

FILE NAME: Contract Unit Workers Comp Claims (WCC)

DATE: 1953

DOC#: WCC030

DOCUMENT DESCRIPTION: Workers Comp File - Munger, Louis M

Contains all documents found in the Claimant's file, with one blank page between each separate document

Munger 17 yrs ^{① 517-373-3476} → 33490

pipe coverer ^② Beth ~~any~~
Zakanato
33492
Aug 7, 1953 disabled totally

Armstrong Lock
Travelers

Award 1/25

\$36/wk 1953
≤ \$10,500

appealed by Armstrong 1955

med. rpt. of another Dr. (1955)

③ Mr. Myron

no employer index

FOI Act

Mich Bur. Wks Disability

~~Mr 2450 Harris St.~~

309 N. Washington

P.O. Box 30016

list of employers & any
communication the
Board has on record
with them

attn Bethany

Zachinato

Lansing MI 48909

Comp Cases in New York, Etc.

I asked Louis Brown to check the 2 cases on the Armstrong list in NY before 1964. One was a 1957 case that went to the Appeals Board. Lou said the case file on it, which is from the Buffalo area, may no longer exist. It would be a public record once appealed. (V. Coll) The other case was in his area (Wm Dean, 1960).

Barb found that there are records for burial permits, and they are in the charge of our friend Irv Mellon.

Michigan -- Munger on Armstrong list

17 years as pipe coverer, compensated by Armstrong, decision copy on the way from ~~nice~~ woman at 517-373-3476. State has no employer index. See letter to Zechinato. Armstrong tried unsuccessfully to involve other employers of Mr. Munger in paying off the claim. I have asked for all communication with employers, Ms. Z (373-3492) assured me that the info is all freely available under the state FOI act. (Travelers-carrier)

Texas -- Workers Comp Records

They have an employer index of claims back to the mid-50s. I told Mike Hauty to check the records, which are open enough so that he thinks he can view the microfilm of case files. The case files that old are somewhat trimmed, and may be missing some of the material we want to see (e.g., mention of and contact with defendants out-of-state or defendants against whom the claim was dropped.).

I called Dave Weir to confirm his availability and willingness to be my intermediary in dealing with Judge Gately and the California comp board.

3/27/78

Blood on the Tracks of Johns-Manville

Contrary to what Ms. Zechinato told me yesterday, Mr. Munger made his compensation claim against a bunch of firms that employed him as a pipecoverer in Michigan. The law is quoted in a letter to one of the firms, Young Sales Corp., and it says the last employer where the man was at risk of the disability claimed pays all; however, that employer may apply for apportionment of costs among all other employers where claimant did similar work, and apportionment will be weighted by length of service per employer. Armstrong was apparently the last one, and the one of longest standing, but Armstrong dragged in the others.

The records, original file copies of which were sent to me, show that Johns-Manville was notified August 1, 1956 of Armstrong's application for a hearing and adjustment of claim. On January 18, 1957, \$260 of compensation was assessed to J-M, which was agreed upon, because of Mr. Munger's 2 months' employment with J-M. Another \$127.34 in medical costs was hung on J-M, 12/3/59.

It is unclear from the papers sent to me that Mr. Munger made 3 separate claims as his disability worsened, but that is what Ms. Z said. The appeal decision, received last week, states that Munger was a pipe-coverer for 17 years. It is thus apparent that despite Munger's brief employ with J-M, J-M had an excellent chance to learn here of the hazardous nature of pipe-covering work.

April 8, 1978

BALTIMORE
NEW YORK
CLARKSBURG
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ST. LOUIS
CHICAGO
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ALEXANDER & ALEXANDER

INCORPORATED

INSURANCE

AVERAGE ADJUSTERS

CONSULTING ACTUARIES

2221 NORTH CHARLES STREET, BALTIMORE 18, MD.

TELEPHONE
TUXEDO 9-4304

BELL SYSTEM
TELETYPE BA 582

CABLE ADDRESS
"ALEXBLUE"

March 9th, 1956

Mr. R. C. Schiedt, Jr.
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

MAR 12 1956

Dear Mr. Schiedt:

re: Louis M. Munger
1953 Workmen's Compensation
Claim No. B 7297849

Referring to your letter of February 23rd, we are advised by the Travelers Insurance Company that Apportionment proceedings are presently delayed because of the Workmen's Compensation Appeal Board Award of January 18th, 1956. The Travelers have filed leave to appeal to the Supreme Court on the ruling of the Appeal Board handed down on January 18, 1956.

The Travelers have promised to keep us advised of developments and when we have further information, it will be passed on to you.

Sincerely

ALEXANDER & ALEXANDER, INC.


LOSS DEPARTMENT

R

275/26/56
February 23, 1956

Mr. G. H. Finlay
Alexander & Alexander, Inc.
2221 North Charles St.
Baltimore 18, Md.

Dear Mr. Finlay:

Subject: Louis M. Munger
1953 Workmen's Compensation
Claim #B-7297849

We are wondering if the apportionment proceedings have been completed since the award of Michigan's Workmen's Compensation Appeal Board was made on January 18, 1956.

Very truly yours,

R. G. Schiedt, Jr.
Insurance Department

AJP

JAN 23 1956 WLH

STATE OF MICHIGAN

WORKMEN'S COMPENSATION APPEAL BOARD

LEWIS M. MUNGER,
PLAINTIFF,

VS.

ARMSTRONG CORK COMPANY,
TRAVELERS INSURANCE COMPANY,
DEFENDANTS.

At a session of the Workmen's Compensation Appeal Board held at its offices in the City of Lansing, Michigan, this 18th day of January, A. D. 1956;

Present: Hon. Theodore P. Ryan,
Chairman,
Hon. H. Delbert Storie,
Hon. James H. McLaughlin,
Members.

This cause having come before the Appeal Board on appeal of the defendants from the award of the Hearing Referee Nolan granting compensation to plaintiff at the rate of \$36.00 per week from August 8, 1953 until the further order of the Department but not to exceed the sum of \$10,500.00; after due consideration of the evidence taken and the arguments and briefs of counsel (the Board having made a finding of facts and law) and it appearing to the Board that the award made as

HLR:RP

RECEIVED

JAN 23 1956

BALTIMORE, MD.
NEW YORK, N. Y.
CLARKSBURG, W. VA.
TULSA, OKLA.
ST. LOUIS, MO.
CHICAGO, ILL.
LOS ANGELES, CAL.
ATLANTA, GA.
PITTSBURGH, PA.

ALEXANDER & ALEXANDER
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AVERAGE ADJUSTERS CONSULTING ACTUARIES
503 ST. PAUL PLACE, BALTIMORE 2, MD.

TELEPHONE
MULBERRY 5-6340
BELL SYSTEM
TELETYPE BA 582
CABLE ADDRESS
"ALEXBLUE"

July 22nd, 1955

Mr. R. C. Schiedt, Jr.
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

Dear Mr. Schiedt:

RE: Louis M. Munger
1953 Workmen's Compensation
Claim B 7297849

We recently made inquiry of the Travelers Insurance Company in respect to the status of this claim and wish to quote from their letter of July 15th, as follows:

"Our petition to take additional medical testimony has been denied by the Industrial Commission. We are now perfecting our appeal to the full Board from the Deputy's award.

"Our reserves presently remain the same as indicated in our letter of April 18th, 1955."

The reserves mentioned are \$6,000 claim and \$1,500. medical.

The above is for your information and file.

Sincerely

ALEXANDER & ALEXANDER, INC.

G. H. Dinsley
LOSS DEPARTMENT

R

BALTIMORE, MD.
NEW YORK, N. Y.
CLARKSBURG, W. VA.
TULSA, OKLA.
ST. LOUIS, MO.
CHICAGO, ILL.
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ALEXANDER & ALEXANDER

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AVERAGE ADJUSTERS

CONSULTING ACTUARIES

503 ST. PAUL PLACE, BALTIMORE 2, MD.

TELEPHONE
MULBERRY 8-6340

BELL SYSTEM
TELETYPE BA 502

CABLE ADDRESS
"ALEXBLUE"

April 28, 1955

Mr. William L. Hughes, Manager
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

WORKMEN'S COMPENSATION INSURANCE
D/A August 7th, 1953
Employee: Louis M. Munger
Travelers Claim No. B 7297849

Dear Bill:

70 LR
5/12/55
In connection with Mr. Schiedt's letter of April 5th, regarding the above claim, we are advised by the Detroit Claim Office of the Travelers that the apportionment proceedings have not yet been completed. In this claim the Deputy Commissioner held that the Plaintiff was disabled from an occupational disease known as "Asbestosis". The apportionment proceedings had to be delayed until the award was handed down by the Deputy Commissioner on February 25th, 1955. However, on March 1st, 1955 the Travelers' recent medical information indicated that the claimant may be suffering from Pulmonary Emphysena, with evidence of Asthmatic Bronchitis. It appears possible that the employee does not have Asbestosis.

The Travelers immediately filed an appeal with the full Board, and petitioned to take additional medical testimony on this claim. The date for the taking of the additional medical testimony has not yet been set.

The Travelers' present Reserve on this case is as follows: Claim \$6,000., Medical \$1,500.

The Travelers will advise us when the additional medical has been heard by the Commission and the award of the full Board received.

Very truly yours,

ALEXANDER & ALEXANDER, INC.

[Signature]
Assistant Vice President

JEF:EMcD

April 5, 1955

Mr. J. E. Fannon
Alexander & Alexander, Inc.
503 St. Paul Place
Baltimore 2, Md.

Dear Mr. Fannon:

Subject: Louis M. Munger
1953 Workmen's Compensation Claim #B-7297849

The alleged injury (pneumoconiosis) occurred August 7, 1953 and, according to the last report, a hearing on this claim was held in Bay City, Michigan, on May 18, 1954 before a Deputy Commissioner.

Could you let us know about the outcome of this hearing and whether or not apportionment proceedings have been completed. A \$3,500.00 compensation and \$1,500.00 medical reserve had been established on this claim and we are wondering if those amounts are still standing or if the claim has been closed and you can give us the final costs.

Very truly yours,

ARMSTRONG CORK COMPANY

R. C. Schiedt, Jr.
Insurance Department

AJP

Louis M Wenger Inc.

8-7-53

B 7297849

Pneumococcosis

Comp. # 3500.00

Med 1500.00

benefits from Aug 10, 1953

1942

5 dependents

43

44

44

51

53

out sick Aug 7, 53

The Travelers

*The Travelers Insurance Company
The Travelers Indemnity Company
The Travelers Fire Insurance Company*

CLAIM DEPARTMENT
H. C. TIMMINS, Claim Manager

BRANCH OFFICE
Dime Building
719 Griswold Street at Fort Street
DETROIT 26, MICHIGAN
Telephone: WOODWARD 1-8240

July 1, 1954

B 7297849
Armstrong Cork Co.
Re: Louis M. Munger

Armstrong Cork Company
Lancaster, Pennsylvania

Attention: E.M. Wegman

Gentlemen:

With reference to your letter of June 24, 1954, please be advised that there has been no change in status in this claim since my letter of May 26, 1954. Mr. Munger has encountered considerable difficulty in trying to establish his work record through Social Security records. Our apportionment proceedings are dependent upon the exact work history and we are unable to commence proceedings until this has been obtained. I am hopeful that we may have this information shortly.

We shall be pleased to furnish any additional information you may require.

Yours very truly,

R. E. Werner
R. E. Werner
Supervising Adjuster

rew/mb

HOME OFFICE: 700 MAIN STREET, HARTFORD 15, CONNECTICUT

~~7-10-34~~
June 24, 1954

The Travelers Insurance Company
Dime Building
719 Griswold St. at Fort St.
Detroit 26, Mich.

Gentlemen: Attention: Mr. Robert E. Warner, Supervising Adjuster

Subject: B 7297849 - Armstrong Cork Company and
Meinecke & Company - Re: Louis M. Munger

The latest information which we have on the above case is your letter of May 26, 1954. We should appreciate your advising us the present status.

Very truly yours,

ARMSTRONG CORK COMPANY

EMW:MBP

E. M. Wegman
Manager, Insurance Department

Copy to:
Alexander & Alexander, Inc.
503 St. Paul Place
Baltimore 2, Md.
Attn: Mr. G. H. Finlay

The Travelers

CLAIM DEPARTMENT
H. C. TIMMINS, Claim Manager

The Travelers Insurance Company
The Travelers Indemnity Company
The Travelers Fire Insurance Company

BRANCH OFFICE
Dime Building
719 Griswold Street at Fort Street
DETROIT 26, MICHIGAN
Telephone: WOODWARD 1-8240

May 26, 1954

Armstrong Cork Co.
Lancaster, Pennsylvania

B 7297849
Armstrong Cork Co. &
Meinecke & Co.
Re: Louis M. Munger

Attention: Mr. E. M. Wegman, Tax Ins.
and Real Estate Department

Gentlemen:

The above captioned employee has been disabled and receiving compensation benefits from August 10, 1953. He has been under the care of Dr. R. S. Taylor of Bay City, Michigan for a condition diagnosed as Asbestosis of both lungs. The condition of Asbestosis or Pneumoconiosis, from the medical records, apparently also predisposes Mr. Munger to attacks of upper respiratory infection and pneumonitis.

As Mr. Munger has four dependents under the provisions of the Michigan Workmen's Compensation Act he is entitled to weekly benefits in the amount of \$36.00, not to exceed an aggregate total of \$10,500.00.

Part seven, section nine, of the Michigan Workmen's Compensation Act provides a total compensation due shall be recoverable from the employer who last employed the employee in the employment to the nature of which the disease was due and in which it was contracted. However, it is also provided that the employer made liable for the total compensation could apply for apportionment amongst the previous employers for whom the employee worked in the same general industry. The apportionment would be proportioned to the time the employee was employed by previous employers.

As compensation has voluntarily been paid in this claim we have filed, through our attorneys, an application for hearing to determine the rights of the parties. It is necessary to process proper apportionment proceedings that liability be determined by award of the Compensation Commission against the last employer and insurance carrier.

HOME OFFICE: 700 MAIN STREET, HARTFORD 15, CONNECTICUT

42
43
A
44
51
52

18, 1954 a hearing was held in Bay City, Michigan before Commissioner, in which Mr. Munger's testimony and the medical were made part of the Commission records. When the award is down by the Commission establishing legal liability we will in a position to commence apportionment proceedings against or employers.

Apportionment proceedings in this matter may be delayed as Mr. Munger's history relates back to 1937 and he was not aware of dates or actual employers for whom he had worked. We are going to endeavor to publish this through his social security records.

But that the above information will adequately summarize the current of this claim. We shall be pleased to furnish any additional information you may require at your request.

Very truly yours,



Robert E. Werner,
Supervising Adjuster

strong Cork Co.

T-9-16-86 ✓
September 5, 1956

Mr. G. H. Finlay
Alexander & Alexander, Inc.
2225 North Charles Street
Baltimore 18, Maryland

Dear Mr. Finlay:

Subject: Louis M. Munger
D/A - 8/7/53
Claim #B-7297849
Workmen's Compensation

Have the apportionment proceedings been completed following the award of Michigan's Workmen's Compensation Appeal Board made January 18, 1955.

Very truly yours,

ARMSTRONG CORK COMPANY

R. C. Schiedt, Jr.
Insurance Department

SSD

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AVERAGE ADJUSTERS CONSULTING ACTUARIES
2225 NORTH CHARLES STREET, BALTIMORE 18, MD.

TELEPHONE
TUXEDO 9-4304
BELL SYSTEM
TELETYPE BA 582
CABLE ADDRESS
"ALEXBLUE"

September 11th, 1956

Mr. R. C. schiedt, Jr.
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

Dear Mr. Schiedt:

re: Louis M. Munger
D/A August 7th, 1953
Claim B 7297849
Workmen's Compensation

SEP 12 1956 WLH

Referring to your letter of September 5th inquiring as to the status of this old case, it so happens that we addressed a communication to the Travelers Insurance Company under date of August 27th, and now have their reply, which reads as follows:

"Please be advised that since our previous correspondence, Apportionment Proceedings have been commenced against the prior employers of Mr. Munger. These matters have not yet been set for Hearing but it is expected that this will occur in the very near future.

"We shall be pleased to keep you appraised of developments."

We will, of course, pass on to you any information which we receive at this end.

Sincerely

ALEXANDER & ALEXANDER, INC.

G. H. [Signature]
LOSS DEPARTMENT

R

D-100-1

Corres. re claim of Louis M. Munger (8/7/53).
Workmen's Compensation Claim

Latest letter is from Finlay of A.&A. to R.C.S. dated 7/22/55 stating petition to take additional medical testimony was denied by Industrial Comm. and Travelers is perfecting its appeal to the full Board from the Deputy's award. Reserves remain the same.

What is latest status? W.C. Appeal Bd. affirmed award Hearing Referee. Wrote Finlay on 2/23/56 asking if apportionment proceedings have been completed.

~~Filed: XXXXXX Workmen's Compensation Claims~~
~~(Adjustments - legal size drawers)~~

K.C.

2/16/53

Weekman's Comp. Claim of L.
-m. Munger (B/A 8/7/53) - Latest
letter is from A. & A. dated 3/9/53
re Travelers filed appeal to
Supreme Court & will keep
advised.

Filed: W. C. Acc. Reports - 1953

T 2-20-5
3-20-5
January 30, 1957

Mr. G. H. Finlay
Alexander & Alexander, Inc.
2225 N. Charles Street
Baltimore 18, Md.

Dear Mr. Finlay:

Subject: Louis M. Munger
D/A - 8/7/53
Claim #B-7297849
Workmen's Compensation

Have apportionment proceedings been concluded in the above claim, and if so, could you give us the amount Travelers was required to pay?

Very truly yours,

ARMSTRONG CORK COMPANY

R. G. Schiedt, Jr.
Insurance Department

JEL

BALTIMORE
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CLARKSBURG
TULSA
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LOS ANGELES
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AVERAGE ADJUSTERS CONSULTING ACTUARIES
2225 NORTH CHARLES STREET, BALTIMORE 18, MD.

TELEPHONE
TUXEDO 9-4304
BELL SYSTEM
TELETYPE BA 582
CABLE ADDRESS
"ALEXBLUE"

February 27th, 1957

Mr. R.C.Schiedt, Jr.
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

MAR 1 1957 WLH

Dear Mr. Schiedt:

re: Louis M. Munger
D/A August 7th, 1953
Claim B 7297849
Workmen's Compensation

Referring to your letter of January 30th, we are advised by the Travelers that Apportionment Proceedings in this matter were held in Midland, Michigan on January 18th, 1957.

Disability Benefits in this matter have been pro rated against prior employers of this claimant. The award handed down by the Hearing Referee provides that a total of \$5,135.00 be contributed to the Travelers Insurance Company from the prior employers of Mr. Munger. These employers, through their respective carriers, have been requested to make this contribution as determined by award.

Trusting this is the desired information, we remain

Sincerely

ALEXANDER & ALEXANDER, INC.

Joe Roseman
LOSS DEPARTMENT

R

Lewis M. P. 11/1/52 5-7-52
4.45.55 3600/1000 Limit of \$10000
Contractor

	Comm.	Fixed.
4-5-55	3500	1500
4-18-55	6000	1500

Heating 5-18-54

Heating funded down 2-25-55 Repairs

12/1/55 1-15-56 Work done. Afforded

from employee contributions \$5135
for 1956 \$5065.00

BALTIMORE
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2225 NORTH CHARLES STREET, BALTIMORE 18, MD.

RCJ
T- 4/27/57
F- 4-18-57
TELEPHONE
TUXEDO 9-4304
BELL SYSTEM
TELETYPE BA 582
CABLE ADDRESS
"ALEXBLUE"

March 27th, 1957

Mr. R. C. Schiedt, Jr.
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

Dear Mr. Schiedt:

re: Louis M. Munger
File B 7297849
D/A 8/7/53 Michigan
WORKMEN'S COMPENSATION

Referring to your letter of March 1st, the
Travelers Insurance Company have written us as follows:

3/28/57
W3 K
"Please be advised that the
Michigan Workmen's Compensation Act provides that
a maximum of \$10,500. be paid to the employee in
Occupational Disease Cases. It is further provided
that Apportionment Proceedings may be maintained by
the carrier responsible for payment against the
prior employers of the claimant.

"In the present case, the Award
provided that a total of \$5,135. be contributed to the
Travelers Insurance Company from the prior employers of
Mr. Munger. This amount to be ultimately contributed
by the prior employers will be deducted from our
present reserve. We will, therefore, carry a claim
reserve of \$5,365. It is possible, however, that
should Mr. Munger be deceased from unrelated causes
prior to the expiration of the Statutory Payment
Period, that our ultimate payments would not total
\$5,365."

We trust the above information will serve your
needs.

Sincerely

ALEXANDER & ALEXANDER, INC.

Joe Rosen
LOSS DEPARTMENT

R

RLS

BALTIMORE
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2225 NORTH CHARLES STREET, BALTIMORE 18, MD.

TELEPHONE
TUXEDO 9-4304
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TELETYPE BA 582
CABLE ADDRESS
"ALEXBLUE"

7-21-58 April 18th, 1958

Mr. R.C. Schiedt, Jr.
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

Dear Mr. Schiedt:

re: File B 7297849
Louis M. Munger
D/A August 7, 1953
Workmen's Compensation

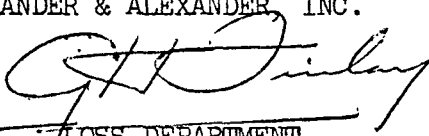
We are advised by the Detroit Office of the Travelers Insurance Company that this employee remains disabled and compensation payments continue weekly. Contributions have been made, as indicated to you in our letter of March 27th, 1957.

The Travelers further state that it is anticipated that the maximum payment of \$10,500. will be made in this claim with contributions of \$5,135.00 to be contributed to the Travelers from the prior employers, as provided by the Award.

The above is for your information and file.

Sincerely

ALEXANDER & ALEXANDER, INC.


LOSS DEPARTMENT

4th Retro 11250 Rm

R

BALTIMORE
NEW YORK
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2225 NORTH CHARLES STREET, BALTIMORE 18, MD.

TELEPHONE
TUXEDO 9-4304

BELL SYSTEM
TELETYPE BA 582

CABLE ADDRESS
"ALEXBLUE"

July 10, 1959

Mr. Wallace B. Hofferth, Asst. General Manager
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

Re: WORKMEN'S COMPENSATION
Open Claims for 1953

Dear Wally:

7/13/59
WJEH

Referring to your letter of June 5th and in particular to the claim of Louis Munger, D/A August 7, 1953, Travelers Claim No. B7297849, we would like to report that the Detroit Claim Office of The Travelers inform us that compensation benefits in the amount of \$10,500 have been made to this claimant, but they have been reimbursed by his former employers to the extent of \$5,135. The Travelers reserve, therefore, as far as Armstrong Cork is concerned, is \$5,365 claim. Their reserve for medical is \$5,000. Medical expenses to date have amounted to \$4,848.89 and we are advised further that The Travelers are commencing proceedings against the prior employers of Mr. Munger to obtain apportionment of the medical benefits.

Very truly yours,

ALEXANDER & ALEXANDER, INC.

J. E. Fannon
J. E. Fannon
Vice President - Casualty

JEF/c

Louis M. Munger
8-7-53 Michigan
with history related back to
1937

Louis M. Munger - Detroit
S.S. # 391-05-
List years worked

1942

1943

1944

1949

~~1951~~

1953

Weeks worked

1952 (didn't work in 1952)

1953 - 14 weeks

1951 - 32 weeks

For R.C. Schmitt

1953 Total earnings 1287.12 371.05 - 22.11 Mr. Miller

5 105 (40) 147 (32) 164 (32)
5-10 5-11 5-24

6 104 (24) 121 (36) 135 (40)
19349 19349 19349
5-29 6-5 6-12

7 110 (44) 134 (40) 171 (40) 110 (40)
6-28 7-12 7-26 7-26
7-5 7-19 7-26 7-26
19349 19349 19349 19349

8 110 (32) 134 (40)
3-23 3-23
3-23 3-23

10-20-53 10-20-53 10-20-53 10-20-53

1934

Row Chemical Co

~~Forest Hill~~ Midland TX

50 lb bag no 200 insulation
current

installing insulation
on two boilers

cost of material 177.134.0

Total material cost 528.53

labor " 72.942.

Total cost 179.965.

Finish two coats of
Reddins Hill power house
corner
Monday & Matheson

Vermiculite block

85% magnesia &

Hydrous materials

mineral wool

Life coming

4 blocks

July 17, 1959

Mr. G. H. Finlay
July 17, 1959

Mr. G. H. Finlay
Alexander & Alexander, Inc.
2225 N. Charles Street
Baltimore 18, Md.

Dear Mr. Finlay:

Subject: Louis M. Munger
Workmen's Compensation, Mich.
D/A - 8/7/53
Claim #B-7297849

The following wage record shows Munger's employment by Armstrong during the entire period covered by Travelers workmen's compensation insurance. The 1953 Travelers policy #RUB-2673803 is the only one involved.

<u>Week Ending</u>	<u>Hours</u>	<u>Week Ending</u>	<u>Hours</u>
5/10/53	40	7/5/53	28
5/17/53	32	7/12/53	40
5/24/53	32	7/19/53	40
5/31/53	24	7/26/53	40
6/7/53	36	8/2/53	32
6/14/53	40	8/9/53	40
6/21/53	16		
6/28/53	16		

According to Travelers letter dated May 26, 1954, Mr. Munger's "work history relates back to 1937." It is our understanding that awards are apportioned among the employers according to the periods of employment. Pipe covering mechanics conceivably could work for many different employers during the course of a year. Under the circumstances, Munger's fourteen weeks of employment with Armstrong under Travelers coverage, out of a total of 832 weeks, should ordinarily result in an insignificant charge to our loss record unless other extenuating circumstances are involved.

Yet correspondence in our files would lead one to believe that Travelers will charge us with 51% of the \$10,500 maximum compensation award plus several thousand dollars in medical costs. All Munger's years of employment with Armstrong account for a little over one-third of his employment since 1937.

Standard Accident Insurance Company provided workmen's compensation coverage for Armstrong when Munger worked for us in 1942, 1943, 1944, 1949, and 1951.

- 2 -

May we assume the issue of apportionment between Standard Accident and Travelers will be separately determined since the Board has already fixed the amount to be apportioned among the various employers even though these amounts appear questionable in the light of Armstrong's employment record.

We realize under Section 9 of the Michigan Workmen's Compensation Act that compensation is recoverable from the last employer; yet it is difficult to understand how former employers would contribute only \$5,135 since Travelers insurance covered only fourteen weeks.

Very truly yours,

Project: Letter to Parents
Armstrong Cork Corporation, Inc. **ARMSTRONG CORK COMPANY**
163 - 27th
City of New York

JEE

DATE	TIME	LOCATION	REMARKS
4/10/54	10	1/2/54	10
5/17/54	11	1/10/54	10
5/21/54	12	1/15/54	10
5/24/54	13	1/20/54	10
5/28/54	14	6/1/54	10
5/31/54	15	6/4/54	10
6/3/54	16		
6/6/54	17		

According to information letter dated May 10, 1952, Mr. Maguire's first activity while on back on May 10, 1952, is not substantiating that persons are exposed and that, in view of the continuing in the period of exposure. There is no direct evidence that Maguire would have been exposed while employed during the period of exposure. It is noted that Maguire's fourteen years of work with the Government, under various conditions, and a record of activities during the period of exposure is a significant change to our knowledge of the activities of the individual and his activities.

1. The purpose of this study is to determine the effect of the use of the "The Great Wall of China" on the development of the Chinese economy. The study will focus on the impact of the Great Wall on the Chinese economy from the 16th century to the present. The study will also examine the impact of the Great Wall on the Chinese economy from the 16th century to the present. The study will also examine the impact of the Great Wall on the Chinese economy from the 16th century to the present.

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United Kingdom regarding the progress of its investigation into the alleged involvement of British intelligence agencies in the assassination of Dr. Martin Luther King.

BALTIMORE
NEW YORK
CLARKSBURG
TULSA
ST. LOUIS
CHICAGO
LOS ANGELES
ATLANTA
PITTSBURGH
SAN FRANCISCO
NEW ORLEANS
MIAMI
PHILADELPHIA

ALEXANDER & ALEXANDER

INCORPORATED

INSURANCE

AVERAGE ADJUSTERS

CONSULTING ACTUARIES

2225 NORTH CHARLES STREET, BALTIMORE 18, MD.

TELEPHONE
TUXEDO 9-4304
BELL SYSTEM
TELETYPE BA 582
CABLE ADDRESS
"ALEXBLUE"

July 30th, 1959

Mr. R. C. Schiedt, Jr.
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

Dear Mr. Schiedt:

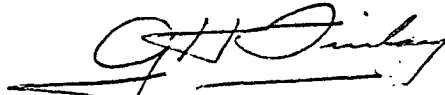
LOUIS M. MUNGER
Workmen's Compensation, Mich.
D/A August 7th, 1953
Claim B 7297849

The information contained in your letter of July 17th was transmitted to the Travelers Insurance Company for comment in respect to their contribution of payments. They now advise that Mr. Werner, who has been handling this matter personally is away on vacation and that they would prefer to defer answering your inquiry until his return.

We should hear further from Mr. Werner in the very near future and when the information is available, we will pass it on to you.

Sincerely

ALEXANDER & ALEXANDER, INC.


GENERAL ADJUSTER

R

Aug 1 1943

7 20-43

" 44 ✓

10 years

" 45

120 months

" 46

" 47

" 48

" 49 ✓

" 50

" 51 ✓ 32 weeks

" 52

" 53 ✓ 14 weeks May June 5
Aug

must have been contracted
within twelve months prior
to the date of disallowment.

RLS

BALTIMORE
NEW YORK
CLARKSBURG
TULSA
ST. LOUIS
CHICAGO
LOS ANGELES
ATLANTA
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INSURANCE

AVERAGE ADJUSTERS CONSULTING ACTUARIES

2225 NORTH CHARLES STREET, BALTIMORE 18, MD.

TELEPHONE
TUXEDO 9-4304
BELL SYSTEM
TELETYPE BA 582
CABLE ADDRESS
"ALEXBLUE"

August 25th, 1959

6 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

Mr. R. C. Schiedt, Jr.
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

Dear Mr. Schiedt:

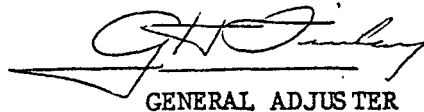
LOUIS M. MUNGER
Workmen's Compensation, Mich.
D/A August 7th, 1953
Claim B 7297849

Supplementing our letter to you of July 30th, we now enclose photostat of letter dated August 21st, 1959 from the Detroit, Michigan Office of the Travelers Insurance Company in respect to the contribution made by them in the handling of this matter.

Should you desire any additional information, please let us know and we shall endeavor to secure it for you.

Sincerely

ALEXANDER & ALEXANDER, INC.


GENERAL ADJUSTER

R

The Travelers

*The Travelers Insurance Company
The Travelers Indemnity Company*

CLAIM DEPARTMENT
H. C. THAMING, Claim Manager

August 21, 1959

BRANCH OFFICE
Dime Building
719 Griswold Street at Fort Street
DETROIT 26, MICHIGAN
Telephone: Woodward 1-8240

Alexander & Alexander Agency
2225 N. Charles St.
Baltimore 18, Maryland

B-7297849
Armstrong Cork Co., et al
Re: Louis M. Munger
D/L: 8-7-53

Attn: Mr. G. H. Finlay
General Adjuster

Dear Mr. Finlay:

I am sorry for the delay in answering your previous correspondence concerning this claim. This has been due to vacation schedules.

The Apportionment Proceedings before the Michigan Workmen's Compensation Department in the Louis M. Munger Claim, were held on 1-18-57. Under the Michigan Workmen's Compensation Act, Compensation can be recovered by the employee from the last employer, the date of injury being the last day worked in the employment in the exposure to which the disability is claimed to be due. Apportionment by this last employer can be obtained from all prior employers in which there was a like exposure. However, Apportionment does not lie against the previous insurance carriers of the same employer. In this claim, apportionment would not rest against the previous insurance carrier of the Armstrong Cork Company.

As disability was due to a dust disease, under the Michigan Workmen's Compensation Act, payments to the employee would be limited to an amount of \$10,500. Apportionment rights against prior employers would exist from the date of injury in 1953 back to the date of the Occupational Disease Amendment of the Michigan Workmen's Compensation Act on July 30, 1943. At the Hearing on 1-18-57, the work history of the Plaintiff was obtained. The Plaintiff had a total exposure of 81 months and with respect to the individual employer, the exposure of each employer was tabulated as follows:

Armstrong Cork Company	-	41.5	Riley Stoker Co.	-	2.5
Jackson Insulation Co.	-	19	Johns-Mansville Co.	-	2.0
Evart Asbestos Co.	-	9.5	Central Asbestos Co.	-	2.0
J. W. Wellman Co.	-	4.0	Parham Co.	-	0.5

-1-

RECEIVED
AUG 24 1959
ALEXANDER & ALEXANDER, INC.
BALTO., MD.

HOME OFFICE: 700 MAIN STREET, HARTFORD 15, CONNECTICUT

8-21-59

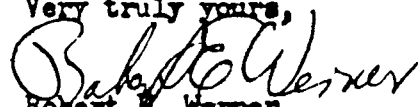
With the 81 months of exposure, a percentage of 41.5 is the amount apportioned to the Armstrong Cork Company to be paid by The Travelers Insurance Company. There would be no apportionment by The Travelers Insurance Company against the prior insurance carriers of Armstrong Cork Co.

The total liability of The Travelers Insurance Company in the amount of \$10,500 has been paid by The Travelers Insurance Company to the Plaintiff, Louis Minger, and the amounts recoverable under the award from the prior employers, have been reimbursed to The Travelers Insurance Company.

Medical expenses in the above claim total \$5,157.16. Apportionment Proceedings have been commenced against the prior employers to obtain a pro-rata reimbursement of this medical expense, in accord with the award of 1-18-57. This matter is presently pending before the Workmen's Compensation Department.

I trust that this letter will serve to answer the questions raised in our assured's letter of July 17, 1959.

Kindly advise if additional information may be required.

Very truly yours,

Robert M. Werner
Supervising Adjuster

REW/mnr

9-22-59 ✓
September 1, 1959

Mr. G. H. Finlay
Alexander & Alexander, Inc.
2225 N. Charles Street
Baltimore 18, Md.

Dear Mr. Finlay:

Subject: Louis M. Munger
D/A - 8/7/53 - Mich.
Claim #B-7297849

Thank you for the copy of the August 21 letter written to you by Travelers adjuster, R. W. Werner.

Mr. Werner writes, "Apportionment rights against prior employers would exist from the date of injury back to the date of the Occupational Disease Amendment of the Michigan Workmen's Compensation Act on July 30, 1943."

In Mr. Munger's case that covers a period of ten years. His first employment with Armstrong Cork Company was in 1944. His next period of Armstrong employment occurred in 1949. Unfortunately, the detailed record of his employment during these two years has been destroyed. We can, however, give you the details on his employment during 1951 and 1952.

1951 Total Wages Paid - \$4,638.55

March	3 wks.	July	4 wks.
April	4 "	Aug.	5 "
May	4 "	Sept.	4 "
June	4 "	Oct.	4 "

1953 Total Wages Paid - \$1,287.12

May	4 wks.	July	5 wks.
June	4 "	Aug.	1 "

If he worked during the entire year of 1944 and again in 1949, which is doubtful, he could not have been in Armstrong's employ for a period of more than 36 months at the most out of a total of 120 months which elapsed since the enactment of the Occupational Disease Amendment.

Mr. G. H. Finlay

- 2 -

September 1, 1959

Armstrong was charged with a total of 41.5 months, and we are wondering what happened during the remaining 39 months out of the 10-year period which are unaccounted for. Military service might be the answer. Were the names of all of his employers secured from Social Security records during this 10-year period?

We realize those records do not always give the complete story. However, in Mr. Munger's case, the first \$3,000 of each year's wages would be reported up to and including 1950 and the first \$3,600 up to and including 1953 by each employer. Since these pipe covering mechanics could conceivably work for several different employers during the course of a year, it is possible that one might accumulate the greater part of Munger's employment history for each of the years involved.

We were unable to find any reference in our Workmen's Compensation Law Reporter which would not permit apportionment against previous insurance carriers of the same employer. However, we did come across the following item - *Nay v. King-Seely Corp.* (1954) 62 N. W. 2d 631.

"Even though the employer had elected to become a self-insurer and the employer's former insurance carrier no longer carried the employer's risks at the time of this hearing, the carrier was properly held liable for an employee's occupational dermatitis since there was evidence that the claimant had contracted her original case of dermatitis while the carrier was still covering the employer."

It is very unlikely that anyone would dispute the fact that Mr. Munger had contracted asbestosis long before his last fourteen weeks of employment with Armstrong in 1953.

We would like to know why only 81 months were used in the apportionment and also what section of the Act was applied by Travelers Legal Department or the Appeal Board in ruling that Standard Accident could not be involved in apportionment proceedings as our former insurance carrier.

Very truly yours,

ARMSTRONG CORK COMPANY

R. G. Schiedt, Jr.
Insurance Department

JEZ

J. E. Zeller, AC&S, Lancaster

RCS

BALTIMORE
NEW YORK
CLARKSBURG
TULSA
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ALEXANDER & ALEXANDER

INCORPORATED

INSURANCE

AVERAGE ADJUSTERS

CONSULTING ACTUARIES

2225 NORTH CHARLES STREET, BALTIMORE 18, MD.

TELEPHONE
TUXEDO 9-4304

BELL SYSTEM
TELETYPE BA 582

CABLE ADDRESS
"ALEXBLUE"

September 16th, 1959

Mr. R. C. Schiedt, Jr.
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

Dear Mr. Schiedt:

re: Louis M. Munger
D/A August 7, 1953 = Michigan
Claim No. B 7297849

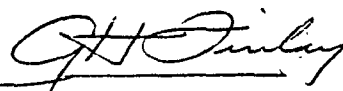
9/17/59
WBSH

The information contained in your letter of September 1st, 1959 was transmitted to the Travelers Insurance Company for their comments, and so that you may have their full views, we attach hereto photostat of their reply dated September 10th, 1959, which will be found self explanatory.

We trust the information contained in Mr/ Werner's letter answers your inquiry, however, should you desire any additional data, please let us know and we shall be glad to secure it for you.

Sincerely

ALEXANDER & ALEXANDER, INC.


GENERAL ADJUSTER

R

The Travelers

CLAIM DEPARTMENT

J. C. DAVENPORT, Vice President

The Travelers Insurance Company
The Travelers Indemnity Company

BRANCH OFFICE

One Building

719 Griswold Street at Fort Street

DETROIT 26, MICHIGAN

Telephone WChoward 1-3340

September 10, 1959

Alexander and Alexander, Inc.
2225 North Charles Street
Baltimore 18, Maryland

ATTN: G. H. Finley
General Adjuster

8-7927819
Armstrong Cork Co.
c/o Louis M. Munger
Loss: 8-7-59

Gentlemen:

We acknowledge your letter of September 4, 1959 in the above matter. In reply to the inquiries raised by Mr. R. C. Scheidt, insurance department, Armstrong Cork Company, we quote Section 9, Part VII of the Michigan Workmen's Compensation Act CL 417.9, MSA 17.228. "The total compensation due shall be recoverable from the employer who last employed the employee in the employment to the nature of which the disease was due and in which it was contracted. If, however, such disease was contracted while such employee was in the employment of a prior employer, the employer who is made liable for the total compensation as provided by this section, may appeal to said board for an apportionment of such compensation among the several employers who, since the contraction of such disease, shall have employed such employee in the employment to the nature of which the disease was due. Such apportionment shall be proportioned to the time such employee was employed in the service by such employers, and shall be determined only after a hearing, notice of the time and place of which shall have been given to every employer alleged to be liable for any portion of such compensation. If the board finds that any portion of such compensation is payable by an employer prior to the employer who is made liable for the total compensation as provided by this section, it shall make an award accordingly in favor of the last employer, and such award may be enforced in the same manner as an award for compensation."

As you will note from the above quoted section, apportionment lies only against prior employers and that there is no provision for apportionment against prior insurance carriers.

Of the ten-year period involved in the apportionment proceedings in this claim, only 81 months of exposure could be accounted for. We made every effort to obtain a record from the Social Security Records for this ten-year period.

HOME OFFICE: 700 MAIN STREET, HARTFORD 15, CONNECTICUT

September 10, 1959

- 2 -

Our efforts to obtain assistance from the Social Security Department were fruitless and we requested and assisted Mr. Munger in an inquiry to this Department for the record of his employers; however, the information would not be revealed to the claimant. At the hearing we were able to extract from the defendants and their attorneys and from the claimant's memory and his wife's, that their had been a total exposure of 81 months from 7-30-43 to the date of disability. It is recalled that a portion of the thirty-nine unaccounted months were spent in part in penal confinement; however, this was definitely not made a part of the record and is notation and recollection, and the balance of the period the claimant was unemployed.

It was computed by the court that from all information obtained, the total exposure for which each employer would be liable during the period of 81 months involved, would be as indicated in my letter of August 21, 1959.

The case of May vs. King-Seeley Corporation, 339 Michigan 140, 62 Northwestern Second, 631, refers to a claim where the employee sustained a compensable dermatitis condition while the employer was insured, and that the condition was not entirely cured at the time of her return to work after the employer became self-insured, and when the condition flared up the carrier was liable for payment of further benefits, even though it had ceased being the insurance carrier for the employer. This case does not involve apportionment and stands for the proposition that the prior carrier can be liable if the disability occurred during its term of coverage and the employee later again became disabled from the same condition while a subsequent carrier was on the risk. The issue concerned the complete liability of the insurance carrier or the subsequent self-insured employer.

I trust the above information will answer the inquiries raised by Mr. Scheidt. Kindly advise if you may require additional information.

Very truly yours,

R. E. Werner
Supervising Adjuster

REW:cc

W.L. Hughes *RCS*
~~T-12-30-59K~~
Armstrong
~~T-2-3-60~~

INTER
OFFICE COMMUNICATION

To A. E. Pearce, Insulation Division, Lancaster

October 27, 1959

From R. D. Rackett, Insulation Division, Detroit

Subject Notice of Hearing
Workmen's Compensation Department
State of Michigan

ding
10/29/59

Attached is the subject Notice of Hearing received from the Workmen's Compensation Department of the State of Michigan in Lansing. It indicates that in Midland on December 3rd a hearing will be held on petition for apportionment. The plaintiff is Mr. Lewis M. Munger and the defendants are the Armstrong Cork Company et al.

Dick Sigel today indicated that Mr. Munger has never worked for the Armstrong Contracting & Supply Corporation, but he vaguely remembers that he did work for the Armstrong Cork Company on the Dow Chemical contract approximately three years ago, and at that time contracted Sycosis. This asbestos worker then listed all of the insulation contractors for whom he had worked in the past, indicating that he had contracted this disease by virtue of his work with asbestos products.

Dick thinks that about three years ago a hearing was held on Workmen's Compensation, that this must be a reopening of the case and that our Insurance Department or Travelers Insurance Company has all the details.

The attached notice is therefore passed on to you and we ask that you handle it.

NDK

Enclosure

KDR

STATE OF MICHIGAN
WORKMEN'S COMPENSATION DEPARTMENT
LANSING, MICHIGAN

NOTICE OF HEARING

PLAINTIFF

Lewis M. Hunger

DEFENDANTS

Armstrong Cork Co. et al. ✓

(SEE ATTACHED LIST)

STATE OF MICHIGAN, }
County of Ingham }

ALL REQUESTS FOR ADJOURNMENT
SHOULD BE DIRECTED TO:
James Nolan
1213 Park

To the above named parties and each of them: Bay City, Mich. Tele. Twinbrook 3-67

PLEASE TAKE NOTICE that a hearing on this case will be held before a Representative of the Workmen's Compensation Department on the matter indicated below:

- () application for hearing and adjustment of claim
- () agreement to redeem liability
- () application for a lump sum advance
- () petition for additional medical benefits
- () order or petition for additional testimony
- () petition for determination of rights
- (X) **Petition for APPORTIONMENT**

at the **COUNTY CLERK'S OFFICE**, in the City of HIDLAND,
County of HIDLAND, State of Michigan, on the 3rd day of
December, 19 59 commencing at 9:30 o'clock in the FORE-
NOON, LOCAL time

YOU ARE DIRECTED to be present at the time and place above mentioned and to be prepared to proceed with the hearing with such witnesses and proofs as are necessary.

If approval of attorney fees is required, the attorney must file a statement of the proposed fee on or before the date of the hearing.

WORKMEN'S COMPENSATION DEPARTMENT

John P. Miron
Secretary of the Department

Dated at Lansing, Michigan, this 23rd day of October, 19 59

RE LEWIS M. HUNGER vs ARMSTRONG CORK CO.

Travelers Ins. Co.
P. O. Box 309
Midland, Michigan

General Accident Assur. Corp.
469 Ledyard St.,
Detroit, Michigan

Lacey, Jones & Doelle, Attys.
1204 Dime Bldg.,
Detroit, Michigan

Stanton, MacKenzie, Cartwright
& Walker, Attys.
Bearinger Bldg.,
Saginaw 3, Michigan

✓ Jackson Insulation Co. ✓
902 E. Michigan Ave.,
Jackson, Michigan

O'Keefe, Braun, Kendrick & Finkbeiner,
Attys.

Kalamazoo Asbestos Co.
744 E. Walnut St.,
Kalamazoo, Michigan

Second Natl. Bk. Bldg.,
Saginaw, Michigan

Michigan Mutual Liab. Co.
28 W. Adams,
Detroit, Michigan

Weadock & Montgomery, Attys.
303 Bearinger Bldg.,
Saginaw, Michigan

State Accident Fund
Lansing, Michigan

Johns-Manville Sales Corp. ✓
22 E. 42nd. St.,
New York, N. Y.

Parkham Insulation Co.
730 S. Dix St.,
Detroit, Michigan

American Automobile Ins. Co.
1100 Guardian Bldg.,
Detroit, Michigan

Walter A. Mansfield, Atty.
1912 Guardian Bldg.,
Detroit, Michigan

Riley Stoker Corp. of N. Y. ✓
Foot of Walker St.,
Detroit, Michigan

✓ Evart Asbestos Insulating Co. ✓
of Grand Rapids,
326 Mt. Vernon St.,
Grand Rapids, Michigan

✓ J. W. Wellman Asbestos Co. ✓
of Saginaw
323 S. Magara St.,
Saginaw, Michigan

Central Asbestos & Magnesia Co. ✓
of Holland
Holland, Michigan

Hartford Accident & Ind. Co.
135 N. Washington,
Saginaw, Michigan

Young Sales Corp.
Nashville, Tenn.

The Austin Co.
16112 Euclid St.,
Cleveland, Ohio.

February 18, 1960

Mr. G. H. Finlay
Alexander & Alexander, Inc.
2225 N. Charles Street
Baltimore 18, Md.

Dear Mr. Finlay:

Subjects: Louis M. Munger
D/A - August 7, 1953 - Michigan
Claim #B-7297849

Have you received any word of the outcome of the apportionment proceedings covering medical benefits in the Munger claim?

According to the Notice of Hearing, the meeting was scheduled for December 3, 1959.

Very truly yours,

ARMSTRONG CORK COMPANY

R. C. Schiedt, Jr.
Insurance Department

JEZ

STATE OF MICHIGAN
WORKMEN'S COMPENSATION DEPARTMENT
DECISION

LEWIS MINGER

ARMSTRONG CORK CO.

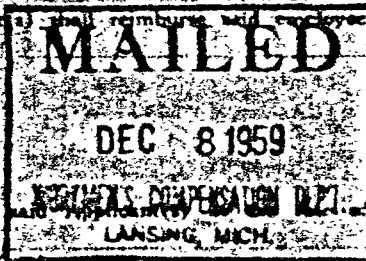
TRAVELERS INSURANCE CO.

A hearing having been held Division 12-3-1959 at Midland Michigan on application of LEWIS MINGER and as follows:
That the above named employee did not receive a personal injury arising out of and in the course of his employment by the above named employer.
Employee had an average weekly wage of \$ 19.00 in skilled () common () labor, and had the following dependents:
None

IT IS THEREFORE ORDERED that said Defendant(s) pay compensation at the rate of \$ 19.00 per week for total disability to said employee
from 12-3-1959 to 12-3-1959 inclusive,
from 12-3-1959 to 12-3-1959 inclusive,
from 12-3-1959 to 12-3-1959 inclusive,
and for partial disability at the rate of \$ 19.00 per week
from 12-3-1959 to 12-3-1959 inclusive,
and further that said employee is still totally & partially disabled and Defendant(s) shall pay compensation at the rate of \$ 19.00 until further order of the Department and that said Defendant(s) shall reimburse said employee \$ 0.00 for (specify whether medical, funeral, hospital, etc.)

IT IS THEREFORE ORDERED that the employee is entitled to receive from said defendant(s) compensation at the rate of \$ 19.00 per week for the specific period of 12-3-1959 weeks from 12-3-1959 for the life of 12-3-1959 and that said Defendant(s) shall reimburse said employee \$ 0.00 for (specify whether medical, funeral, hospital, etc.)

IT IS THEREFORE ORDERED that said Defendant(s) shall pay compensation to LEWIS MINGER at the rate of \$ 19.00 per week as total & partial dependents of LEWIS MINGER
from 12-3-1959 until further order of the Department but not to exceed 456 weeks from the date of death of said employee, and further that said Defendant(s) shall pay \$ 0.00 as follows:
(specify whether funeral, medical, hospital, etc.)



~~UNLESS OTHERWISE ORDERED~~ The "prior" employers as listed herein will pay \$0.00 to LEWIS MINGER Insurance Company for medical expense incurred by LEWIS MINGER

Signed this 3rd day of December A.D. 1959
James V. Nolan
Hearing Room

UNLESS A CLAIM FOR REVIEW IS FILED BY EITHER PARTY WITHIN TEN DAYS FROM THE DATE OF THIS DECISION HEREON AS "MAILING DATE", THIS DECISION SHALL STAND AS THE FINAL DECISION OF THE WORKMEN'S COMPENSATION DEPARTMENT.
NO ATTORNEY FEE IN EXCESS OF 15% OF THE COMPENSATION ACCRUED IS AUTHORIZED, EXCEPT UPON SPECIAL REQUEST TO THE DEPARTMENT FOR APPROVAL OF SAID FEE.

(Jackson Insurance Co.)	
(Michigan Mutual Liability Co.)	\$ 129.71
(Hiley Stoker)	
(Michigan Mutual Liability Co.)	139.18
(Johns-Manville Roofing)	
(Travelers Insurance Co.)	17.34
(Parsons Co.)	
(American Automobile Indur Co.)	31.84
(Ewart Asbestos Insulating Co.)	
(Continental Casualty Co.)	604.87
(J. W. Wellman Co.)	
(State Accident Fund)	254.68
(Central Asbestos)	
(Assumed by Travelers)	127.34

The formula used herein is the same as set forth in our Award of 1/13/57. In the event that plaintiff is not entitled to continued medical care, the Petitioner herein will bill the above named employers for their proportionate share on a yearly basis.

James W. Nolan.

The Travelers

CLAIM DEPARTMENT

H. C. THOMAS, Chief Adjuster

The Travelers Insurance Company

The Travelers Indemnity Company

March 1, 1960

BRANCH OFFICE

Time Building

719 Griswold Street at Fort Street

DETROIT 26, MICHIGAN

Telephone WOODWARD 4260

Alexander & Alexander
Insurance Agency
2225 North Charles St.
Baltimore 18, Maryland

B-7927849

Armstrong Cork Company
Box 10015
St. Louis 14, Missouri

Attn: Mr. G. H. Finley
General Adjuster

Gentlemen:

We are in receipt of the Award of Hearing Referee James W. Nolan, dated 12-3-59, granting reimbursement of medical expenses accrued in the above entitled cause.

We attach a copy of the Award for your records. We have received payment from the various defendants in accordance with the Provisions of the Award.

Our file will remain open for collection of further medical payments, we may be called upon to make in this claim. The employee is undergoing present medical care and we feel that the Plaintiff in this case would be entitled to lifetime surgical and hospital services and medicines, in accord with the decision of the Michigan Supreme Court in the matter of JOHN LAHTI by ALMA LAHTI, HIS GUARDIAN -vs- CLINTON FOSTERLING & EMPLOYERS' MUTUAL LIABILITY INSURANCE COMPANY, holding that the Workmen's Compensation Law, Part II, Section IV, is retroactive to all injuries occurring prior to 6-25-55, the effective date of the Statute, providing that an injured employee must be furnished reasonable medical, surgical and hospital services and medicines when they are needed for additional six months periods as the Commission in its discretion may order.

The Defendant Companies against whom apportionment proceedings were commenced, will undoubtedly hold their files open for further reimbursement of medical expenses accruing in this claim.

In regard to the notation on the Award, "Central Asbestos assumed by Travelers", I should add that the Central Asbestos Attorney, intended to contest apportionment of medical liability and it was felt that the nuisance value was such that a release should be given to the small contributor to save the greater contribution of the other former employers.

The total apportionment gained by our proceeding was in the amount of \$2,387.64 on the basis of an expenditure of \$5,157.16.

I trust this letter will furnish the information you require.

Very truly yours,

Robert E. Warner
Supervising Adjuster

REB/wmr HOME OFFICE: 700 MAIN STREET, HARTFORD 15, CONNECTICUT

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CABLE ADDRESS
"ALEXBLUE"

February 19th, 1964

Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

Gentlemen:-

re: Lewis M. Munger
D/A August 7th, 1953
File B 72978349

ask to file

We have received a status report from the Saginaw, Michigan Office of the Travelers Insurance Company in connection with the above case, which reads as follows:

*2/20/64
write*

"This man is permanently and totally disabled. I would not expect any startling developments will be occurring on this case. We will just continue to pay lifetime medical as set forth in our Michigan compensation act. We have paid \$1,748.24 medical since July, 1962."

The above is for your information and file.

Sincerely

ALEXANDER & ALEXANDER, INC.

G. H. Finlay
G. H. Finlay
GENERAL ADJUSTER

R

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July 30th, 1962

Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

Gentlemen:-

B 72978349

re: Lewis M. Munger

D/A August 7th, 1963

Workmen's Compensation

We quote from letter of the Travelers Insurance Company dated July 25th, in reply to our inquiry as to the status of the case:

7/31/62
WST
"We are writing you at this time in response to your letter of June 15th regarding the status of this case. There have been no important developments on this case during the past year. Principally, what is involved here, is that we have a case of permanent disability involving silicosis and this condition will require continual treatment as long as Mr. Munger lives. Under the Michigan Compensation Act, and its present interpretation by our Supreme Court, we owe this man medical expense for life. We are following the case closely and paying reasonable medical expenses that occur."

The above is for your information and file.

Sincerely

ALEXANDER & ALEXANDER, INC.

[Signature]
GENERAL ADJUSTER

R

This is the only open claim for 1953 appearing on 10th retro adjustments. No further adjustments will be made.

12/3/63

[Signature]

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"ALEXBLUE"

RCS

September 19th, 1961

Mr. R. C. Schiedt, Jr.
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

Dear Mr. Schiedt:

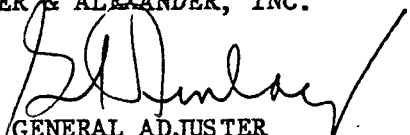
Louis M. Munger
D/a August 7th, 1953 W. C.
B 7297849 - Michigan

We enclose herewith copy of letter dated September 8th which we received from the Detroit Office of the Travelers Insurance Company in connection with the above case, which we trust answers the inquiry contained in your letter of August 18th, 1961.

Should you desire any additional information, please communicate with us.

Sincerely

ALEXANDER & ALEXANDER, INC.


GENERAL ADJUSTER

R

The Travelers

The Travelers Insurance Company
The Travelers Indemnity Company

CLAIM DEPARTMENT
H. C. TIMMINS, Claim Manager

September 8, 1961

BRANCH OFFICE
Dime Building
719 Griswold Street at Fort Street
DETROIT 26, MICHIGAN
Telephone: WOODWARD 1-8240

Alexander & Alexander Inc.
2225 N. Charles St.
Baltimore 18, Maryland

B-7297849
Armstrong Cork Company
Re: Lewis M. Munger
D/L: 8-7-53

Attn: Mr. G. H. Finlay
Central Adjuster

Dear Mr. Finlay:

This will acknowledge receipt of your letter of 8-25-61, in connection with Mr. Schiedt's inquiry regarding the above matter.

At the time the Apportionment Proceedings were held, it was computed that Mr. Munger had a total exposure in the industry of 81 months and the exposure of each employer was tabulated as follows:

			PRO-RATA LIABILITY
→ Armstrong Cork Co.	41 5/10 months	53.70	51.23%
Jackson Insulation Co.	19	23.45	23.44% - \$121.32
Evart Asbestos Co.	9 5/10	11.73	11.72% - 60.66
J. W. Welman Co.	4	4.94	4.93% - 25.54
Riley Stoker Co.	2 5/10	3.09	3.08% - 15.96
Johns-Manville Corp.	2	2.47	2.46% - 12.71
Parham Co.	5/10	.62	00.61% - 3.19
Central Asbestos Co.	2		2.46% - eliminated

Contributions have been received from all of the carriers, with the exception of Continental Group, the Compensation Insurance Carrier for Evart Asbestos Co. The Evart Asbestos Company's share amounts to \$60.66 and while Continental Group have raised some question in this matter, we expect to receive a payment shortly.

We trust the above is the information you desire.

Very truly yours,

L. C. Widmayer
L. C. Widmayer
Supervising Adjuster

LCW/mnr

HOME OFFICE: 700 MAIN STREET, HARTFORD 15, CONNECTICUT

1-13-61
4-6-61
August 18, 1961

Mr. G. H. Finlay
Alexander & Alexander, Inc.
2225 North Charles St.
Baltimore 18, Md.

Dear Mr. Finlay:

Subject: / Louis M. Munger
D/A - 8/7/53 - Workmen's Compensation
B-7297849 - Michigan

Travelers' August 9 letter enclosed with your August 16 letter indicated 1960 medical expenditures amounted to \$417.20 of which \$166.01 was recovered from prior employers.

According to the January 18, 1957 award, Armstrong Cork Company exposure was established at 41.5%. If this percentage is correct, Travelers should have recovered about \$300.

Not a large difference, but when one considers that Mr. Munger is entitled to lifetime surgical and hospital services, including medicines, the variance could be sizable.

If no change occurred in the apportionment of medical liability other than the elimination of Central Asbestos, should not Travelers collect the proportionate amount as established by the Referee's hearing dated December 3, 1959?

Very truly yours,

R. C. Schiedt, Jr.
Insurance Department

MLT

RCS

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"ALEXBLUE"

August 16th, 1961

Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

E.L.H. AUG 17 1961

Gentlemen:-

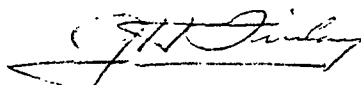
B 7927849
re: Louis M. Munger
1953 Workmen's Compensation

We made inquiry of the Detroit Office of the
Travelers Insurance Company with respect to the status of
this old claim.

For your information and file, we attach hereto
copy of the company's letter o August 9th, 1961 on the subject,
which will be self explanatory.

Sincerely

ALEXANDER & ALEXANDER, INC


GENERAL ADJUSTER

R

The Travelers

The Travelers Insurance Company
The Travelers Indemnity Company

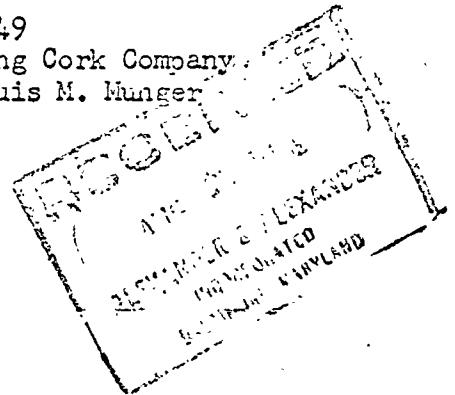
CLAIM DEPARTMENT
H. C. TIMMINS, Claim Manager

August 9, 1961

BRANCH OFFICE
Dime Building
719 Griswold Street at Fort Street
DETROIT 26, MICHIGAN
Telephone: WOODWARD 1-8240

Alexander & Alexander
2225 N. Charles Street
Baltimore 18, Maryland

E-7927849
Armstrong Cork Company
re: Louis M. Munger



Gentlemen:

This will acknowledge receipt of your letter of August 2, 1961, in which you inquired as to the status of the above case.

As you know, Mr. Munger has received the Maximum Compensation Benefits he is entitled to under the Provisions of the Michigan Workmen's Compensation Act. However, we are required to furnish him with medical care for the balance of his life. Medical expenditures for the year of 1960, totaled \$517.20. Of this amount, we recovered \$166.01 from prior employers under the formula established in the award of 1-18-57.

We trust that this is the information you desire.

Very truly yours,

L. C. Widmayer
L. C. Widmayer
Supervising Adjuster

LCW/mnr

HOME OFFICE: 700 MAIN STREET, HARTFORD 15, CONNECTICUT

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CABLE ADDRESS
"ALEXBLUE"

RCS

March 7th, 1960

Mr. R. C. Schiedt, Jr.
Insurance Department
Armstrong Cork Company
Lancaster, Pennsylvania

Dear Mr. Schiedt:

re: Louis M. Munger
D/A August 7, 1953 - Michigan
Claim No. B 7297849

Referring to your letter of February 18th, 1960
in connection with the above case, and for your information and file,
attach hereto copy of letter dated March 1, 1960 from the Detroit
Office of the Travelers, together with copy of the Award.

We trust the enclosures will give you the desired
information on the case.

Sincerely

ALEXANDER & ALEXANDER, INC.

Sue Roseman
LOSS DEPARTMENT

R