

1 worked with plaster that contained asbestos.
 2 He worked around people that sprayed it on
 3 buildings day in and day out, but he didn't tell you
 4 that in his opening. Please keep your eyes open.
 5 Now, maybe somebody is going to make a
 6 comment and Ms. Tostanoski and all, we sued somebody
 7 and we want them to share the responsibility.
 8 We didn't sue anybody. We are just
 9 maintaining what is called a cross-claim against the
 10 people that they originally sued.
 11 They have had doctors look at these things
 12 and say yes, the stuff that he was exposed to as a
 13 plasterer caused his disease.
 14 The question is was our product a
 15 substantial contributing factor to this man's
 16 mesothelioma? That is why I am here. There is a
 17 dispute.
 18 All I want you to do is do what is fair.
 19 That is the only thing I can ask you for and I am
 20 going to talk about the people that they sued, and not
 21 that I sued or not that my co-counsel sued.

1 The plaintiffs right there. You will see
 2 more about that later on in this trial.
 3 Mr. Shellenberger talked about the
 4 pipecovering over here, and I am telling you right
 5 now, yes, there was a time when we manufactured
 6 pipecovering that contained asbestos, and I think
 7 there is going to be some testimony that occasionally
 8 some of these people worked around some of this
 9 pipecovering or someone else's pipecovering, but what
 10 you are also going to hear is that they worked with
 11 plaster that contained asbestos.
 12 They sprayed buildings. They had to fire
 13 code buildings because in most states prior to 1980,
 14 most buildings, like schools and stuff like that, had
 15 to have fireproofing material and the best
 16 fireproofing material there was, and even to this day,
 17 was asbestos and that is why it was used.
 18 Let me talk about my client because there
 19 have been a lot of things said about my client earlier
 20 today.
 21 Mr. Shellenberger had a lot of buzz words

1 and told you a few things and showed you a few
 2 documents.
 3 I can't help to think that it is done for a
 4 reason. It is done so you want to get up and punch me
 5 right in the mouth, we are bad, we are monsters and
 6 put us in the worst possible light.
 7 Throughout the trial he is going to put up
 8 documents, the same documents I have, the same
 9 documents we gave them that go back years and years
 10 ago.
 11 What you have got to keep in mind about my
 12 client is when we were formed, we were formed in 1938
 13 and we were a fiberglass company. That is why our
 14 name is Owens-Corning Fiberglas.
 15 Early on there was some reference by Mr.
 16 Shellenberger about all of these documents we had
 17 about asbestos, and I guess the impression is that we
 18 had some mad scientist back in a room that knew about
 19 asbestos and no one else did.
 20 Ladies and gentlemen, that is the furthest
 21 thing from the truth. Let me tell you about asbestos,

1 and I am telling you right now, before we got in
 2 business in 1938, it was known that asbestos could
 3 cause problems. There is no doubt about it.
 4 It was known back in the late 1920s, back in
 5 Britain in the 1930s, and basically people knew that
 6 if you worked with asbestos over a long period of time
 7 in high doses, you can get this lung disease called
 8 asbestosis.
 9 It is a benign disease. It is scarring, and
 10 I think we had someone in the jury pool yesterday, I
 11 don't think she was on the panel, but she mentioned my
 12 husband has black lung disease. That is from working
 13 in the coal mines. You get so much dust in there, you
 14 develop something called black lung. It is scarring.
 15 With asbestosis it is actually called white
 16 lung disease because asbestos is generally white, and
 17 people like asbestos miners who work with this stuff,
 18 some of them develop white lung or asbestosis.
 19 It was also known in this country back in
 20 the '30s that these asbestos textile workers, usually
 21 it was in the South, they had a lot of people working