

FILE NAME: Early Asbestos Damage Suits (EADS)

DATE: 1934

DOC#: EADS009

DOCUMENT DESCRIPTION: Documents from Case of John Perrone

and to come within close proximity of the person,  
and exposed the plaintiff to that or any other contact with,  
and caused the said dangerous fibers and particles to the  
JOHN PERROME,  
ascent that his bronchial tubes, lungs and body became  
Plaintiff,

-VS-

ACTION AT LAW

Plaintiff was not informed or warned by the  
JOHNS-MANVILLE CORPORATION a : C O M P L A I N T and  
Corporation of the State of New York, of the State of New York,  
of New York, dangerous asbestos fibers and particles with which he was  
Defendant.  
which came close proximity and contact by the defendant's

-----x-----  
The plaintiff residing at Bonnie Burn Sanitarium,  
Scotch Plains, New Jersey, complains of the above named  
defendant, a foreign corporation, as follows:

1. The plaintiff was in the employ of the defend-  
ant corporation at its plant in Manville, New Jersey, in the  
month of July, 1927, and for several years prior thereto.

2. The defendant corporation at the time herein  
set forth was engaged in the manufacture of asbestos products  
for commercial purposes.

3. The said defendant employed the plaintiff at  
the time and place above set forth in its manufacture of said  
asbestos products, and that the said defendant not only knew,  
but should have known that the said asbestos products con-  
tained certain dangerous, insidious and harmful agencies com-  
posed of asbestos fibers and other particles that were  
destructive to life and health in the human body when brought

ON DECEMBER 16, 1929 AT SCOTCH PLAINS, N. J.

Q. What is your name ?

A. John James Perone.

Q. How old are you ?

A. Twenty-three years old.

Q. Single or married ?

A. Single.

Q. Where were you born ?

A. At Bound Brook, N. J.

Q. What is your father's name?

A. Benjamin.

Q. Mother's name?

A. Concetta.

Q. How many brothers and sisters have you living ?

A. Five more brothers living and one sister.

Q. Can you give me the names of your brothers ?

A. Dominick, 19 years old, works at the Oil-less Bearing Company; Ralph, 17 years old, works at the Oil-less Bearing Co.; Charles, 15 yrs, not working; Nicholas, 12 yrs goes to school; and Benjamin, Jr. 10 years, goes to school

Q. What is your sister's name ?

A. Mary. She is 21 years and is single.

Q. Does your mother keep a store ?

A. Yes.

Q. What kind of a store ?

A. A grocery.

Q. Who helps out ?

A. My sister and mother.

Q. You didn't work in any other place ?

A. No.

Q. How long does your father live in Bound Brook ?

A. Over 25 years.

Q. Where did he come from ?

A. He came here direct from Italy.

Q. How long have you been in Bonnie Burns Institution at Scotch Plains ?

A. It will be eight months the 29th of December.

Q. How do you feel today ?

A. Pretty fair.

Q. While we are talking to you today, you are not nervous in any way, are you ?

A. No.

Q. Your mind is all right ?

A. Yes.

Q. You are willing to make the statement on your own free will.

A. Yes.

Q. Do you know that a lawyer by the name of Greenstone is suing the Johns-Manville Co. for you.

A. Yes.

Q. How did he come to sue the Johns-Manville Co.?

A. Mr. Greenstone came to see my father, brother and myself.

Q. Where ?

A. At Bonnie Burns.

Q. Did you send for him ?

A. No.

Q. Did you ever know in your life about the existence of

Q. With whom did he come to see you ?

A. The first time the doctor brought him in .

Q. What is the doctor's name ?

A. Dr. Edward Rafkin.

Q. Who is Dr. Rafkin ?

A. The doctor who comes around to see us.

Q. What did Dr. Rafkin say to you when he brought in Greenstone ?

A. He said he is a person who is going to help me out in the place where I worked last.

Q. Did you ever tell Dr. Rafkin that you need any help?

A. No.

Q. Did you ever tell Dr. Rafkin to get you a lawyer ?

A. No.

Q. Did Dr. Rafkin ask you where you were working ?

A. When he examined me. Yes.

Q. But you never told Dr. Rafkin that you want legal aid ?

A. No.

Q. Now, after Dr. Rafkin introduced Greenstone, what did Greenstone say to you ?

A. He said that he would try to help me out to get me money from the Johns-Manville Co. where I was working.

Q. What did you tell him ?

A. I told him "Go to it - If you can get it all right".

Q. Did he tell you what he is going to do about getting the money ? How he is going to get the money ?

A. He told me he is going to sue the Johns-Manville Co. for my sickness and whatever he gets, he will divide

Q. Did you sign the paper ?

A. Yes.

Q. Did he give you a copy ?

A. No.

Q. Did you tell Mr. Greenstone to sue the Johns-Manville Co. for your condition ?

A. I told him that was up to him to do. After I signed this paper, Mr. Greenstone told me that he would go down to the Johns-Manville people to see an official and will try to get me money, and I thought that he will get money from the Johns-Manville Co. without suing the Johns-Manville Co.

Q. Do you understand that Greenstone is going through courts suing the Johns-Manville Co.?

A. No, I don't know about that because I told Mr. Greenstone plainly that if he is going to sue the Johns-Manville Co. through court I would not stand for it, and I don't want to bother the Johns-Manville Co. in court to get money for me.

Q. Do you know that Greenstone is suing on your behalf the Johns-Manville Co. for \$100,000.00 ?

A. I know now.

Q. But you never knew it before ?

A. No.

Q. Do you want to go on with your lawsuit against the Johns-Manville Co.?

A. I want to drop it and I don't care for it.

Q. Are you willing to sign discontinuance papers in the near future to drop the case against the Johns-Manville

A. No.

Q. Do you understand that I or Mr. Hughes, who is present while we are taking this statement, do not promise any money or anything else for your agreeing to discontinue the case against Johns-Manville ?

A. Yes, that's right.

Q. Do you want us to notify your lawyer or the judge that you don't want to sue the Johns-Manville Co. anymore ?

A. Yes.

*I have read this five page statement and the same is true and correct and I say once more that I want to drop my law case against the Johns manville co.*

*John J. Perone*  
*Dec 16, 1929*

*Witness*

*Patsy LaTone*  
*E. Ranner*

James E. Falk  
United States District Court

UNITED STATES DISTRICT Court  
FOR THE DISTRICT OF NEW JERSEY.

L-1956

JOHN PERONE,

. Plaintiff .

vs.

JOHNS-MANVILLE CORPORATION,  
a Corporation of the State of  
New York,

. Defendant .

Action at Law.

ORDER FOR DISCONTINUANCE.

2:25

*The above entitled cause having been settled between the parties thereto;*

*It is ORDERED, that the same be, and it is hereby discontinued, without cost to either party  
as against the other.*

*George T. Lammert*  
*by Charles S. Cheevers*  
*Deputy*

Entered June 13, 1934

On motion of

*Robert A. Mynard*  
Attorneys of defendant

Consent is hereby given to the making and entering of the above order.

*Paul Pecustore*  
Attorney of Plaintiff