PLAINTIFF'S
EXHIBIT
GF-2224

# Asbestosis Trial Goes To Jury Today

CAMDEN (AP) — A federal jury will begin deliberating Tuesday in the trial of a civil suit filed against seven firms that had manufactured or distributed asbestos products.

Testimony in the trial ended Friday and attorneys on both sides presented their final arguments Monday.

U.S. District Judge Robert Chapman moved the trial from the federal courthouse in Aiken to the Kershaw County Courthouse on Monday to cut down on the jurors' travel time.

The trial had originally been scheduled for Columbia and many of the jurors were from the Columbia area. The trial had to be moved from Columbia to Aiken because of another trial in the federal courthouse in Columbia. Camden is less than 30 miles from Columbia, while Aiken is nearly 60 miles away.

William Bumgardner, 50, of Arden, N.C., is suing seven firms for an unspecified amount of damages. He contends the firms neglected to warn him adequately of any potential hazards involved in working with asbestos products.

Bumgardner claims he contracted the lung disease asbestosis while working with the products manufactured by the defendants. He was an insulation installer for about 30 years.

Asbestosis is a scaring of the lung tissues, caused by inhaling large amounts of asbestos fibers.

The defendants are Owens-Corning Fiberglass, the Atlas Asbestos Co., Johns-Manville Corp., Celotex Corp., Nicolet Industries, Eagle Picher Industries, and the GAF Corp.

Note: Jury found in favor of defendants on NOV 22.

THE STATE
COLUMBIA, S.C.
NOV 22, 1977

## *Until After 1964*

# Researchers Said Unaware

By JOHN SHARKEY
Staff Reporter

A Charleston pathologist stated in a videotaped deposition shown in federal court yesterday that most researchers did not believe that asbestos was hazardous to insulators until after 1964.

Dr. Forde McIver, a former pathology professor at the Medical University of South Carolina at Charleston, also stated in the deposition that the medical and industrial community recognized the possible health hazards of working with asbestos in manufacturing plants as early as 1931.

McIver, who conducted 20 years of asbestosis research, is a defense witness in the trial of a civil suit filed by a former North Carolina insulation installer against seven firms who manufactured or distributed asbestos insulation prior to 1973.

William Bumgardner, 50, of Arden, N.C. contends in his suit that he contracted the deadly lung disease asbestosis through the negligence of the seven firms. Asbestosis is the scarring of lung tissue and is caused by breathing asbestos fibers.

McIver was scheduled to testify, but he is hospitalized in Charleston. Attorneys agreed to play the taped deposition.

In the deposition he said necessary safety measures were implemented in asbestos mines, mills and manufacturing plants 40 years ago. But, he said, it wasn't until after publication of a study in 1964 that researchers began to realize the possible risks to construction workers who install asbestos insulation.

He stated that scientists did not think pipe fitters and insulators were exposed to enough asbestos fibers to jeopardize their health.

McIver, who operates a private pathology lab in Charleston, stated that smoking aggravates asbestosis because it limits mechanisms in the body that clear the lungs of foreign particles. "It's like dumping trash into a sink with no drain," he said.

McIver said scientists can determine what amount of asbestos fibers people can inhale without harm and that virtually everyone is exposed to some amount of the fibers.

The pathologist said asbestosis alone cannot cause cancer, but when it is combined with certain other diseases it can. "It is my opinion that it must take more than one factor," he said.

Additional portions of McIver's deposition were scheduled to be read to the jury today.

Clifford L. Scheckler of Bricktown, N.J., former director of safety and occupational health for the Johns-Manville Corp., testified yesterday that he was aware of the hazards of asbestos dust in manufacturing plants and that the Johns-Manville Corp. had installed exhaust systems and made respirators available to employees at manufacturing plants.

Johns-Manville is one of the seven defendants in the suit.

He said insulation installers were not considered to have enough contact with air-borne asbestos fibers to harm them.

"His exposure is intermittent, not constant like the worker in the plant," he said.

AIKEN STANDARD
AIKEN, S.C. NOV 17, 1977

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