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FRANCIS E. MARSHALL
GERALD A. DENNEHEY
JOHN R. WARNER
ROBERT J. COLEMAN
ROBERT ST. LEGER GOGGIN
JOHN P. PENDERS
JOHN J. COFFEY
EDWARD R. MURPHY
JOSEPH M. WALKER
JOHN W. WALTER
PAUL A. BECHTEL, JR.
CHARLES W. CRAVEN
ROBERT G. HANNA, JR.
THOMAS C. DeLORENZO
DANIEL J. SHERRY
JOHN S. TUCCI, JR.
EDWARD R. TAYLOR
PETER S. MILLER
ANTHONY P. TINARI
DANIEL J. RYAN, JR.
FRANCIS E. MARSHALL, JR.
ANNE M. KENNEY
WILLIAM W. FREIHOFER
RALPH A. MICETTI
WILLIAM S. WEINER
PAUL R. BRADY III
CHRISTOPHER H. WRIGHT
MICHAEL P. CREEDON

Marshall, Dennehey, Warner, Coleman and Goggin

COUNSELLORS AT LAW — PROCTORS IN ADMIRALTY

1515 LOCUST STREET
PHILADELPHIA, PENNSYLVANIA 19102
215-893-3800
CABLE ADDRESS - MARSHALL

527 SWEDR STREET
NORRISTOWN, PA. 19401
215-279-5633

22 W. SECOND STREET
MEDIA, PA. 19063
215-LO-6-1468

30 WASHINGTON AVENUE
ENTRY B
HADDONFIELD, N.J. 08033
609-966-1490

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May 13, 1980

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LEGAL DEPARTMENT

*ALSO MEMBER NEW JERSEY BAR

James K. Green, Esquire
Johns-Manville Corporation
Ken-Caryl Ranch
Denver, Colorado 80217

Re: VanArsdale vs. Johns-Manville
Corp., et al.
Feb. Term, 1978, No. 516 (109)
Case No. 21

Dear Mr. Green:

Please be advised that we finished up the second half of the deposition of Thomas VanArsdale. He is 59 years old, married and is the father of 4 children. He has 2 sons who live at home. One works as a pipefitter at the Philadelphia Naval Shipyard and the other is a paraplegic, who apparently gets no financial assistance from any source other than Mr. VanArsdale. Mr. VanArsdale made a fair impression as a witness and seemed honest throughout his testimony. The only area that Mr. VanArsdale exaggerated was the amount of time that he sustained heavy exposure.

Most of the time between 1946 and 1960, Mr. VanArsdale was employed as a mechanic at the Philadelphia Naval Shipyard. He stated that he spent 80 to 90% of his time in the shop. During the later part of that period, he was promoted to a shop planner. From 1963 to 1973, Mr. VanArsdale was a general foreman machinist.

His product identification was basically weak. He stated the he worked with and around gaskets, blankets, sections, blocks and cement. He identified Johns-Manville, Owens-Corning, Pittsburgh Corning, Garlock and Eagle-Picher. He said that he might have seen a GAF product while working in the yard. Most of his information concerning product identification came from Joseph Gaus, a co-worker and a plaintiff in the Albert group of cases. We have scheduled his deposition for May 22, 1980 for the purpose of obtaining more product identification information.

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James K. Green, Esquire
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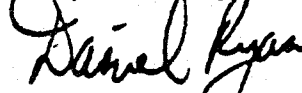
note Mr. VanArsdale's medical history is an interesting one. In 1968, he received 2 badly broken ankles when he was assaulted in Long Beach, California while on a business trip for the navy. According to Mr. VanArsdale's testimony, a burglar jumped from a canopy on top of him while he was entering his hotel. His ankles continue to swell up to the present time and these injuries were listed as the major reason for his disability retirement in 1973 from the Philadelphia Naval Shipyard. Mr. VanArsdale's own doctor, Dr. Iula and the navy yard doctors agreed that Mr. VanArsdale was permanently disabled from employment at the shipyard due to the following reasons:

1. Bilateral fractures of the ankles;
2. (Pulmonary emphysema; and
3. Bronchitis.

The plaintiff insists that he stopped smoking in the early sixties after having started in 1950 at the rate of 1 1/2 packs a day. Plaintiff's other medical problems are listed and explained more thoroughly in the enclosed medical reports of Dr. Rodman and Dr. Heiman. Unfortunately, we were unable to elicit any testimony which would give us any reason to believe that a statute of limitations issue was ripe.

If you need any additional information, please do not hesitate to contact me.

Very truly yours,



DANIEL J. RYAN, JR.

DJR/ar

Enclosure

cc: Kathleen Friedmann (w/enc.)

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