville asbestos containing products were primarily Thermobestos pipe covering and block, Superex pipe covering and block, Johns-Manville 301, 302, 352 cement and Johns-Manville asbestos paper. This distribution was primarily limited to the petro-chemical industry. Sales ceased in approximately 1972,

except for isolated sales of certain encapsulated thermal insulation products specifically requested by customers.

Additionally, J. T. Thorpe Company was a refractory contractor. As a refractory contractor, J. T. Thorpe Company would have used or applied the following types of material which were non-asbestos:

<u>Type Material</u>	<u>Manufacturer or Supplier</u>
Fire Brick	Johns-Manville Harbison-Walker ACME General Refractories A. P. Green
Cement	Johns-Manville Harbison-Walker ACME General Refractories
Mineral Wool Block	M. H. Detrick Combustion Engineering
Refractory Castables	Combustion Engineering Johns-Manville A. P. Green
Coatings & Adhesives	Vimasco Benjamin Foster
Expansion Joint	Fiber Frax, a ceramic fiber material manufactured by Carborundum

Asbestos containing materials utilized by J. T. Thorpe Company, in its capacity as a refractory contractor was on a limited basis, as follows:

- 1) Asbestos Rope - Manufactured by Johns-Manville, utilized as an expansion joint until the late 1950's.
- 2) Asbestos Paper - Manufactured by Johns-Manville, utilized when specified by a customer when there was a known or potential burning of sulphur compound.
- 3) Asbestos Block-Superex, Manufactured by Johns-Manville was utilized when specified by a customer.

As to the amount of asbestos contained in each of these products that the Defendant may have distributed such information is not available at this time. This information would more easily and accurately be obtained by the Plaintiff from each products individual manufacturer.

REQUEST FOR PRODUCTION

1. Produce all documents that relate to communications between you and any manufacturer of asbestos-containing products concerning or related to the asbestos contained in such products.

RESPONSE: See Exhibits "O", "P", "Q", "S", and "T".

2. Produce all documents which indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings.

RESPONSE: See Exhibits "B" and "C".

3. Produce all publications that were disseminated or published by any trade association or organization that contain information relating to the hazards of asbestos and all documents which refer to such publications.

RESPONSE: None.

4. Produce all documents that relate to any inspections for the purpose of ascertaining whether health or safety regulations, pertaining to exposure to asbestos, were being adhered to by you.

RESPONSE: See Exhibits, "F", "G", "I", "J", "K".

5. Produce all safety meeting minutes or other documents which refer to the dangers of asbestos and safety measures to be used in the vicinity of asbestos.

RESPONSE: See Exhibit "F"

6. Produce all videotapes and photographs of the Plaintiff's Decedent.

RESPONSE: None.

7. Produce all material safety data sheets for any asbestos-containing product used or delivered by Defendant.

RESPONSE: None.

8. Produce all documents which refer to any decision related to Defendant's ceasing to work with, deliver, and distribute asbestos-containing products.

RESPONSE: None.

9. For each job site where Plaintiff's Decedent worked while employed by Defendant, produce all documents that reflect or demonstrate in the form of a map or chart the layout of the job sites, including the location and dimensions of all buildings and specifically including but not limited to, the location or placement of asbestos-containing produces at any time.

RESPONSE: None.

10. Produce all documents containing any warnings concerning the possibility of injury resulting from the use of asbestos-containing products or exposure to asbestos that have been published, distributed, or disseminated by you.

RESPONSE: **See Exhibit "A".**

11. Produce all photographs of asbestos-containing products in place or asbestos products being fabricated and utilized by Defendant at job sites.

RESPONSE: **None.**

12. Produce all documents indicating in any way that individuals claimed injury to their lungs as a result of exposure to asbestos while working for Defendant.

RESPONSE: **None.**

13. Produce all deposition transcripts and trial transcripts of any witness taken in any action relating to an injury from exposure to asbestos or asbestos-containing products wherein Defendant was a party to the litigation, either as a Defendant, cross-defendant or third-party Defendant.

RESPONSE: **Defendant objects on the grounds that the request is too general and constitutes an impermissible "fishing expedition" and furthermore, the information sought is not relevant to the case and will not lead to discoverable evidence.**

14. Produce any documents, including but not limited to, corporate minutes, which contain a discussion of the hazards or potential hazards of asbestos.

RESPONSE: **See Exhibit "E".**

15. Produce any insurance policies that might cover the claims made by Plaintiff in this case.

RESPONSE: **See Exhibit "L".**

16. Produce any documents from any meetings at which the hazards or potential hazards of asbestos were discussed by officers, agents, or employees of Defendant.

RESPONSE: **See Exhibit "E".**

17. Produce all documents, including invoices, shipping receipts, bills of lading, purchase orders, or other documents of a similar nature related to the purchase, delivery and installation of asbestos-containing products by Defendant.

RESPONSE: **None.**

18. Produce all documents relating to any safety or asbestos inspections by labor inspectors, insurance company inspectors or anyone from your company or hired by your company, that included the taking or measuring of "dust counts".

RESPONSE: **See Exhibit "K".**

19. In the event that Defendant performed any dust level counts or measurements with respect to asbestos dust, produce any documents, memoranda, or other writings that in any way reflect the results of such studies or counts and actions taken as a result of such counts or studies.

RESPONSE: **See Exhibit "K".**

20. Produce all documents written, created, relied upon or edited by any of your experts who may testify at trial that in any way pertain to asbestos and the hazards or diseases that may result therefrom.

RESPONSE: **None available at this time.**

21. Produce all documents provided to any expert or fact witnesses as a result of the filing of this case.

RESPONSE: **Defendant objects pursuant to Rule 167 of the Texas Rules of Civil Procedure specifically because the request seeks information which may be privileged.**

22. Produce all curriculum vitae and resumes of any of the experts and persons with knowledge of relevant facts that you have listed in your Answers to Interrogatories.

RESPONSE: **See Exhibit "V".**

23. Produce all documents which will be used at the time of trial, including all potential exhibits, documents which may be used to cross-examine other witnesses or in rebuttal, and documents you contend are relevant to any of Defendant's enumerated defenses in Defendant's most recently filed Answer.

RESPONSE: **See attached exhibits at this time.**

24. Produce a copy of all regulations, orders, rules and policies which govern Defendant's safety policies relating to asbestos.

RESPONSE: **See Exhibit "F" and "I".**

25. Produce all documents which contain, relate or refer to complaints by Union representatives of Defendant's employees regarding safety conditions and work place conditions at the job sites at which Defendant was present.

RESPONSE: **Defendant objects to this Request in that the same is overly broad and unduly burdensome and not limited to the issues central to the present litigation, but rather said inquiring seeks irrelevant and immaterial and prejudicial information.**

26. Produce any documents, organizational charts and rosters which identify the members of Defendant's management and their areas of responsibility.

RESPONSE: **See Exhibit "M"**

27. Produce all documents which evidence Defendant's net worth, including, but not limited to, all "10-K" forms filed for the last five (5) years.

RESPONSE: **Defendant will supplement.**

28. Produce all interrogatory answers, responses to requests for production and responses to requests for admissions filed by Defendant in any action wherein Plaintiff or Plaintiff's Decedent was claiming injury from exposure to asbestos or asbestos-containing products.

RESPONSE: **Defendant objects to producing documents that are already in Plaintiff's possession or readily accessible to the Plaintiff. Such a request is unreasonable, oppressive and harassing.**

29. Produce all documents relating to communications between Defendant and any of its worker's compensation carriers regarding the hazards of asbestos and asbestos-containing products.

RESPONSE: **None.**

30. Produce all safety manuals and safety handbooks provided to Defendant's employees.

RESPONSE: **See Exhibit "C".**

31. Produce all documents related to the medical condition of Plaintiff's Decedent at all times during his employment by Defendant. This request specifically includes all x-rays, x-ray reports, medical notes and/or medical records of any kind, and including annual physical forms.

RESPONSE: **None.**

32. Produce the entire personnel file for Plaintiff's Decedent.

RESPONSE: **Defendant is unable to locate such file, Defendant will supplement if found.**

33. Produce all contracts, agreements and other documents reflecting Defendant's agreement to perform services at any job site where Plaintiff's Decedent worked.

RESPONSE: **Defendant objects to this request in that the same is overly broad and not relevant nor reasonably calculated to lead to the discovery of relevant evidence. Subject to and without waiving the foregoing objection, Defendant is unable to answer because Defendant does not keep that type of information which would show the job plaintiff worked.**

34. Produce all documents that relate to communications between you and any premises owner (job site location) where you delivered or supplied any asbestos-containing products.

RESPONSE: **None.**

EXHIBIT "1"

EXHIBIT "2"

EXHIBIT "3"

**J. T. THORPE COMPANY'S
CORPORATE WITNESSES
(LIVE OR BY DESIGNATED DEPOSITION)**

- 1) Melvin Proctor
6833 Kirbyville Street
Houston, Texas 77033
- 2) Tom Hopkins
6833 Kirbyville Street
Houston, Texas 77033
- 3) Richard Nowland
6833 Kirbyville Street
Houston, Texas 77033
- 4) Frank Sheldon
6833 Kirbyville Street
Houston, Texas 77033
- 5) Gary Musick
P. O. Box 560542
Dallas, Texas 75356
- 6) Gerald Scott
6833 Kirbyville Street
Houston, Texas 77033

J. T. Thorpe Company reserves its right to call any witness listed by any other party.

EXHIBIT "4"

**J. T. THORPE COMPANY'S
CORPORATE WITNESSES
(LIVE OR BY DESIGNATED DEPOSITION)**

- 1) Melvin Proctor
 6833 Kirbyville Street
 Houston, Texas 77033
- 2) Tom Hopkins
 6833 Kirbyville Street
 Houston, Texas 77033
- 3) Richard Nowland
 6833 Kirbyville Street
 Houston, Texas 77033
- 4) Frank Sheldon
 6833 Kirbyville Street
 Houston, Texas 77033
- 5) Gary Musick
 P. O. Box 560542
 Dallas, Texas 75356

J. T. Thorpe Company reserves its right to call any witness listed by any other party.

EXHIBIT "B"

J. T. THORPE COMPANY'S
DESIGNATION OF EXPERT & FACT WITNESSES

EXPERT WITNESSES
(LIVE, VIDEOTAPE OR BY DEPOSITION TESTIMONY)

Dr. Stephen M. Ayers

Sanger Hall
Room 1-014
Box 565
MCV Station
Richmond, VA 2398-001

A pulmonary specialist who will testify as to all matters pertaining to the history or scientific knowledge, research and study concerning exposure to asbestos and its effects on the human body; as to all state of the art issues; as to his expert opinion as to safe levels of asbestos exposure and the basis for such opinions; as to exposure to asbestos in regards to development of respiratory diseases, including but not limited to asbestosis, lung cancer, and mesothelioma; as to the effects of exposure to various types of asbestos fibers.

Dr. R. Keith Wilson

Pueblo Pulmonary Associates
1925 East Orman Avenue, Suite 254
Pueblo, Colorado 81004
(719) 564-1542

A pulmonary specialist who will testify with respect to all aspects of asbestos related disease, epidemiology, fear of cancer as well as asbestos related diseases in the United States.

Dr. Paul Stevens

Baylor College of Medicine and The Methodist Hospital
Department of Internal Medicine / Pulmonary Section
6550 Fannin
Smith Tower # 1220
Houston, Texas 77030
(713) 790-6492

A pulmonary specialist who will testify with respect to all aspects of asbestos related disease, epidemiology, fear of cancer as well as asbestos related diseases in the United States.

Dr. Kathryn A. Hale

The Methodist Hospital
11th Floor, Smith Tower
6550 Fannin
Houston, Texas 77030
(713) 790-2076

A pulmonary specialist who will testify with respect to all aspects of asbestos related disease, epidemiology, fear of cancer as well as asbestos related diseases in the United States.

Dr. William Lee Eschenbacher
The Methodist Hospital
Pulmonary Function Laboratory, F988
6565 Fannin
Houston, Texas 77030
(713) 790-2070

A pulmonary specialist who will testify with respect to all aspects of asbestos related disease, epidemiology, fear of cancer as well as asbestos related diseases in the United States.

Dr. George L. Delclos
Respiratory Consultants of Houston
6550 Fannin, Suite 2403
Houston, Texas 77030
(713) 790-6250

A pulmonary specialist who will testify with respect to all aspects of asbestos related disease, epidemiology, fear of cancer as well as asbestos related diseases in the United States.

Dr. Robert M. Ross
17030 Nanes Drive, Suite 214
Houston, Texas 77090
(713) 440-8851

A pulmonary specialist who will testify with respect to all aspects of asbestos related diseases, epidemiology, fear of cancer as well as asbestos related diseases in the United States.

Dr. James G. Smith, Jr.
Highland Clinic
1455 E. Bert Kouns, Industrial Loop
Shreveport, LA 71135-1455
(318) 798-4500

A pulmonary specialist who will testify with respect to all aspects of asbestos related diseases, epidemiology, fear of cancer as well as asbestos related diseases in the United States.

Dr. Gail Stockman
701 E. Marshall, Suite 502
Longview, Texas 75601
(903) 753-0787

A pulmonary specialist who will testify with respect to all aspects of asbestos related disease, epidemiology, fear of cancer as well as asbestos related diseases in the United States.

Dr. Scott G. Donaldson
North Texas Pulmonary Associates
375 Municipal Drive, Suite 140
Richardson, Texas 75080
(214) 680-0666

Dr. Donaldson is a medical doctor. He may testify regarding the medical condition of the plaintiffs and about asbestos-related diseases.

Dr. Gregory Foster
North Texas Pulmonary Associates
375 Municipal Drive, Suite 104
Richardson, Texas 75080
(214) 680-0666

Dr. Foster is a medical doctor. He may testify regarding the medical condition of the plaintiffs and about asbestos-related diseases.

Dr. David M. Burns
UCSD Medical Center, Mail Code P772C
225 West Dickinson Street
San Diego, California 92103

David Burns, M.D., is a board certified pulmonologist and epidemiologist. Dr. Burns currently practices medicine at the University of California, San Diego.

Dr. Burns may testify about the pulmonology aspects of asbestos exposure, criteria relating to diagnosis, including such matters as dose response, progression, and risk of cancer. He will testify about cancer risk in relation to asbestos exposure, dose response principals, etiologic aspects of asbestos and malignancy, attribution and apportionment of causation. He will testify about various studies and cancer risk including refinery, shipyard, and others.

Dr. Burns further is expected to offer testimony concerning the effects of inhaled tobacco smoke and other factors on the appearance of chest radiographs in populations who also are alleged to be exposed to asbestos-containing products and, additionally, concerning how the effects of inhaled tobacco smoke and other factors can confound the appearance and/or result of radiographic studies.

He will also testify about the etiology of fibrotic lung disease, pulmonary aspects of asbestos caused or related disease processes and phenomenon, and the diagnosis, prognosis, measurement of impairment and causation of lung diseases from the pulmonologist perspective. He will testify about related disease and

progression.

Beyond these matters, Dr. Burns is a witness appearing after the testimony of plaintiffs' experts at trial, in some measure his testimony may be responsive to evidence presented by the plaintiffs and cannot therefore be specifically predicted. Dr. Burns has previously testified in U.S.D.C., E.D. Tx., in *Claude Cimino, et al v. Raymark Industries, Inc., et al*, C.A. No. B-86-0456-CA.

Dr. William Hughson
University of California
San Diego Medical Center
San Diego, California

A pulmonary specialist who will testify with respect to all aspects of asbestos related disease, the effect of smoking on pulmonary disease and cancer related issues as well as general knowledge about asbestos related disease in the United States.

Dr. Daniel E. Banks
Section of Pulmonary and Critical Care Medicine
Department of Medicine
West Virginia University School of Medicine
Morgantown, West Virginia 26506
(304) 293-4661

A pulmonary specialist who will testify with respect to his training and experience with the National Institute for Occupational Safety and Health (NIOSH). He will also testify about other pulmonary diseases, the effect of smoking on pulmonary disease as well as general knowledge about asbestos related disease, including cancer, in the United States.

Dr. Elliot Hinkes
301 North Prairie Avenue, Suite 311
Inglewood, CA 90301
(213) 674-0050

A specialist in the area of oncology who will testify with respect to all matters pertaining to the study and research of exposure to asbestos and its effects on the human body. This includes the history of medical knowledge concerning the carcinogenic effects of certain fiber types and the effects of smoking and exposure to asbestos with respect to the development of various types of cancer, the fear of cancer, and the risk of cancer. Dr. Hinkes may also testify as to how these matters may relate to plaintiffs' physical or mental conditions. Dr. Hinkes may also testify regarding state of the art.

Dr. Roger Hill

An economist that may be called upon to testify with respect to economic damages

of plaintiff(s). If unavailable, J. T. Thorpe Company will substitute another economist who will evaluate compensatory damages in various manners.

Dr. Philip T. Cagle
Baylor College of Medicine
One Baylor Plaza, Room 267B
Houston, Texas 77030
(713) 798-4661

Board Certified Pathologist who will testify concerning all aspects of Pathology as it relates to asbestos related diseases; the specialize histological techniques for diagnostic purposes; and the morphology of various malignancies.

Dr. Thomas Wheeler
Methodist Hospital
6565 Fannin, MS 205
Houston, Texas 77030
(713) 790-2681

Board Certified Pathologist who will testify concerning all aspects of Pathology as it relates to asbestos related diseases; the specialize histological techniques for diagnostic purposes; and the morphology of various malignancies.

Dr. Robert O'Neal
1910 King Bee Road
Perkinston, MS 39573
(601) 928-4972

Board Certified Pathologist who will testify concerning all aspects of Pathology as it relates to asbestos related diseases; the specialize histological techniques for diagnostic purposes; and the morphology of various malignancies.

Dr. R. Brent Harrison
The University of Mississippi Medical Center
Department of Radiology
2500 North State Street
Jackson, MS 39216
(601) 984-2515

Dr. Harrison is a B reader and may testify regarding the radiographs of the plaintiffs and/or plaintiffs' decedent.

Dr. Robert N. Jones
Tulane University School of Medicine
Pulmonary Diseases Section
1700 Perdido Street

New Orleans, LA 70112
(504) 588-5265

Dr. Jones is a medical doctor. He may testify regarding the medical condition of the plaintiffs and about asbestos-related diseases.

Dr. William Emory
Ochsner Clinic
1514 Jefferson Highway
New Orleans, LA 70121
(504) 838-4055

Dr. Emory is a medical doctor. He may testify regarding the medical condition of the plaintiffs and about asbestos-related diseases.

Patrick M. Conoley, M.D.
Kelsey-Seybold Clinic, P.A.
6624 Fanriin, Suite 1800
Houston, Texas 77030
(713) 791-8700

Dr. Conoley is a B reader and may testify regarding the radiographs of the plaintiffs and/or plaintiffs' decedent.

Lou Burgher
145 North Tower Doctors Building
4242 Farnam Street
Omaha, Nebraska 68133
(402) 559-2900

Dr. Louis Burgher is a pulmonologist who is currently president of Bishop Clarkson Memorial Hospital - Omaha, Nebraska. He will testify as to requirements medically for diagnosis of asbestos related disease. He will testify about progression, dose response, meaning of pleural change, cancer etiology, cancer risk, requirements to attribute a cancer in part to asbestos exposure and related medical and scientific matters relating to asbestos. He will testify that there is a lack of etiologic evidence and epidemiologic support to connect malignancies other than lung cancer and mesothelioma to asbestos. He will also testify about various scientific studies pertaining to cancer risk and incidences relating to jobs, work place, and asbestos and other materials and substances.

He will testify on general medicine, the medicine of asbestos related disease, state of art, and historical matters relating to asbestos and asbestos medicine, including, but not limited to, asbestosis, pleural changes and their significance, as well as issues of progression, cancer, the development of medical knowledge generally, epidemiology, dose response, latency, thresholds, and related exposure issues.

Dr. Michael D. Henderson

6501 Corsica Drive
Memphis, Tennessee 38120
(901) 685-8346

A specialist in the area of oncology who will testify with respect to all matters pertaining to the study and research of exposure to asbestos and its effects on the human body. This includes the history of medical knowledge concerning the carcinogenic effects of certain fiber types and the effects of smoking and exposure to asbestos with respect to the development of various types of cancer, the fear of cancer, and the risk of cancer. Dr. Henderson may also testify as to how these matters may relate to plaintiffs' physical or mental conditions.

Dr. James Crapo
Duke University Medical Center
Bill Building, Room 350
Durham, NC 27705
(919) 684-6266

Dr. Crapo is a board certified pulmonologist who will testify as to the requirements for diagnosis of asbestos related disease, progression, meaning of pleural change, correct reading of x-rays, dose response, cancer etiology relating to asbestos exposure, the effect and meaning of smoking in relation to cancer and asbestos. He will testify as to what is necessary in order for asbestos to play a role in cancer causation as to lung cancer and mesothelioma and to the lack of etiological and epidemiologic connection between asbestos and other cancers.

He will also testify about inhalation of asbestos studies and other asbestos exposure studies he has observed and participated in conducting, their meaning, progression aspects of them, cellular responses and related matters. He will testify about cancer risks, etiology, dose response principals, the effects of cigarette smoking in humans. He will testify about various studies relating to cancer risk from asbestos and other substances, and etiology pertaining to lung and other types of malignancies including studies from refineries, shipyards, steel mills, and other places.

Dr. Crapo will testify as to general medical principals pertaining to asbestos exposure and asbestos related disease.

Dr. Wilbur A. Spaul
Spaul Environmental, Inc.
11279 Knights Griffin Road
Thonotosassa, Florida 33592
(813) 870-4895

Wilbur Spaul, Ph.D., of 2001 Pan Am Circle, Suite 100, Tampa, Florida, is an Industrial Hygienist who has worked in industrial hygiene for several decades. Dr. Wilbur Spaul worked as an industrial hygienist in the U.S. Navy and was trained and assigned to deal with asbestos-related matters, the study of asbestos in the

shipyards of the U.S. Navy in California and other places, the study of exposure and what industrial hygiene measures were necessary. If offered, he will testify about exposure levels found by him and what was recognized by him from his study of exposure reports, tests, and findings. Dr. Spaul has done studies of asbestos exposure levels on various jobs, including work at the shipyards, buildings and other places of potential exposure.

Dr. Spaul is familiar with principles of fiber drift, fiber fall, and how asbestos settles out of the air and fails to remain airborne. He will give testimony about the speed with which asbestos fiber settle out and get away from the breathing zones of individuals. He will testify about general principles of industrial hygiene as they relate to asbestos, the Industrial Hygiene Foundation, and the various recognized permissible levels of exposure to asbestos over time.

Dr. Spaul will testify as to what exposures have been demonstrated from usages of various types of asbestos products, including Unibestos, both through the direct use or manipulation of asbestos at different points away from the immediate product. He will testify as to how quickly exposure levels fall from the immediate source of dust. Dr. Spaul has visited and studied various places where insulation products were used and manipulated and removed, including shipyards, refineries, schools and other work processes. He will testify as to the purpose of threshold limit values, their meaning, how they should be interpreted and applied. He will also testify about the work of the Industrial Hygiene Foundation and how its rules and requirements are applied to industrial health. He will also testify about respirators, their usage and general effectiveness.

Dr. Robert Murray
S. Hill, Church Road
Newton Green
Sudbury, Suffolk, U.K. C010-OQP
787-312-820

Dr. Murray is an occupational medicine specialist, having practiced occupational medicine since the 1940's. He served in World War II with the allied forces and will testify how those forces played a part in occupational medicine concepts as well as the utility of asbestos in the war effort and otherwise.

Dr. Murray worked with the Inspector of Factories Office in the United Kingdom in the 1940's and early 1950's and he was involved with Dr. Meriwether and will testify about that involvement and the thoughts of Dr. Meriwether. He will testify that in the 1940's when Dr. Meriwether was writing about asbestos-related matters, that Dr. Meriwether thought the problem of asbestosis was under control and consequently any problem with malignancy would no longer exist, if it ever did.

He will testify about his work as a member of the Inspector of Factories Office, the various responsibilities they had, and their change for the industrial health of the nation. He will testify that the 1933 British regulations did not apply to ladders (installers of asbestos products) and there were no regulations in the United

Kingdom applying to that until 1968 or thereabouts. He will testify that he worked with Dr. Meriwether, but it did not include installers of preformed asbestos-containing products. It was thought that any cancer risk which had existed was under control due to the asbestos regulations and reductions in exposures that were consequently thought to occur. The first British regulations which applied to ladders (installers) were in the late 1960's. Dr. Murray believes amosite asbestos is a unique fiber and it was not recognized as a problem in relation to malignancy in humans through the early 1970's. He will also testify it was a general thought that before asbestos could be considered involved in a malignancy at all, there must be pre-existing significant asbestosis. If Dr. Murray had thought that installers of asbestos-containing products were at significant risk to get asbestos-related disease, he would have attempted to do something about that during the time he worked for the Inspector of Factories Office and later during the time he was Chief Medical Doctor for the Trades Union Council in the United Kingdom.

In the 1950's Dr. Murray became Chief Medical Doctor and Advisor to the Trades Union Council in the United Kingdom and had the responsibility for coordinating with industry unions and the government in relation to health matters pertaining to various unions and paying attention to the health of all the workers. During that time frame, he did not recognize that installers and those allegedly exposed to asbestos-containing products were at undue risk to get asbestos-related disease. If he had thought there was a significant health problem to installers of preformed asbestos products and anyone who might have gotten sidestream exposure from such operations in the fifties and sixties, he would have attempted to cause changes to be made in such work place exposures and he did not recognize such a need during that time. He will also testify that there was no requirement for a warning on asbestos-containing products in the United Kingdom until the early 1970's. Dr. Murray will testify that asbestos cannot be considered as simply asbestos, but that the circumstances of exposure and the type of fiber must be taken into consideration. He does not believe that amosite asbestos was believed to be a cause of malignancy in humans until after 1972. Dr. Murray will testify about Principles of Industrial Hygiene and Occupational Medicine and how they have applied historically in relation to asbestos. He will testify about scientific literature that relates to amosite asbestos and the field of occupational medicine.

Dr. J. M. G. Davis
Institute of Occupational Medicine
Roseburgh, Pl.
Edinburgh, U.K. EH 895U
31-667-5131

J.M.G. Davis, Ph.D., of the Institute of Occupational Medicine, Edinburgh, UK, worked with the British Asbestosis Research Council for more than 10 years while he was associated with Cambridge University. He will testify, if called, on the state of the medical and scientific art of asbestos diseases through history, and the development of knowledge of asbestos related matters. He will testify from experience on the risks, including asbestosis, lung cancer and mesothelioma, associated with the various asbestiform minerals, as perceived by members of the medical and scientific community, and persons involved with the industry, through time. He will also testify regarding research and experimentation he has done on asbestos and its effects. He will testify about his and others animal experiments with asbestos exposure, cellular responses to exposure, progression, dose response, fiber cellular interaction, cancer risk and causation and related matters. He may also respond to matters raised within his field of expertise by plaintiffs in the presentation of their case in chief.

J. N. P. Davies, M.D.
277 Row
Sulkirk, NY 12207
(409) 835-5200 (Stevens & Baldo)

J.N.P. Davies, M.D., is a pathologist and has practiced medicine for over 45 years. In his pathological work he has studied asbestos-related disease and malignancy as it relates to asbestos. He has authored papers pertaining to the epidemiology of mesothelioma and has studied epidemiology. As part of Dr. Davies' experience, he has been involved in asbestos studies in South Africa, the United Kingdom and the United States. Dr. Davies has studied with, worked with and talked with a number of individuals who have historically written about and studied asbestos, including but not limited to Dr. Meriwether, Doll, Hueper, and Wagner. He is familiar with their thoughts, work and experiences.

Dr. Davies may talk about cancer epidemiology and what is involved in making determinations as to carcinogenesis as it relates to asbestos and other substances. He may testify concerning the epidemiology of the amosite variety of asbestos, and he may testify it is inappropriate to consider asbestos simply as asbestos.

Dr. Davies may also testify about the threshold limit values and give an explanation of what threshold limit values are and usage of them as they relate to industrial hygiene and exposure of individuals to asbestos and other substances.

Dr. Davies may testify about scientific and medical literature as it relates to amosite asbestos, epidemiology of cancer, amosite asbestos and cancer, and occupational medicine principles as they relate to asbestos.

Dr. Horton Corwin Hinshaw, Sr. (Videotape Only)
Retired Emeritus Professor of Medicine
University of California
School of Medicine
P.O. Box 546
Belvedere, California 94920

Dr. Hinshaw Sr. was trained as a pulmonary physician and was the author of a medical text on Chest Diseases. He will testify via videotape regarding the state of the art knowledge or lack thereof in the medical community about asbestos related diseases at various times.

In Re: Related Asbestos Cases: United States District Court for the Northern District of California, No. C-83-6251-RFP (All Cases) et al. November 19, 1984 (Videotape deposition)

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Id., December 11, 1984

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Dr. Ford McIver (Videotape Only)

Dr. McIver will testify via videotape regarding the state of the art knowledge or lack thereof in the medical community about asbestos related diseases at various times.

Videotape Deposition for Use In Georgia, 09/15/78

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O.L. Allen vs. Fibreboard Corporation, United States District Court for the Eastern District of Texas, Beaumont Division, C.A.N. B-81-276-CA
(Videotape Deposition April 9, 1982)

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Dr. Irma West (Videotape Only)

Dr. West was the head of the Bureau of Adult Health for the State of California for many years and will testify via videotape about the state of the art knowledge in the occupational health community from time to time and the medical priorities at those times.

In Re: Related Cases, United States District Court for the Northern District of California, No. C-79-3588 RFP, (All Cases) et al, November 2, 1984, (Videotaped Deposition)

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Dr. Irving Selikoff (Deposition Only)

Dr. Selikoff has testified on numerous occasions about the history of medical research about asbestos and about insulators in the United States and Great Britain.

Tomplait vs. Combustion Engineering, United States District Court for the Eastern District of Texas, Beaumont Division, Civil No. 5402, March 4, 1968

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Rogers vs. Johns-Manville, Circuit Court of Missouri No. 720,071, February 19, 1971

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Clark Cooper, M.D. (Deposition Only)

Borel vs. Fibreboard Paper Product, Inc., United States District Court, Eastern District of Texas, Beaumont Division, Civil Action No. 6449 (Trial Testimony September 23, 1971)

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Heinz B. Fisenstadt (Deposition Only)

Wimberly vs. Fibreboard Corporation, United States District Court, Eastern District of Texas, Beaumont Division, Civil Action No. 74-224-CA, (Deposition January 16, 1975)

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Dr. Daniel Jenkins

Bell vs. Fibreboard Corporation, United States District Court, Eastern District of Texas, Beaumont Division, Civil No. B-74-50-CA (Deposition May 24, 1975)

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Joseph Ralph Shrode (Deposition Only)

Porter vs. Fibreboard, United States District Court, Eastern District of Texas, Beaumont Division, (Deposition August 19, 1970)

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Borel vs. Fibreboard Paper Products, Inc. United States District Court, Eastern District of Texas, Beaumont Division, Civil Action No. 6449 (Trial Testimony September 27, 1971)

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Tomplait vs. Combustion Engineering

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Thomas Hartwell (Deposition Only)

Hartwell vs. Johns-Manville United States District Court, Eastern District of Texas,
Beaumont Division, Civil Action No. 7513 (Deposition January 23, 1975)

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Joseph M. Slott (Deposition Only)

Slott vs. Fibreboard Corporation, United States District Court, Eastern District of
Texas, Beaumont Division, (Deposition December 2, 1980)

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Edward Palermo (Deposition Only)

Palermo vs. Fibreboard Paper Products Corporation, United States District Court,
Eastern District of Texas, Beaumont Division, No. B-75-CA-192 (June 30, 1976)

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Johnnie M. Stoma (Deposition Only)

Stoma vs. Johns-Manville, United States District Court, Eastern District of Texas,
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Leslie Cook

Bellot vs. Fibreboard Corporation, United States District Court, Eastern District of
Texas, Beaumont Division, Civil Action No. B-74-253-CA, (Deposition December 10,
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William Boden (Deposition Only)

William Edward Boden, Jr. vs. Johns-Manville, United States District Court, Eastern
District of Texas, Tyler Division, Civil Action No. TY-79-47-CA (Deposition
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H. J. Plitt (Deposition Only)

H. J. Plitt vs. Standard Asbestos Company, United States District Court, Southern
District of Texas, Houston Division, Civil Action No. 75-H-906 (Asbestos Case
Consolidated under Claude A. Dunn vs. Johns-Manville, Civil Action No. 73-H-1072)
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Joe T. Frazier

Mr. Frazier will testify live or by deposition in Claude Cimino, et ux vs. Raymark Industries, Inc., et al, United States District Court for the Eastern District of Texas, Beaumont Division, Civil Action No. B-86-0446-CA, taken August 21, 1990.

James J. Hoard

Mr. Hoard will testify live or by deposition in Claude Cimino, et ux vs. Raymark Industries, Inc., et al, United States District Court for the Eastern District of Texas, Beaumont Division, Civil Action No. B-86-0446-CA, taken August 20, 1990.

Teresa Bowers

Ms. Bowers will testify live or by deposition in O. L. Allen, et ux vs. Fibreboard Corporation, et al, United States District Court for the Eastern District of Texas, Beaumont Division, Civil Action No. B-81-276-CA, taken September 22, 1981.

Alexander Alfred Cross

Mr. Cross will testify by deposition in In Re: All Asbestos-Related Personal Injury or Death Cases Filed or to be Filed by Baron & Budd, P.C. In Travis County, Texas vs. Pittsburgh Corning Corporation, et al; In the District Courts of Travis County, Texas taken September 29, 1993, and October 1, 1993.

Jerry Nelson

Winnie, Texas

Mr. Nelson may testify live concerning the distribution and installation of insulation products.

Ken Dickson

Mr. Dickson may testify live concerning the distribution and installation of insulation products.

Marion McManus

Houston, Texas

Mr. McManus may testify live or by deposition in Clarence Borel vs. Fibreboard Paper Products Corporation, et al, United States District Court for the Eastern District of Texas, Beaumont Division, Civil Action No. 6449 (Trial Testimony September 28, 1971).

J. T. "Skip" Stonebarger

Houston, Texas

Mr. Stonebarger may testify live concerning the distribution and installation of insulation products.

Ed Golden

Mr. Golden may testify live or by deposition taken in the following:

Cause No. 88-09782, styled Lloyd Leffel vs. Fibreboard Corporation, et al; taken October 6, 1989.

Cause No. 88-09782, styled Lloyd Leffel vs. Fibreboard Corporation, et al; taken August 16, 1990.

Dr. R. J. Potts

9229 Vinewood

Dallas, Texas 75228

Dr. Potts is a medical doctor and a former Medical Director for Mobil Oil and is expected to testify with regard to the knowledge and practice of the chemical and refinery industry in general with regard to asbestos in its refineries.

Russell Allen vs. American Petrofina Inc.; No B-126,986, Jefferson County, Texas, District Court, 60th Judicial District, deposition testimony.

Dr. James W. Hammond

1010 Town Place

Houston, Texas

Dr. Hammond was the industrial hygienist at Exxon Corporation and is expected to testify with regard to the knowledge and practice of the chemical and refinery industry in general with regard to asbestos in its refineries.

Russell Allen vs. American Petrofina Inc.; No B-126,986, Jefferson County, Texas, District Court, 60th Judicial District, deposition testimony (4 volumes - entire transcript).

**OTHER WITNESSES WHO MAY BE CALLED LIVE
OR BY DEPOSITION**

STATE-OF-THE-ART

- (a) Forde A. McIver, M.D.
- (b) Daniel E. Jenkins, M.D.
- (c) J. C. Wagner
- (d) Keith Morgan, M.D.
- (e) James D. Snell, M.D.
- (f) Robert M. Brown
- (g) Edward D. Helton
- (h) Joseph Miller, M.D.
- (i) J.N.P. Davies, M.D.
- (j) Stephen Ayers, M.D.
- (k) Peter Harries, M.D.
- (l) John Craighead, M.D.
- (m) Allen Feingold, M.D.
- (n) Robert Murray, M.D.

MEDICAL ISSUES:

- (a) Andrew Churg, M.D.
- (b) William Cole, M.D.
- (c) Bashir Chaudhary, M.D.
- (d) Stuart Brooks, M.D.
- (e) Richard A. Elmer, M.D.
- (f) Winford H. Pool, M.D.

- (g) Ron Crystal, M.D.
- (h) Anthony Costrini, M.D.
- (i) Victor Roggli, M.D.
- (j) Jerry Wiott, M.D.
- (k) David Stacy, M.D.
- (l) Joseph Miller, M.D.
- (m) Ed Block, M.D.
- (n) O. C. Harris, M.D.
- (o) Philip R. Saleeby, M.D.
- (p) John Crissman, M.D.
- (q) Azorides Morales, M.D.
- (r) John Craighead, M.D.
- (s) David Burns, M.D.
- (t) Lee Reichman, M.D.
- (u) Robert DiBenedetto, M.D.
- (v) Stephen Morris, M.D.
- (w) James Miller, M.D.
- (x) William Weiss, M.D.
- (y) J. C. Wagner, M.D.
- (z) Harry B. Demopoulos, M.D.
- (aa) Oscar Auerbach, M.D.
- (bb) G. Michael Duffell, M.D.
- (cc) Gilbert D. Grossman, M.D.
- (dd) James Wellman, M.D.

(ee) Marvin Kuschner, M.D.
(ff) George Schoonover, M.D.
(gg) D. H. Manning, M.D.
(hh) James Lockey, M.D.
(ii) Bernard Gee, M.D.
(jj) Russell Sherwin, M.D.
(kk) Thomas V. Colby, M.D.
(ll) Jerome Kleinerman, M.D.
(mm) Nasha Burki, M.D.
(nn) David J. Frolich, M.D.
(oo) David A. Edelman, M.D.
(pp) Keith Chandler, M D.
(qq) Allan L. Goldman, M.D.
(rr) Fred Pooley, Ph.D.
(ss) Kevin Browne, M.D.
(tt) Allen Feingold, M D.
(uu) W. E. Smith, M.D.
(vv) George Schoonover, M D.
(ww) C. M. Johnson, M.D.
(xx) Jerry Abraham, M.D.
(yy) William Guest, M.D.
(zz) Paul Wheeler, M.D.
(A) Edward Gaensler, M.D.
(B) Philip T. Cagle, M.D.

- (C) Donald Greenburg, M.D.
- (D) William Hughson, M.D.
- (E) Elliott Hinkes, M.D.
- (F) Allen Gibbs, M.D.
- (G) Nathaniel Rodman, M.D.
- (H) Jay Leonard Litchenfeld, M.D.
- (I) Louis Burger, M.D.
- (J) James Crapo, M.D.

EXHIBIT “A”

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER

AVOID BREATHING THE DUST. INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, USE PROPER PROTECTION

IF PROPER DUST CONTROL CANNOT BE PROVIDED, RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PROTECTION AGAINST PNEUMOCONIOSIS-PRODUCING DUSTS SHOULD BE WORN



L-4000

PRINTED IN U.S.A.

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER AND FREE CRYSTALLINE SILICA.

AVOID BREATHING THE DUST. INHALATION OF THESE MATERIALS IN EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS HANDLED, USE PROPER PROTECTION.

IF PROPER DUST CONTROL CANNOT BE PROVIDED, RESPIRATORS APPROVED BY THE U.S. BUREAU OF MINES FOR PROTECTION AGAINST PNEUMOCONIOSIS-PRODUCING DUSTS SHOULD BE WORN.



L-4000

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PNEUMOCONIOSIS-PRODUCING DUSTS SHOULD BE WORN.

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EXHIBIT “B”

**RECOMMENDED
HEALTH SAFETY
PRACTICES**

**For Handling
And Applying
Thermal
Insulation Products
Containing
Asbestos**

niima
NATIONAL
INSULATION
MANUFACTURERS ASSOCIATION

INTRODUCTION

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The modern mass production of hundreds of natural and synthetic materials, such as asbestos, has brought the need to protect workers from certain health risks, known or suspected.

Manufacturers of Thermal Insulation Products containing asbestos have for years been taking protective measures to eliminate excessive exposures to inhalation of dusts that may be injurious.

Based on the fact that all materials can be handled safely, the National Insulation Manufacturers Association recommends the following practices for handling and applying Thermal Insulation Products containing asbestos and/or other potentially injurious materials to protect the worker.

Insulation contractors and applicators are urged to study these recommended practices carefully and to see that they are observed by all workers handling insulation materials. As with Safety Regulations, it is in the interest of both employer and employee to see that health protection practices are strictly observed.

Prepared by
COMMITTEE ON SAFETY AND HEALTH

NIMA

FOR HEALTH SAFETY'S SAKE

- Three major points to keep in mind in the handling and use of materials containing asbestos:
- Take every precaution to keep dust to a minimum.
- Wear U.S. Bureau of Mines-approved Respirators when exposed to asbestos dusts. (See Page 16)
- Maintain good housekeeping at all times.

HOUSEKEEPING

An organized housekeeping program should be maintained in all areas and on all operations at all times.

A major source of excessive airborne dust is from loose materials, scrap and debris distributed throughout the job area and disintegrated by tramping on, running over, etc. Much of the airborne contamination can be eliminated by maintaining always good housekeeping practices.

Specific standards and practices designed for providing safe, clean and orderly working conditions should be defined.

Excellent supervisory control, planning of systematic cleaning plus day to day follow-up are the basic requirements for dust control and injury prevention.

PIPE AND BLOCK INSULATIONS

Warehousing, Storage and Handling

Under normal conditions, the handling, storage and warehousing of undamaged sections of pipe and block insulation, excluding asbestos, present no health safety problems. If sections are broken or materials damaged while insulation is being handled, the following steps should be taken:

- 1 If spillage occurs, debris should be cleaned up immediately. Repack usable material.
- 2 Care should be taken to avoid generating dust when piling, stacking or piling pieces into containers.
- 3 When stacking spillage, vacuum equipment is recommended for picking up dust and small particles.
- 4 If large quantities of spillage occurs and cleaning involves sweeping and/or shoveling that could create excessive airborne dust, Respirators should be worn.
- 5 Only usable material should be returned from the job site to the warehouse.
- 6 When returning material from the job site, clean dust and debris off cartons. Repack odd lot pieces. Close cartons.

Pipe and Block Insulations (cont'd)

Preparation in Warehouse and Job Site Storage

- 1 Open and remove the material from cartons with care.**
- 2 Handle and stack pieces of material in a manner that will avoid generating dust and breakage.**
- 3 Mechanical dust collecting systems adequately designed to remove dust at the source should be installed on power-operated, fixed and portable equipment in the warehouse shop and/or in the job site shop.**
- 4 All machines should be furnished with suitable waste containers for the collection of scrap and waste to prevent the material from falling on the floor and generating dust.**
- 5 Shop-fabricated pieces of Thermal Insulation such as fillings, segments, etc., should be placed in containers. Care should be taken when handling these pieces during piling, stacking and packing.**
- 6 Containers should be closed after packing and remain closed until the material is used.**

Pipe and Block Insulations (cont'd)

Application Procedures

- 1 Unpacking and application of the material should be done in a manner that will minimize airborne dust.**
- 2 Avoid dropping, throwing or unnecessary rough handling of insulation materials.**
- 3 Keep floors and surfaces clean of scrap, shavings and debris. Put unusable material into waste containers immediately.**
- 4 Hand sawing, cutting, jointed striping, etc. should be done in a manner that will create minimal airborne dust. Use of proper methods and tools will help considerably towards dust abatement.**
- 5 When working in confined spaces, portable dust collectors or exhaust blowers should be provided to remove dust from the source.**

Application Procedures (Cont'd)

- 6 If conditions prevent collecting or exhausting dust from the source, use exhaust blowers to provide general room air change.
- 7 A light exhausting into other working areas.
- 8 In confined spaces, if mechanical exhaust equipment cannot be used, "Respirators should be worn.
- 9 When wiring or handling insulation and applying jackets or casings, care should be taken to avoid generating excessive dust, using the precautionary measures described above.
- 10 Surplus waste materials should be placed in cartons, which should be closed and returned to the warehouse.

* Bureau of Mines-approved respirators. See page 11.

CEMENTS

Warehousing, Storage and Handling

Handling and storage of closed bags containing cements do not present health safety hazards provided bags are unopened and not broken.

- 1 When unloading railroad cars and trucks, if there is excessive loose material resulting from opened or broken bags, "Respirators should be worn during clean-up and unloading.
- 2 Bags should be cleaned up and open or broken bags repacked, resaled or discarded immediately to prevent distribution of dust into other areas.
- 3 If bags are damaged and spillage occurs in the warehouse, material should be cleaned up immediately to prevent distribution into other areas. Vacuum equipment is recommended for this cleaning.
- 4 If large quantities of spillage occurs and cleaning involves sweeping and/or shoveling that could create excessive dust, "Respirators should be worn.

See of Mines-approved respirators. See page 11.

Application of Cementitious Insulation

Opening, dumping and dewatering of bags should be done with the utmost care to avoid generating excessive dust.

- 1 Open the bag wide enough to empty without shaking.
- 2 When dumping, keep bag on the mortar box sitting level to avoid dumping.
- 3 Do not shake bags.
- 4 Place empty bags in a container, wet down outside, and discard.
- 5 Mixing area should be well ventilated but free from heavy drafts that will cause dry material to become airborne.
- 6 Material should be added in a mortar box, pail or tub and not on the floor.
- 7 Wet the material and mix into a slurry as quickly as possible.
- 8 When mixing cement in a confined space where proper ventilation is inadequate, Respirators should be worn.

Cleaning

- 1 Bag breaking, dumping up dry cement and dewatering bags at the mixing area should be done in the same manner as recommended under *Workmanship, Storage and Handling*.
- 2 Wet down back, mortar beam, wheelbarrow, mixing container, and any splash before sweeping and cleaning.
- 3 Concrete should be handled wet whenever possible. Wet material will create no dust problem.

Continued on inside cover, see page 11.

SPRAYING OF THERMAL INSULATION

Spraying Areas

Spraying of Thermal Insulation
Prevents existing asbestos
regulates special preliminary
measures. Refer to the Sprayed
Thermal Fiber Manufacturers
Association for Sprayed Fiber
Application Practices.¹

- 1 The equipment and machinery to be sprayed should be shielded by adequate wind breaks and, where practicable, dry cloth to prevent excessive dust and contamination in adjacent areas.
- 2 Workers not engaged in the spraying operation should wear Respirators when entering an area within 15 feet of the spraying machine, nozzle or equipment.
- 3 Where Sprayed Fiber Application Practices cannot be followed and excessive asbestos dust is generated, it is recommended that portable mechanical exhaust ventilation be used to remove airborne dust. Exhausts must be located to avoid contamination of other occupied areas.

Application

- 1 All personnel in the immediate area engaged in the machine feeding and spraying operation should wear Respirators, whether in confined or open areas, ventilated or not ventilated.
- 2 Respirators should be worn after the spraying operation has been completed and until the generated dust concentration has cleared.

¹For copy of Practices, write to: Spraying Standards, Sprayed Thermal Fiber Manufacturers Association, P.O. Box 117, York, Pa. 17403

Continued on inside cover, see page 11.

STRIPPING OF THERMAL INSULATION

Striping Area

Directed work methods, use of proper tools, and wetting down will minimize excessive dust in striping operations.

Other Workmen

All personnel not involved with the wetting, feeding and striping operations should be kept from the striping area until the generated dust concentration has cleared.

Cleaning

- 1 Buildings and areas striping materials should be cleaned up immediately after striping operations have been completed.
- 2 Settled dust and dry material should be removed from all surfaces to avoid airborne contamination. Vacuum cleaning is recommended for this purpose.
- 3 Strip spray material should be wet down and placed in closed containers for disposal.
- 4 Tools, ladders, etc. should be cleaned wet.
- 5 Avoid brushing, sweeping and shoveling dry material whenever possible.
- 6 Respirators should be worn during clean-up.

* Bureau of Mines-approved respirators. See page 14.

- 1 The area in which striping takes place should be confined by means of curtains, portable partitions, etc., to prevent excessive dust contamination in adjacent areas.

- 2 If area cannot be confined, only workmen engaged in striping should be permitted in the work location.

Striping and Tearing Off

- 1 All personnel in the striping area engaged in tearing off, handling, shoving and disposing of material should wear Respirators.
- 2 Where circumstances permit, materials should be wetted down prior to and during removal.
- 3 Where applicable, portable mechanical exhaust ventilation should be used to remove airborne dust.
- 4 Avoid unnecessary re-handling of scrap.

(Continued on Next Page)

* Bureau of Mines-approved respirators. See page 14.

RESPIRATORY EQUIPMENT

Striping and Tearing Off (cont'd)

- 5 Load truck, dumpster bucket or final disposal equipment as close to striping site as possible.
- 6 Wet down strip material before shoveling, breaking or dumping.
- 7 Do not permit accumulation of strip and debris on floor and other surfaces.
- 8 Vacuum equipment is recommended for cleaning up during and after striping.

Other Workmen

- 1 Personnel not involved in the striping and tearing off operation should not be permitted in the striping area.
- 2 If it is essential for other workmen to be in the work area, Respirators should be worn by them.

Removal of other approved respirators. See page 15.

Only U.S. Bureau of Mines-approved respiratory equipment is recommended for use with asbestos, silica and other pneumoconiosis-producing dusts. Approved respiratory equipment must be used at all operations where dust control is not sufficient to maintain asbestos dust concentrations within allowable limits for asbestos and other pneumoconiosis-producing dusts, as established by governmental and professional agencies.

The efficiency and effectiveness of respiratory equipment is dependent upon proper care, cleaning and maintenance. A systematic procedure should be established to ensure that this is done.

Lists of currently approved respiratory equipment can be obtained from:

Bureau of Mines
United States Department of the Interior
Washington and E Streets, N.W.
Washington, D.C. 20240
American Industrial Hygiene Association
14125 Forest
Livonia, Michigan 48037

for additional copies, write:

**Executive Secretary
National Insulation Manufacturers Association, Inc.
441 Lexington Avenue, New York, N. Y. 10017**

EXHIBIT “C”

OSHA AND HOW TO SELL WITHIN IT

CONTENTS

Background Material
Suggestions for Complying
Employer Requirements
Employee Requirements
Inspector Requirements
Monitoring Equipment
Firms Capable of Monitoring
Typical Letters to Customers (three letters)
M. I. C. A. Instructions to Contractors
Chart on Dust Results - Typical Job

M-01651

OSHA AND HOW TO SELL WITHIN IT

Health and Safety Laws are nothing new to American Industry. Safety rules have been in effect under Walsh-Healy, Atomic Energy Act, Longshoreman Act, etc. for many years. All their requirements for providing a safe and healthful place to work fall on the employer. The new OSHA law is specifically designed to eliminate unsafe working conditions still existing, by engineering and technical methods, not by substitution or elimination of needed products.

Asbestos is a target product along with silica, lead, etc. Specific standards and guidelines have been set up for any employer whose employees may come in contact with asbestos fiber dust.

No longer can an employer be lenient in allowing any unsafe act to continue. Safety goggles must be used when necessary. Hard hats are required. No longer can an employer tolerate cluttered floors, blocked aisles, unsafe scaffold, extreme noise, poor light, bad ventilation, or dusty locations. This is what OSHA is all about.

Article 1910 - Title 29 - Chapter XVII specifically is directed to the asbestos hazard. This regulation does not prohibit use or manufacture of products with asbestos. It merely deals with limits to which the workman may be exposed, based on limited knowledge, and still work in a "safe area."

Most illness or death attributed to asbestos is with persons working in the industry for 15 or more years. Very little, if any, data is available of the fiber concentration in those days. We do know that there was little emphasis made in the construction industry to control the fibers generated, follow work practices to reduce any dust, or to install work practices to reduce exposure. We do know that products used in the 40's and 50's contained much higher asbestos content than products today.

Today cements are asbestos free; fiber glass is used in lieu of Asbesto-Cell and Woolfelt, 85% Mag, Superex, Unibestos (all high asbestos content) replaced by Calcium Silicate - which now has less than 7% fiber. Work practices today use metal jackets in place of chicken wire, cement, and mastic. Asbestos-bearing insulations today are less than 10% of total insulation used, and this 10% has less than one-half the asbestos content of material 15 to 20 years ago. So, with no regulation, the workman's exposure is 75% - 80% less than 20 years ago. In addition, the Construction Industry has developed more sophisticated environmentally controlled shops versus previous field sawing and other hand methods of fabrication.

It is important that everyone interprets the regulations correctly. This is hard to do. The regulations were basically written around a manufacturing operation, and adapted to the Construction Industry. Interpretation must be based on a "reasonable approach" where it is ambiguous.

The Standard deals with:

1. Permissible concentration of exposure to asbestos fiber. Years ago the limit was 12 fibers per cubic centimeter; recently the self-imposed limit in manufacturing was six. The present regulation has a TWA (Time Weighted Average) of five, and a peak concentration of ten. Within two years the TWA will be two. Numerous objections to this have been made both pro and con - but this is now the law.
 - a. Time Weighted Average - (TWA) - Based on an eight-hour period. Concentration over five fibers/cc, but not exceeding ten would be permitted up to 15 minutes in an hour, but not for more than five hours in an eight-hour day. If a man works in an atmosphere of four fibers for 30 minutes total intermittently in an eight-hour day, his limit exposure is well below the TVL of two in most every case.
2. Monitoring is required to determine if there are any work stations above, within, or below the value permitted, ten, five, or two.
 - a. Where stations are found to generate over five fibers on a TWA, correcting action must be taken at once. Engineering or work practice changes are required. Respirators are but a temporary measure.

M-01653

- b. Once a work station or location is monitored, similar work stations within the same area need not be monitored.
 - c. Industrial plants now have extensive monitoring procedures set up in various places for toxic fumes, and other products that may be injurious to health. This does involve the contractor in a new procedure.
 - d. Since monitoring is required for asbestos, removing asbestos from today's products will not stop this requirement. Any "tear out", revision, etc. of existing plants' equipment will involve asbestos. But, the TWA feature would no doubt keep any exposure to a minimum.
 - e. It is only a matter of time before other products will require monitoring, such as mineral wool, lead, glass fibers, plastic foams, etc. Any program started now will be adaptable to future program.
3. Medical Exams. For the contractor, this is an added expense and problem. Most large industrial firms, such as Johns-Manville, already have medical exams, etc. set up in their employment agreements.

The standards are not clear as to what is meant by "comprehensive medical exam," which also states the minimum requirements of X-ray, personal history, and pulmonary test only. We will some day find out if "comprehensive" means blood, urine, hearing, and other tests.

There has been very little monitoring performed in the Construction Industry. Efforts made to monitor work functions in the Insulation Industry have been basically restricted to medical organizations for research purposes..

Limited monitoring done by industry and contractors has demonstrated the dust exposure on the job is well below the five fiber limit on a TWA basis, even under the most severe conditions. There are some problem areas, such as in closed or non-ventilated areas and fabrication shops. Each contractor and owner must evaluate these conditions.

Elimination of asbestos-bearing insulation materials won't eliminate the monitoring aspect or requirement of the customer because there could well be asbestos from other sources.

Certain operations are dusty - but on a TWA - they do not create dust conditions over the five fiber limit. Some of these are hand sawing, opening cartons, removing insulation, mixing dry cement, clean-up work. Work practices can be developed to even lessen the exposure in these few operations considered a problem area.

Elimination of brooms and compressed air on clean-up work is one example. Use an industrial vacuum sweeper for all clean-ups. Use plastic bags for refuse.

How about smoking? Almost every medical authority has said that the connection between cancer and asbestos could be reduced or eliminated by the employee if he quit smoking. No one is really sure of the connection between cancer, tobacco, and asbestos-but the health problem is greatly reduced with the absence of tobacco.

The Standards refer to "locked in" fibers in some products. Johns-Manville has listed these products, and attached you will find how we officially categorize them. However, if the product is cut, altered, etc., the "locked in" feature is lost.

You might think that with the introduction of Thermo-12 your effort to sell asbestos-bearing materials is not as urgent. This is not true. Look at the list of asbestos-bearing materials we sell that are needed in the industry today. We must convince our customers they can use them safely with simple and practical work rules.

You can't do the job alone. You need the fullest support of your contractor, fabricator, or distributor. You must first convince him of his role in this, and that he can operate a "safe and healthy" shop or job using asbestos-bearing materials. Then you and your contractor or fabricator must convince the ultimate customer that there is no OSHA problem with you on job or them using our material.

I cannot over emphasize the importance of your contractor and distributor in helping you sell asbestos-bearing materials.

You must be able to consult with the contractor on his warehouse and job procedures. Show him where he can actually save money by performing simple housekeeping procedures.

M-01655

Convince your contractor to use OSHA as a selling tool for his firm. If your contractor has a reputation for conforming to a state and/or Federal regulation, not only OSHA, but others such as insurance, discrimination, wage and price control, jurisdiction of work, etc., he can use this knowledge to improve his image with the customer. It may even overcome a price differential. You must convince your contractor of this approach, and his responsibility to help you sell the ultimate consumer on the question: "Can asbestos be used safely?"

Attached you will find a copy of the condensed version of N. I. C. A. interpretation of the asbestos regulations. Particular care should be given to the fact that certain procedures are needed only when limits are exceeded.

Some careless talk has many laymen thinking some procedures must be done at all times regardless of conditions found. Sometimes our competitors help fuel these fires.

Also attached are three suggested letters to send to customers. There is no pride of authorship; change them to fit your situation if they will help you sell.

Your contractors receive much data from N. I. C. A. on the OSHA problem. Bill Reitze puts out OSHA letters on general information, and there are many other sources of information. We have sent you Insulation Hygiene Progress Reports from Mt. Sinai. Even this publication points out that asbestos and smoking are not compatible. Familiarize yourself with these facts, and call on the right people to get your pitch across. This is your job to find a way to do, just as you find a way to secure an order -

"Asbestos-bearing products can be used safely with simple work practices, and these work practices are no more than should normally be done to create a safe and healthy place to work using any product."

M-01656

SUGGESTIONS FOR COMPLIANCE BY ANY FIRM

1. Select a competent Safety Officer responsible for administration and implementation of the firm's Health and Safety rules as they apply to the operation.
2. Establish a Corporate Safety Policy directive. (See attached)
3. Maintain and up-date basic safe work rules for each trade.
4. Arrange periodic work rule and safety meetings with supervisory force. (Foremen, etc.)
5. Publish safe rules in all work places, including procedures for accident reporting, medical location, ambulance service, etc.

M-01657

OCCUPATIONAL SAFETY AND HEALTH ACT 1970

EMPLOYERS ARE REQUIRED TO:

1. Provide safe work environment, free from hazards which may cause illness, injury, or death to their employees. Adopt company-written safety policy.
2. Point out potential hazards and protect their employees from injury.
3. Comply with Safety and Health standards - emergency medical care for each job site - emergency transportation with ambulance services or rescue squads, and if these are not readily available, then a person with a standard first aid certificate from the American Red Cross must be present on the job site. First aid kit approved by a physician shall be provided and phone numbers of emergency facilities must be posted.
4. Permit inspectors to enter workplace without delay at all reasonable times.
5. Conduct personal periodic inspections for safety and health standards compliance.
6. Housekeeping: In general, the regulations require that job sites be kept clear of tripping hazards and all combustible materials be removed on regular schedules.
7. Post notices to keep employees informed of their rights and duties, including provisions of applicable standards.
8. Maintain records, logs, etc. of all work-related injuries, illnesses, deaths, and exposure of employees to toxic chemicals and harmful physical agents.
9. Provide physical examinations of employees to determine if exposure to toxic substances or harmful physical agents has exceeded permissible limits.
10. Post copies of citations of violation at or near each place a violation has occurred.
11. Provide employees with protective equipment, hard hats for falling objects, lifelines where danger of falling exists,

OCCUPATIONAL SAFETY AND HEALTH ACT 1970

respiratory equipment in dangerous atmospheres, safety goggles if there is exposure to flying objects or anything injurious to the eyes. The employer is responsible to see that effective protective equipment is used by his employees, where this would eliminate the possibility of injuries.

12. Fire protection and prevention: All construction areas must be protected from fire, and it is not sufficient to have a fire extinguisher in the trailer. Fire hose may be used if there is 25 PSI with one-half nozzle available, and not more than 100 feet of hose. One fire extinguisher rated 2A for each 3,000 square feet of enclosed building area and a minimum of one extinguisher per floor, and in a multi-story, one extinguisher must be located adjacent to the stairway. Fifty-five gallon open drum of water with two fire pails may be substituted for one 2A.

M-01659

OCCUPATIONAL SAFETY AND HEALTH ACT 1970

EMPLOYEES AND THEIR LEGAL REPRESENTATIVES HAVE THE RIGHT TO:

1. A place of employment free from health hazards.
2. Request an inspection if a suspected violation exists.
3. Remain anonymous, and to seek legal recourse if retaliation occurs.
4. Accompany an inspector during his visit.
5. Receive notification from the inspector as to whether or not a violation exists.
6. Be appraised of all existing hazards.
7. File written objections to and request a hearing on proposed standards.
8. Protest the length of time given to correct a violation.
9. Supply the Secretary of Labor with information used to develop a new standard.
10. Individually, or through his legal representative, bring legal action against the Secretary of Labor for failing to take action on violations resulting in injury, illness, or death.
11. Observe monitoring of toxic substances and have access to records of such monitoring.
12. Be represented on the National Advisory Commission on State Workmen's Compensation Laws and the Standards Advisory Committees.

M-01660

OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

AN INSPECTOR MAY:

1. Appear unannounced at any reasonable time at the job site.
2. He must present proper credentials to owner, operator, or agent in charge.
3. Gain entrance to project by presenting credentials to any employee, if minimum delay fails to produce the agent in charge.
4. Request an employee or authorized representative to accompany him during the inspection.
5. In the absence of an accompanying employee or representative, may question a reasonable number of employees.
6. Check the place of employment and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials.
7. Review any records required under the Act.
8. Take photographs, samples, and employ other investigative techniques.
9. There will be no advance notice of an inspection. Substantial fines, and, in some cases, jail sentences are provided for interfering with an inspector.

M-01661

ASBESTOS FIBER DUST SAMPLING EQUIPMENT

1. Pumps

- a. Cassella T-13030/1, less sampling head, with T-16124 battery charger.

Willson Products Division
ESB, Inc.
P. O. Box 622
Reading, Pennsylvania 19603

- b. MSA Model C dust sampling pump, with 436039 battery charger assembly. (NIOSH is standardization on this - bad delivery)

Mine Safety Appliances Company
201 North Braddock Avenue
Pittsburgh, Pennsylvania 15208
(or local sales offices)

- c. Bendix 3900-10 Micronair Sampler, complete with battery and charger.

Note: Also specify pump to be used for asbestos fiber dust sampling.

All manufacturers will supply connecting hose with mounting clips if requested.

2. Monitors

Millipore MAWP 037 AO Aerosol field monitor, with AA white plain filters.

Millipore Corporation
Bedford, Massachusetts 01730

M-01662

FIRMS CAPABLE OF PERFORMING MONITORING OF
ASBESTOS FIBER IN THE WORK PLACE

1. National Noise Control Service Corporation
Long Grove, Illinois 60049
2. Stevens and McCoy
928 Pennsylvania Avenue
P. O. Box 256
Wyomissing, Pennsylvania 19610
3. George B. Clayton and Associates
7527 Southfield Road
Southfield, Michigan 48076
4. Industrial Hygiene Engineering Services
Johns-Manville Corporation
Denver, Colorado 80217
5. Trepelo-West
2030 Right Avenue
Richmond, California 94804

These firms are capable of doing on-the-job-site monitoring, as well as evaluating the specimens of samples. It would be necessary for each individual to contact the firm to find out if they would handle just the evaluation part if the contractor does his own on-the-job sampling.

M-01663

TYPICAL LETTER

#1.

Dear Customer:

Our Industrial Products Division has requested me to contact you in conjunction with the health aspects of our Johns-Manville Thermobestos Insulation.

Thermobestos Insulation currently contains only 7% chrysotile asbestos fiber. This is in contrast to the same insulation which heretofore contained up to 15%. The asbestos content of our other insulations has also been reduced.

Although asbestos is a known toxic material, many other substances to which construction workers are exposed are also toxic. I have reference to welding fumes, silica, some types of paints, gasoline, etc. Asbestos, like any other material can be handled and used safely. The logical approach is to recognize and understand the potential hazards and take the necessary precautions to avoid injury.

The present asbestos dust threshold limit value, as prescribed by the Federal Occupational Safety and Health Act, is based on an eight-hour time weighted average airborne concentration of fiber to which employees are exposed. The eight-hour average exposure shall not exceed five fibers per milliliter greater than five microns in length, as determined by the membrana filter method of monitoring. Concentrations above five fibers/mL, but not to exceed ten fibers/mL may be permitted up to a total of 15 minutes in an hour for up to five hours in an eight-hour day.

Based on the fact that there is only 7% asbestos fiber in Thermobestos, this threshold limit value should not be difficult to maintain. Several basic practices are important, such as good housekeeping to the extent of keeping floors, scaffolds, and surfaces clean; clean spillage; and use reasonable care when handling material to avoid breakage and unnecessary generation of dust. If mechanical cutting or machining is required for fabricating material, dust collection equipment should be installed.

TYPICAL LETTER

#1.

Except in extremely unusual circumstances where the threshold limit value cannot be maintained, the wearing of respiratory equipment would not be required.

Johns-Manville, like other manufacturers of thermal insulation materials, is presently developing an insulating material with no asbestos fiber. Before we market such a product, we must be assured that the substitute materials do not present a potential health hazard more serious than our 7% asbestos fiber-containing Thermobestos.

Recently in a presentation to the National Insulation Contractors Association, I recommended that before substitute materials are used, they must be thoroughly analyzed and extensive toxicological evaluations made. Unless this is done, the unanticipated health problems created could be critical.

If you have any questions concerning the use of our insulation products related to health problems, or if I can be of further assistance, please call me and we can discuss the matter further.

I am enclosing a booklet which we developed through the National Insulation Manufacturers Association regarding "Recommended Health Safety Practices for Handling and Applying Thermal Insulation Products Containing Asbestos."

Very truly yours,

M-01665

TYPICAL LETTER

#2.

Dear Customer:

Your company's recent decision to eliminate the use of asbestos-bearing insulation in your plants is understandable, especially with the recent adverse publicity connected with asbestos.

We naturally share your concern for the health and safety of your employees, but elimination of asbestos will not by itself solve all of your problems.

Based on the best information we can obtain, OSHA regulations now pertaining to asbestos will soon include other materials, such as lead, silicate, mineral fibers, etc. This means that monitoring and employee physicals will have to be performed where such products are used. In our experience with other plants, such as yours, we find you already have monitoring programs, safety programs, and employee health examinations, and no new expense should occur because of OSHA regulations.

There is no doubt that asbestos fiber is difficult to replace and still obtain a product that has the stability, temperature limit, physical attributes, etc. needed in insulation. A substitute product will mean compromising or lowering your standards.

Prominent medical authorities have found that asbestos health problems are almost always associated with people who smoke cigarettes. Eliminating smoking will eliminate asbestos health problems.

Your plants are already following good housekeeping practices and work procedures (using respirators, ventilation equipment, dust collectors) in other phases of your operation, and these are incorporated in your insulation maintenance work. These practices insure dust counts, except under extreme conditions, to be well under OSHA limits.

Present day insulation, such as Johns-Manville Thermaeston, contains less than 7% asbestos fiber, and installation can be made well within OSHA dust limits.

TYPICAL LETTER
#2.

Eliminating asbestos-bearing products today will not relieve you of your OSHA responsibility, even though your present policy does involve monitoring or physical examinations. For years, you have been using products with from 14% to 90% asbestos fiber. During remodeling, turnaround, etc., you will have this exposure, and have to comply with OSHA.

The Insulation Industry is endeavoring to produce an asbestos-free product. In limited supply, some are already on the market. Complete conversion will not be completed until late 1973. In the meantime, there is really no more need to eliminate asbestos-bearing material than there is to eliminate automobiles, cigarettes, liquor, etc. because of health problems.

We would hope you agree with these irrefutable facts and permit high quality insulation with a small percentage of asbestos fibers to be supplied to your plant until such time as the Industry can adequately meet the needs with an asbestos-free product.

The Insulation Industry needs your understanding and cooperation during this conversion period.

Yours very truly,

M-01667

TYPICAL LETTER

#3.

Dear Customer:

ASBESTOS-FREE INSULATION

As an important segment of American Industry, you are well aware of the impact of OSHA on the overall industrial and contracting groups. Our overall problems with asbestos have been blown out of proportion. Your decision to eliminate asbestos-bearing products is disappointing, and interferes with an orderly transition in the industry to meet compliance of OSHA regulations for all products, including silica, lead, etc., etc.

First of all, if our experience can be considered typical, we find a plant such as yours will have no station or locations where the asbestos fiber count exceeds 2.0 fibers, resulting from insulation materials, which is well below the five fiber TVL. In all probability, your plant average is probably under 1.0 in the application, tearing off, or in your fab shop. "Downwind," "upwind," or at the point of application makes little difference using a product such as Thermobestos with less than 7% asbestos fiber content.

Secondly, since you have thousands of dollars of Thermobestos material already in place, any tear-off or revamp job will have to comply with OSHA. As I pointed out previously, our experience and dust count studies reveal you should have no problem complying with OSHA. Eliminating the use of Thermobestos today will not solve this problem.

Thirdly, we do have the first stage of our pilot manufacturing unit in production making Thermo-12 at Manville, New Jersey. We are test marketing it in the Eastern market until we are sure it is of the quality and uniformity that customers normally expect of a Johns-Manville product. We could not ship enough to the Southwest to do anyone any good. We will have sufficient production available for the Southwest by the Second Quarter of 1973. This is our first major production goal - furnishing the Southwest.

TYPICAL LETTER
#3.

We do appreciate your business, and we need to keep it in the future. We have taken longer to resolve the asbestos problem, endeavoring to come up with a better, more efficient product. We think we have, and we can only ask you to give us a little more time to complete the production facilities needed to make Thermo-12.

Yours very truly,

M-01669

4. Re-emphasis of Certain Aspects of The Wage & Hour Laws
In Light of The OSHA Act.
5. Respirators
6. Safety Glasses & Shoes
7. Back-up Warning Signals For Vehicles
8. Posting of Law In Tool Boxes
9. OSHA Forms Attached To Work Orders.
10. Record Keeping
11. Accounting Charge Numbers
12. Accounting of Expendable Supplies
13. B N A Occupational Safety & Health Reporter
14. New Style First Aid Kits
15. Selection of a Consulting Physician and Safety Equipment
Consultant.

The first item listed, a program of memorandums was part of our educational effort to acquaint Thorpe personnel with various parts of the law effecting their normal duties. These were numbered as transmittals and issued on a time basis, particularly those affecting field superintendents or on an as needed basis. We have furnished you with copies of all of these transmittals if you have not previously received them. In addition, you will find there is

an index showing the employee and office and the transmittals each has received. These are shown as Exhibit I.

On June 23, 1972 we held our annual Supervisors Meeting at the Hotel Sonesta in Houston. This is ordinarily a meeting confined to field and office supervisory personnel. However, this year the meeting was expanded to include certain other employees, particularly warehouse personnel who are daily involved with requirements of the OSHA Act. The main thrust of the meeting this year was concerning the OSHA Act and a substantial portion of the program was handled by our workmen's compensation carrier, Liberty Mutual Insurance Company. A copy of the announcement of this meeting and the agenda is included as Exhibit II.

We conducted a review of our warehouse facilities in Houston accompanied by Liberty Mutual industrial hygiene experts and their loss prevention personnel to determine potential violations of the OSHA Act. Subsequent to this, OSHA Transmittal #23 from our program of memorandums was sent out to all Warehouse Supervisors asking them to check specific portions of our warehouses for detailed compliance with the Act. As an outgrowth of these inspections, we have prepared certain engineering drawings for new steel stairways and platforms and will shortly be installing these along with modi-

fications to handrails and other items. As is usual on many electrical circuit breaker boxes, some of ours were taped to avoid being turned off at the end of the day and taping of these circuit breakers was noted as a violation of the law since it prohibits the circuit breakers from performing their normal function. Gasoline pump areas were equipped with danger signs, and numerous other improvements or changes have already been accomplished. These changes and potential violations were discussed in detail in the Minutes of the Fifteenth Meeting of The Operating Committee, dated March 28, 1972.

With the increased emphasis on safety and the requirements of the OSHA Law, Thorpe's Houston Manager of Construction attended a Wage & Hour Law Seminar sponsored by the A.G.C. & Department of Labor and issued a memorandum to field superintendents on July 18, 1972, which is self-explanatory. A copy of this memorandum is attached as Exhibit III.

An investigation was made of the type dust and material particles our employees would likely be subjected to inhaling and a new type respirator was purchased for these environments. Details of this respirator, Safeline 5441, are given on data sheets attached as Exhibit IV.

We instituted as Thorpe Company policy, the wearing of safety-toed shoes and safety glasses effective April 28, 1972. This was outlined in OSHA Transmittal #4 and also #5 in our program of memorandums. Further, we made arrangements with a safety shoe distributor here in Houston to visit our jobs and provide a convenient means for employees to purchase safety shoes. We set-up a continuing program with Texas State Optical Company to provide permanent Thorpe field employees with safety glasses at company expense. Exhibit V is an example of the authorization form given to employees by Thorpe superintendents.

One of the hazards in construction is vehicles backing over employees accidentally on jobsites. We have tested a back-up device on one of our large contract department trucks, and this appears to be a satisfactory mechanical means of providing a warning when the truck is backing. We have decided that vehicles such as our large jobsite forklifts would not require this since visibility is almost complete from the forklifts while backing, and where a continual backing situation persists during the day, this could be a considerable employee irritant. In the very near future, all of our contract delivery trucks will be equipped with these back-up warning devices.

One of the requirements of the OSHA Act is posting of the most pertinent facts of the law regarding inspections and violations. We have had this wording prepared on permanent type posters and attached them to the inside lid of all Thorpe tool boxes. Since many of our jobs are small and do not have permanent type bulletin boards, we felt this would be the most satisfactory means of complying with the law. Normally during fair weather, the tool box lids remain open during the day and all employees should have ample opportunity to become aware of the features of the law.

As discussed, OSHA Form 100 is attached to the Work Order on significant jobs with the customer's name, the job location, etc., filled in for the superintendent. A sample from a recent work order is attached as Exhibit VI. On smaller jobs, all superintendents have earlier been given a folder in which to keep their OSHA transmittals and in the back is a pocket with a supply of OSHA Forms they can fill in as required.

Record keeping as required by the law is outlined in Transmittal #1, #2, and #3 in our program of memorandums.

We anticipate significant expenditures in the future to comply with the law and have asked our Accounting Department to assign charge

numbers for certain categories of anticipated expenditures. These are as outlined on an interoffice memo, a copy of which is attached and enclosed as Exhibit VII.

In the past, we have charged tool repairs and expendable items used in our contract operations to what we refer to as a 250 account. With the advent of the OSHA Law, we can anticipate personnel safety equipment and other expendable costs increasing rather dramatically. Accordingly, we have set up a new account for these items and now call this a 251 account. All items purchased for this purpose are as listed on the attached list shown as Exhibit VIII.

Mentioned earlier was the difficulty encountered by small and medium companies in keeping abreast of the law. To assist us in this end we have subscribed to the B N A Occupational Safety & Health Reporter. This will be available and exhibited to you during your current meetings.

One of the requirements of the law is that firstaid kits be equipped with individually packaged supplies, that once opened are not re-used. Accordingly, we have investigated this requirement and have now standardized on the Medical Supply Company kit which will also be

available for your inspection during these meetings. This first aid kit has received the approval of our Consulting Physician.

In investigating many of these new products and complying with the health requirements of the law, we have found thus far, that the services of a physician and a good personnel safety equipment company is essential. We anticipate continuing the use of these expert services.

IV. Additional Work To Be Done To Fully Implement The Terms of The OSHA Act In Thorpe Operations.

Much remains yet to be done to place our company in full compliance with the OSHA Act. With regard to field operations, both our refractory and insulators will continue to be exposed to asbestos dust in the years to come on maintenance work. To this end, we will necessarily have to develop a testing program for measuring dust concentrations and a procedure for complying with the new regulations regarding medical examinations. Since this will be effective in January, 1973, this program will be developed in December of this year. Further, the National Institute of Occupational Safety & Health (NIOSH) will be continually formulating new standards. One of these looming significantly on the horizon is the heat exposure

standards. This could have a significant effect on our operations and is being studied by us.

Preliminary plans have been made for a supervisors meeting for the Thorpe Insulation Company personnel in Corpus Christi. This upcoming supervisors meeting, which we anticipate holding in the early part of the first quarter of 1973, will follow a similar format to that held in Houston in June of this year.

Attached as Exhibit IX is a copy of a recent publication of the Research Institute Service to which we subscribe. It outlines the 25 most common violations of the OSHA Act drawing citations. Almost without exception, these have been covered in our program of memorandums and was part of the aim of that program. 1973 will see a significant effort on our part to review and keep uppermost in our superintendent's mind the need to comply with the law and avoid violating these portions of the Act.

As always, we will necessarily keep a close eye on the cost of complying with the new law, and may find it necessary in the future to charge a fee such as a percent of labor or some other charge to account for increasing costs on work performed for customers, particularly on cost plus work.

Since it has always been Thorpe's policy to work safely, many of the features of the new law merely constitutes "fine tuning" of our safety program. Other facets of the law signify a significant change in past practices. To this end, we plan to re-write our standard company safety rules and distribute them to our field forces. We also anticipate the need to develop some sort of continuing education program for our field personnel to enable them to work not only safely but in compliance with the law.

PROGRESS REPORT
IMPLEMENTATION OF 1971 FEDERAL OCCUPATIONAL SAFETY & HEALTH ACT
IN
J T THORPE COMPANY CONTRACT OPERATIONS

NOVEMBER, 1972

I. Major Areas of Impact

Physical Facilities

Jobsite Practices

Field Labor Productivity

Contract Profitability & Estimating Procedures

Type of Work & Materials Used

As you are aware, OSHA announced two programs at the outset, a target industries program and a target health hazards program.

The target industries program was to concern itself with the five top injury prone industries; longshoring, roofing and sheetmetal, meat and wood products, lumber and wood products, and miscellaneous transportation equipment. We, of course, perform sheetmetal work although probably not in the sense that OSHA was zeroing in on.

Their target health hazards program included lead, carbon monoxide, silica, asbestos and cotton dust. We, of course, are very much involved in the asbestos problem as has previously been outlined to you Mr. M. P. Proctor in his compliance procedures for Thorpe Products Company. In addition, certain of our operations put us in direct contact with the silica health hazard. In the very near future, we will be developing a detailed program to combat these latter two hazards in our field operations on a broad scale. We also anticipate the construction industry will become one of OSHA'S prime targets in the very near future.

The potential impact of the law is so great, it is difficult or nearly impossible to instantaneously implement all aspects of the law. Accordingly, our approach has been to make a beginning on a broad basis, correct immediate and obvious violations of the Act, undertake an educational program for our employees, and develop a plan for the longrange.

Mentioned above were five areas of our activities where we anticipate significant change or effects due to the new Law. Physical facilities are the most obvious and the most easily inspected, and certain efforts and expenditures have been and will be undertaken to bring our warehouses and offices into compliance with the Law. As time progresses, and the Act becomes fully implemented in the construction industry, certain practices that have prevailed in the past on construction jobs will no longer be permitted, as indeed some of our past practices have already been changed or prohibited. Hand-in-hand with this implementation of the Law, will be a potential affect on field labor productivity. In some instances, productivity may actually increase due to improved working conditions. However, the effort and expense required to bring about this condition may adversely affect contract profitability. To account for this eventuality, we will need to maintain a close watch over contract costs and possibly modify our estimating

Procedures to account for this impact. You are certainly aware of the asbestos problem, and thus the materials we use in our work - will be affected, and we may even need to reconsider the types of work we are now engaged in. On the brighter side of this picture, we feel companies such as Thorpe that are intending fully to comply with the law and are cognizant of its requirements, will have their services in greater demand in the coming years.

II. Overall Plan For Implementation Of The Law In Thorpe Contract Operations.

Our plan to implement compliance can be simply stated: Comply with the Law in all aspects. However, as mentioned previously, the scope of the law is so broad and its effects so far reaching, that it is virtually impossible for a company of our size to effect overnight total compliance. Accordingly, we have pursued a rather informal plan thus far which has consisted of taking the immediate necessary steps to bring about compliance in our operations, particularly in areas that have been well publicized and are the more obvious items. For the longer range, we are beginning to develop specific policies in certain areas such as environmental testing, personnel training, and facilities modifications. Also required will be reminders of the importance of certain items which need to be followed on a day-to-day basis, and tend to be forgotten with the passage of time. As we continue to approach complete compliance

with the existing law, we will also need to implement the new standards as promulgated by the Federal Government and State Agencies.

One of the most publicized problems with the new law has been the difficulty of small companies, and companies the size of Thorpe to familiarize themselves with the many facets of the law and bring about compliance. We feel this is a very real problem and have exerted considerable effort toward this end. Where the real problem exists in our organization to a greater degree is in our branch office locations and subsidiary company locations. To combat this problem, we will endeavor to keep the supervisory personnel in those locations abreast of new developments and policies as they are available.

III. Actions Taken To Date To Bring About Compliance With The Law

This section of our report will consist of a listing of most of the more significant things done thus far, with a following elaboration on certain items and examples.

1. Program of Memorandums
2. Supervisors Meeting
3. Review of physical facilities

4. Re-emphasis of Certain Aspects of The Wage & Hour Laws
In Light of The OSHA Act.
5. Respirators
6. Safety Glasses & Shoes
7. Back-up Warning Signals For Vehicles
8. Posting of Law In Tool Boxes
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An investigation was made of the type dust and material particles our employees would likely be subjected to inhaling and a new type respirator was purchased for these environments. Details of this respirator, Safeline 5441, are given on data sheets attached as Exhibit IV.

We instituted as Thorpe Company policy, the wearing of safety-toed shoes and safety glasses effective April 28, 1972. This was outlined in OSHA Transmittal #4 and also #5 in our program of memorandums. Further, we made arrangements with a safety shoe distributor here in Houston to visit our jobs and provide a convenient means for employees to purchase safety shoes. We set-up a continuing program with Texas State Optical Company to provide permanent Thorpe field employees with safety glasses at company expense. Exhibit V is an example of the authorization form given to employees by Thorpe superintendents.

One of the hazards in construction is vehicles backing over employees accidentally on jobsites. We have tested a back-up device on one of our large contract department trucks, and this appears to be a satisfactory mechanical means of providing a warning when the truck is backing. We have decided that vehicles such as our large jobsite forklifts would not require this since visibility is almost complete from the forklifts while backing, and where a continual backing situation persists during the day, this could be a considerable employee irritant. In the very near future, all of our contract delivery trucks will be equipped with these back-up warning devices.

One of the requirements of the OSHA Act is posting of the most pertinent facts of the law regarding inspections and violations.

- We have had this wording prepared on permanent type posters and attached them to the inside lid of all Thorpe tool boxes. Since many of our jobs are small and do not have permanent type bulletin boards, we felt this would be the most satisfactory means of complying with the law. Normally during fair weather, the tool box lids remain open during the day and all employees should have ample opportunity to become aware of the features of the law.

As discussed, OSHA Form 100 is attached to the Work Order on significant jobs with the customer's name, the job location, etc., filled in for the superintendent. A sample from a recent work order is attached as Exhibit VI. On smaller jobs, all superintendents have earlier been given a folder in which to keep their OSHA transmittals and in the back is a pocket with a supply of OSHA Forms they can fill in as required.

Record keeping as required by the law is outlined in Transmittal #1, #2, and #3 in our program of memorandums.

We anticipate significant expenditures in the future to comply with the law and have asked our Accounting Department to assign charge

numbers for certain categories of anticipated expenditures.

These are as outlined on an interoffice memo, a copy of which is attached and enclosed as Exhibit VII.

In the past, we have charged tool repairs and expendable items used in our contract operations to what we refer to as a 250 account. With the advent of the OSHA Law, we can anticipate personnel safety equipment and other expendable costs increasing rather dramatically. Accordingly, we have set up a new account for these items and now call this a 251 account. All items purchased for this purpose are as listed on the attached list shown as Exhibit VIII.

Mentioned earlier was the difficulty encountered by small and medium companies in keeping abreast of the law. To assist us in this end we have subscribed to the B N A Occupational Safety & Health Reporter. This will be available and exhibited to you during your current meetings.

One of the requirements of the law is that firstaid kits be equipped with individually packaged supplies, that once opened are not re-used. Accordingly, we have investigated this requirement and have now standardized on the Medical Supply Company kit which will also be

available for your inspection during these meetings. This firstaid kit has received the approval of our Consulting Physician.

In investigating many of these new products and complying with the health requirements of the law, we have found thus far, that the services of a physician and a good personnel safety equipment company is essential. We anticipate continuing the use of these expert services.

IV. Additional Work To Be Done To Fully Implement The Terms of The OSHA Act In Thorpe Operations.

Much remains yet to be done to place our company in full compliance with the OSHA Act. With regard to field operations, both our refractory and insulators will continue to be exposed to asbestos dust in the years to come on maintenance work. To this end, we will necessarily have to develop a testing program for measuring dust concentrations and a procedure for complying with the new regulations regarding medical examinations. Since this will be effective in January, 1973, this program will be developed in December of this year. Further, the National Institute of Occupational Safety & Health (NIOSH) will be continually formulating new standards. One of these looming significantly on the horizon is the heat exposure

standards. This could have a significant effect on our operations and is being studied by us.

Preliminary plans have been made for a supervisors meeting for the Thorpe Insulation Company personnel in Corpus Christi. This upcoming supervisors meeting, which we anticipate holding in the early part of the first quarter of 1973, will follow a similar format to that held in Houston in June of this year.

Attached as Exhibit IX is a copy of a recent publication of the Research Institute Service to which we subscribe. It outlines the 25 most common violations of the OSHA Act drawing citations. Almost without exception, these have been covered in our program of memorandums and was part of the aim of that program. 1973 will be see a significant effort on our part to review and keep uppermost in our superintendent's mind the need to comply with the law and avoid violating these portions of the Act.

As always, we will necessarily keep a close eye on the cost of complying with the new law, and may find it necessary in the future to charge a fee such as a percent of labor or some other charge to account for increasing costs on work performed for customers, particularly on cost plus work.

Since it has always been Thorpe's policy to work safely, many of the features of the new law merely constitutes "fine tuning" of our safety program. Other facets of the law signify a significant change in past practices. To this end, we plan to re-write our standard company safety rules and distribute them to our field forces. We also anticipate the need to develop some sort of continuing education program for our field personnel to enable them to work not only safely but in compliance with the law.

EXHIBIT "K"



Safeguarding our water and land through systems and services that help control pollution.

January 23, 1973

Mr. Mel Proctor
Thorpe Products Company
P.O. Box 33399
Houston, TX 77033

Dear Mr. Proctor:

On December 27, 1972, six of the eight samples forwarded to us for analysis were evaluated for possible asbestos fiber content.

As indicated to you by Mr. Denny Christensen, Chief Industrial Hygienist, Sample #7 could not be analyzed because the filter and support pad had been reversed for sampling and Sample #8 was too heavily loaded, possibly due to the lengthy sampling time.

Samples #1 - #6 were analyzed by Phase Contrast Microscopy using 430X magnification as prescribed by the Occupational Safety and Health Administration Standards.

The results of the samples analyzed are as follows:

Station No.	Location & Comments	Hazard	(F/cc) Result	(F/cc) TLV
1	<u>Mechanic - Thermo Fittings - Preston Holloway</u> Cutting Thermobestos for fittings. 6-hour sample - 12-11-72	Asbestos	0.6	5.0
2	<u>Assistant Shipping Clerk - Gordon Frazier</u> Shipping and receiving. 6-hour sample - 12-15-72	Asbestos	0.4	5.0
3	<u>Truck Driver - Ellis Burton</u> Pick up and delivery. Unloading #352 cement car. 6-hour sample - 12-19-72	Asbestos	0.5	5.0

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Mr. Mel Proctor
January 23, 1973
Page 2

<u>Station No.</u>	<u>Location & Comments</u>	<u>Hazard</u>	<u>(F/cc) Result</u>	<u>(F/cc) TLV</u>
4	<u>Shipping Clerk - Anthony Joseph</u> Shipping and receiving. Unloading thermobestos car. 5 1/2-hour sample - 12-18-72	Asbestos	0.3	5.0
5	<u>Warehouse Superintendent - Floyd Cryer</u> Shipping and receiving. 6-hour sample - 12-17-72	Asbestos	0.1	5.0
6	<u>Shop Machine Operator - Bill Woods</u> Cutting polyurethane. 6-hour sample - 12-13-72	Asbestos	0.1	5.0

If you should have any questions regarding the survey results, please do not hesitate to contact Mr. Christensen, (312) 623-2900, or myself, (303) 770-1000.

Very truly yours,

J. D. Garber / JVR

J. D. Garber, Manager
Industrial Hygiene Engineering Services

BGS/lh

EXHIBIT “L”

JOHN THORPE COMPANY INSURERS

"PRIMA"

Insurer	From	To	Policy No.	Person	Ass. Qty	Assessable
American Motorist	1/1/54	1/1/55	4YM 428-192	250/per	500/acc	500/prod ag
American Motorist	1/1/55	1/1/56	5ZM-428 192	250/per	500/acc	500/prod ag
American Motorist	1/1/56	1/1/57	6ZM-428 192	250/per	500/acc	500/prod ag
American Motorist	1/1/57	1/1/58	7ZM-428 192	250/per	500/acc	500/prod ag
American Motorist	1/1/58	1/1/59	8ZM-84 278	250/per	500/acc	500/prod ag
American Motorist	1/1/59	1/1/60	9ZM 84278	250/per	500/acc	500/prod ag
American Motorist	1/1/60	1/1/61	0ZM 84278	250/per	500/acc	500/prod ag
American Motorist	1/1/61	1/1/62	1ZM 84278	250/per	500/acc	500/prod ag
St. Paul Fire & Marine	1/1/62	1/1/63	542AC 8412	100/per	300/acc	300/prod ag
St. Paul Fire & Marine	1/1/63	1/1/64	542AC 8412	100/per	300/acc	300/prod ag
St. Paul Fire & Marine	1/1/64	1/1/65	542AD 3778	100/per	300/acc	300/prod ag
St. Paul Fire & Marine	1/1/65	1/1/66	542AD 8612	100/per	300/acc	300/prod ag
St. Paul Fire & Marine	1/1/66	1/1/67	542A 83462	100/per	300/acc	300/prod ag
St. Paul Fire & Marine	1/1/67	1/1/68	542A 87838	100/per	300/acc	300/prod ag
St. Paul Fire & Marine	1/1/68	1/1/69	542AG 1362	100/per	300/acc	300/ag
St. Paul Fire & Marine	1/1/69	1/1/70	542AG 8400	100/per	300/acc	300/ag
St. Paul Fire & Marine	1/1/70	1/1/71	542AH 4334	100/per	300/acc	300/ag
St. Paul Fire & Marine	1/1/71	1/1/72	542AJ 0297	100/per	300/acc	300/ag
St. Paul Fire & Marine	1/1/72	1/1/73	542AJ 0888	100/per	300/acc	300/ag
St. Paul Insurance Co	1/1/73	1/1/74	542TA 8181	100/per	300/acc	300/ag
St. Paul Insurance Co	1/1/74	1/1/75	542TA 8182	100/per	300/acc	300/ag
Federal Ins Co-Chubb	1/1/75	1/1/76	7762-88-88	100/per	300/acc	300/ag
Federal Ins Co-Chubb	1/1/76	1/1/77	7762-88-87	100/per	300/acc	300/ag
Federal Ins Co-Chubb	1/1/77	1/1/78	77788801	300/per	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/78	1/1/79	77778888	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/79	1/1/80	77778884	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/80	1/1/81	(78)77778888	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/81	1/1/82	(78)77778884	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/82	1/1/83	(77)77778888	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/83	1/1/84	(77)77778884	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/84	1/1/85	(78)77778888	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/85	1/1/86	(78)77778884	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/86	1/1/87	77778888	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/87	1/1/88	77778884	NA	300/acc	300/ag
Home Insurance Co	1/1/88	1/1/89	GA 988488	NA	300/acc	300/ag
Home Insurance Co	1/1/89	1/1/90	GA 988888	NA	300/acc	300/ag
Natl Union Fire Ins Co	1/1/90	1/1/91	GLA 127888 RA	NA	1,000/acc	1,000/ag
Natl Union Fire Ins Co	1/1/91	1/1/92	GLA 127884 RA	NA	1,000/acc	1,000/ag
Natl Union Fire Ins Co	1/1/92	1/1/93	GLA 148888 RA	NA	1,000/acc	1,000/ag
Natl Union Fire Ins Co	1/1/93	1/1/94	GLA 148884 RA	NA	1,000/acc	1,000/ag
Natl Union Fire Ins Co	1/1/94	1/1/95	GLA 188887 RA	NA	1,000/acc	1,000/ag
Natl Union Fire Ins Co	1/1/95	1/1/96	GLA 188888 RA	NA	1,000/acc	1,000/ag
Natl Union Fire Ins Co	1/1/96	1/1/97	GLA 188884 RA	NA	1,000/acc	1,000/ag
Employers Casualty Co	1/1/97	1/1/98	COL A 812338	NA	800/acc	500/ag
Employers Casualty Co	1/1/98	1/1/99	COL B 812338	NA	800/acc	500/ag
Employers Casualty Co	1/1/99	1/1/00	LCR C 812338	NA	1,000/acc	2,000/PCO
Natl Union Fire Ins Co	1/1/00	1/1/01	RMGL 488788	NA	1,000/acc	1,000/PCO
Natl Union Fire Ins Co	1/1/01	1/1/02	RMGL TX488787	NA	1,000/acc	1,000/PCO

The above Insurance Policy list represents the face amounts of the policies and does not purport to represent whether coverage is applicable or available to satisfy the claims asserted by any party against the defendant.

"PRIMA"

Insurer	From	To	Policy No.	Person	Am. Qtr	Aggregate
American Motorist	1/1/54	1/1/58	4YM 426-192	250/per	500/acc	500/acc ag
American Motorist	1/1/58	1/1/59	52M-426 192	250/per	500/acc	500/acc ag
American Motorist	1/1/59	1/1/57	62M-426 192	250/per	500/acc	500/acc ag
American Motorist	1/1/57	1/1/57	72M-426 192	250/per	500/acc	500/acc ag
American Motorist	1/1/58	1/1/60	82M-44 278	250/per	500/acc	500/acc ag
American Motorist	1/1/59	1/1/60	92M 94278	250/per	500/acc	500/acc ag
American Motorist	1/1/60	1/1/61	02M 94278	250/per	500/acc	500/acc ag
American Motorist	1/1/61	1/1/62	12M 94278	250/per	500/acc	500/acc ag
St. Paul Fire & Marine	1/1/62	1/1/63	542AC 8412	100/per	300/acc	300/acc ag
St. Paul Fire & Marine	1/1/63	1/1/63	542AC 8412	100/per	300/acc	300/acc ag
St. Paul Fire & Marine	1/1/63	1/1/64	542AD 3778	100/per	300/acc	300/acc ag
St. Paul Fire & Marine	1/1/64	1/1/68	542AD 8812	100/per	300/acc	300/acc ag
St. Paul Fire & Marine	1/1/68	1/1/68	542A 83482	100/per	300/acc	300/acc ag
St. Paul Fire & Marine	1/1/68	1/1/67	542A 87838	100/per	300/acc	300/acc ag
St. Paul Fire & Marine	1/1/67	1/1/68	542AQ 1362	100/per	300/acc	300/acc
St. Paul Fire & Marine	1/1/68	1/1/69	542AQ 8480	100/per	300/acc	300/acc
St. Paul Fire & Marine	1/1/69	1/1/70	542AH 4354	100/per	300/acc	300/acc
St. Paul Fire & Marine	1/1/70	1/1/71	542AJ 0297	100/per	300/acc	300/acc
St. Paul Fire & Marine	1/1/70	1/1/71	542AJ 0298	100/per	300/acc	300/acc
St. Paul Insurance Co	1/1/71	1/1/72	542TA 8181	100/per	300/acc	300/acc
St. Paul Insurance Co	1/1/71	1/1/72	542TA 8182	100/per	300/acc	300/acc
Federal Ins Co-Chubb	1/1/72	1/1/73	7762-89-08	100/per	300/acc	300/acc
Federal Ins Co-Chubb	1/1/72	1/1/73	7762-89-07	100/per	300/acc	300/acc
Federal Ins Co-Chubb	1/1/73	1/1/74	77788901	300/per	300/acc	300/acc
Vigilant Ins Co-Chubb	1/1/74	1/1/75	77778908	NA	300/acc	300/acc
Vigilant Ins Co-Chubb	1/1/74	1/1/75	77778904	NA	300/acc	300/acc
Vigilant Ins Co-Chubb	1/1/75	1/1/75	(75)77778908	NA	300/acc	300/acc
Vigilant Ins Co-Chubb	1/1/75	1/1/75	(75)77778904	NA	300/acc	300/acc
Vigilant Ins Co-Chubb	1/1/75	1/1/77	(77)77778908	NA	300/acc	300/acc
Vigilant Ins Co-Chubb	1/1/75	1/1/77	(77)77778904	NA	300/acc	300/acc
Vigilant Ins Co-Chubb	1/1/77	1/1/78	(78)77778908	NA	300/acc	300/acc
Vigilant Ins Co-Chubb	1/1/77	1/1/78	(78)77778904	NA	300/acc	300/acc
Vigilant Ins Co-Chubb	1/1/78	3/1/78	77778908	NA	300/acc	300/acc
Vigilant Ins Co-Chubb	1/1/78	3/1/78	77778904	NA	300/acc	300/acc
Home Insurance Co	3/1/78	4/1/78	GA 985488	NA	300/acc	300/acc
Home Insurance Co	4/1/78	4/1/78	GA 985488	NA	300/acc	300/acc
Natl Union Fire Ins Co	4/1/78	7/1/78	GLA 127888 RA	NA	1,000/acc	1,000/acc
Natl Union Fire Ins Co	7/1/78	7/1/78	GLA 127888 RA	NA	1,000/acc	1,000/acc
Natl Union Fire Ins Co	7/1/78	7/1/78	GLA 948888 RA	NA	1,000/acc	1,000/acc
Natl Union Fire Ins Co	7/1/78	7/1/78	GLA 948888 RA	NA	1,000/acc	1,000/acc
Natl Union Fire Ins Co	7/1/78	7/1/78	GLA 182888 RA	NA	1,000/acc	1,000/acc
Natl Union Fire Ins Co	7/1/78	7/1/78	GLA 182888 RA	NA	1,000/acc	1,000/acc
Natl Union Fire Ins Co	7/1/78	7/1/78	GLA 182888 RA	NA	1,000/acc	1,000/acc
Employers Casualty Co	7/1/78	7/1/77	CGL A 812338	NA	800/acc	800/acc
Employers Casualty Co	7/1/77	7/1/78	CGL B 812338	NA	800/acc	800/acc
Employers Casualty Co	7/1/78	8/1/80	LGR C 812338	NA	1,000/acc	2,000/PCO
Natl Union Fire Ins Co	8/1/80	8/1/80	RMGL 488788	NA	1,000/acc	1,000/PCO
Natl Union Fire Ins Co	8/1/80	8/1/80	RMGL TX488788	NA	1,000/acc	1,000/PCO

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"PRIMA"

INSURER	From	To	Policy No.	Person	Am. Own	Address
American Motorist	1/1/84	1/1/88	4YM 428-192	250/per	500/acc	500/prop ag
American Motorist	1/1/88	1/1/89	52M-428 192	250/per	500/acc	500/prop ag
American Motorist	1/1/86	1/1/87	62M-428 192	250/per	500/acc	500/prop ag
American Motorist	1/1/87	1/1/87	72M-428 192	250/per	500/acc	500/prop ag
American Motorist	1/1/88	1/1/89	82M-44 278	250/per	500/acc	500/prop ag
American Motorist	1/1/89	1/1/89	92M 94278	250/per	500/acc	500/prop ag
American Motorist	1/1/89	1/1/89	02M 94278	250/per	500/acc	500/prop ag
American Motorist	1/1/89	1/1/89	12M 94278	250/per	500/acc	500/prop ag
St. Paul Fire & Marine	1/1/82	1/1/83	542AC 8412	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/83	1/1/83	542AC 8412	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/83	1/1/84	542AD 3778	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/84	1/1/88	542AD 8812	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/88	1/1/89	542A 83482	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/88	1/1/87	542A 87838	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/87	1/1/88	542AG 1382	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/88	1/1/88	542AG 8480	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/89	1/1/70	542AH 4334	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/70	1/1/71	542AJ 0297	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/70	1/1/71	542AJ 0888	100/per	300/acc	300/prop ag
St. Paul Insurance Co	1/1/71	1/1/72	542TA 8181	100/per	300/acc	300/prop ag
St. Paul Insurance Co	1/1/71	1/1/72	542TA 8182	100/per	300/acc	300/prop ag
Federal Ins Co-Chubb	1/1/72	1/1/73	7782-88-88	100/per	300/acc	300/prop ag
Federal Ins Co-Chubb	1/1/72	1/1/73	7782-88-87	100/per	300/acc	300/prop ag
Federal Ins Co-Chubb	1/1/73	1/1/74	77788881	300/per	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/74	1/1/78	77778888	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/74	1/1/78	77778884	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/78	1/1/78	(78)77778888	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/78	1/1/78	(78)77778884	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/78	1/1/77	(77)77778888	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/78	1/1/77	(77)77778884	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/77	1/1/78	(78)77778888	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/77	1/1/78	(78)77778884	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/78	3/1/78	77778888	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/78	3/1/78	77778884	NA	300/acc	300/prop ag
Home Insurance Co	3/1/78	4/1/79	QA 988488	NA	300/acc	300/prop ag
Home Insurance Co	4/1/79	4/1/79	QA 988888	NA	300/acc	300/prop ag
Natl Union Fire Ins Co	4/1/88	7/1/88	GLA 127088 RA	NA	1,000/acc	1,000/prop ag
Natl Union Fire Ins Co	7/1/88	7/1/88	GLA 127088 RA	NA	1,000/acc	1,000/prop ag
Natl Union Fire Ins Co	7/1/88	7/1/88	GLA 248888 RA	NA	1,000/acc	1,000/prop ag
Natl Union Fire Ins Co	7/1/88	7/1/84	GLA 248888 RA	NA	1,000/acc	1,000/prop ag
Natl Union Fire Ins Co	7/1/84	7/1/88	GLA 188887 RA	NA	1,000/acc	1,000/prop ag
Natl Union Fire Ins Co	7/1/88	7/1/88	GLA 188888 RA	NA	1,000/acc	1,000/prop ag
Natl Union Fire Ins Co	7/1/88	7/1/88	GLA 188884 RA	NA	1,000/acc	1,000/prop ag
Employers Casualty Co	7/1/88	7/1/87	CGL A 812338	NA	500/acc	500/prop ag
Employers Casualty Co	7/1/87	7/1/88	CGL B 812338	NA	500/acc	500/prop ag
Employers Casualty Co	7/1/88	8/1/88	LCR C 812338	NA	1,000/acc	2,000/PCO
Natl Union Fire Ins Co	8/1/88	8/1/88	RMQL 488788	NA	1,000/acc	1,000/PCO
Natl Union Fire Ins Co	8/1/88	8/1/88	RMQL TX488788	NA	1,000/acc	1,000/PCO

The above Insurance Policy list represents the face amounts of the policies and does not purport to represent whether coverage is applicable or available to satisfy the claims asserted by any party against the defendant.

"PRIMARY"

Insurer	From	To	Policy No.	Person	Am. Qty	Assessable
American Motorist	1/1/54	1/1/55	4YM 425-192	250/per	500/acc	500/prop ag
American Motorist	1/1/55	1/1/55	5ZM-425 192	250/per	500/acc	500/prop ag
American Motorist	1/1/56	1/1/57	6ZM-425 192	250/per	500/acc	500/prop ag
American Motorist	1/1/57	1/1/57	7ZM-425 192	250/per	500/acc	500/prop ag
American Motorist	1/1/58	1/1/60	8ZM-54 278	250/per	500/acc	500/prop ag
American Motorist	1/1/59	1/1/60	9ZM 54278	250/per	500/acc	500/prop ag
American Motorist	1/1/60	1/1/61	0ZM 54278	250/per	500/acc	500/prop ag
American Motorist	1/1/61	1/1/62	1ZM 54278	250/per	500/acc	500/prop ag
St. Paul Fire & Marine	1/1/62	1/1/63	542AC 8412	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/63	1/1/63	542AC 8412	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/63	1/1/64	542AD 3778	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/64	1/1/65	542AD 8612	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/65	1/1/66	542A 85462	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/66	1/1/67	542A 87636	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/67	1/1/68	542AG 1362	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/68	1/1/69	542AG 8489	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/69	1/1/70	542AH 4334	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/70	1/1/71	542AJ 0297	100/per	300/acc	300/prop ag
St. Paul Fire & Marine	1/1/70	1/1/71	542AJ 0888	100/per	300/acc	300/prop ag
St. Paul Insurance Co	1/1/71	1/1/72	542TA 8181	100/per	300/acc	300/prop ag
St. Paul Insurance Co	1/1/71	1/1/72	542TA 8182	100/per	300/acc	300/prop ag
Federal Ins Co-Chubb	1/1/72	1/1/73	7763-89-89	100/per	300/acc	300/prop ag
Federal Ins Co-Chubb	1/1/72	1/1/73	7763-89-87	100/per	300/acc	300/prop ag
Federal Ins Co-Chubb	1/1/73	1/1/74	77768001	300/per	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/74	1/1/75	77768002	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/74	1/1/75	77768004	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/75	1/1/76	(76)77768006	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/75	1/1/76	(76)77768004	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/76	1/1/77	(77)77768006	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/76	1/1/77	(77)77768004	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/77	1/1/78	(78)77768006	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/77	1/1/78	(78)77768004	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/78	2/1/78	77768006	NA	300/acc	300/prop ag
Vigilant Ins Co-Chubb	1/1/78	2/1/78	77768004	NA	300/acc	300/prop ag
Home Insurance Co	2/1/78	4/1/78	GA 985482	NA	300/acc	300/prop ag
Home Insurance Co	4/1/78	4/1/79	GA 985482	NA	300/acc	300/prop ag
Natl Union Fire Ins Co	4/1/80	7/1/82	GLA 127098 RA	NA	1,000/acc	1,000/prop ag
Natl Union Fire Ins Co	7/1/81	7/1/82	GLA 127098 RA	NA	1,000/acc	1,000/prop ag
Natl Union Fire Ins Co	7/1/82	7/1/83	GLA 145363 RA	NA	1,000/acc	1,000/prop ag
Natl Union Fire Ins Co	7/1/83	7/1/84	GLA 145363 RA	NA	1,000/acc	1,000/prop ag
Natl Union Fire Ins Co	7/1/84	7/1/85	GLA 155471 RA	NA	1,000/acc	1,000/prop ag
Natl Union Fire Ins Co	7/1/85	7/1/86	GLA 180883 RA	NA	1,000/acc	1,000/prop ag
Natl Union Fire Ins Co	7/1/86	7/1/86	GLA 180884 RA	NA	1,000/acc	1,000/prop ag
Employers Casualty Co	7/1/86	7/1/87	CGL A 512336	NA	500/acc	500/prop ag
Employers Casualty Co	7/1/87	7/1/88	CGL B 512336	NA	500/acc	500/prop ag
Employers Casualty Co	7/1/88	8/1/88	LCR C 512336	NA	1,000/acc	2,000/PCO
Natl Union Fire Ins Co	8/1/88	8/1/89	RMGL 4867000	NA	1,000/acc	1,000/PCO
Natl Union Fire Ins Co	8/1/89	8/1/89	RMGL TX4867007	NA	1,000/acc	1,000/PCO

The above Insurance Policy list represents the face amounts of the policies and does not purport to represent whether coverage is applicable or available to satisfy the claims asserted by any party against the defendants.

J T THORPE COMPANY INSURERS

"EXCESS"

Insurer	From	To	Policy No.	Person	Acc Occ	Aggregate
American Fidelity Casualty Ins	1/1/62	1/1/65	410075		1,000 xs Prim	1,000 xs Prim
Harbor Insurance Co	1/1/64	8/23/68	100667		1,000 xs Prim	1,000 xs Prim
Harbor Insurance Co	1/1/67	1/1/70	102848		2,000 xs Prim	2,000 xs Prim
Mission Ins Co	1/1/70	1/1/73	M70290		3,000 xs Prim	3,000 xs Prim
Uniguard Ins Group	1/1/73	1/1/75	10434		3,000 xs Prim	3,000 xs Prim
American Home Assurance C	6/6/74	6/5/75	CE 345 05 85		2,000 xs 3,000	2,000 xs 3,000
American Home Assurance C	1/1/75	6/5/75	BE 3517672		3,000 xs Prim	3,000 xs Prim
American Home Assurance C	6/5/75	1/1/78	BE 3517672		5,000 xs Prim	5,000 xs Prim
First State Ins Co	1/1/77	1/1/78	924242		5,000 xs 5,000	5,000 xs 5,000
Employers Natl Ins Corp	1/1/78	4/1/79	20013		200 xs 300	200 xs 300
Interstate Fire & Casualty Co	1/1/78	4/1/79	155-CO 7389		1,000 xs 500	1,000 xs 500
Holland American Ins Co	1/1/78	4/1/79	H 86801		4,000 xs 1,000	4,000 xs 1,000
First State Ins Co	1/1/78	4/1/79	928053		5,000 xs 5,000	5,000 xs 5,000
United States Fire Ins Co	1/1/79	4/1/80	5220066411		5,000 xs 5,000	5,000 xs 5,000
Lexington Ins. Co.	4/1/79	4/1/80	5513925		5,000 xs 10,000	5,000 xs 10,000
First State Insurance Co	4/1/80	7/1/81	944915		10,000 xs Prim	10,000 xs Prim
Pine Top Ins Co	4/1/80	7/1/81	MLP 10-20-79		10,000xs10,000	10,000xs10,000
Republic Ins Co	7/1/81	7/1/82	CDU 6500		10,000 xs Prim	10,000 xs Prim
Old Republic Ins Co	7/1/81	7/1/82	OZX 11231		10,000xs10,000	10,000xs10,000
Republic Ins Co	7/1/82	7/1/83	CDU 10321		10,000 xs Prim	10,000 xs Prim
Twin City Fire Ins Co	7/1/82	7/1/83	TXS100386		10,000xs10,000	10,000xs10,000
Centaur Ins Co	7/1/82	7/1/83	CML 10 0808		20,000xs20,000	20,000xs20,000
Republic Ins Co	7/1/83	7/1/84	CDU 13947		10,000 xs Prim	10,000 xs Prim
Centaur Ins Co	7/1/83	7/1/84	Binder #6412		25,000xs10,000	25,000xs10,000
Gilbreth Casualty Co	7/1/83	7/1/84	GMX 03848		10 part of 15xs35	10 part of 15xs35
Western Employers Ins Co	7/1/83	7/1/84	Binder #6422		5 part of 15xs35	5 part of 15xs35
Republic Ins Co	7/1/84	7/1/85	CDU 18633		10,000 xs Prim	10,000 xs Prim
Highlands Ins Co	7/1/84	7/1/85	SR No.51117		10,000xs10,000	10,000xs10,000
Western Employers Ins Co	7/1/84	7/1/85	EX 10-0784-15007		5,000 xs 20,000	5,000 xs 20,000
Landmark Ins Co	7/1/84	7/1/85	FE 4002036		2 part of 5xs25	2 part of 5xs25
Forum Ins Co	7/1/84	7/1/85	FF-300800		3 part of 5xs25	3 part of 5xs25
Twin City Fire Ins Co	7/1/84	7/1/85	TXS 103714		5,000 xs 30,000	5,000 xs 30,000
First State Ins Co	7/1/85	7/1/86	UL 000355		5,000 xs Prim	5,000 xs Prim
Employers Casualty Co	7/1/86	7/1/87	EXL A 582677	NA	500/occ	500/ag
Stonewall Ins Companies	7/1/86	7/1/87	5800 3777		5,000 xs Prim	5,000 xs Prim
Employers Casualty Co	7/1/87	7/1/88	EXL B 582677	NA	500/occ	500/ag
Stonewall Ins Co	7/1/87	7/1/88	5800 4786		5,000 xs Prim	5,000 xs Prim
Columbia Casualty (CNA)	7/1/88	8/15/88	UMB 180 3203		5,000 xs Prim	5,000 xs Prim
Natl Union Fire Ins Co	8/15/88	8/15/90			5,000 xs Prim	5,000 xs Prim

The above Insurance Policy list represents the face amounts of the policies and does not purport to represent whether coverage is applicable or available to satisfy the claims asserted by any party against the defendant.

J T THORPE COMPANY INSURERS

"EXCESS"

Insurer	From	To	Policy No.	Person	Acc Occ	Aggregate
American Fidelity Casualty Ins	1/1/62	1/1/65	410076		1,000 xs Prim	1,000 xs Prim
Harbor Insurance Co	1/1/64	8/23/68	100867		1,000 xs Prim	1,000 xs Prim
Harbor Insurance Co	1/1/67	1/1/70	102848		2,000 xs Prim	2,000 xs Prim
Mission Ins Co	1/1/70	1/1/73	M70290		3,000 xs Prim	3,000 xs Prim
Uniguard Ins Group	1/1/73	1/1/75	10434		3,000 xs Prim	3,000 xs Prim
American Home Assurance C	6/5/74	6/5/75	CE 345 05 85		2,000 xs 3,000	2,000 xs 3,000
American Home Assurance C	1/1/75	6/5/75	BE 3517672		3,000 xs Prim	3,000 xs Prim
American Home Assurance C	6/5/75	1/1/78	BE 3517672		5,000 xs Prim	5,000 xs Prim
First State Ins Co	1/1/77	1/1/78	924242		5,000 xs 5,000	5,000 xs 5,000
Employers Natl Ins Corp	1/1/78	4/1/79	20013		200 xs 300	200 xs 300
Interstate Fire & Casualty Co	1/1/78	4/1/79	155-CO 7389		1,000 xs 500	1,000 xs 500
Holland American Ins Co	1/1/78	4/1/79	H 86801		4,000 xs 1,000	4,000 xs 1,000
First State Ins Co	1/1/78	4/1/79	926053		5,000 xs 5,000	5,000 xs 5,000
United States Fire Ins Co	1/1/79	4/1/80	5220066411		5,000 xs 5,000	5,000 xs 5,000
Lexington Ins. Co.	4/1/79	4/1/80	5513925		5,000 xs 10,000	5,000 xs 10,000
First State Insurance Co	4/1/80	7/1/81	944916		10,000 xs Prim	10,000 xs Prim
Pine Top Ins Co	4/1/80	7/1/81	MLP 10-20-79		10,000xs10,000	10,000xs10,000
Republic Ins Co	7/1/81	7/1/82	CDU 6800		10,000 xs Prim	10,000 xs Prim
Old Republic Ins Co	7/1/81	7/1/82	OZX 11231		10,000xs10,000	10,000xs10,000
Republic Ins Co	7/1/82	7/1/83	CDU 10321		10,000 xs Prim	10,000 xs Prim
Twin City Fire Ins Co	7/1/82	7/1/83	TXS100586		10,000xs10,000	10,000xs10,000
Centaur Ins Co	7/1/82	7/1/83	CML 10 0806		20,000xs20,000	20,000xs20,000
Republic Ins Co	7/1/83	7/1/84	CDU 13947		10,000 xs Prim	10,000 xs Prim
Centaur Ins Co	7/1/83	7/1/84	Binder #6412		25,000xs10,000	25,000xs10,000
Gilbreth Casualty Co	7/1/83	7/1/84	GMX 03848		10 part of 15xs35	10 part of 15xs35
Western Employers Ins Co	7/1/83	7/1/84	Binder #6422		5 part of 15xs35	5 part of 15xs35
Republic Ins Co	7/1/84	7/1/85	CDU 18433		10,000 xs Prim	10,000 xs Prim
Highlands Ins Co	7/1/84	7/1/85	SR No.51117		10,000xs10,000	10,000xs10,000
Western Employers Ins Co	7/1/84	7/1/85	EX 10-0784-15007		5,000 xs 20,000	5,000 xs 20,000
Landmark Ins Co	7/1/84	7/1/85	FE 4002036		2 part of 5xs25	2 part of 5xs25
Forum Ins Co	7/1/84	7/1/85	FF-300600		3 part of 5xs25	3 part of 5xs25
Twin City Fire Ins Co	7/1/84	7/1/85	TXS 103714		5,000 xs 30,000	5,000 xs 30,000
First State Ins Co	7/1/85	7/1/86	UL 000388		5,000 xs Prim	5,000 xs Prim
Employers Casualty Co	7/1/86	7/1/87	EXL A 582877	NA	500/occ	500/ag
Stonewall Ins Companies	7/1/86	7/1/87	5800 3777		5,000 xs Prim	5,000 xs Prim
Employers Casualty Co	7/1/87	7/1/88	EXL B 582877	NA	500/occ	500/ag
Stonewall Ins Co	7/1/87	7/1/88	5800 4786		5,000 xs Prim	5,000 xs Prim
Columbia Casualty (CNA)	7/1/88	8/15/89	UMB 180 3203		5,000 xs Prim	5,000 xs Prim
Natl Union Fire Ins Co	8/15/89	8/15/90			5,000 xs Prim	5,000 xs Prim

The above Insurance Policy list represents the face amounts of the policies and does not purport to represent whether coverage is applicable or available to satisfy the claims asserted by any party against the defendant.

J T THORPE COMPANY INSURERS

"EXCESS"

Insurer	From	To	Policy No.	Person	Acc Occr	Aggregate
American Fidelity Casualty Ins	1/1/62	1/1/65	410078		1,000 xs Prim	1,000 xs Prim
Harbor Insurance Co	1/1/64	8/23/66	100667		1,000 xs Prim	1,000 xs Prim
Harbor Insurance Co	1/1/67	1/1/70	102848		2,000 xs Prim	2,000 xs Prim
Mission Ins Co	1/1/70	1/1/73	M70290		3,000 xs Prim	3,000 xs Prim
Uniguard Ins Group	1/1/73	1/1/75	10434		3,000 xs Prim	3,000 xs Prim
American Home Assurance C	6/5/74	6/5/75	CE 345 05 85		2,000 xs 3,000	2,000 xs 3,000
American Home Assurance C	1/1/76	6/5/75	BE 3517672		3,000 xs Prim	3,000 xs Prim
American Home Assurance C	6/5/75	1/1/78	BE 3517672		5,000 xs Prim	5,000 xs Prim
First State Ins Co	1/1/77	1/1/78	924242		5,000 xs 5,000	5,000 xs 5,000
Employers Nat'l Ins Corp	1/1/78	4/1/79	20013		200 xs 300	200 xs 300
Interstate Fire & Casualty Co	1/1/78	4/1/79	185-CO 7389		1,000 xs 500	1,000 xs 500
Holland American Ins Co	1/1/78	4/1/79	H 86801		4,000 xs 1,000	4,000 xs 1,000
First State Ins Co	1/1/78	4/1/79	926053		5,000 xs 5,000	5,000 xs 5,000
United States Fire Ins Co	1/1/79	4/1/80	5220086411		5,000 xs 5,000	5,000 xs 5,000
Lexington Ins. Co.	4/1/79	4/1/80	5513925		5,000 xs 10,000	5,000 xs 10,000
First State Insurance Co	4/1/80	7/1/81	944816		10,000 xs Prim	10,000 xs Prim
Pine Top Ins Co	4/1/80	7/1/81	MLP 10-20-79		10,000xs10,000	10,000xs10,000
Republic Ins Co	7/1/81	7/1/82	CDU 8500		10,000 xs Prim	10,000 xs Prim
Old Republic Ins Co	7/1/81	7/1/82	OZX 11231		10,000xs10,000	10,000xs10,000
Republic Ins Co	7/1/82	7/1/83	CDU 10321		10,000 xs Prim	10,000 xs Prim
Twin City Fire Ins Co	7/1/82	7/1/83	TXS100586		10,000xs10,000	10,000xs10,000
Centaur Ins Co	7/1/82	7/1/83	CML 10 0808		20,000xs20,000	20,000xs20,000
Republic Ins Co	7/1/83	7/1/84	CDU 13947		10,000 xs Prim	10,000 xs Prim
Centaur Ins Co	7/1/83	7/1/84	Binder #6412		25,000xs10,000	25,000xs10,000
Gilbreater Casualty Co	7/1/83	7/1/84	GMX 03648		10 part of 15xs35	10 part of 15xs35
Western Employers Ins Co	7/1/83	7/1/84	Binder #8422		5 part of 15xs35	5 part of 15xs35
Republic Ins Co	7/1/84	7/1/85	CDU 16633		10,000 xs Prim	10,000 xs Prim
Highlands Ins Co	7/1/84	7/1/85	SR No.51117		10,000xs10,000	10,000xs10,000
Western Employers Ins Co	7/1/84	7/1/85	EX 10-0784-15007		5,000 xs 20,000	5,000 xs 20,000
Landmark Ins Co	7/1/84	7/1/85	FE 4002036		2 part of 5xs25	2 part of 5xs25
Forum Ins Co	7/1/84	7/1/85	FF-300800		3 part of 5xs25	3 part of 5xs25
Twin City Fire Ins Co	7/1/84	7/1/85	TXS 103714		5,000 xs 30,000	5,000 xs 30,000
First State Ins Co	7/1/85	7/1/86	UL 000385		5,000 xs Prim	5,000 xs Prim
Employers Casualty Co	7/1/85	7/1/87	EXL A 582877	NA	500/occ	500/eg
Stonewall Ins Companies	7/1/85	7/1/87	5800 3777		5,000 xs Prim	5,000 xs Prim
Employers Casualty Co	7/1/87	7/1/88	EXL B 582877	NA	500/occ	500/eg
Stonewall Ins Co	7/1/87	7/1/88	5800 4786		5,000 xs Prim	5,000 xs Prim
Columbia Casualty (CNA)	7/1/88	8/15/89	UMB 180 3203		5,000 xs Prim	5,000 xs Prim
Nat'l Union Fire Ins Co	8/15/89	8/15/90			5,000 xs Prim	5,000 xs Prim

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J T THORPE COMPANY INSURERS

"EXCESS"

Insurer	From	To	Policy No.	Person	Acc Occr	Aggregate
American Fidelity Casualty Ins	1/1/62	1/1/65	410075		1,000 xs Prim	1,000 xs Prim
Harbor Insurance Co	1/1/64	8/23/66	100667		1,000 xs Prim	1,000 xs Prim
Harbor Insurance Co	1/1/67	1/1/70	102848		2,000 xs Prim	2,000 xs Prim
Mission Ins Co	1/1/70	1/1/73	M70290		3,000 xs Prim	3,000 xs Prim
Uniguard Ins Group	1/1/73	1/1/75	10434		3,000 xs Prim	3,000 xs Prim
American Home Assurance C	6/5/74	6/5/75	CE 345 05 85		2,000 xs 3,000	2,000 xs 3,000
American Home Assurance C	1/1/75	6/5/75	BE 3517672		3,000 xs Prim	3,000 xs Prim
American Home Assurance C	6/5/75	1/1/78	BE 3517672		5,000 xs Prim	5,000 xs Prim
First State Ins Co	1/1/77	1/1/78	924242		5,000 xs 5,000	5,000 xs 5,000
Employers Natl Ins Corp	1/1/78	4/1/79	20013		200 xs 300	200 xs 300
Interstate Fire & Casualty Co	1/1/78	4/1/79	155-CO 7369		1,000 xs 500	1,000 xs 500
Holland American Ins Co	1/1/78	4/1/79	H 86801		4,000 xs 1,000	4,000 xs 1,000
First State Ins Co	1/1/78	4/1/79	926053		5,000 xs 5,000	5,000 xs 5,000
United States Fire Ins Co	1/1/79	4/1/80	5220066411		5,000 xs 5,000	5,000 xs 5,000
Lexington Ins. Co.	4/1/79	4/1/80	5513925		5,000 xs 10,000	5,000 xs 10,000
First State Insurance Co	4/1/80	7/1/81	944916		10,000 xs Prim	10,000 xs Prim
Pine Tap Ins Co	4/1/80	7/1/81	MLP 10-20-79		10,000xs10,000	10,000xs10,000
Republic Ins Co	7/1/81	7/1/82	CDU 6500		10,000 xs Prim	10,000 xs Prim
Old Republic Ins Co	7/1/81	7/1/82	OZX 11231		10,000xs10,000	10,000xs10,000
Republic Ins Co	7/1/82	7/1/83	CDU 10321		10,000 xs Prim	10,000 xs Prim
Twin City Fire Ins Co	7/1/82	7/1/83	TXS100586		10,000xs10,000	10,000xs10,000
Centaur Ins Co	7/1/82	7/1/83	CML 10 0806		20,000xs20,000	20,000xs20,000
Republic Ins Co	7/1/83	7/1/84	CDU 13947		10,000 xs Prim	10,000 xs Prim
Centaur Ins Co	7/1/83	7/1/84	Binder #6412		25,000xs10,000	25,000xs10,000
Gilbreth Casualty Co	7/1/83	7/1/84	GMX 03648		10 part of 15xs35	10 part of 15xs35
Western Employers Ins Co	7/1/83	7/1/84	Binder #6422		5 part of 15xs35	5 part of 15xs35
Republic Ins Co	7/1/84	7/1/85	CDU 16633		10,000 xs Prim	10,000 xs Prim
Highlands Ins Co	7/1/84	7/1/85	SR No.51117		10,000xs10,000	10,000xs10,000
Western Employers Ins Co	7/1/84	7/1/85	EX 10-0784-15007		5,000 xs 20,000	5,000 xs 20,000
Landmark Ins Co	7/1/84	7/1/85	FE 4002036		2 part of 5xs25	2 part of 5xs25
Forum Ins Co	7/1/84	7/1/85	FF-300800		3 part of 5xs25	3 part of 5xs25
Twin City Fire Ins Co	7/1/84	7/1/85	TXS 103714		5,000 xs 30,000	5,000 xs 30,000
First State Ins Co	7/1/85	7/1/86	UL 000385		5,000 xs Prim	5,000 xs Prim
Employers Casualty Co	7/1/86	7/1/87	EXL A 582677	NA	500/occ	500/ag
Stonewall Ins Companies	7/1/86	7/1/87	5800 3777		5,000 xs Prim	5,000 xs Prim
Employers Casualty Co	7/1/87	7/1/88	EXL B 582677	NA	500/occ	500/ag
Stonewall Ins Co	7/1/87	7/1/88	5800 4786		5,000 xs Prim	5,000 xs Prim
Columbia Casualty (CNA)	7/1/88	8/15/89	UMB 180 3203		5,000 xs Prim	5,000 xs Prim
Natl Union Fire Ins Co	8/15/89	8/15/90			5,000 xs Prim	5,000 xs Prim

The above Insurance Policy list represents the face amounts of the policies and does not purport to represent whether coverage is applicable or available to satisfy the claims asserted by any party against the defendant.

EXHIBIT “M”

THORPE CORPORATION

P. O. Box 330403
Houston, Texas 77233

Telephone (713) 644-1247

Fax (713) 649-6240

FROM: R A Nowland

DATE: July 20 1998

TO: Latisa

SUBJECT: Officers & Directors

My records reflect the following officers for Thorpe Corporation, subsidiaries and affiliates.

Thorpe Corporation

G W Scott	President & Chief Executive Officer	Director
R A Nowland	Executive Vice President, Chief Financial Officer & Treasurer	Director
M A Hounsel	Vice President of Product Engineering & Development	Director
J M Wilson		Director
J E Leavesley		Director

Thorpe Products Company

G W Scott	Chairman, CEO & President	Director
R A Nowland	Treasurer	
J M Wilson	Secretary	Director
G W Musick	Assistant Secretary	Director
M A Hounsel		Director

J T Thorpe Company

G W Scott	Chairman, President & Chief Executive Officer	Director
R A Nowland	Vice President & Secretary	Director
J C Schultz	Vice President	Director
R H Buck	Vice President	Director
Vacant	Treasurer	

Leacon - Sunbelt, Inc.

J E Leavesley	Chairman, COO & President	Director
J M Wilson	Secretary	Director
R A Nowland		Director

Thorpe Insulation Services Company

G W Scott	Chairman, CEO & President	Director
Dan Hausam	Vice President & Secretary	Director
R H Buck		Director

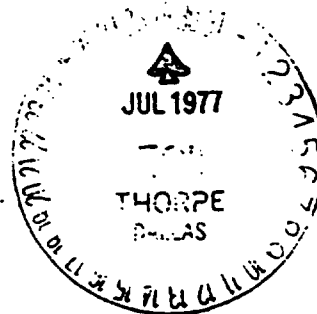
EXHIBIT “O”

JM Johns-Manville
Sales Corporation

Ken-Caryl Ranch
Denver, Colorado 80217
(303) 979-1000

page 1 of 1

July 26, 1977



Gentlemen:

Subject: **TOXIC SUBSTANCES CONTROL ACT**
JOHNS-MANVILLE ASBESTOS FIBER

Proposed rules under the new Toxic Substances Control Act will require all manufacturers and processors of a chemical substance after January 1, 1977 to report such substance to the EPA.

For your information, asbestos is one of the minerals listed in Appendix A of the Candidate List and published in the Federal Register, Volume 42, No. 70 of Tuesday, April 12, 1977. Paragraph 710.5 of the General Provisions and Inventory Reporting Requirements of the Toxic Substances Control Act as published in the Federal Register, Volume 42, No. 46 of Wednesday, March 9, 1977 states in sub-paragraph (a)(5) "Any mineral specifically designated in Appendix A of the Candidate List need not be reported as it will automatically be included in the inventory".

You may also require the following information on asbestos for your records.

ASBESTOS FIBER - CHRYSOTILE

CAS (Chemical Abstract Services) Registry number - 1332-21-4.

EPA Code Designation - A152-4672.

If we can be of further assistance, please do not hesitate to contact us.

Very truly yours,

James F. Reis
James F. Reis
Market Manager
Asbestos Fiber

JFR:mh

EXHIBIT “P”



**Johns-Manville
Sales Corporation**

Ken-Caryl Ranch
Denver, Colorado 80217
(303) 979-1000

page 1 to Attachment B

April 28, 1978

Dear Sirs:

In case you did not read Johns-Manville's press release regarding Mr. Califano's recent press conference and subsequent media reports regarding past conditions under which workers were exposed to asbestos, a copy is enclosed for your reference.

Yours very truly,

J. E. Connor
National Sales Manager
Asbestos Fiber

JEC:mh

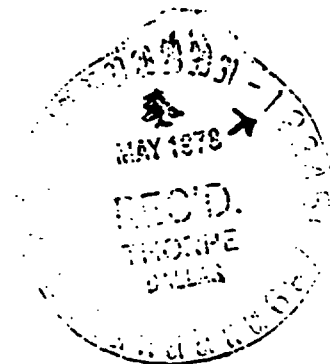


EXHIBIT “Q”

UM

Johns-Manville News

APRIL 28, 1978

Johns-Manville Corporation
Ken-Caryl Ranch
Denver, Colorado 80217

Contact:
Neal T. Amarine
303 979-1000 (Day)
303 449-3155 (Night)

STATEMENT OF
JOHN A. MCKINNEY
PRESIDENT AND CHIEF EXECUTIVE OFFICER
JOHNS-MANVILLE CORPORATION

This statement is made in response to media reports on a press conference held Wednesday (April 26) by Secretary Joseph A. Califano of the Department of Health, Education, and Welfare and refers to his printed statement which was distributed at the time of the conference.

Past conditions in which workers were exposed to asbestos bear no relationship whatsoever to regulated conditions under which we work today.

We believe Secretary Califano's statement represented an objective analysis of asbestos-related health problems. It is regrettable that media reports we have seen failed to reflect the real substance of his approach.

At no time did he refer to asbestos-related health problems except in the context of persons "heavily exposed to asbestos before the government began to regulate," or those "exposed in the past, especially those from the war years," or "past workers." These three important qualifiers are repeated throughout the text of his presentation, yet they are almost studiously absent in the media reports.

The numerical projections contained in the Secretary's statement are extremes that are clearly based on past conditions virtually

nonexistent at present. As a matter of fact, he said that "as a result of recent government regulation, current workers, without previous exposure, can be expected to face smaller risks than those exposed in the past." Unfortunately, the media did not clearly point out that contrast between the hazards of past exposure and the present regulated occupational environment.

In addition, we do not believe the role of cigarette smoking was emphasized sufficiently in the reports we've seen.

Secretary Califano said that "a person who smokes and has been exposed to asbestos faces a greater risk of developing asbestosis and of dying from a respiratory ailment than an asbestos-exposed individual who does not smoke."

As far as lung cancer is concerned, Dr. Paul Kotin, our Senior Vice President of Health, Safety and Environment, advises me that clinical evidence shows that lung cancer in asbestos workers is virtually limited to those who smoke cigarettes, and that, for all practical purposes, lung cancer as an asbestos-related disease would not be a problem were it not for cigarette smoking.

The overwhelming evidence shows that asbestos workers who smoke face a greatly increased risk of developing lung cancer as well as an increased risk of asbestosis. This is the reason we have moved to eliminate smoking in all of our asbestos-using operations.

Even though the work environments in our plants fully comply with safe levels mandated by government regulations, nonetheless we are eliminating smoking because we believe we can further reduce our employees' risk of contracting lung cancer to that which can be expected in the general non-smoking population.

Dr. Kotin, who is a leading authority on cancer, has emphasized

Attachment E page 3053

repeatedly that non-smoking asbestos workers are at minimal risk to the development of lung cancer when compared with the non-smoking general public.

Secretary Califano unfortunately combines smokers and non-smokers in his projection of a "20-25 percent" attack rate for lung cancer in workers exposed to asbestos. Actually, only a very small percentage of non-smoking asbestos workers have developed lung cancer.

Again referring to the past and present, reference in the Secretary's statement to asbestos as a "dangerous and insidious" material clearly relates to past exposures. Indeed, as Drs. Selikoff and Hammond point out in their medical paper, which was distributed with the Secretary's statement, "In terms of public health, the overwhelming problem is the undoing, ameliorating or modifying of both current and anticipated results of past mistakes." (Emphasis added.)

EXHIBIT “S”



**Johns-Manville
Sales Corporation**

Ken-Caryl Ranch
Denver, Colorado 80217
(303) 979-1000

*jud. gr. 10/4 with
bulletin and newspaper
article attached.*

November 21, 1978

Gentlemen:

Most of you are aware of the recent allegations that Johns-Manville and others in the asbestos industry deliberately withheld information about the dangers of asbestos and asbestos insulations. These unsupported allegations have received widespread publicity in newspapers and national television.

We have attached a copy of Johns-Manville's response to these charges. These comments were a part of the testimony by Francis H. May, Jr., executive Vice President of Johns-Manville before a House of Representatives Subcommittee hearing.

We hope you will read these comments and share them with others in your company.

Very truly yours,

James F. Reis

James F. Reis
Market Manager
Asbestos Fiber Division

JFR:mh

Attachment

EXHIBIT “T”

The

Asbestos Issue:

A Matter

of Principle

Warrior of Principle

Yogyakarta, Indonesia, suffered from a relatively high death toll and increasing damage to the historic heritage of the city during the earthquake. Most of this damage has been the result of collapse in residential and commercial buildings and of damage to infrastructure.

Recently we at Johns Hopkins have been struck by the treatment afforded the
 issue, and we are sorry we are not represented by the journal which has come
 despoiled. But these "accidents" have happened in Europe. But we are
 acquainted in the English language with the same integrity in the
 published issue has been shown in a matter of principle. We believe that our
 has conducted itself with the same high values that should be the same in
 all the time suffering from the same "accidents" as we are suffering from
 this "accident" rather than the "accident" of the

For all of the above reasons, we cannot believe it reasonable to expect
Wing to be significantly more forthcoming in his testimony than he would be
in a non-coercive setting.

John W. Kennedy

John A. McKinnon
Chairman of the Board and
Chief Executive Officer
John A. McKinnon Cars, Inc.

Media making exaggerated claims

During 1978 the media continued to report on the coverage of the epidemic and government hearings involving the epidemic in health and safety related diseases. It is a credit to the officials of the Environmental Health Protection Agency and the Occupational Safety and Health Administration that they have maintained a balanced and soberly approach to the epidemic situation in the face of some exaggerated claims by the media and certain layward.

[illegible]

It is important that depression is treated as a disease, not a character flaw. It is a medical condition that can be treated with medication and therapy. It is not a sign of weakness or a reflection of one's character. It is a medical condition that can be treated with medication and therapy. It is not a sign of weakness or a reflection of one's character. It is a medical condition that can be treated with medication and therapy. It is not a sign of weakness or a reflection of one's character.

Allegations against J-M are inaccurate and insupportable

The compound does not support the formation of a stable salt and very low conductivity leads to weak results.

Statements on 9/11, which were made by the media and some officials, have been more quickly forgotten. The information was not disseminated to the specialized

As the conditions and the characteristics of the market for health care services are constantly changing, it is important that the government and the private sector work together to ensure that the health care system is able to meet the needs of the population. While there is no single solution, the government and the private sector may be able to work together to ensure that the health care system is able to meet the needs of the population. This is a challenge, but it is one that must be met if the health care system is to be able to meet the needs of the population. For example, the government and the private sector may be able to work together to ensure that the health care system is able to meet the needs of the population. This is a challenge, but it is one that must be met if the health care system is to be able to meet the needs of the population.

[illegible]

5. I feel that I am able to deal with the situation of my family and my life in a way that I am satisfied with.

Telecommunications are a critical element of the operations of the FBI and the Department of Justice. The Department of Justice is committed to ensuring that the telecommunications system is secure and reliable. The Department of Justice is committed to ensuring that the telecommunications system is secure and reliable.

[illegible]

Today's asbestos incidence results from exposures thought safe decades ago

These diseases, related diseases of today, are a result of past high exposure levels which were thought to be safe at the time by the United States Public Health Service.

For naturally asbestos-related diseases, there is a long latency period. That is, a long period of time between the exposure and onset of any disease. Accordingly, we know that the asbestos-related disease being seen today is the result of exposures of 20, 30 and 40 years ago rather than the knowledge concerning asbestos was only a fraction of what it is today.

Exposure class people were exposed to different patterns of particles in the workplace and considered a safe exposure level. In 1971, from my exposure assessment work, I was recommended by the U.S. Public Health Service and adopted shortly thereafter by the American Conference of Governmental Industrial Hygienists, and these limits were adopted by industry as safe working conditions for employees. Further these levels were adopted without criticism by government health officials and the medical and scientific communities for over 30 years. Knowledge subsequently gained has shown the earlier research to be no outlier. This is the simple fact, not sensational, out there.

Individuals exposed to asbestos-containing insulation materials are particular victims of the incomplete knowledge of earlier years.

Much of the Japanese and Chinese biological resources individuals who were not expected to have been in possession of them had been installed in materials which were used in the production of weapons, especially those from the Japanese. In addition, many of these subjects worked in environments controlled by the government and used facilities which were intended to governmentally supply the arms. In addition, and given the situation of these workers and employees, they concluded that their organizational exposure to weapons was consistently beyond the safe level recommended by the United States Public Health Service. In fact, in 1945, chemical scientists employed by the United States Navy studied several subjects after removal of their isolation mask and found the glands and organs

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It was not until 1961 that the word "depression" was commonly used to describe the condition. Before that time, it was often referred to as "melancholia" or "dysthymia".

Early asbestos data not valid for all groups

We are absolutely certain that the 1983 general election should be held on a national day of prayer. I am sure that the people of the United States will support this proposal. I am sure that the people of the United States will support this proposal. I am sure that the people of the United States will support this proposal.

In the asbestos mining and manufacturing industry, the use of heavy equipment in the occupational class had been recognized for some years. And this primary industry has implemented the most available available systems and other dust control devices to reduce the hazard. Experience had indicated that reduction of dust levels and exposures could result in greatly improved health experiences among asbestos mine workers. But the recognition of that experience to another classification of workers—those who dig, use, and install insulating materials—was not as sophisticated and fast for clinical medicine and epidemiology.

Many different things might have been said to explain methods of medical research
been available to the U.S. Public Health Service in those early years. Fewer
different things might have been said if not taken the scientists and physicians
decades to discover that the experimental limits were not stringent enough

J-M actions were appropriate and proper

Parities in early the inclusion of "low-dose" risks might have been that judges the health impact of exposure to a single chemical or a small number of chemicals. Information on high-dose effects is the basis

for the need to discover the cause of occupational disease among workers.

Medical research and some occupational health studies have indicated that low-dose risks may be associated with problems in the body. They have found that low-dose risks may be associated with the body's ability to handle the body's own waste products. This is a clear indication that the body's ability to handle its own waste products is a key factor in the

body's ability to handle its own waste products. The body's ability to handle its own waste products is a key factor in the body's ability to handle its own waste products. The body's ability to handle its own waste products is a key factor in the body's ability to handle its own waste products.

Occupational health is a field that is still in its infancy. It is a field that is still in its infancy. It is a field that is still in its infancy. It is a field that is still in its infancy.

When you are in a field that is still in its infancy, it is a field that is still in its infancy. It is a field that is still in its infancy. It is a field that is still in its infancy.

There are many reasons why a field that is still in its infancy is a field that is still in its infancy. It is a field that is still in its infancy. It is a field that is still in its infancy.

Information on the health of the body is a key factor in the body's ability to handle its own waste products. It is a field that is still in its infancy. It is a field that is still in its infancy.

Respiratory programs should be designed to protect the body's ability to handle its own waste products. It is a field that is still in its infancy. It is a field that is still in its infancy.

Effects of exposure to low-dose risks are still in its infancy. It is a field that is still in its infancy. It is a field that is still in its infancy.

The high-dose risks of low-dose risks are still in its infancy. It is a field that is still in its infancy. It is a field that is still in its infancy.

Contingent findings of epidemiological research and scientific research have shown that the link between cigarette smoking and lung cancer is not a simple one. The link is complex and multifaceted, and it is not yet clear whether the link is causal or merely associative.

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The media and government have ignored the connection between cigarette smoking and lung cancer. The media and government have ignored the connection between cigarette smoking and lung cancer.

It is not for cigarette smoking, lung cancer, and lung cancer. It is not for cigarette smoking, lung cancer, and lung cancer. It is not for cigarette smoking, lung cancer, and lung cancer.

**Cigarette-cancer link
virtually ignored by
media and government**

But for cigarette smoking...

J-M responded to all medical knowledge as it became available

Charges of coverup and conspiracy are imputed to

Cover-up allegations are a myth

Another danger is that the industry sought to control and suppress the development and publication of the critical information concerning asbestos. Through its research programs at Sorbusite Laboratories, some of which, revealingly reveals this supposition for what it is, a quote: "It supposes that you know: why would I be paid an effort to synthesize and publish information on a substance? Admittedly, if data were suppressed, it would be as one might publish reports of the Director of the Sorbusite Laboratories which are not revealing the ongoing research projects and thus the overall picture of the leading medical ailments." How does this explain the attendance of the chief medical officer of the United States Public Health Service at the Sorbusite Symposium to discuss ongoing research? How does this explain the attendance of I.M. and others to speak of "corporate and published research even after the death of the Director of the Sorbusite Laboratories?"

[illegible][illegible]

More equitable compensation needed for disease victims

IBI stands ready to join with responsible parties to seek a equitable and uniform compensation for asbestos related illnesses.

While the incidence of disease is diminishing, it will eventually disappear. The major fact remains: osteoporosis, related chronic drug abuse, and cigarette use remain disabling.

There are two aspects to dealing with this problem. At the same time as the high incidence of the disease in the community, we can seek to improve individual immunity by encouraging vaccination. It is necessary to find a balance in terms of cost, respect for individual freedom, and effectiveness. There already is a falling in the proportion of children immunized in the United Kingdom, through the free public vaccination programme, beyond the level set by law, in spite of the fact that the disease is preventable. The situation is not satisfactory and it is necessary to find a balance between the two aspects.

Fair compensation deserves congressional support

Forward-thinking members of Congress have recognized that the time for sweeping legislation has come and that there has arrived a juncture when the responsibility for our nation's future lies with the Congress and the people. We believe that the time has come when the people of this country should be asked to elect representatives who will stand for the principles of the Declaration of Independence and the Bill of Rights. We believe that the time has come when the people of this country should be asked to elect representatives who will stand for the principles of the Declaration of Independence and the Bill of Rights. We believe that the time has come when the people of this country should be asked to elect representatives who will stand for the principles of the Declaration of Independence and the Bill of Rights.

4. My final criticism of the suggestion that the legislature should have the power to discontinue the right of habeas corpus is that such a suggestion is contrary to the principle of the separation of powers. The power to suspend the writ of habeas corpus is a power that is vested in the executive branch of government. It is a power that is essential to the functioning of the executive branch. If the legislature were to have the power to discontinue the writ of habeas corpus, it would be a power that is not vested in the executive branch. This would be a violation of the principle of the separation of powers.

Far from a "ball game," sales growth is a matter of life and death, and the greater the costs to a company of continuing litigation since the Supreme Court's Supreme the conclusion that it affected positively and not grossly, in contrast with medical and scientific knowledge.

A compensation system for federal physical scientists is significantly superior to others in gain favor among industrial labor, academic professionals, and even within the federal government and members of Congress. It is simply the most effective and efficient way to satisfy a goal of full compensation for persons departing from occupational disease. We will continue our support of such programs.

Headlines ignore facts on asbestos in schools

There is no evidence of danger to the use of asbestos in schools or other public buildings.

Medicaid has been made of the use of a patient's financial information to determine self-care settings. Despite the fact that there are no federal laws that require states to use Medicaid to pay for self-care, many states have used Medicaid to pay for self-care. Medicaid is a state-run program that provides health care to low-income individuals. The use of Medicaid to pay for self-care is a controversial issue. Some people believe that the use of Medicaid to pay for self-care is a waste of money, while others believe that it is a necessary part of the health care system. The use of Medicaid to pay for self-care is a complex issue that requires careful consideration of the needs of the population and the resources of the health care system.

FD-19 is most widely used for identifying, producing, and tracking the end user.

En el caso de los estudiantes, el aprendizaje se produce a través de la lectura de los contenidos (texto) en el aula, en el laboratorio o en el campo, y se consolida a través de la resolución de problemas y la realización de actividades prácticas. El aprendizaje se consolida a través de la resolución de problemas y la realización de actividades prácticas. El aprendizaje se consolida a través de la resolución de problemas y la realización de actividades prácticas.

And, as a first step, study the problems related to the first two questions, and report them. And then, study the problems related to the third question, and report them. And, as a first step, study the problems related to the first two questions, and report them. And then, study the problems related to the third question, and report them.

J-M a leader in health protection

1. The first of these is the fact that the system is not a simple one. It is a complex system, and the complexity is not only in the number of components, but also in the way they are connected. The system is a network, and the network is not only a simple one, but also a complex one. The network is a complex one, and the complexity is not only in the number of components, but also in the way they are connected. The network is a complex one, and the complexity is not only in the number of components, but also in the way they are connected.

The events of the past cannot be undone. John Maroniti has learned that. These events and, today, continue to be a teacher in American industry in creating healthier working conditions and advancing the health programs for its employees.

Top Foreign Information Strategy

Foreign Information Strategy, Top and Bottom

Foreign Information Strategy, Top and Bottom

Foreign Information Strategy, Top and Bottom

Foreign Information Strategy, Top and Bottom

Foreign Information Strategy, Top and Bottom

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EXHIBIT “V”

**J. T. THORPE COMPANY'S
CORPORATE WITNESSES
(LIVE OR BY DESIGNATED DEPOSITION)**

- 1) Melvin Proctor
6833 Kirbyville Street
Houston, Texas 77033
- 2) Tom Hopkins
6833 Kirbyville Street
Houston, Texas 77033
- 3) Richard Nowland
6833 Kirbyville Street
Houston, Texas 77033
- 4) Frank Sheldon
6833 Kirbyville Street
Houston, Texas 77033
- 5) Gary Musick
P. O. Box 560542
Dallas, Texas 75356

J. T. Thorpe Comany reserves its right to call any witness listed by any other party.

EXPERT WITNESS DESIGNATION

Dr. Herbert Abrahms
University of Arizona College of Medicine
Tucson, Arizona

Dr. Abrahms preceded Dr. West as the head of the California Bureau of Adult Health. Dr. Abrahms will testify with respect to the qualifications of Dr. West.

Turley vs. Owens-Corning Fiberglas, Circuit Court of Kanawha County, West Virginia, No. CIV 84-C-3321, March 23, 1989 (Videotape Deposition)

Dr. Elvin Adams
General Conference of SDA's
6840 Eastern Avenue, N.W.
Washington, D.C. 20012

Dr. Adams may testify on asbestos-related diseases' effects, and in particular on smoking's effects.

Dr. Oscar Auerbach
158 Long Hill Drive
Short Hills, NJ 07078

Dr. Auerbach may testify about the Plaintiffs' medical condition and about asbestos-related diseases.

Howard E. Ayer, CIH, CSP
2812 Linwood Avenue
Cincinnati, OH 45208-2810

Mr. Ayer is a Professor of Environmental Health at the University of Cincinnati and a Certified Industrial Hygienist.

Dr. Stephen M. Ayres
St. Louis University School of Medicine
1325 South Grand Avenue
St. Louis, MO 63104

Dr. Ayres is a pulmonary specialist. Dr. Ayres may testify as to all matters pertaining to the history of scientific knowledge, research and study concerning exposure to asbestos and its effects on the human body; as to all state of the art issues; as to his expert opinions as to safe levels of asbestos exposure and the basis for such opinions; as to exposure to asbestos in regards to development of respiratory diseases, including but not limited to asbestosis, lung cancer, and mesothelioma; as to the effects of exposure to the chrysotile fiber and other asbestos fibers.

Dr. Daniel E. Banks
Section of Pulmonary and Critical Care Medicine
Department of Medicine
West Virginia University School of Medicine
Morgantown, West Virginia 26506

Dr. Banks is a pulmonary specialist. Dr. Banks may also testify with respect to his training and experience with the National Institute for Occupational Safety and Health (NIOSH). He may also testify about other pulmonary diseases, the effect of smoking on pulmonary disease as well as general knowledge about asbestos related disease, including cancer, in the United States.

David Bayliss
RD 689, Room 3812-C
United States EPA
401 "M" Street, SW
Washington, D.C. 20460

Mr. Bayliss may testify regarding government testing of worksite and environmental chemicals and substances.

Dr. Bertrand Bennison
455 Nauset Road
Eastham, MA 02642

Dr. Bennison may testify regarding the protocol, methodology and analysis of cancer research; the process of editing and peer review of manuscripts and scientific articles; and medical knowledge regarding asbestos.

Dr. Bennison is qualified to testify as an expert by virtue of his education, background, and experience in the field of medicine and cancer research. He holds the following degrees: S.B., M.D. and M.P.H. His experience includes 8 years with the United States Public Health Service with major assignments at the National Institute of Health and the National Cancer Institute.

Dr. Bennison may testify about the accepted scientific standards and methods for conducting cancer research, including protocols and use of animals in cancer experimentation and custom and practice regarding editing and publication of scientific articles. He is expected to testify that asbestos dust inhalation studies undertaken by Saranac Laboratory were not designed or conducted in a manner which would allow conclusions to be drawn from the incidence of tumors. He is expected to testify that the finding of tumors in mice resulting from this study was incidental and scientifically inadequate for purposes of analyzing or assessing the carcinogenicity of asbestos; that its omission from the published study was justified on scientific grounds; and that its omission did not alter the development or progress of scientific inquiry regarding asbestos and cancer. He is also expected to testify about medical knowledge regarding the health effects of asbestos.

The facts known to this expert that relate to, or form the basis of, his opinions or mental impressions include those facts contained in documents relating to the inhalation dust studies performed at Saranac Laboratory, including correspondence, memoranda, transcripts, drafts, and published reports and related material, as well as facts obtained about cancer research during the course of his education and professional activities, and facts contained in testimony of individuals once affiliated with Saranac Laboratory. Such facts may also include additional facts ultimately obtained from a review of the medical literature and a review of testimony of fact and expert witnesses in this litigation.

Fred Blood
SI³
9171 Hwy 360 North, Suite 210
Austin, Texas 78759
(512) 338-5379

Dr. Brian Bradley
The Lung Center
4003 Woodlawn
Pasadena, TX 77504

Dr. Bradley is a medical doctor. He may testify about the medical condition of the Plaintiffs and about asbestos-related diseases.

Dr. Lou Burgher
145 North Tower Doctors Building
4242 Farnam Street
Omaha, Nebraska 68133
(402) 559-2900

Dr. Lou Burgher is a pulmonologist who is currently president of Bishop Clarkson Memorial Hospital, Omaha, Nebraska. He will testify as to requirements medically for diagnosis of asbestos related disease. He will testify about progression, dose response, meaning of pleural change, cancer etiology, cancer risk, requirements to attribute a cancer in part to asbestos exposure and related medical and scientific matters related to asbestos. He will testify that there is a lack of etiologic evidence and epidemiologic support to connect malignancies other than lung cancer and mesothelioma to asbestos. He will also testify about various scientific studies pertaining to cancer risk and incidences related to jobs, work place, and asbestos and other materials and substances.

He will testify on general medicine, the medicine of asbestos related disease, state of art, and historical matters relating to asbestos and asbestos medicine, including, but not limited to, asbestosis, pleural changes and their significance, as well as issues of progression, cancer, the development of medical knowledge generally, epidemiology, dose response, latency, thresholds, and related exposure issues.

Dr. David M. Burns
University of California
San Diego Medical Center
San Diego, California

Dr. Burns is a pulmonary specialist. Dr. Burns may also testify with respect to all aspects of asbestos related disease, the effect of smoking on pulmonary disease and cancer related issues as well as general knowledge about asbestos related disease in the United States.

Dr. Rupert Burtan
Triden Services, Ltd.
Occupational and Environmental Medicine
1660 S. Albion Street, Suite 700
Denver, Colorado 80222

Dr. Burtan is an occupational health physician who may testify about the training of occupational health physicians at Columbia University School of Public Health and knowledge available to occupational health physicians when he first started practicing occupational medicine during the mid-1950's and subsequently.

Dr. Sam H. Cade, Jr.
Radiology Department
Baylor University Medical Center
3500 Gaston Avenue
Dallas, TX 75242

Dr. Cade is a B reader and may testify regarding the radiographs of the Plaintiff and/or Plaintiff's decedent.

Dr. Philip Cagle
6565 Fannin, MS 205
Houston, TX 77030

Dr. Cagle may testify concerning the relationship of asbestos and smoking to the development of cancer. Dr. Cagle may also testify concerning the incidence of lung cancer among individuals with asbestosis or exposure to asbestos-containing insulation products. Dr. Cagle may also testify regarding general pathology and the pathology of the Plaintiff and/or Plaintiff's decedent.

Dr. Andrew Churg
The University of British Columbia
2211 Westbrook Mall
Vancouver, B. C. Canada V6T1W5
(604) 228-711111

Dr. Churg may testify regarding general pathology and the pathology of Plaintiff and/or Plaintiff's decedent. He may also testify on the effect of smoking on pulmonary disease and cancer related issues as well as knowledge about asbestos disease in the United States.

Dr. Joseph Cimino
New York Medical College
50 Willard Avenue
North Tarryton, NY 10591

Dr. Cimino is presently the Professor and Chairman of the Department of Community and Preventive Medicine, New York Medical College, Valhalla, New York. Dr. Cimino may be expected to testify generally about research in the area of pulmonary pathology and about the process by which medical knowledge evolved. He may also be expected to testify regarding the state of medical knowledge from the early part of the century to the middle 1960's as it regards pathological changes due to exposure to asbestos. This Defendant believes that Dr. Cimino is of the opinion that prior to the 1960's the state of the medical art was that exposure to large amounts of asbestos over an extended period of time could cause asbestosis; however, there was an accepted, safe level of exposure below which there was no risk of harm; that this level was accepted by the medical and scientific community; and that there was no acceptance of a link between asbestosis and mesothelioma or any form of cancer until the 1960's. The opinions of Dr. Cimino are based upon his training in medicine, his extensive professional qualifications, his research in pulmonary pathology and his review of the relevant medical literature.

Thomas V. Colby, M.D.
Department of Laboratory Medicine and Pathology
Mayo Clinic
200 1st Street S.W.
Rochester, Minnesota 55905

Dr. Colby may testify regarding general and asbestos related pulmonary pathology and epidemiology relevant thereto. Cancer issues, e.g., cancer risk, carcinogenicity of worksite and environmental chemicals and substances, epidemiology. Medical testimony as to medical condition of specific Plaintiffs as identified during ongoing discovery.

Patrick M. Conoley, M.D.
Kelsey-Seybold Clinic, P.A.
6624 Fannin, Suite 1800
Houston, Texas 77030

Dr. Conoley is a B reader and may testify regarding the radiographs of the plaintiffs and/or plaintiffs' decedent.

Clark Cooper, M.D.

Borel vs. Fibreboard Paper Products, Inc., United States District Court, Eastern District of Texas,
Beaumont Division, Civil Action No. 6449 (Trial Testimony September 23, 1971)

Dr. Bobby F. Craft
Industrial Health, Inc.
640 East Wilmington Avenue
Salt Lake City, Utah 84106

Dr. Craft may testify that the medical community became aware that insulators with prolonged intense exposure might be at risk for asbestos-related diseases in the late 1960's or early 1970's.

Dr. John E. Craighead
Department of Pathology
University of Vermont
College of Medicine
Burlington, VT 05405

Dr. Craighead may testify about the Plaintiffs' medical condition and about asbestos-related diseases.

Dr. James Crapo
Duke University Medical Center
Bill Building, Room 350
Durham, NC 27705
(919) 684-6266

Dr. Crapo is board certified pulmonologist who will testify as to the requirements for diagnosis of asbestos related disease, progression, meaning of pleural change, correct reading of x-rays, dose response, cancer etiology relating to asbestos exposure, the effect and meaning of smoking in relation to cancer and asbestos. He will testify as to what is necessary in order for asbestos to play a role in cancer causation as to lung cancer and mesothelioma and to the lack of etiological and epidemiologic connection between asbestos and other cancers.

He will also testify about inhalation of asbestos studies and other asbestos exposure studies he has observed and participated in conducting, their meaning, progression aspects of them cellular responses and related matters. He will testify about cancer risks, etiology, dose response principals, the effects of cigarette smoking in humans. He will testify about various studies relating to cancer risk from asbestos and other substances, and etiology pertaining to lung and other types of malignancies including studies from refineries, shipyards, steel mills, and other places.

Dr. Crapo will testify as to general medical principals pertaining to asbestos exposure and asbestos related disease.

Floyd "Red" Cryer
6833 Kirbyville Street
P. O. Box 330403
Houston, Texas 77233

Dr. J. M. G. Davis
Institute of Occupational Medicine
Roseburgh, Pl.
Edinburgh, U.K. EH 895U
31-667-5131

J.M.G. Davis, Ph.D., of the Institute of Occupational Medicine, Edinburgh, UK, worked with the British Asbestosis Research Council for more that 10 years while he was associated with Cambridge University. He will testify, if called, on the state of the medical and scientific art of asbestos diseases through history, and the development of knowledge of asbestos related matters. He will testify from experience on the risks, including asbestosis, lung cancer and mesothelioma, associated with the various asbestiform minerals, as perceived by members of the medical and scientific community, and persons involved with the industry, through time. He will also testify regarding research and experimentation he has done on asbestos and its effects. He will testify about his and others animal experiments with asbestos exposure, cellular responses to exposure, progression, dose response, fiber cellular interaction, cancer risk and causation and related matters. He may also respond to matters raised within his field of expertise by plaintiffs in the presentation of their case in chief.

J. N. P. Davies, M.D.
277 Row
Sulkirk, NY 12207
(409) 835-5200 (Stevens & Baldo)

J.N.P. Davies, M.D., is a pathologist and has practiced medicine for over 45 years. In his pathological work he has studied asbestos-related disease and malignancy as it relates to asbestos. He has authored papers pertaining to the epidemiology of mesothelioma and has studied epidemiology. As part of Dr. Davies' experience, he has been involved in asbestos studies in South Africa, the United Kingdom and the United States. Dr. Davies has studied with, worked with and talked with a number of individuals who have historically written about and studied asbestos, including but not limited to Dr. Meriwether, Doll, Hueper, and Wagner. He is familiar with their thoughts, work and experiences.

Dr. Davies may talk about cancer epidemiology and what is involved in making determinations as to carcinogenesis as it relates to asbestos and other substances. He may testify concerning the epidemiology of the amosite variety of asbestos, and he may testify it is inappropriate to consider asbestos simply as asbestos.

Dr. Davies may also testify about the threshold limit values and give an explanation of what threshold limit values are and usage of them as they relate to industrial hygiene and exposure of individuals to asbestos and other substances.

Dr. Davies may testify about scientific and medical literature as it relates to amosite asbestos, epidemiology of cancer, amosite asbestos and cancer, and occupational medicine principles as they relate to asbestos.

Dr. George L. Delclos
6550 Fannin, #2403
Smith Tower
Houston, TX 77030

Dr. Delclos is a medical doctor. He may testify about the medical condition of the Plaintiffs and about asbestos related diseases.

Dr. Harry Demopoulos
Pathologist
550 First Avenue
New York, NY

Dr. Edward A. Gaensler
Boston University Medical Center
80 East Concord Street
Boston, Massachusetts 02118

Dr. Demopoulos and Dr. Gaensler, if called to testify, are expected to provide testimony in the following areas:

- a. Anatomy and function of the respiratory and circulatory system;
- b. The nature of asbestos;
- c. The symptomatology, disease process and diagnosis of asbestos and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- d. The nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- e. The effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system;

- f. Methods of diagnosis of various diseases particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- g. Incidence of lung cancer among individuals with asbestosis, compared with non-asbestotic asbestos workers and with the general population;
- h. Cigarette smoking and its effect on the lung;
- i. The relationship of cigarette smoking to cancer of the lung and cancers of other sites with reference to epidemiological studies and physiologic effect;
- j. Difference between impairment and disability;
- k. Effect of asbestosis on disability and life expectancy;
- l. The lack of a relationship between presence of pleural plaques and a later development of any form of cancer; and
- m. The history of evolution and knowledge of asbestos-related diseases.

It is also expected that Drs. Demopoulos and Gaensler may testify that the medical community became aware that insulators with prolonged intense exposure might be at risk for asbestos related diseases in the late 1960's or early 1970's. Drs. Demopoulos and Gaensler will not testify concerning the diagnosis or physical condition of these particular Plaintiffs.

Dr. Ernest M. Dixon
6305 Evermay Drive
McLean, Virginia 22101

Dr. Dixon is a fellow in the Occupational Health, Kettering Laboratory, University of Cincinnati, Cincinnati, Ohio, 1954-1957; intern and resident in internal medicine and pathology, University of Virginia Hospital, Charlottesville, Virginia, 1947-1949; M.D., University of Virginia, Charlottesville, Virginia, 1947. Dr. Dixon may testify regarding the state of the art as this subject may relate to this Defendant. Dr. Dixon may also testify regarding historical review and state of the art of pulmonary medicine and asbestos related conditions; general and asbestos related pulmonary medicine and epidemiology relevant thereto.

Dr. Scott G. Donaldson
North Texas Pulmonary Associates
375 Municipal Drive, Suite 140
Richardson, Texas 75080
(214) 680-0666

Dr. Donaldson is a medical doctor. He may testify regarding the medical condition of the plaintiffs and about asbestos-related diseases.

John Doull
University of Kansas Medical Center
Department of Pharmacology, Toxicology and Therapeutics
39th and Rainbow Blvd.
Kansas City, KS 66103

Dr. Doull may testify regarding the protocol, methodology and analysis of scientific studies including cancer experimentation, custom and practice regarding peer review, and the editing and publishing of scientific work.

Dr. Doull is qualified to testify as an expert by virtue of his education, background and experience in the field of medicine, pharmacology and toxicology. He holds the following degrees: B.S., Ph.D.,

and M.D. His experience includes 21 years at the University of Chicago Medical School and 24 years at the University of Kansas Medical Center.

Dr. Doull is expected to testify about the accepted scientific standards and methods for conducting scientific research, including protocols and use of animals in cancer experimentation and custom and practice regarding editing and publication of scientific articles. He is also expected to testify about the standards, customs, and practices concerning the manner of conducting scientific studies and surveys and reporting or publishing the results of those studies.

The facts known to this expert that relate to, or form the basis of, his opinions or mental impressions include those facts contained in documents relating to the inhalation dust studies performed at Saranac Laboratory, including correspondence, memoranda, transcripts, drafts and published reports and related material, documents pertaining to asbestos dust surveys conducted by Defendants, as well as facts obtained about scientific research during the course of his education and professional activities, and may include additional facts ultimately obtained from a review of the medical literature and a review of the testimony of fact and expert witnesses in this litigation.

Heinz B. Eisenstatdt, M.D.

Wimberly vs. Fibreboard Corporation, United States District Court, Eastern District of Texas, Beaumont Division, Civil Action No. 74-224-CA, (Deposition January 16, 1975)

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Irby Eldridge
Route 1, Box 159
Midland City, AL

Mr. Eldridge is an insulator who will testify about warnings on Defendants' insulation products that contained asbestos. Mr. Eldridge will give factual testimony as well as express opinions within his field of knowledge.

Dr. William Emory
Ochsner Clinic
1514 Jefferson Highway
New Orleans, LA 70121
(504) 838-4055

Dr. Emory is a medical doctor. He may testify regarding the medical condition of the plaintiffs and about asbestos-related diseases.

Dr. William Lee Eschenbacher
The Methodist Hospital
Pulmonary Function Laboratory, F988
6565 Fannin
Houston, Texas 77030
(713)790-2070

A pulmonary specialist who will testify with respect to all aspects of asbestos related disease, epidemiology, fear of cancer as well as asbestos related diseases in the United States.

Melvin W. First
Harvard School of Public Health
655 Huntington Avenue
Boston, MA 02115

Dr. First may testify on matters relating to industrial hygiene, including the methodology of conducting industrial hygiene surveys and reporting and publishing results of industrial hygiene surveys.

Dr. First is qualified to testify as an expert on the basis of his education, training, and experience in the fields of industrial hygiene and engineering. His academic qualifications include the degrees of Bachelor of Science in Biology and Public Health, Master of Science in Sanitary Engineering, and a Doctor of Science in Industrial Hygiene Engineering. Dr. First is a Certified Industrial Hygienist and a Registered Professional Engineer. He is currently Professor Emeritus at the Harvard School of Public Health.

Dr. First may testify about the standards, customs, and practices in the field of industrial hygiene concerning the manner and method of conducting industrial hygiene surveys and reporting or publishing the results of those surveys during all time periods relevant to this litigation.

Dr. Gregory Foster
North Texas Pulmonary Associates
375 Municipal Drive, Suite 140
Richardson, TX 75080

Dr. Foster is a medical doctor. He may testify about the medical condition of the Plaintiff and about asbestos-related diseases.

Dr. Joe G. N. Garcia
Department of Medicine
Wilshard Memorial Hospital
Indianapolis, Indiana 46202

Dr. Garcia is a medical doctor. He may testify about the medical condition of the Plaintiffs and about asbestos-related diseases.

Dr. Milton Gray
521 Crestbend
Houston, TX

Dr. Gray is a medical doctor and a board certified specialist in internal medicine. His testimony may discuss the structure and function of the respiratory system, the effects of cigarette smoking and the diseases of the lungs, including asbestos-related diseases.

Dr. Donald Greenberg
One Baylor Plaza
Baylor College of Medicine
Houston, TX 77030

Dr. Greenberg may testify about asbestos-related diseases and the effect of other substances, such as cigarette smoke, upon the respiratory system.

William Gray

Chance vs. Armstrong World Industries, et al., Circuit Court, Lawrenceville, Illinois, Deposition testimony January 23, 1990

Robert Grim
6102 Alexa Lane
Sylvania, OH 43560

Mr. Grim may testify about records showing sales of asbestos-containing products.

Andrew T. Haas
1300 Connecticut Avenue
N.W., Washington, D.C.

Mr. Haas is the General President of the Asbestos Workers International Union. Mr. Haas may testify about the structure of the union's knowledge of the potential hazards of asbestos fibers, and the dissemination of information about potential health problems from the union to its members.

Dr. Kathryn A. Hale
Assistant Professor of Medicine
Baylor College of Medicine
6516 Bernier
Houston, TX 77030

Dr. Hale is a specialist in the area of respiratory diseases. Dr. Hale may testify as to all matters pertaining to her examination of the Plaintiffs and Plaintiffs' medical records; any communications with the Plaintiffs or Plaintiffs' family; review of x-rays of the Plaintiffs; the diagnostic criteria used to diagnose asbestosis; her opinion as to whether Plaintiffs suffer from asbestos related disease and the basis of such opinion; the Plaintiffs' current medical condition and her prognosis in regard to the Plaintiffs' medical condition.

Dr. Peter Hamill
Whitehall Cove
Annapolis, Maryland 21401

Dr. Hamill is an epidemiologist physician who practices occupational and environmental medicine. Dr. Hamill has had extensive occupational pulmonary experience and training in the field of occupational medicine. Dr. Hamill may testify from his experience as a U. S. Public Health Service Occupational Health Physician with respect to what was known with respect to asbestos and health in the field. He may also testify with respect to the state of the art insofar as it may relate to Thorpe Products Company.

Dr. James W. Hammond
1010 Town Place
Houston, Texas

Dr. Hammond was the industrial hygienist at Exxon Corporation and is expected to testify with regard to the knowledge and practice of the chemical and refinery industry in general with regard to asbestos in its refineries.

Russell Allen v. American Petrofina, Inc., No. B-126,986, Jefferson County, Texas, District Court, 60th Judicial District, deposition testimony (4 volumes - entire transcript)

George C. Hamrick
16948 Marcus Street
Channelview, Texas

Dr. R. Brent Harrison
The University of Mississippi Medical Center
Department of Radiology
2500 North State Street
Jackson, MS 39216
(601) 984-2515

Dr. Harrison is a B reader and may testify regarding the radiographs of the plaintiffs and/or plaintiffs decedent.

Dr. Peter Heidbrink
Southwest Pulmonary Associates
St. Paul Professional Building #2
5959 Harry Hines Boulevard, Suite 711
Dallas, TX 75235

Dr. Heidbrink is a specialist in the area of respiratory diseases. Dr. Heidbrink may testify as to all matters pertaining to his examination of the Plaintiffs and Plaintiffs' medical records; any communications with the Plaintiffs or Plaintiffs' family; review of x-rays of the Plaintiffs; the diagnostic criteria used to diagnose asbestosis; his opinion as to whether Plaintiffs suffer from asbestos related diseases and the basis for such opinion; the Plaintiffs' current medical condition and his prognosis in regard to the Plaintiffs' medical condition.

Dr. Michael D. Henderson
330 Rittiman Road
San Antonio, TX 78209

Dr. Henderson may testify concerning the relationship of asbestos and smoking to the development of cancer. Dr. Henderson may also testify concerning the incidence of lung cancer among individuals with asbestosis or exposure to asbestos containing insulation products. Dr. Henderson may also testify regarding general pathology and the pathology of the Plaintiff and/or Plaintiff's decedent.

Dr. John Higginson
212 Wisconsin Avenue, N.W.
Suite 220
Washington, D.C. 20007

Dr. Higginson may testify regarding the protocol, methodology, and analysis of cancer experimentation; custom and practice regarding peer review and the editing of scientific work; and medical knowledge regarding asbestos.

Dr. Higginson is qualified to testify as an expert on the basis of his education, training and experience in the fields of pathology, oncology, and cancer research. He holds the following degrees: B.A., M.B., B.CH., B.A.O., F.R.C.P., and M.D. His experience includes 15 years as director of the International Agency for Research on Cancer (I.A.R.C.). He is presently Senior Fellow at the Institute for Health Policy Analysis at Georgetown University Medical Center and Professor of Community and Family Medicine and Pathology at Georgetown University Medical School.

Dr. Higginson is expected to testify about the accepted scientific standards and methods for conducting cancer research, including protocols and use of animals in cancer experimentation and custom and practice regarding editing and publication of scientific articles. He is expected to testify that asbestos dust inhalation studies undertaken by Saranac Laboratory were not designed or conducted in a manner that would allow conclusions to be drawn from the incidence of tumors. He is expected to testify that the finding of tumors in mice resulting from this study was incidental and

scientifically inadequate for purposes of analyzing or assessing the carcinogenicity of asbestos; that its omission from the published study was justified on scientific grounds; and that its omission did not alter the development or progress of scientific inquiry regarding asbestos and cancer. He is also expected to testify about medical knowledge regarding the health effects of asbestos.

The facts known to this expert that relate to, or form the basis of, his opinions or mental impressions include those facts contained in documents relating to the inhalation dust studies performed at Saranac Laboratory, including correspondence, memoranda, transcripts, drafts and published reports and related material, as well as facts obtained about cancer research during the course of his education and professional activities, and facts contained in testimony of individuals once affiliated with Saranac Laboratory. Such facts may also include additional facts ultimately obtained from a review of the medical literature and a review of testimony of fact and expert witnesses in this litigation.

Dr. Roger Hill

An economist that may be called upon to testify with respect to economic damages of plaintiff(s).

Dr. Elliott Hinkes
301 North Prairie Avenue, Suite 311
Inglewood, California 90301

Dr. Hinkes is a board certified oncologist and hematologist. Dr. Hinkes may testify concerning the relationship of asbestos and smoking to the development of cancer. Dr. Hinkes will also testify concerning the incidence of lung cancer among individuals with asbestosis or exposure to asbestos-containing insulation products.

Horton Corwin Hinshaw, Sr.
Retired Emeritus Professor of Medicine
University of California
School of Medicine
P. O. Box 546
Belvedere, CA 94920

Dr. Hinshaw may testify about the state of the scientific and medical knowledge concerning asbestos. Included in his testimony will be discussion of the respiratory system, asbestos-related diseases, and the effect of other substances on the respiratory system.

Dr. Hughson
University of California
San Diego Medical Center
San Diego, California

Dr. Hughson is a pulmonary specialist. Dr. Hughson may also testify with respect to all aspects of asbestos related disease, the effect of smoking on pulmonary disease and cancer related issues as well as general knowledge about asbestos related disease in the United States.

Gary M. Hutter
Triodyne Environmental Engineering
5950 West Touhy Avenue
Niles, IL 60648

Edwin C. Hyatt
535 Rover Boulevard
Los Alamos, NM 87544

Mr. Hyatt is expected to testify on matters relating to industrial hygiene, including the methodology of conducting industrial hygiene surveys, and the customs and practices of reporting and publishing the results of those surveys and related matters.

Mr. Hyatt is qualified to testify as an expert on the basis of his education, training and experience in the field of industrial hygiene. His qualifications include the degree of Bachelor of Science in Chemistry, graduate courses at Kansas University and the Harvard School of Public Health, and extensive experience as a practicing industrial hygienist and consultant. He is a Certified Industrial Hygienist.

Mr. Hyatt is expected to testify about the standards, customs, and practices in the field of industrial hygiene concerning the manner and method of conducting industrial hygiene surveys and reporting or publishing the results of those surveys during all time periods relevant to this litigation.

Dr. Daniel Jenkins

Bell vs. Fibreboard Corporation, United States District Court, Eastern District of Texas, Beaumont Division, Civil No. B-74-50-CA (Deposition May 24, 1975)

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Dr. Robert N. Jones
Tulane University School of Medicine
Pulmonary Diseases Section
1700 Perdido Street
New Orleans, LA 70112

Dr. Jones is a medical doctor. He may testify regarding the medical condition of the plaintiffs and about asbestos-related diseases.

E. A. Kyburz

Dunn vs. Johns-Manville, United States District Court, Southern District of Texas, Houston Division, Civil Action No. 73-H-1072 (Deposition Testimony February 6, 1976)

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Dr. Jeffrey S. Lee
Building 512
University of Utah
Salt Lake City, Utah 84112

Dr. Lee may testify that the medical community became aware that insulators with prolonged intense exposure might be at risk for asbestos-related diseases in the late 1960's or early 1970's.

James E. Lockey, M.D., M.S.
Institute of Environmental Health
University of Cincinnati Medical Center
Clinical Studies Division
5251 Medical Science Building, M.L. 182
231 Bethesda Avenue
Cincinnati, OH 45267-0182

Dr. Lockey may testify about the state of the scientific and medical knowledge concerning asbestos. Included in his testimony will be discussion of the respiratory system, asbestos-related diseases, and the effect of other substances on the respiratory system.

Dr. Paul MacAvoy
3333 Elmwood Avenue
Rochester, New York 14610

Dr. MacAvoy is the Dean of the University of Rochester School of Business. Dr. MacAvoy may testify regarding his research into the economic viability of asbestos defendants and their insurers in the aggregate and their ability to pay punitive damages versus compensatory damages.

Robert C. Magor, Ph.D., C.I.H. - Industrial Hygiene
6712 Bulkley Road
Lorton, Virginia 22079

Dr. Magor obtained his B.S., Chemistry, Lafayette College; Masters of Public Health, University of Michigan; M.S. in Industrial Health and Ph.D. in Industrial Health, University of Michigan. Dr. Magor is expected to testify concerning exposure modeling and industrial hygiene analysis, as well as state of the art as it may apply to the Defendant.

Charles S. Matney
4403 Cedar Bayou
Baytown, Texas 77521

Dr. Forde A. McIver
Pathology Associates, P.A.
135 Rutledge Avenue
Charleston, South Carolina 29401

Dr. McIver may testify on state-of-the-art and the Saranac papers, to the effect that the Defendants could not have known end users were at risk until approximately the late 1960's or early 1970's.

Dr. Joseph M. Miller
Box 365
New Hampton, New Hampshire

Dr. Miller may testify on state of the art and the Saranac papers, to the effect that the Defendants could not have known end users were at risk until approximately the late 1960's or early 1970's.

Frank Paul Mooney

R. L. Mooney, Sr. vs. Fibreboard Corporation, United States District Court, Eastern District of Texas,
Beaumont Division (Trial Testimony January 14, 15, 1980)

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J. Stephen Moore
Medical College of Wisconsin
Department of Preventive Medicine
8701 Watertown Plank Road
Milwaukee, WI 53226

Dr. Moore is expected to testify on matters relating to industrial hygiene and occupational medicine.

Dr. Moore is qualified to testify as an expert on the basis of his education, training, and experience in the fields of industrial hygiene and occupational medicine. He holds the following degrees: Bachelor of Science in Physics, Master of Public Health in Occupational Medicine, and Medical Doctor. He is a Certified Industrial Hygienist and certified in the field of occupational medicine by the American Board of Preventive Medicine. He is currently an Assistant Professor in the Department of Preventive Medicine at the Medical College of Wisconsin.

Dr. Moore is expected to testify about the standards, customs, and practices in the field of industrial hygiene concerning the manner and method of conducting industrial hygiene surveys and reporting or publishing the results of those surveys during all time periods relevant to this litigation, including the periods during which Defendants conducted surveys relating to asbestos and reported or published the results of its surveys. He is expected to testify that the conduct of the various employees of Defendants in performing those surveys and in reporting and publishing their results conformed to the generally accepted standards, customs, and practices in the field of industrial hygiene. He is also expected to testify concerning certain clinical observations, physical examinations, and X-ray examinations made during the course of the surveys regarding asbestos dust.

The facts known to this expert that relate to, or form the basis of, his opinions or mental impressions include those facts contained in documents pertaining to asbestos dust surveys conducted by Defendants, including reports, published articles, correspondence and memoranda, facts obtained from a review or knowledge of government or industry standards relating to proper methodology for capturing and analyzing air samples, and facts obtained from textbooks and handbooks regarding industrial hygiene practice and similar material and may include additional facts ultimately obtained from a review of the medical literature and a review of the testimony of fact and expert witnesses in this litigation. Additional facts known to this expert were obtained through education, training and experience as an industrial hygienist and as a medical doctor in the field of occupational medicine.

Dr. Robert Morgan
520 Third Street, Suite 208
Oakland, California

Dr. Morgan may testify regarding cancer issues, e.g., cancer risk, carcinogenicity of worksite and environmental chemicals and substances, epidemiology.

Dr. William K. C. Morgan
University Hospital
University of Western Ontario
P. O. Box 5339, Postal Station A
London, Ontario N6A 5 A5

Dr. Morgan is a professor of medicine and director of chest diseases services at the University of Western Ontario. He was educated in England and Scotland, and among other appointments is a member of the Advisory Board for Occupational Health & Safety Resource Center at the University of Western Ontario. He has knowledge of the pathology, diagnosis, testing and causation of pulmonary and related disease, including mesothelioma, lung cancer and asbestosis. He will testify about the state-of-the-medical-art as it relates to knowledge of health hazards associated with exposure to asbestos dust, based on his review of asbestos-related literature and his own experience. He may testify about the Plaintiffs' medical condition.

Dr. David Muir
Occupational Health Program
McMaster University
1200 Main Street West
Hamilton, Ontario L8N 3Z5
Canada

Dr. Muir is an occupational health specialist with extensive occupational pulmonary training and expertise. Dr. Muir may also testify with respect to the history of occupational medicine during this same period and the state of the art at various times insofar as it may relate to J. T. Thorpe Company.

Dr. Robert Murray
S. Hill, Church Road
Newton Green
Sudbury, Suffolk, U.K. CO10-0QP
787-312-820

Dr. Murray is an occupational medicine specialist, having practiced occupational medicine since the 1940's. He served in World War II with the allied forces and will testify how those forces played a part in occupational medicine concepts as well as the utility of asbestos in the war effort and otherwise.

Dr. Murray worked with the Inspector of Factories Office in the United Kingdom in the 1940's and early 1950's and he was involved with Dr. Meriwether and will testify about that involvement and the thoughts of Dr. Meriwether. He will testify that in the 1940's when Dr. Meriwether was writing about asbestos-related matters, that Dr. Meriwether thought the problem of asbestosis was under control and consequently any problem with malignancy would no longer exist, if it ever did.

He will testify about his work as a member of the Inspector of Factories Office, the various responsibilities they had, and their change for the industrial health of the nation. He will testify that the 1933 British regulations did not apply to ladders (installers of asbestos products) and there were no regulations in the United Kingdom applying to that until 1968 or thereabouts. He will testify that he worked with Dr. Meriwether, but it did not include installers of preformed asbestos-containing products. It was thought that any cancer risk which had existed was under control due to the asbestos regulations and reductions in exposures that were consequently thought to occur. The first British regulations which applied to ladders (installers) were in the late 1960's. Dr. Murray believes amosite asbestos is a unique fiber and it was not recognized as a problem in relation to malignancy in humans through the early 1970's. He will also testify it was a general thought that before asbestos could be considered involved in a malignancy at all, there must be pre-existing significant asbestosis. If Dr. Murray had thought that installers of asbestos-containing products were at significant risk to get asbestos-related disease, he would have attempted to do something about that

during the time he worked for the Inspector of Factories Office and later during the time he was Chief Medical Doctor for the Trades Union Counsel in the United Kingdom.

In the 1950's Dr. Murray became Chief Medical Doctor and Advisor to the Trades Union Counsel in the United Kingdom and had the responsibility for coordinating with industry unions and the government in relation to health matters pertaining to various unions and paying attention to the health of all the workers. During that time frame, he did not recognize that installers and those allegedly exposed to asbestos-containing products were at undue risk to get asbestos-related disease. If he had thought there was a significant health problem to installers of preformed asbestos products and anyone who might have gotten sidestream exposure from such operations in the fifties and sixties, he would have attempted to cause changes to be made in such work place exposures and he did not recognize such a need during that time. He will also testify that there was no requirement for a warning on asbestos-containing products in the United Kingdom until the early 1970's. Dr. Murray will testify that asbestos cannot be considered as simply asbestos, but that the circumstances of exposure and the type of fiber must be taken into consideration. He does not believe that amosite asbestos was believed to be a cause of malignancy in humans until after 1972. Dr. Murray will testify about Principles of Industrial Hygiene and Occupational Medicine and how they have applied historically in relation to asbestos. He will testify about scientific literature that relates to amosite asbestos and the field of occupational medicine.

Mr. Richard Nowland
Thorpe Products Company
P. O. Box 330403
Houston, TX 77233

Mr. Nowland may testify concerning the distribution of J. T. Thorpe Company's products, the status of J. T. Thorpe Company as a distributor, the various locations and customers of J. T. Thorpe Company and the history, etc. of J. T. Thorpe Company.

Mr. Jerry Nelson
P.O. Box 1328
Winnie, TX 77665

Mr. Nelson may testify concerning the distribution of J. T. Thorpe Company's products, the status of J. T. Thorpe Company as a distributor, the various locations and customers of J. T. Thorpe Company and the history, etc. of J. T. Thorpe Company.

Dr. Robert O'Neal
Rt. 1 Box 168
Parkinston, Mississippi 39573

Dr. O'Neal may testify regarding general pathology and the pathology of the Plaintiff and/or Plaintiff's decedent.

David L. Page, M.D.
Vanderbilt University Medical School
1211 22nd Avenue South
Room C-3311
Medical Center North
Nashville, Tennessee 37232

Dr. Page may testify regarding general and asbestos related pulmonary pathology and epidemiology relevant thereto; cancer issues, e.g., cancer risk, carcinogenicity of worksite and environmental chemicals and substances, epidemiology; medical testimony as to medical condition of specific Plaintiffs as identified during ongoing discovery.

David Richard Page

R. L. Mooney, Sr. vs. Fibreboard Corporation, United States District Court, Eastern District of Texas,
Beaumont Division (Trial Testimony January 14, 15, 1980)

Page 49:15	to	50:7
Page 53:18	to	53:19
Page 55:9	to	55:10
Page 58:13	to	58:25

John A. Pendergrass, C.I.H., C.S.P., P.E.
100 North Washington Street, Suite 308
Falls Church, Virginia 22046

Mr. Pendergrass obtained his M.P.H., Industrial Hygiene, University of Michigan, 1954-1955 and a B.S., Biology/ Chemistry, University of Alabama, 1946-1948. Mr. Pendergrass may testify concerning state of the art as it applies to J. T. Thorpe Company.

Jack E. Peterson, P.E.
Peterson Associates
2830 Via Viejas Oeste
Alpine, CA 91901
(619) 445-9668
(619) 445-6257 - Fax

Mr. Peterson is a Certified Industrial Hygienist.

A. Mitchell Polinsky
Stanford University
Professor of Law and Economics
Crown Quadrangle
Stanford, CA 94306-8610

Dr. Polinsky is an expert who may testify about the inappropriateness of punitive damages in this and similar cases based upon research he and others have conducted.

David S. Prince, M.D. - Pulmonary Medicine
1025 Walnut Street
804 College Building
Philadelphia, Pennsylvania 19107

Dr. Prince obtained his B.A., Biological Sciences, University of Maryland; M.D., University of Maryland School of Medicine, 1979. Dr. Prince is expected to testify concerning the medical aspects of asbestos exposure.

Mr. Melvin P. Proctor
Thorpe Products Company
P. O. Box 330403
Houston, Texas 77233

Mr. Proctor may testify concerning the distribution of J. T. Thorpe Company's products, the status of J. T. Thorpe Company as a distributor/retailer, the various locations and customers of J. T. Thorpe Company and the history, etc. of J. T. Thorpe Company. Additionally, Mr. Proctor may testify regarding the state of the art and/or knowledge as same relates to J. T. Thorpe Company.

Sheldon H. Rabinovitz, Ph.D., C.I.H.
966 Hungerford Drive, Suite 20
Rockville, MD 20852

Dr. Rabinovitz obtained his B.S., Chemistry, Wayne State University, Detroit, MI 1966; M.S., Occupational and Environmental Health, College of Medicine, Wayne State University, Detroit, MI, 1969, Major: Industrial Hygiene; Ph.D., Physiology, College of Medicine, Wayne State University, Detroit, MI, 1972, Major: Toxicology; previous manager of Industrial Hygiene and Safety for the United States Environmental Protection Agency involved in all EPA employee industrial health and safety programs. Dr. Rabinovitz may testify on state of the art as it may apply to J. T. Thorpe Company.

Professor Raleigh Rahlis

Professor Rahlis is an economist and he may be called upon to testify with respect to economic damages of plaintiff(s). If Professor Rahlis is unavailable, J. T. Thorpe Company will substitute another economist who will evaluate compensatory damages in various manners.

William Nicholas Rom, M.D., M.P.H.

Fellowship Training: Mount Sinai School of Medicine, New York, New York, 1975-1977, Pulmonary Disease and Environmental Medicine; Resident Training: University of California, Davis- Sacramento Medical Center, Sacramento, California, Internal Medicine, 1973-1975; Advanced Degrees: M.P.H., Harvard School of Public Health, Boston, Massachusetts, Environmental and Occupational Health, 1972-1973; Board certification: (1) Occupational Medicine, American Board of Preventive Medicine, 1977, (2) Pulmonary Diseases, American Board of Internal Medicine, 1976, (3) American Board of Internal Medicine, 1975, (4) National Board of Medical Examiners, 1972. Dr. Rom is expected to testify concerning the medical aspects of asbestos exposure and other areas relevant to this litigation within the expertise of Dr. Rom.

Dr. Robert Ross
17030 Nanes Drive, Suite 214
Houston, Texas 77090

Dr. Ross is a specialist in the area of respiratory diseases. Dr. Ross may testify as to all matters pertaining to his examination of the Plaintiffs and Plaintiffs' medical records; any communications with the Plaintiffs or Plaintiffs' family; review of x-rays of the Plaintiffs; the diagnostic criteria used to diagnose asbestosis; his opinion as to whether Plaintiffs suffer from asbestos related disease and the basis of such opinion; the Plaintiffs' current medical condition and his prognosis in regard to the Plaintiffs' medical condition.

Nicholas Sargent, M.D.
1200 N. State Street
Los Angeles, California 90033

Dr. Sargent may testify regarding general pulmonary radiology and/or ILO interpretation of x-rays.

Dr. Irving Selikoff

Dr. Selikoff has testified on numerous occasions about the history of medical research about asbestos and about insulators in the United States and Great Britain.

Tomplait vs. Combustion Engineering, United States District Court for the Eastern District of Texas, Beaumont Division, Civil No. 5402, March 4, 1968.

Page 2:6	to	6:17
Page 10:3	to	11:24
Page 12:24	to	15:24

Page 17:31	to	22:19
Page 23:14	to	25:8
Page 28:3	to	28:7
Page 37:6	to	39:10

Rogers vs. Johns-Manville, Circuit Court of Missouri No. 720,071, February 19, 1971

Page 63:22	to	64:20
Page 66:7	to	68:18
Page 68:24	to	69:4
Page 69:13	to	72:1
Page 90:4	to	90:25
Page 91:17	to	94:1
Page 94:17	to	94:22
Page 96:1	to	97:13

Dr. James Robert Shephard, III
 University of Texas Health Center at Tyler
 Department of Radiology
 P. O. Box 2003
 Tyler, TX 75710

Dr. Shepherd is a B reader and may testify regarding the radiographs of the Plaintiff and/or Plaintiffs' decedent.

Joseph Ralph Shrode

Porter vs. Fibreboard, United States District Court, Eastern District of Texas, Beaumont Division, (Deposition August 19, 1970)

Page 7:16	to	8:15
Page 8:19	to	8:23
Page 121:11	to	121:16
Page 121:21	to	122:15
Page 126:23	to	128:3
Page 129:24	to	130:14

Borel vs. Fibreboard Paper Products, Inc., United States District Court, Eastern District of Texas, Beaumont Division, Civil Action No. 6449 (Trial Testimony September 27, 1971)

Page 858:9	to	859:17
Page 865:13	to	872:13
Page 882:5	to	882:9

Tomplait vs. Combustion Engineering

Page 98:5-12

Dr. Allan Shulkin
 Medical City Dallas Hospital
 7777 Forest Lane, Suite 202
 Dallas, TX 75230

Dr. James G. Smith, Jr.
 Highland Clinic
 1455 E. Bert kouns, Industrial Loop
 Shreveport, LA 71135-1455
 (318)798-4500

A pulmonary specialist who will testify with respect to all aspects of asbestos related diseases, epidemiology, fear of cancer as well as asbestos related diseases in the United States.

Dr. Kenneth Smith
Chief Medical Director
Canadian Johns-Manville/Johns-Manville

Dr. Wilbur A. Spaul
Spaul Environmental, Inc.
11279 Knights Griffin Road
Thonotosassa, Florida 33592
(813) 870-4895

Wilbur Spaul, Ph.D., of 2001 Pan Am Circle, Suite 100, Tampa, Florida, is an Industrial Hygienist who has worked in industrial hygiene for several decades. Dr. Wilbur Spaul worked as an industrial hygienist in the U.S. Navy and was trained and assigned to deal with asbestos-related matters, the study of asbestos in the shipyards of the U.S. Navy in California and other places, the study of exposure and what industrial hygiene measures were necessary. If offered, he will testify about exposure levels found by him and what was recognized by him from his study of exposure reports, tests, and findings. Dr. Spaul has done studies of asbestos exposure levels on various jobs, including work at the shipyards, buildings and other places of potential exposure.

Dr. Spaul is familiar with principles of fiber drift, fiber fall, and how asbestos settles out of the air and fails to remain airborne. He will give testimony about the speed with which asbestos fiber settle out and get away from the breathing zones of individuals. He will testify about general principles of industrial hygiene as they relate to asbestos, the Industrial Hygiene Foundation, and the various recognized permissible levels of exposure to asbestos over time.

Dr. Spaul will testify as to what exposures have been demonstrated from usages of various types of asbestos products, including Unibestos, both through the direct use or manipulation of asbestos at different points away from the immediate product. He will testify as to how quickly exposure levels fall from the immediate source of dust. Dr. Spaul has visited and studied various places where insulation products were used and manipulated and removed, including shipyards, refineries, schools and other work processes. He will testify as to the purpose of threshold limit values, their meaning, how they should be interpreted and applied. He will also testify about the work of the Industrial Hygiene Foundation and how its rules and requirements are applied to industrial health. He will also testify about respirators, their usage and general effectiveness.

Dr. Jessie Steinfield

Dr. Steinfield will testify concerning government warnings, smoking, and some areas of state-of-the-art.

Roy Steinforth

Jakie R. Starnes, et ux vs. Combustion Engineering, Inc., et al, No. 2-75-122, USDC, Eastern District of Tennessee, Northeastern Division (Deposition taken May 10, 1976)

Page 4, Lines 1-22
Page 5, Lines 1-22
Page 6, Lines 1-5, 10-22
Page 7, Lines 1-5, 10-22
Page 10, Lines 8-22
Page 13, Lines 15-22
Page 17, Lines 8-22
Page 18, Lines 1-22
Page 19, Lines 1-22
Page 41, Lines 21-22

Page 42, Lines 1-8
Page 43, Lines 2-22
Page 44, Lines 1-3
Page 45, Lines 2-9
Page 48, Lines 9-22
Page 49, Lines 1-22
Page 50, Lines 1-2
Page 53, Line 22
Page 54, Lines 8, 11-22
Page 55, Lines 1-22
Page 56, Lines 16-22
Page 62, Lines 4-16
Page 66, Lines 1-22
Page 73, Lines 15-22
Page 74, Lines 1-19

Ernest Stevener, Jr.

Ernest Stevener, Jr. vs. Fibreboard Corporation, et al. In the 129th Judicial District Court of Harris County, Texas, Cause No. 89-54231
(Deposition taken December 9, 1993)

Dr. Paul Stevens
Professor of Medicine
Baylor College of Medicine
6516 Bernier
Houston, TX 77030

Dr. Stevens is a specialist in the area of respiratory diseases. Dr. Stevens may testify as to all matters pertaining to his examination of the Plaintiffs and Plaintiffs' medical records; any communications with the Plaintiffs or Plaintiffs' family; review of x-rays of the Plaintiffs; the diagnostic criteria used to diagnose asbestosis; his opinion as to whether Plaintiffs suffer from asbestos related disease and the basis of such opinion; the Plaintiffs' current medical condition and his prognosis in regard to the Plaintiffs' medical condition.

Dr. Gail Stockman
701 E. Marshall, Suite 502
Longview, Texas 75601
(903) 753-0787

A pulmonary specialist who will testify with respect to all aspects of asbestos related diseases, epidemiology, fear of cancer as well as asbestos related diseases in the United States.

Johnnie M. Stoma
5523 Mary Frances
Houston, TX

Mr. Stoma will testify about the knowledge of insulators about the potential hazards of asbestos and the warnings given by manufacturers.

Dr. Richard Sutch
1601 Arch Street
Berkeley, California 94709

Dr. Sutch is an economic historian. Dr. Sutch will testify about the circumstances and conditions that existed during the war-time economics in the United States. Dr. Sutch will testify about the control exercised by the United States government as part of the war-time economy over war

materials including asbestos containing insulation products and what effect that had on companies such as Defendants.

Charles Lawrence Swezey, Esq.
212 Fulton Street
Palo Alto, California 94301

Larry Swezey is a retired Commissioner of the State of California Workers' Compensation Appeals Board and former judge of the Industrial Accident Commission. Mr. Swezey will testify about the state of knowledge in the workers' compensation community about asbestos and health.

William David Travis, M.D.
5225 Pooks Hill Rd., Apt. 912 South
Bethesda, MD 20814

Dr. Travis obtained his M.D., 1981, University of Florida College of Medicine, Gainesville; B.S., 1977, Biology, Haverford College, Haverford, Pennsylvania. Dr. Travis is a medical doctor and pathologist and may testify regarding the medical and pathological aspects of asbestos exposure as it relates to this litigation.

Dr. J. C. Wagner
MRC External Staff
Team Occupational Lung Disease
Llandough Hospital
Penarth, Glamorgan
CF6-1XW
UK

Dr. Wagner will give factual testimony concerning his knowledge of relevant facts as well as express opinions within his field of knowledge.

Dr. Hans Weill
Tulane University
School of Medicine
1700 Perdido Street
Second Floor
New Orleans, LA 70112

Dr. Weill is a pulmonary disease specialist. Dr. Weill may testify to all matters pertaining to scientific knowledge, research and study in regards to exposure to asbestos and its effects on the human body; as to the latency periods of asbestos related diseases; as to the various types of asbestos fibers and their effects on the human body; as to the effects of exposure to the chrysotile fiber in regard to asbestos related diseases; scientific criteria used to diagnose respiratory diseases, including but not limited to asbestos, lung cancer, mesothelioma; as to all matters pertaining to the Plaintiffs' medical condition; as to all state of the art issues.

Dr. Elizabeth Weisburger
5309 McKinley Street
Bethesda, MD 20814

Dr. Weisburger is expected to testify regarding the protocol, methodology and analysis of cancer research and the protocol and practice regarding the process of editing and peer review of scientific research manuscripts.

Dr. Weisburger is qualified to testify as an expert on the basis of her education, training and experience in the field of cancer research. She holds Bachelor of Science and Ph.D. degrees in Organic Chemistry. Her experience includes more than 30 years as a Research Scientist and Assistant Director at the National Cancer Institute.

Dr. Weisburger is expected to testify about the accepted scientific standards and methods for conducting cancer research, including protocols and use of animals in cancer experimentation and custom and practice regarding editing and publication of scientific articles. She is expected to testify that asbestos dust inhalation studies undertaken by Saranac Laboratory were not designed or conducted in a manner that would allow conclusions to be drawn from the incidence of tumors. She is expected to testify that the finding of tumors in mice resulting from this study was incidental and scientifically inadequate for purposes of analyzing or assessing the carcinogenicity of asbestos; that its omission from the published study was justified on scientific grounds; and that its omission did not alter the development or progress of scientific inquiry regarding asbestos and cancer. She is also expected to testify about medical knowledge regarding the health effects of asbestos.

The facts known to this expert that relate to, or form the basis of, her opinions or mental impressions include those facts contained in documents relating to the inhalation dust studies performed at Saranac Laboratory, including correspondence, memoranda, transcripts, drafts and published reports, and related material, as well as facts obtained about cancer research during the course of her education and professional activities, and facts contained in testimony of individuals once affiliated with Saranac Laboratory. Such facts may also include additional facts ultimately obtained from a review of the medical literature and a review of testimony of fact and expert witnesses in this litigation.

Noel Weiss, M.D.
University of Washington
Health Science Building, Room 263D
Seattle, Washington 98915

Dr. Weiss is an epidemiologist and biostatistician with an emphasis on the study of cancer. Dr. Weiss, if called in this case, is expected to testify generally as to the state of medical art at various relevant points in time, and specifically as to plaintiff's physical condition, the relationship between asbestos exposure and any increased risk of cancer, and the lack of medical causation in this case.

David West

David West is a former safety engineer for the State of California.

In Re: Related Asbestos Cases, United States District Court, Northern District of California, No. C-79-3588-RFP (Videotape Deposition, October 5, 1984)

Page 13:6 to 60:1

J. T. Thorpe Company anticipates summarizing or using portions of the following testimony as may be necessary depending upon the evidence presented by the Plaintiffs. In each case, the substantive portions to be relied upon have been designated. J. T. Thorpe Company reserves the right to use whatever additional testimony or summary may be needed to put that testimony in context.

Dr. Irma West

Dr. West was the head of the Bureau of Adult Health for the State of California for many years and will testify via videotape about the state of the art knowledge in the occupational health community from time to time and the medical priorities at those times.

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Page 33:17	to	39:5
Page 40:5	to	42:22
Page 43:10	to	44:6
Page 44:14	to	46:19
Page 46:24	to	47:4
Page 47:7	to	49:19
Page 49:21	to	53:24

Page 54:1	to	55:24
Page 56:25	to	57:16
Page 57:23	to	63:18
Page 64:6	to	68:10
Page 69:8	to	69:16
Page 69:20	to	72:4
Page 73:7	to	74:15
Page 74:25	to	76:8
Page 76:16	to	76:23
Page 76:25	to	77:15
Page 77:21	to	78:12
Page 78:14	to	79:20
Page 80:5	to	81:9
Page 82:2	to	82:6
Page 83:18	to	83:25
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Page 84:11	to	85:4
Page 86:22	to	86:23
Page 108:25	to	109:6
Page 109:9	to	111:18
Page 111:23	to	116:20
Page 124:6	to	125:2
Page 125:24	to	128:2
Page 128:6	to	129:15
Page 129:25	to	130:22
Page 135:14	to	135:21
Page 137:15	to	137:20
Page 137:23	to	138:19
Page 140:11	to	140:22
Page 140:25	to	141:1
Page 141:22	to	151:22
Page 153:14	to	154:3
Page 156:4	to	156:11
Page 168:4	to	169:8
Page 169:20	to	170:3
Page 171:8	to	171:24
Page 174:1	to	175:14
Page 175:16	to	178:22
Page 178:25	to	178:25
Page 179:2	to	179:15
Page 179:24	to	185:11

Dr. Lennard Wharton
 Chemical Engineer & Physical Chemist
 Packer Engineering
 North Washington at East-West Tollway
 Naperville, IL 60566

Dr. Thomas Wheeler
 2919 Eagle Creek
 Kingwood, TX 77345

Dr. Wheeler is a pathologist who may testify about asbestos related diseases, causes of cancer, and the effect of other substances, such as cigarette smoke, on the Plaintiffs.

Orange Willrich
 526 Vionett
 Texas City, Texas

Dr. R. Keith Wilson
Chief of the Pulmonary Section
Methodist Hospital
6535 Fannin, Suite F-966
Fondren Brown Building
Houston, TX 77030

Dr. Wilson is a specialist in the area of respiratory diseases. Dr. Wilson may testify as to all matters pertaining to his examination of the Plaintiffs and Plaintiffs' medical records; any communications with the Plaintiffs or Plaintiffs' family; review of x-rays of the Plaintiffs; the diagnostic criteria used to diagnose asbestosis; his opinion as to whether Plaintiffs suffer from asbestos related disease and the basis for such opinion; the Plaintiffs' current medical condition and his prognosis in regard to the Plaintiffs' medical condition.

Noble Wise

Melancon vs. Pittsburgh Corning Corporation, United States District Court, Eastern District of Texas, Civil No. B-79-478-CA, (Trial Testimony February 2, 24, 25, 26, 1982)

Page 174:12	to	176:5
Page 183:17	to	184:2
Page 188:13	to	188:25
Page 197:2	to	197:10

Philip Witorsch
The George Washington University Medical Center

Dr. Witorsch is expected to testify on matters relating to occupational medicine and pulmonary medicine, including the methodology of reporting and publishing results of studies.

Dr. Witorsch is qualified to testify as an expert on the basis of his education, training and experience in the fields of pulmonary medicine, internal medicine, and occupational medicine. He holds the following degrees: Bachelor of Arts from New York University (1958) and Medical Doctor from New York University School of Medicine (1962). He is a Diplomate in both Internal Medicine and Pulmonary Diseases. His professional memberships include: American College of Chest Physicians, American College of Occupational Medicine, and American Thoracic Society. Dr. Witorsch is currently Director, Section of Environmental Medicine and Toxicology, Division of Pulmonary Diseases and Allergy, Department of Medicine, The George Washington University Medical Center and Clinical Professor of Medicine at The George Washington School of Medicine and Health Sciences.

Dr. Witorsch is expected to testify about the standards, customs, and practices concerning the manner and method of conducting scientific studies and reporting or publishing the results of those studies. He is expected to testify that the conduct of Defendants in performing certain surveys and in reporting and publishing their results conformed to generally accepted standards, customs and practices.

The facts known to this expert that relate to, or form the basis of, his opinions or mental impressions include those facts contained in documents pertaining to asbestos dust surveys conducted by Defendants, including reports, published articles, correspondence and memoranda, and may include additional facts ultimately obtained from a review of the medical literature and a review of the testimony of fact and expert witnesses in this litigation. Additional facts known to this expert were obtained through education, training and experience as a medical doctor in the fields of occupational and pulmonary medicine.

Dr. Stanislaw Burzynski

Dr. Burzynski is expected to testify concerning the medical aspects of mesothelioma and the potential and probabilities for curing this disease through treatments and the programs necessary for that purpose.

Dr. William Eschenbacher
6565 Fannin
Houston, Texas 77030
(713) 793-1750

J. T. Thorpe Company, designate as potential witnesses each fact and expert witness identified by other Defendants in this action. In addition, J. T. Thorpe Company, reserve the right to call any witness identified by the Plaintiffs.

Any and all experts listed by any and all Defendants, which lists are incorporated herein by reference.

Any and all physicians who have seen, examined, treated and/or autopsied the Plaintiffs or Plaintiffs' pathology, chest x-rays and/or PFTs.

Any and all witnesses named by any other party.

Any and all rebuttal witnesses.

Defendant, J. T. Thorpe Company, reserve their right to call the above-named persons and/or entities as expert witnesses and/or fact witnesses. Defendant, J. T. Thorpe Company, reserve the right to present the testimony of any of their witnesses either by way of deposition or in person at trial.

Defendant, J. T. Thorpe Company, incorporate by reference the witness lists filed by all other Defendants in this case and reserves the right to call any witnesses listed on those lists as expert witnesses and/or fact witnesses.

OTHER WITNESSES WHO MAY BE CALLED LIVE
OR BY DEPOSITION

STATE-OF-THE-ART

- (A) Forde A. McIver, M.D.
- (B) Keith Morgan, M.D.
- (C) James D. Snell, M.D.
- (D) Robert M. Brown
- (E) Edward D. Helton
- (F) Peter Harries, M.D.
- (G) Allen Feingold, M.D.
- (H) Robert Murray, M.D.

MEDICAL ISSUES:

- (A) William Cole, M.D.
- (B) Bashir Chaudhary, M.D.
- (C) Stuart Brooks, M.D.
- (D) Richard A. Elmer, M.D.
- (E) Winford H. Pool, M.D.
- (F) Ron Crystal, M.D.
- (G) Anthony Costrini, M.D.
- (H) Victor Roggli, M.D.
- (I) Jerry Wiott, M.D.
- (J) David Stacy, M.D.
- (K) Ed Block, M.D.
- (L) O. C. Harris, M.D.
- (M) Philip R. Saleeby, M.D.
- (N) John Crissman, M.D.
- (O) Azorides Morales, M.D.
- (P) Lee Reichman, M.D.
- (Q) Robert DiBenedetto, M.D.

(R) Stephen Morris, M.D.
(S) James Miller, M.D.
(T) William Weiss, M.D.
(U) G. Michael Duffell, M.D.
(V) Gilbert D. Grossman, M.D.
(W) James Wellman, M.D.
(X) Marvin Kuschner, M.D.
(Y) George Schoonover, M.D.
(Z) D. H. Manning, M.D.
(Aa) Bernard Gee, M.D.
(Bb) Russell Sherwin, M.D.
(Cc) Jerome Kleinerman, M.D.
(Dd) Nasha Burki, M.D.
(Ee) David J. Frolich, M.D.
(Ff) David A. Edelman, M.D.
(Gg) Keith Chandler, M D.
(Hh) Allan L. Goldman, M.D.
(Ii) Fred Pooley, Ph.D.
(Jj) Kevin Browne, M.D.
(Kk) Allen Feingold, M D.
(Ll) W. E. Smith, M.D.
(Mm) George Schoonover, M D.
(Nn) C. M. Johnson, M.D.
(Oo) Jerry Abraham, M.D.
(Pp) William Guest, M.D.
(Qq) Paul Wheeler, M.D.
(Rr) Edward Gaensler, M.D.
(Ss) Donald Greenburg, M.D.
(Tt) Allen Gibbs, M.D.

(Uu) Nathaniel Rodman, M.D.
(Vv) Jay Leonard Litchenfeld, M.D.
(Ww) Russell P. Sherwin, M.D.
(Xx) Stanley Pier
(Yy) Robert N. Sawyer, M.D.
(Zz) R.J. Lee, M.D.
(Aaa) Michael Larsen, CIH
(Bbb) Gordon M. Bragg, Ph.D.
(Ccc) Joe Mullis

Joe Adam and/or other representatives of United Association of Pipefitters
Washington, D.C.

Russell Allen, Jr.
Bridge City, Texas

Albert S. Andress
3370 Beard
Beaumont, Texas 77704

James Arrington
1407 Avenue B.
Nederland, Texas 77627

Pedro Arriola
2440 Avenue B.
Port Arthur, Texas

Charles Barksdale
5666 Longwood
Beaumont, Texas

Herbert Brannen
3415 - 31st Street
Port Arthur, Texas

Sam Borcato, Jr.
Rt. 1, Box 252
Warren, Texas

James Brown
5645 North Main, #5
Vidor, Texas 77662

Claude Cimino
3801 -35th Street
Port Arthur, Texas

Milton Crochet
5269 Landry Drive
Port Arthur, Texas

John Courville
3921 Lexington
Groves, Texas

Rudolph A. Falgout, Sr.
5395 Gayle Drive
Beaumont, Texas 77708

Cecil Gladden
4908 Garfield
Groves, Texas 77659

Frank Guidry
416 - 17th Street
Nederland, Texas 77627

Royce Haight
295 Young Drive
Vidor, Texas

Travis Hemingway
380 Ironwood Street
Vidor, Texas

Harold Hoyle
Deland, Florida
Retired Industrial Hygienist from Dow Chemical

Joe Lapping, Director of Safety and Health Building Construction Trades Department
815 - 16th Street N.W.
Washington, D.C.

Jerry Little
2218 First Street
Port Neches, Texas

Samuel E. McRoberts
Box 8194
Lumberton, Texas 77711

J.C. Miller
1808 Avenue H.
Nederland, Texas

Frank Paul Mooney
5750 Tyler Street
Vidor, Texas 77662

Albert Olson
211 Bonwell
Lumberton, Texas

David Page
450 Blanton Road
Lumberton, Texas

Leon Red Perkins
7845 Highway 105
Beaumont, Texas

Allen Peterson
1838 Baxter Ridge
St. Louis, MO

John E. Scott
12990 Larch Land
Beaumont, Texas

Robert Simonton
440 Young
Bridge City, Texas

Tommy Wright
Old Sour Lake Road
Beaumont, Texas

Willie Eugene Broom
P.O. Box 264
Harper, Texas

Mike Blanchard
1430 Spindletop Road
Beaumont, Texas

or other designated representative and custodian of records of the International Brotherhood of Electrical Workers, Local 479

Designated representative and custodian of records of the International Brotherhood of Electrical Workers, National Organization, 1125 - 15th Street N.W., Washington, D.C.

Margaret Seminario
Chairman of the AFL-CIO Staff Committee on Safety and Health
815 - 15th Street N.W.
Washington

Custodian of records, Asbestos Archives and Insulation Industry hygiene Research Program, Mt. Sinai Hospital, 19 E. 98th Street, New York, NY

Joe Shrode, through his deposition testimony taken in Tomplait v. Combustion Engineering, et al., U.S. Dist. Ct. for the E.D. of Texas; Porter v. Fibreboard Corp., et al., U.S. Dist. Ct. for the E.D. of Texas; and Mr. Shrode's deposition and trial testimony from the Clarence Borel trial, U.S. Dist. Ct. for the E.D. of Texas.

Dr. Corwin Hinshaw, through his deposition testimony taken in Vaughn

**MEDICAL/HEALTH CARE PROVIDER AND
CUSTODIAN OF BUSINESS RECORDS
WITNESS LIST**

In addition to the expert and fact witnesses heretofore identified, the Defendants additionally designates the following experts and fact witnesses:

Custodian of Medical Records, Personnel Records, Employment Records, Safety Records and Industrial Hygiene Records, Purchase Orders, Invoices, Shipping and Receiving Records and Engineering Records of any and all work sites of Plaintiffs herein.

Custodian of Medical Records of:

Dr. George L. Delclos
6550 Fannin, #2403
Smith Tower
Houston, Texas 77030

Dr. William Eschenbacher
6565 Fannin
Houston, Texas 77030

Dr. Robert Ross
17030 Nanes Drive, Suite 214
Houston, Texas 77090

Dr. Paul Stevens
Professor of Medicine
Baylor College of Medicine
6516 Bernter
Houston, Texas 77030

Dr. R. Keith Wilson
Chief of the Pulmonary Section
Methodist Hospital
6535 Fannin, Suite F-966
Fondren Brown Building
Houston, Texas 77030

Dr. Kathryn Hale
Assistant Professor of Medicine
Baylor College of Medicine
6516 Bernter
Houston, TX 77030

EXHIBIT “W”

BACKGROUND INFORMATION

THORPE ENTITIES

Thorpe Corporation

A Texas corporation founded on 2-11-83 to act as a holding company for various Thorpe Companies.

J. T. Thorpe Company

Originally established in 1943 as a branch of J. T. Thorpe, Inc. (California corporation). On 12-12-53 J. T. Thorpe Company was incorporated as a Texas corporation and remains to this date an acting and existing Texas corporation.

Thorpe Products Company (Division)

Began operation as an unincorporated division of J. T. Thorpe Company on 1-01-61 and continued in such capacity until 1-01-86 at which time certain assets/liabilities were transferred to Thorpe Products Company (1985 corporation).

Thorpe Products Company

Established as a Texas corporation on 4-26-85.

Thorpe Insulation Company

Established as a Texas corporation on 5-01-56 until it was dissolved on 12-31-60. During such period of existence it was a wholly owned subsidiary of J. T. Thorpe Company. Following corporate dissolution of Thorpe Insulation Company on 12-31-60, it continued operation as a branch of J. T. Thorpe Company until 12-10-65. On 12-14-65 a new entity, Thorpe Insulation Company, was incorporated and remained in existence until it was dissolved on 6-09-89.

Cactus Construction Company

A Texas corporation which was established on 2-04-69 as a subsidiary of J. T. Thorpe Company, but never conducted any operation and remains to this date an inactive corporation.

EXHIBIT “E”

**MINUTES OF ANNUAL MEETING
OF THE BOARD OF DIRECTORS
OF J. T. THORPE COMPANY**

The Annual Meeting of the Board of Directors of J. T. Thorpe Company, a Texas corporation, was held at 6833 Kirbyville Street, Houston, Texas, on November 18, 1970 immediately following the Annual Meeting of the Shareholders of J. T. Thorpe Company, pursuant to the provisions of the By-laws of the Company. All newly elected Directors were in attendance, namely:

A. L. Erickson
Frank C. Sheldon, Jr.
Horace W. Baker
M. P. Proctor
Thomas Hopkins, III

A waiver of notice signed by all the Directors was directed to be attached to these minutes by the Chairman.

The Chairman announced that the first order of business was the election of officers of the Company for the ensuing year. Upon motion duly made and seconded, the following resolution was adopted unanimously:

RESOLVED, that the persons named below be and they are hereby elected to the offices set opposite their respective names to hold office until the next Annual Meeting of the Board of Directors and until their successors are duly elected and qualified:

A. L. Erickson	Chairman of the Board
Frank C. Sheldon, Jr.	President
M. P. Proctor	Vice President
Mary A. Severance	Treasurer and Asst. Secretary
Thomas Hopkins, III	Secretary

There was a discussion concerning Company automobiles, and after discussion, the following resolution was duly adopted unanimously:

RESOLVED that this Company furnish to the officers and sales personnel of the Company specified below a Company owned automobile and to pay all expenses in connection with the use thereof; to wit:

Frank C. Shelden, Jr.
Dan Hausam
J. C. Riley
M. P. Proctor
Keith Jaye
William Collins
Jack Peiffer
Mary A. Severance
Weldon Eklund
Gerald Nelson
W. A. Bay
J. E. Thurman

There was a discussion concerning "out-of-pocket" expenses and the use of personal automobiles on Company business. After discussion, the following resolution was duly adopted unanimously:

RESOLVED that each of the officers and sales personnel of the Company named in the preceding paragraph be reimbursed monthly for their out-of-pocket expenditures incurred in the conduct of their duties with the Company, and that each of such officers and sales personnel be reimbursed for their automobile expenses when using their own personal automobiles for business purposes.

There was a discussion concerning the amount, if any, that should be paid under the Company's Bonus Plan. After discussion, the following resolution was duly adopted unanimously:

RESOLVED that Frank C. Shelden, Jr., in consultation with the Company's auditor, be and he is hereby directed to compute as accurately as possible the expected profits of the Company for the fiscal year ending December 31, 1970 for the purpose

of determining whether the expected profits are sufficient to enable eligible employees to share in the Company's Bonus Plan; and be it

FURTHER RESOLVED that if amounts are payable under said Company's Bonus Plan for the year 1970 based upon said expected profits, that Frank C. Sheldon, Jr. be and he is hereby authorized and directed to determine the amount to be payable to the employees under the Bonus Plan and to make any such payments.

Frank C. Sheldon, Jr. discussed the payment of a Christmas Bonus to key field personnel and suggest that \$5,000.00 be allocated to this purpose.

On motion duly made, seconded, and unanimously passed, the following resolution was adopted:

RESOLVED that a total amount of \$5,000 be paid as Christmas Bonuses to key field personnel; and be it

FURTHER RESOLVED that Frank C. Sheldon, Jr. and Jack Peiffer be and they are hereby authorized and directed to determine the amount of individual bonuses for the key field personnel.

There was a discussion concerning a Christmas Bonus for shop personnel. After discussion, the following resolution was duly adopted unanimously:

RESOLVED that cash bonuses equal in the aggregate to 1% of the gross profits of the Thorpe Products Company Division be paid in such amount to such key shop personnel as may be determined by Frank C. Sheldon, Jr. and M. P. Proctor.

After a discussion of the Company's contribution to the J. T. Thorpe Company Employees' Profit Sharing Trust Agreement, the following resolution was duly adopted unanimously:

RESOLVED that the Company contribute to its Profit Sharing Plan for the fiscal year ended December 31, 1970, an amount equal to 15 per cent of Annual Compensation as that term is defined in Section 2.01(h) of said Profit Sharing Trust Agreement;

provided, however, that in no event shall the amount of such contribution be in excess of the amount deductible by the Company in computing its Federal Income taxes for the year 1970; and provided further that in no event will the amount contributed to the Profit Sharing Plan reduce the net earnings after taxes of the Company to an amount less than 10% of the net worth of the Company at January 1, 1970; and be it

FURTHER RESOLVED that the proper officers of the Company be and they are hereby authorized and directed to disburse funds of the Company pursuant to the terms of the foregoing resolution within the time limitations of the Internal Revenue Code for corporations on the accrual method of account; and be it

FURTHER RESOLVED that Thomas Hopkins be and he is hereby appointed to the Administrative Committee of the Profit Sharing Plan to serve in place of T. D. Smith, whose resignation therefrom is hereby accepted.

There was a discussion of the guide lines in making contributions to tax exempt organizations. Consistent with last year's action, it was the consensus that one per cent of the net income before taxes of the corporation should be contributed to such organizations along the lines of 36% to educational organizations, 42% to health and welfare organizations, and 22% to civic and cultural organizations.

After discussion of the dividends policy of the Company for the calendar year 1971, the following resolution was duly adopted unanimously:

RESOLVED that cash dividends be paid to the shareholders of the Company as follows:

<u>Per Share Amount of Cash Dividends</u>	<u>Record Date of Shareholders Entitled to Dividends</u>	<u>Payment Date</u>
\$.75	March 31, 1971	April 30, 1971
.75	June 30, 1971	July 30, 1971
.75	Sept. 30, 1971	October 30, 1971
.75	Dec. 31, 1971	December 31, 1971

provided, however, that no cash dividend will be paid to the shareholders of the Company at a particular Payment Date specified above if, for the calendar quarterly period immediately preceding the Payment Date of the cash dividends, the Company had no net profits after taxes for such quarterly period.

Concerning the purchase of 480 shares of the Company from T. D. Smith, the following resolution was duly adopted unanimously:

RESOLVED that the acts of the officers of this Company in executing and consummating in part the transactions contemplated in that certain Stock Purchase Agreement dated May 15, 1970 by and between the Company and T. D. Smith, be and the same is hereby ratified, confirmed and approved in all respects as the acts of this Company.

There was a discussion concerning the purchase of 40 shares of Company stock from Joseph Webb and a proposal of purchase of his remaining shares in the Company from his heirs. After discussion, the following resolutions were duly adopted unanimously:

RESOLVED that the acts of the officers of the Company in redeeming 40 shares of stock of the Company from Joseph Webb at a total consideration of \$1,975.60 be and the same are hereby ratified, confirmed and approved in all respects as the acts of this Company; and be it

FURTHER RESOLVED that the acts of the officers of the Company in offering to purchase shares of stock of the Company from the heirs of Joseph Webb at their net book value on December 31, 1970 be and the same are hereby ratified, confirmed and approved in all respects as the acts of this corporation.

There was a discussion of the financial needs of the Company, particularly in relation to its borrowing needs. Consistent with last year's policy, it was the consensus that the corporation should notify its parent corporation, J. T. THORPE, INC., of any of its financial needs and arrange, if possible, for borrowings from the parent corporation rather than from financial institutions.

After discussion, the following resolution was duly adopted unanimously:

RESOLVED that all of the acts of the officers and of the Company from the date of the last Annual Meeting of the Board of Directors to the date of this Annual Meeting be and the same are hereby ratified, confirmed and approved in all respects as the acts of this corporation.

Mr. Sheldon informed the Board that the branch office of the Company in Dallas opened on February 1, 1970, with W. Eklund as the Branch Manager. Mr. Proctor stated the Dallas Branch would incur a small operating loss in 1970, but should reflect an operating profit in 1971.

There was a discussion concerning a change in the date of the Annual Meeting of the Shareholders. After discussion, the following resolution was duly adopted unanimously:

RESOLVED that the provisions of the Bylaws of the Company relating to the date of the Annual Meeting of the Shareholders be and the same is hereby amended to the effect that the Annual Meeting of the Shareholders of the Company shall be held on the second Wednesday of April of each year, commencing with the year 1971.
1972

There was a discussion concerning stock option grants under the Company's Qualified Stock Option Plan. After discussion, the following resolution was duly adopted unanimously:

RESOLVED that the grants of stock options to the individuals specified below be and the same are hereby ratified, confirmed and approved in all respects as the acts of this Company; to wit:

<u>Employee</u>	<u>Number of Shares</u>
Lee A. Kleeman	300
Gerald J. Nelson	300
John Stephens	200

and be it

FURTHER RESOLVED that the stock option price per share shall be equal to the net book value per share of the Company's stock at December 31, 1970, which this Board determines to be the fair market value of a share of stock of the Company.

There was a discussion concerning additional warehouse space in Houston. After discussion, the following resolution was duly adopted unanimously:

RESOLVED that Frank C. Sheldon, Jr. be and he is hereby authorized and directed to retain architects and such other experts as he deems necessary or desirable for the purpose of planning an addition to the present warehouse facilities of the Company in Houston; and he is further directed to present such plans at the next Annual Meeting of the Directors, or at any earlier Special Meeting of the Directors if feasible.

There was a discussion concerning "Asbestosis", a malady involving scarring of the lungs. After discussion, the following resolution was duly adopted unanimously:

RESOLVED that the proper officers of this Company be and they are hereby authorized and directed to do all things necessary and proper to protect the health of all personnel of the Company, including a constant vigilance regarding their working conditions and providing them with the best equipment available; and be it

FURTHER RESOLVED that the proper officers be and they are hereby authorized and directed to keep all dust collection systems up to maximum efficiency and to investigate the practices, procedures and dust collection systems of other similarly situated companies to the end effect that this Company's dust collection systems are the finest in the industry.

There was a discussion concerning bank accounts of the Company. After discussion, the following resolution was duly adopted unanimously:

RESOLVED that the persons indicated below be and they are hereby authorized to sign checks on Company bank accounts as so indicated, to wit:

EXHIBIT “F”

OFFICE CORRESPONDENCE

FROM M. P. PROCTOR

DATE MAY 5, 1971

SUBJECT DUST ELIMINATION

JB
FT
MPP
VS
KJ
JS
JN
WE
GW
GM
FC

Beginning immediately we are stepping up efforts to eliminate all sources of dust in our shop and warehouse operations.

In regard to warehouses, we are now using gasoline operated vacuum cleaners for floors rather than brooms. Brooms should not be used for sweeping. In tight areas where the vacuum will not reach, you should use a hose connection off the vacuum machine or off the dust collecting system.

Particular attention should be paid to handling and processing calcium silicate or any other insulating material containing asbestos fibre. During fabrication every effort should be made to collect all dust through the dust collection system. Modifying pipe sizes by cutting shall not be done in the future without specific prior approval. Approved face masks shall be worn while fabricating, boxing, or nesting.

Those responsible for the operation of the dust collection systems will make certain that they are in top working condition at all times. Any problems you may have finding parts or labor to repair systems, should be brought to the attention of the writer immediately.

THORPE PRODUCTS COMPANY


M. P. PROCTOR
MPP/bg cc:file

cc: F. C. Shelden
Jim Bruner
Weldon Ecklund
Jerry Nelson

THIS COPY
FOR

EXHIBIT “G”