

FILE NAME: Insulators Workers' Comp Claims (IWC)

DATE: 1956

DOC#: IWC025

DOCUMENT DESCRIPTION: Claimant - Hartwig, Henry

Contains all documents found in the claimant's file,
with 1 blank page between each separate document.

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

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"

Settled in payment

January 22, 1958

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

Dear Sir:

Travelers Policy No. RUB 3386209

Please note disposition made of the following claim:

Date of Accident: February 19, 1954 5-29-56
Claimant: Henry Hartwig
Location: Milwaukee, Wisconsin
Claim No.: B-8165141
Disposition: Closed without payment

Remarks:

Very truly yours,

ALEXANDER & ALEXANDER, INC.

G. H. Finlay
LOSS DEPARTMENT

Indicate Whether:

Workmen's Compensation x
Automobile Liability B.I.
P.D.

General Liability B.I.
P.D.

3X5 Card - filed Wisc. '56 ✓

COMMISSIONERS

R. G. KNUTSON, CHAIRMAN
A. W. ENRIGHT
JOHN H. ROUSE

HELEN E. GILL, SECRETARY

The State of Wisconsin

INDUSTRIAL COMMISSION

STATE OFFICE BUILDING

1 WEST WILSON ST., MADISON 2

FUNCTIONS

APPRENTICESHIP
EMPLOYMENT SERVICE
FAIR EMPLOYMENT PRACTICES
INDUSTRIAL SAFETY AND BUILDINGS
STATISTICS
UNEMPLOYMENT COMPENSATION
WAGE COLLECTION
WOMAN AND CHILD LABOR
WORKMEN'S COMPENSATION

January 7, 1958

E2227-287

Henry Hartwig
1917 N. 34th St., Milw., Wis.
Asbestos Products, Inc.
410 Raymond Ave.
St. Paul, Minnesota (Cert.)
Armstrong Cork Company
Lancaster, Penn. (Cert.)
Sprinkmann Sons Corporation
418 N. 2nd St., Milwaukee, Wis.
Universal Roofing & Insulation Co.
5402 W. State St., Milwaukee, Wis.
A. H. Bennett Company (Cert.)
113-115 N. 1st St., Minn., Minn.
Culberg Asbestos and Cork Co.
1402-1410 No. Halsted St.
Chicago, Illinois (Certified)
Travelers Insurance Company
735 N. Water St., Milwaukee, Wis.
Anchor Casualty Company
2700 University Ave.
St. Paul, Minnesota
Central Surety Company
223 E. Wisconsin Ave.
Milwaukee, Wisconsin
Standard Accident Insurance Co.
759 N. Broadway,
Milwaukee, Wisconsin
Padway, Goldberg & Previant, Attys.
211 Warner Theatre Bldg.
Milwaukee, Wisconsin
Wickham, Borgelt, Skogstad & Powell, Attys.
828 No. Broadway
Milwaukee, Wisconsin

Toebaas, Hart, Krasge & Jackman, Attys.
111 S. Hamilton
Madison, Wisconsin
Employers Mutual Lia. Ins. Company
Wausau, Wisconsin
Employers Mutual Lia. Ins. Company
6620 W. Capitol Drive
Milwaukee, Wisconsin
Klecza & Frisch, Attys.
825 W. Mitchell St.
Milwaukee, Wisconsin
Secretary of State
Attn: Mr. Roberts
State Capitol, Madison, Wisconsin

BEFORE THE
INDUSTRIAL COMMISSION OF WISCONSIN

Henry Hartwig

Applicant,

vs.

Sprinkmann Sons Corporation
Employers Mutual Liability Insurance Company

Universal Roofing & Insulation Company
Employers Mutual Liability Insurance Company

Culberg Asbestos & Cork Company
Standard Accident Insurance Company

Armstrong Cork Company
Travelers Insurance Company

Asbestos Products, Inc.
Anchor Casualty Company

A. H. Bennett Company
Central Surety Company

Respondents & Insurance Carriers.

—oOo—

Hearing was held at Milwaukee, Wisconsin, on August 13, 1957.

APPEARANCES: Applicant in person and by Padway, Goldberg & Previant, Attorneys, by Hugh Hafer & Albert J. Goldberg, Attorneys; respondents and insurance carriers as follows: Sprinkmann Sons Corp. and Employers Mutual Liab. Ins. Co. by J. A. Bloomquist, Attorney; Universal Roofing & Insulation Co. and Employers Mutual Liab. Ins. Co. by W. F. Fountain, Attorney; Culberg Asbestos & Cork Co. and Standard Accident Ins. Co. by Kleczka & Frisch, Attorneys, by John B. Frisch; Armstrong Cork Co. and Travelers Ins. Co. by J. E. Coleman, Attorney; Asbestos Products, Inc. and Anchor Casualty Co. by Quarles, Spence & Quarles, Attorneys, by E. W. Powell; A. H. Bennett Co. and Central Surety Co. by Toebeas, Hart, Kraege & Jackman, Attorneys, by W. L. Jackman.

Following the hearing, a compromise and request for award under date of November 19, 1957, was filed with the Industrial Commission on December 3, 1957. This compromise is signed by the applicant and by his

attorney, Hugh Hafer; by Sprinkmann Sons Corporation and Employers Mutual Liability Insurance Company by J. A. Bloomquist, Attorney; and by Culberg Asbestos & Cork Company and Standard Accident Insurance Company by John B. Frisch, Attorney.

Based upon the record herein, the examiner makes the following

FINDINGS OF FACT

That at various times the applicant worked for each of the above employers; that he suffers from the disease of asbestosis; that there is a valid issue on the question of the effect of possible exposure while working for each of the above employers with relationship to the onset or development of the disease; that there is also a question under the Statute of Limitations with respect to some of the employers herein; that, however, the Statute of Limitations does not restrict the claim with regard to Sprinkmann Sons Corporation and Culberg Asbestos & Cork Company; that under the compromise the applicant has agreed to accept and the Employers Mutual Liability Insurance Company for Sprinkmann Sons Corporation and Standard Accident Insurance Company for Culberg Asbestos & Cork Company to make payment upon the basis of liability represented by 70 per cent of permanent total disability in addition to temporary total disability from March 21, 1956, to October 12, 1956, with such liability divided between the Employers Mutual Liability Insurance Company on a basis of 87 1/2 per cent and Standard Accident Insurance Company on a basis of 12 1/2 per cent.

The examiner finds that the claim is properly subject to compromise and that the compromise above stated is hereby approved; that the temporary disability between March 21, 1956, and October 12, 1956, covered 29 weeks and 1 day with resulting liability for temporary total disability in the sum of \$1,327.08; that the applicant Henry Hartwig was born January 8, 1890 and that at time of injury he was 66 years of age, the date of injury being the last day of work on or about March 20, 1956; that for 70 per cent of permanent total disability he becomes entitled to compensation in the sum of \$15,540.00;

That the liability of the Employers Mutual Liability Insurance Company is as follows: For temporary total disability the sum of \$1,161.20 and for accrued permanent partial disability the sum of \$2,072.00 or total accrued liability of \$3,233.20; that the Employers Mutual Liability Insurance Company has paid compensation in the sum of \$1,350.00 leaving an accrued balance payable in the sum of \$1,883.20 from which there shall be deducted authorized attorney fee of \$282.48 with an accrued balance payable to the applicant in the sum of \$1,600.72; that there remains an unaccrued balance of \$11,525.50 payable by the Employers Mutual Liability Insurance Company at a monthly rate of \$140.29 beginning February 3, 1958, and from such monthly payment, there shall be deducted the sum of \$21.04 payable directly to Attorneys Hafer and Goldberg with the monthly balance payable directly to the employee in the sum of \$119.25;

That the liability of the Standard Accident Insurance Company is as follows: Accrued temporary total disability in the sum of \$165.88 and accrued permanent partial disability in the sum of \$296.00 or a total of \$461.88 from which there shall be paid attorney fee in the sum of \$69.28 with an accrued balance payable directly to the applicant in the sum of \$392.60. The unaccrued balance of \$1,646.50 shall be paid by Standard Accident Insurance Company at a monthly rate of \$20.04 beginning February 3, 1958, and from such payment, there shall be deducted authorized attorney fee of \$3.01 with a monthly balance payable to the applicant in the sum of \$17.03.

The above distribution sets forth the liability under the compromise pursuant to which Sprinkmann Sons Corporation and Employers Mutual Liability Insurance Company have accepted liability in the total sum of \$14,758.70 and the Culberg Asbestos & Cork Company and Standard Accident Insurance Company in the total sum of \$2,108.38.

The examiner finds that the application and claim of the applicant shall be dismissed with regard to Universal Roofing & Insulation Company and its insurer, Employers Mutual Liability Insurance Company; Armstrong Cork

Company and Travelers Insurance Company; Asbestos Products, Inc. and Anchor Casualty Company; and A. H. Bennett Company and Central Surety Company.

NOW, THEREFORE, based upon the compromise dated November 19, 1957 filed with the Industrial Commission December 3, 1957, and also upon the above findings and the record herein, the examiner makes the following

O R D E R

That within ten days of this date Sprinkmann Sons Corporation and Employers Mutual Liability Insurance Company shall pay directly to Attorneys Hafer and Goldberg the sum of Two Hundred Eighty-Two and Forty-Eight One-Hundredths Dollars (\$282.48) and shall pay directly to the applicant, Henry Hartwig, the sum of One Thousand Six Hundred and Seventy-Two One-Hundredths Dollars (\$1,600.72) and beginning February 3, 1958, shall make monthly payments in the sum of One Hundred Forty and Twenty-Nine One-Hundredths Dollars (\$140.29) until the further sum of Eleven Thousand Five Hundred Twenty-Five and Fifty One-Hundredths Dollars (\$11,525.50) shall have been paid and from such monthly payment of One Hundred Forty and Twenty-Nine One-Hundredths Dollars (\$140.29) there shall be paid the sum of Twenty-One and Four One-Hundredths Dollars (\$21.04) directly to Attorneys Hafer and Goldberg.

It is further ordered that Culberg Asbestos & Cork Company and Standard Accident Insurance Company shall within ten days of this date pay to Attorneys Hafer and Goldberg the sum of Sixty-Nine and Twenty-Eight One-Hundredths Dollars (\$69.28) and shall pay directly to the applicant, Henry Hartwig, the sum of Three Hundred Ninety-Two and Sixty One-Hundredths Dollars (\$392.60) with further payment beginning February 3, 1958, at a monthly rate of Twenty and Four One-Hundredths Dollars (\$20.04) until the further sum of :One Thousand Six Hundred Forty-Six and Fifty One-Hundredths Dollars (\$1,646.50) shall have been paid and it is further ordered that attorney fee in the sum of Three and One One-Hundredths Dollars (\$3.01) shall be paid directly to Attorneys Hafer and Goldberg from each monthly payment of Twenty and Four One-Hundredths Dollars (\$20.04).

The applications filed August 16, 1956, March 1, 1957, and March 8, 1957, shall be dismissed with regard to the claim against Universal Roofing & Insulation Company and its insurer, Employers Mutual Liability Insurance Company; Armstrong Cork Company and Travelers Insurance Company; Asbestos Products, Inc. and Anchor Casualty Company and A. H. Bennett Company and Central Surety Company.

Given under my hand at the City of
Madison, Wisconsin, this 1st day
of January, A. D. 1958.

G. W. Otto

Examiner.

October 31, 1957

Mr. Christopher Hoff
Alexander & Alexander, Inc.
2225 N. Charles Street
Baltimore 18, Md.

Dear Chris:

Subject: Workmen's Compensation Claim
Henry Hartwig - 5/29/56
B-8165141 - Wisconsin

We enclose two copies of a notice, postponing the hearing originally scheduled in Milwaukee for November 15, 1957.

Very truly yours,

ARMSTRONG CORK COMPANY

R. G. Schiedt, Jr.
Insurance Department

JEZ

Enclosures

NOTICE OF POSTPONEMENT OF HEARING

INDUSTRIAL COMMISSION OF WISCONSIN

Henry Hartwig

Applicant

vs.

Springmann Sons Corp., Universal
 Roofing & Insulation Co., Respondent
 Asbestos & Cork Co., Armstrong Cork Co.
 Asbestos Prod. Inc., A. H. Bennett Co.

Standard Acc. Ins. Co.

Employers Mutual Lin. Ins. (Insurer)
 Travelers Ins. Co., Anchor Cas. Co.
 Central Surety Co.

To the parties above named and to each of them:

Notice is hereby given that the hearing scheduled at

Milwaukee

on the 15 day of November, 1957, at 8:30 o'clock in the Evening is
 postponed.

When the case has been reassigned for hearing interested parties will be duly advised of date.

Dated at Madison, Wis., this 23 day of October, 1957.

CC Secretary of State
 Attn: Mr. Roberts

INDUSTRIAL COMMISSION OF WISCONSIN

Note: None of the parties should appear at the time for which hearing was originally scheduled. All parties
 should appear when time and place of hearing is again fixed and notice given.

M.H.

W. J. Adams, Atty.
 1115 Hamilton, Madison
 Henry Hartwig, 1917 N. 34th, Milwaukee
 Padua, Goldberg & Previant, Atty.
 511 Warner Theatre Bldg., Milwaukee
 Asbestos Prod. Inc., 710 W. Grand Ave.
 St. Paul, Minn.
 Armstrong Cork Co., Lancaster, Pa.
 Springmann Sons Corp., 416 E. 2nd St.
 Milwaukee
 Universal Roofing & Ins. Co.
 5602 N. Ruston St., Milwaukee
 A. H. Bennett Co., 313 N. 1st, Minneapolis
 Minn.
 Guilburg Asbestos & Cork Co.
 1402 N. Halsted St., Chicago, Ill.
 Travelers Ins. Co., 735 N. Water St.
 Milwaukee
 Anchor Casualty Co., 2700 Univ. Ave.
 St. Paul, Minn.
 Central Surety Co., 223 W. Erie Ave.
 Milwaukee
 Standard Acc. Ins. Co.
 759 N. Broadway, Milwaukee
 Wickham, Borgelt, Skogstad & Powell
 825 N. Broadway, Milwaukee
 Employers Mutual, Wausau & Milwaukee
 Kleckner & Fricch, Atty., Milwaukee

October 22, 1957

Mr. Christopher Hoff
Alexander & Alexander, Inc.
2225 N. Charles Street
Baltimore 18, Maryland

Dear Chris:

Subject: ✓ Workmen's Compensation Claim
Henry Hartwig D/A 5-29-56
B 8165141 - Wisconsin

We enclose two copies of the Notice of Hearing issued in connection with the above captioned claim.

Very truly yours,

R. C. Schiedt, Jr.
Insurance Department

Enclosures

NOTICE OF HEARING

INDUSTRIAL COMMISSION OF WISCONSIN

WORKMEN'S COMPENSATION DIVISION

Padway, Goldberg & Previant, Attys.
211 W. Wacker Drive, Milwaukee, Wis.

Mr. J. F. P. P.

Henry Hartwig

Henry Hartwig
1917 N. 34th St., Milwaukee, Wis.

Asbestos Prod., Inc.
710 Raymond Ave., St. Paul, Minn. (Cert.)

Armstrong Cork Company
Lancaster, Penn. (Certified)

Carlson & Sons Corp.
418 N. 2nd St., Milwaukee, Wisconsin

Universal Roofing & Insulation Co.
5402 W. State St., Milwaukee, Wis.

A. H. Bennett Company
113-115 N. 1st St., Minn., Minn. (Cert.)

Gilberg, Asbestos and Cork Co. (Cert.)
1402-1410 No. Halsted St., Chicago, Ill.

Travelers Insurance Company
739 N. Water St., Milwaukee, Wis.

Anchor Casualty Company
2700 University Ave., St. Paul, Minn.

Central Surety Company
223 N. Wisconsin Ave., Milwaukee, Wis.

Standard Accident Ins. Company
759 N. Broadway, Milwaukee, Wisconsin

Wichman, Bergelt, Skogstad & Powell,
828 N. Broadway, Milwaukee, Wis.

Mr. V. Jackson, Atty.
111 N. Hamilton, Madison, Wis.

Employers Mut. of Wausau & Milwaukee
Elmer & Frisch, Attys.

625 N. Mitchell St., Milwaukee, Wis.

Applicant
Sprinkmann Sons Corp., Universal
Roofing & Insulation Co., Gilberg
Asbestos & Cork Co., Armstrong Cork
Co., Asbestos Prod., Inc., A. H.
Bennett Company

Respondent
Standard Acc. Ins. Co., Employers
Mutual Lia. Ins. Co., Travelers Ins.
Co., Anchor Casualty Co., Central
Surety Company

Insurer

To the parties named:

Notice is given that on the 15th day of NOVEMBER, 1957 at 8:30 o'clock in the FORE noon at 4th Floor, 794 No. Jefferson Street, Milwaukee, Wisconsin, a hearing will be held by the Industrial Commission to determine matters in dispute as set forth in the application on file.

Dated at Madison, Wis., this 17th day of OCTOBER, 1957

INDUSTRIAL COMMISSION OF WISCONSIN

and

NOTE: Immediately upon receipt of this notice necessary witnesses should be informed and definite arrangements made for their attendance. If arrangements cannot be made, inform the commission at once.

Continuance will not be granted merely for the convenience of a party, nor because parties have so agreed between themselves. Unless the commission's consent to continuance is secured, hearing will be had as and when scheduled.

If you are not prepared or entirely certain that you can fully proceed notify us immediately; otherwise hearing must proceed to conclusion as scheduled.

THIS IS A WORKMEN'S COMPENSATION
HEARING BASED ON CLAIM FOR INJURY.

wc

October 9, 1957

Madison 10/7/57
Racine 10/9/57

NOTICE OF POSTPONEMENT OF HEARING

INDUSTRIAL COMMISSION OF WISCONSIN

Henry H. Hartwig, 1917 N. 34th St. MILWAUKEE

E. 2227--

Henry Hartwig

Applicant

vs.

~~Sprinkmann Sons Corp. Universal~~
~~Roofing and Insulation Co. Respondent~~
~~Culberg Asbestos and Cork Co. Armstrongs~~
~~Cork Co. Asbestos Prod. Inc.~~
~~A. E. Bennett Co.~~

Standard Acc. Ins. Co. Insurer
Employers Mut. Lias. Ins. Co. Travelers
Ins. Co., Anchor Cas. Co. Central
Surety

To the parties above named and to each of them:

Notice is hereby given that the hearing scheduled at

on the 6th day of OCTOBER, 1957, at 8:30 o'clock in the FORE noon is postponed.

When the case has been reassigned for hearing interested parties will be duly advised of date.

Dated at Madison, Wis., this 7th day of October 1957.

CC-Secretary of State
Att: Mr. Roberts

INDUSTRIAL COMMISSION OF WISCONSIN

Note: None of the parties should appear at the time for which hearing was originally scheduled. All parties should appear when time and place of hearing is again fixed and notice given.

Podway, Goldberg and Previant, Att.
511 Warner, Theatre, Milw.
Asbestos Prod. Inc. 710 Raymond
Armstrong Cork Co. Lancaster, Penn.
Sprinkmann Sons Corp. 418 N. 2nd
Universal Roofing and Ins. Co. 3402 N. State., Milwaukee, Wis.
A. E. Bennett Co. 113--115 N. 1st
Minneapolis, Minn.
Culberg Asbestos and Cork Co.
1102 W. Halsted St., Chicago,
Travel. Ins. Co. 735 N. Water, Milw.
Anchor Cas. Co. 2700 Univ. Ave.
Central Surety Co. 223 E. 4th St. Paul
Standard Acc. Ins. Co. 759 N. Milwaukee, Wis.
Wickham, Borgelt, Skogstad and
828 N. Broadway, Milwaukee, Wis.
W. Jackson, Atty. 111 S. Hamilton
Employers Mutual, Wausau & Milwaukee
Kloczka and Friesch, Atty. Milwaukee, Wis.
MILWAUKEE, WISCONSIN

10/9/57
WSH

September 18, 1957

Mr. Christopher Hoff
Alexander & Alexander, Inc.
2225 N. Charles Street
Baltimore 18, Maryland

Dear Christ:

Subject: Occupational Disease Claim
Henry Hartwig
3/29/56 - Wisconsin
B-8165141

We enclose a copy of a Notice of Hearing issued by the Industrial
Commission of Wisconsin.

Very truly yours,

R. C. Schiedt, Jr.
Insurance Department

Enclosure

MES

NOTICE OF HEARING

INDUSTRIAL COMMISSION OF WISCONSIN

WORKMEN'S COMPENSATION DIVISION

Henry Hartwig

Applicant.

vs.
Sovinkmann Sons Corp., Universal
Roofing & Insulation Co., Culberg
Asbestos & Cork Co., Armstrong Cork
Co., Asbestos Prod., Inc., A. H.
Bennett Company

Respondent.

Standard Acc. Ins. Co., Employers
Mutual Lin. Ins. Co., Travelers Ins.
Co., Anchor Casualty Co., Central
Surety Company

Insurer.

Henry Hartwig
1337 N. 17th St., Milwaukee, Wis.
720 Mayland Ave., St. Paul, Minn. (Cert.)
Armstrong Cork Company
Milwaukee, Penn. (Cert.)
Sovinkmann Sons Corp.
415 E. 1st St., Milwaukee, Wis.
Universal Roofing & Insulation Company
2001 W. State St., Milwaukee, Wis.
A. H. Bennett Company
113-115 N. 1st St., Minn., Minn. (Cert.)
Culberg Asbestos and Cork Co. (Cert.)
1703-15 So. Halsted St., Chicago, Ill.
Travelers Insurance Co.
735 N. Water St., Milwaukee, Wis.
Anchor Casualty Company
1700 University Ave., St. Paul, Minn.
Central Surety Company
243 E. Wisconsin Ave., Milwaukee, Wis.
Standard Accident Ins. Company
799 N. Broadway, Milwaukee, Wis.
Charles, Spence & Charles, Atty.
825 N. Broadway, Milwaukee, Wis.
H. H. Jackson, Atty.
111 E. Jackson, Madison, Wis.
Employers Mut. of Wausau & Milwaukee
Flores & Frisch, Atty.
241 W. Mitchell St., Milwaukee, Wis.

To the parties named:

Notice is given that on the 12th day of SEPTEMBER, 1957, at EIGHT THIRTY o'clock in the P.M. noon at 4th Floor, 794 No. Jefferson Street, Milwaukee, Wisconsin, a hearing will be held by the Industrial Commission to determine matters in dispute as set forth in the application on file.

Dated at Madison, Wis., this 12th day of SEPTEMBER, 1957

**Ed
cc: Secretary of State
Madison, Wisconsin**

INDUSTRIAL COMMISSION OF WISCONSIN.

NOTE: Immediately upon receipt of this notice necessary witnesses should be informed and definite arrangements made for their attendance. If arrangements cannot be made, inform the commission at once.

Continuance will not be granted merely for the convenience of a party, nor because parties have so agreed between themselves. Unless the commission's consent to continuance is secured, hearing will be had as and when scheduled.

If you are not prepared or entirely certain that you can fully proceed notify us immediately; otherwise hearing must proceed to conclusion as scheduled.

**THIS IS A WORKMEN'S COMPENSATION
HEARING BASED ON CLAIM FOR INJURY.**

NOTICE OF HEARING
INDUSTRIAL COMMISSION OF WISCONSIN
WORKMEN'S COMPENSATION DIVISION

Henry Kertel

Applicant

VS.

Spitznagel Sons Corp., Universal
 Roofing & Insulation Co., Guilberg
 Asbestos & Cork Co., Armstrong Cork
 Co., Asbestos Prod., Inc., A. H.
 Bennett Company

Respondent

Standard Acc. Ins. Co., Employers
 Mutual Lias. Ins. Co., Travelers Ins.
 Co., Anchor Casualty Co., Central
 Surety Company

Insurer.

To the parties named:

Notice is given that on the 8th day of October, 1957, at 10 o'clock in the Forenoon at 4th Floor, 794 No. Jefferson Street, Milwaukee, Wisconsin a hearing will be held by the Industrial Commission to determine matters in dispute as set forth in the application on file.

Dated at Madison, Wis., this 12th day of SEPTEMBER, 1959

cc: Secretary of State
Madison, Wisconsin

INDUSTRIAL COMMISSION OF WISCONSIN

NOTE: Immediately upon receipt of this notice necessary witnesses should be informed and definite arrangements made for their attendance. If arrangements cannot be made, inform the commission at once.

Continuance will not be granted merely for the convenience of a party, nor because parties have so agreed between themselves. Unless the commission's consent to continuance is secured, hearing will be had as and when scheduled.

If you are not prepared or entirely certain that you can fully proceed notify us immediately; otherwise hearing must proceed to conclusion as scheduled.

THIS IS A WORKMEN'S COMPENSATION
HEARING BASED ON CLAIM FOR INJURY.

or 5 days, return to
RIAL COMMISSION,
Office Building,
ON 2, WISCONSIN



Support
CIVIL DEFENSE
Week



CERTIFIED
No. 420,963

Armstrong Cork Company
Lancaster, Pennsylvania

150 W.C.
O.H.
J. H. H.

July 26, 1957

Mr. Christopher Hoff
Alexander & Alexander, Inc.
2225 N. Charles Street
Baltimore 18, Md.

Dear Chris:

Subject: Occupational Disease Claim
Henry Hartwig
5/29/56 - Wisconsin
B-8165141

We are enclosing a copy of a Notice of Hearing issued by the Industrial Commission of Wisconsin July 18, 1957. Apparently a similar notice was sent to Travelers Milwaukee office.

Very truly yours,

R. C. Schiedt, Jr.
Insurance Department

JEZ

Enclosure

NOTICE OF HEARING

INDUSTRIAL COMMISSION OF WISCONSIN

WORKMEN'S COMPENSATION DIVISION

Henry Bartwig

Applicant

Springfield Iron Works
Universal Roofing and Insulation Co.
Fall River Lumber and Saw Co.
Jennings Iron Co.
Roberts Products, Inc.
A. H. Schmidt & Co.

Respondent

Paul and Atchafalpa Ins. Co.
Employers Mutual Liability Ins.
Travelers Insurance Co.
Indiana Casualty Company
Continental Casualty Co.

Insurer

To the parties named:

Notice is given that on the 14th day of July, 1957, at noon o'clock in the PM at 4th Floor, 794 No. Jefferson Street, Milwaukee, Wisconsin, a hearing will be held by the Industrial Commission to determine matters in dispute as set forth in the application on file.

Dated at Madison, Wis., this 14th day of July, 1957

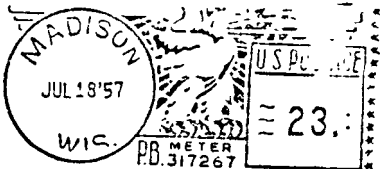
INDUSTRIAL COMMISSION OF WISCONSIN

Secretary of State, Milwaukee, Wis.
Alvin H. Roberts

NOTE: Immediately upon receipt of this notice necessary witnesses should be informed and definite arrangements made for their attendance. If arrangements cannot be made inform the commission at once.
Continuance will not be granted merely for the convenience of a party, nor because parties have so agreed between themselves. Unless the commission's consent to continuance is secured, hearing will be had as and when scheduled.
If you are not prepared or entirely certain that you can fully proceed notify us immediately; otherwise hearing must proceed to conclusion as scheduled.

THIS IS A WORKMEN'S COMPENSATION
HEARING BASED ON CLAIM FOR INJURY

fter 5 days, return to
TRIAL COMMISSION,
ate Office Building,
SON 2, WISCONSIN



CERTIFIED
No. 420827

Armstrong Cork Co.
Lancaster, Pennsylvania

The Travelers

CLAIM DEPARTMENT
STEPHEN C. HARHOLDT, Claim Manager

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

BRANCH OFFICE
First Wisconsin National Bank Building
735 North Water Street at East Mason Street
MILWAUKEE 2, WISCONSIN
Telephone: BROADWAY 6-0820

March 15, 1957

Armstrong Cork Co.
Lancaster, Penna.

Re: B-8165141
Armstrong Cork Co.
Henry Hartwig
2/27/57

May 29, 1956 - ?

Gentlemen:

You have undoubtedly received your copy of the Application for Adjustment of Claim filed by the above-captioned employee with the Wisconsin Industrial Commission.

Proper answer to this Application has been filed by us as your Workmen's Compensation insurer.

Yours very truly,

J. E. Coleman

J. E. Coleman,
Supervising Adjuster.

JEC:grm

cc: Alexander & Alexander Inc.
2225 N. Charles St.
Baltimore 18, Md.

HOME OFFICE: 700 MAIN STREET, HARTFORD 15, CONNECTICUT

3/18/57
W3K

March 11, 1957

Mr. James E. Fannon
Alexander & Alexander, Inc.
2225 North Charles Street
Baltimore 18, Md.

Dear Jim:

Subject: Henry Hartwig
Asbestosis - Wisconsin
5/29/56

We enclose Application for Adjustment of Claim filed by Henry Hartwig. You recall we had some previous correspondence just recently on this individual.

As the enclosed envelope indicates, the application was mis sent to Lancaster, Wisconsin, so that the ten-day period referred to is already half gone. We trust Travelers will do the necessary.

Very truly yours,

R. C. Schiedt, Jr.
Insurance Department

JEZ

Enclosures

March 6, 1957

Gentlemen:

We are enclosing herein copy of an application for adjustment of claim which has been filed in this office. Under the rules of practice of the commission you will be given ten days within which to admit service and make your answer to the application. One copy should be mailed to us; one copy to the applicant, and one should be retained for your record. Unless you deny liability you should proceed to pay compensation immediately, in accordance with the provisions of the law, and not require the applicant, as well as yourself, to incur the expense, incidental to a hearing before the commission. In the meantime all compensation which is concededly due and which has accrued should be paid and the commission notified. Payments clearly due should not be withheld because application has been filed.

Yours very truly,

INDUSTRIAL COMMISSION

ADMISSION OF SERVICE
and
ANSWER TO APPLICATION

File No. E

Harry Bartels

Applicant

2-2227-0

Sprinkman Bros Corp., Universal Roofing & Insulation Co

Calberg Architects & Engrs Co., Engineering Engrs Co

Respondent

Asbestos Products Inc. A.M. Bennett Co

The respondent above named, for answer to the application herein, respectfully states:

1. It is ☐ admitted ☐ denied that applicant sustained an injury on or about the date set forth in the application.
2. It is ☐ admitted ☐ denied that the relationship of employer and employee existed at the time of the alleged injury.
3. It is ☐ admitted ☐ denied that the parties were subject to the workmen's compensation act at the time of the alleged injury.
4. It is ☐ admitted ☐ denied that at the time of the alleged injury the employee was performing service growing out of and incidental to his employment.
5. It is ☐ admitted ☐ denied that the accident or disease causing injury arose out of the alleged employment.
6. It is ☐ admitted ☐ denied that notice of injury was given employer as specified in application.
7. It is ☐ admitted ☐ denied that applicant was temporarily disabled for the period stated in application. If denied state temporary disability admitted _____
8. It is ☐ admitted ☐ denied that applicant is permanently disabled to the extent for the period stated in application. If denied state permanent disability admitted _____
9. It is ☐ admitted ☐ denied that the rate of wages as set forth in application is correct. If denied state weekly wage admitted _____
10. It is ☐ admitted ☐ denied that the alleged employer was insured under the workmen's compensation act at the time of alleged injury.
11. State exactly what matters are in dispute between you and the applicant, and your reason for denying liability as claimed. (If any statements are found to be incorrect an amended answer may be filed)

Signed: _____

Respondent.

(Use other side if necessary)

INDUSTRIAL COMMISSION—WORKMEN'S COMPENSATION
APPLICATION FOR ADJUSTMENT OF CLAIM

(Occupational Disease)

STATE OF WISCONSIN

HENRY HARTWIG

Applicant

1917 North 34th Street, Milwaukee, Wisconsin
(Address)

(1) SPEINKMANN SONS CORPORATION

Employer

118 North Second Street, Milwaukee, Wisconsin
(Address)

EMPLOYERS MUTUAL LIABILITY INSURANCE CO.

Insurance Carrier

(2) UNIVERSAL ROOFING and INSULATION COMPANY

Employer

5402 West State Street, Milwaukee, Wisconsin
(Address)

EMPLOYERS MUTUAL LIABILITY INSURANCE COMPANY

Insurance Carrier

(3) CULBERG ASBESTOS and CORK COMPANY

Employer

1102-10 North Halsted Street, Chicago, Illinois
(Address)

STANDARD ACCIDENT INSURANCE CO.

Insurance Carrier

(4) ARMSTRONG CORK CO., LANCASTER, PENNSYLVANIA — TRAVELERS INDEMNITY CO.
1. Nature of occupational disease Asbestosis

5. ASBESTOS PRODUCTS, INC.
710 Raymond Avenue, St. Paul 11, Minnesota
Anchor Casualty Co.

6. A. H. BENNETT COMPANY
113-115 No. First
Minneapolis, Minnesota
Central Surety Ins. Co.

From March 20, 1956 To while employed by

From To while employed by

From To while employed by

From To while employed by

5. On last day of work injured was earning \$ 1.05 per day \$ _____ per week

6. Employee was born on January 9, 1899 (Give month, day and year)

7. Married or single? married Number of children 0

8. Disability for which compensation is claimed Temporary total from March 20, 1956 to August 14, 1956. Permanent total commencing August 14, 1956

12. If not disabled is it inadvisable because of his disease to continue in the employment? yes

13. Has applicant had physical examination at employer's request? yes

a. If so, what employer requested? Springman Sons Corporation

b. What date was such examination made? 4-17-56

c. Has applicant been refused work following examination?

d. If so, by what employer and what date?

(Employer and date)

14. Date when applicant first knew he suffered from occupational disease caused by his employment

May 29, 1956

15. Notice of injury was given to employer (s) as follows:

Springman Sons Corporation Last week in March, 1956
(Name of employer) (Date notice given)

16. Names of doctors who treated injured for occupational disease and dates treated:

J. E. Haberland 606 W. Wisconsin Ave. Milw. Wis 3-20-56
(Name) (Address) (Date)

APPLICATION FOR ADMINISTRATION OF CLAIM

17. Expense incurred for doctor \$ 26.00 For hospital and medicines \$ 30.00

18. If injured has been confined in a hospital or sanatorium give name and period:

(Name)

(Period)

19. Compensation paid injured \$ 200.00

20. Name of deceased

(Answer 20 and 21 only if death claim)

Relation of deceased to

applicant

21. Was applicant living with and dependent upon deceased at time of injury?

22. Have you ever made previous claim for occupational disease?

When? Against what employer?

23. Where should hearing be scheduled?

24. Other material facts:

Wherefore the applicant prays that the respondents be required to answer the charges herein and that an order or award be made by the Industrial Commission granting such relief as the applicant may be entitled to in the premises.

Dated at Milwaukee, Wis. this 25th day of February, 1957

Signed Henry Nertedg
(Applicant must sign here)

Note: Either party to the dispute may apply to the commission for an adjustment of any matter in dispute.

The original application and two copies for the respondent must be mailed to the Industrial Commission, Madison, Wisconsin.

March 1, 1957

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

Dear Mr. Finlay:

In reply to your letter of February 26 regarding Henry Hartwig, no Employer's First Report has been filed by Armstrong as stated in our letter of February 22. Hartwig did not report any injury to us and his attorney's letter was the first knowledge we had of the incident.

Very truly yours,

ARMSTRONG CORK COMPANY

R. C. Schiedt, Jr.
Insurance Department

JEZ

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

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"

February 26th, 1957

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

FEB 27 1957

Dear Mr.Schiedt:

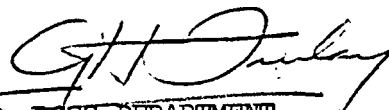
We acknowledge receipt of your letter of February 22nd addressed to our Mr. Fannon in connection with claim of Henry Hartwig, employee.

The attorney's letter of February 19th has been filed with the Travelers Insurance Company for necessary handling.

In the meantime, will you please let us know if an Employer's First Report has been filed and if so, the date of the report so that we may identify same on our records here.

Sincerely

ALEXANDER & ALEXANDER, INC.


LOSS DEPARTMENT

R

February 22, 1957

Mr. James E. Fannon
Alexander & Alexander, Inc.
2225 North Charles Street
Baltimore 18, Md.

Dear Jim:

We enclose the original and one copy of a letter from the law offices of Padway, Goldberg and Previant regarding the employment record of Henry Hartwig. We also enclose a copy of the letter acknowledging receipt of this letter.

In all probability, the occupational disease they refer to is asbestosis which could result in a sizeable award. The vagueness of their letter might indicate they are on a fishing expedition. Therefore, since our knowledge of the Wisconsin law is extremely limited, we thought it best to turn the requested information over to you for forwarding to Travelers Milwaukee claims office and letting that office do the necessary. At the present writing, no claim has been filed against Armstrong.

According to our records, Henry Hartwig was employed by Armstrong for a period of ten weeks from December 14, 1953, to February 19, 1954. During this period, he was paid a total of \$1,156.32.

Very truly yours,

R. C. Schiedt, Jr.
Insurance Department

JXZ

Enclosures

RCS

JOS A PADWAY
1912-1947
I E GOLDBERG
1887-1947
ALFRED G. GOLDBERG
DAVID PREVIAHT
SAUL COOPER
ALBERT J. GOLDBERG
JOSEPH J. SHUTHIN
DAVID L. UELMEN
HUGH HAFER

LAW OFFICES OF
PADWAY, GOLDBERG & PREVIAHT

511 WARNER THEATRE BUILDING
MILWAUKEE 3, WISCONSIN

PHONE BROADWAY 1-4600

GENERAL COUNSEL FOR
WISCONSIN STATE FEDERATION OF LABOR
AND AFFILIATED UNIONS
MILWAUKEE FEDERATED TRADES COUNCIL
MILWAUKEE BUILDING TRADES COUNCIL
WISCONSIN TEAMSTERS JOINT COUNCIL #30
CARPENTERS DISTRICT COUNCIL
OF MILWAUKEE COUNTY & VICINITY
INTERNATIONAL UNION
ALLIED INDUSTRIAL WORKERS OF AMERICA

February 19, 1957

Armstrong Cork Company
Lancaster
Pennsylvania

Gentlemen:

We represent Mr. Henry Hartwig, a former employee of your company. Mr. Hartwig has filed a claim with the Wisconsin Industrial Commission for workmen's compensation benefits based upon an occupational disease sustained in the course of his employment. Since the Wisconsin Statutes require that a complete employment history for the past six years be provided in cases of occupational disease, we ask you to check your employment records and forward to us a statement of the period of time Mr. Hartwig was employed by you.

We have compiled a tentative employment schedule based upon payroll deduction slips which Mr. Hartwig had retained. The reason for writing this letter is to obtain a confirmation of the schedule which we have prepared.

As we understand the law of workmen's compensation in the state of Wisconsin, the last responsible employer must pay the entire amount of the claim in cases of occupational disease. The insurer of the last responsible employer in Mr. Hartwig's case has raised a question as to the correctness of our position in this regard, and it has therefore become necessary for us to present a detailed employment picture.

Your prompt attention to this matter will be greatly appreciated.

Very truly yours,

PADWAY, GOLDBERG & PREVIAHT

By

HUGH HAFER

HH:dam



February 22, 1957

Padway, Goldberg & Previant

511 Warner Theatre Building

Milwaukee 3, Wisconsin

Gentlemen: Attention: Mr. Hugh Hafer

Your letter of February 19 regarding Mr. Henry Hartwig has been referred
to Travelers Insurance Company, our insurance carrier.

Very truly yours,

ARMSTRONG CORK COMPANY

R. C. Schiedt, Jr.
Insurance Department

JEZ

Mr. James E. Fannon
Alexander & Alexander, Inc.
2225 North Charles Street
Baltimore 18, Md.