FILE NAME: Contract Unit Workers Comp Claims (WCC)

DATE: 1958

DOC#: WCC017

DOCUMENT DESCRIPTION: Workers Comp File - Streithorst, L J

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

Case File Inspections at the California Workmen's

Comp Appeals Board, San Francisco Office

Despite my urgent expressions on the phone and in writing to Judge Gately, the request was needlessly delayed sitting on someone's desk for a week before it was approved. They have asked that the various field offices involved request that Archives (Sacramento) send the old case files all to SF Office. However, the only files that have come in were 2 handled by SF originally. These are cases off the Armstrong list, and they were both pipe coverers.

Streithorst was disabled with asbestosis, though since he was 70 it was in dispute whether he was so much worse off than most men that age. He died of stomach cancer. Defendants included Armstrong and Phillip Carey. Relevant parts of the claim file were copied by a copying service and are being sent to my place: claim form, notices of hearings, correspondence involving defendants Carey and Armstrong.

Swartout was totally disabled with asbestosis and died from cor pulmonale. Defendants included Armstrong, J-M, and Mundet Cork. An award was declared in March of 1958, which appears to have been assessed to Western Asbestos Co. in California. The award was upheld after "Reconsideration", whereupon Western petitioned for reapportionment of costs among the other defendants. Among other things, this brought forth a letter of objection from the law firm representing the insurance carriers for J-M and Armstrong Cork. These firms' defense was that their employment of Mr. Swartout "was either outside the State of California, under contracts of hire not made in California, or involved the use of insulation materials other than asbestos." They go on to recount that the man was employed in PA, GA (under a contract made in SC), and Indiana -- but not CA -- by J-M. They note that Swartout was employed by Armstrong in CA on a refrigeration job involving cork insulation, and worked for Armstrong on another job in Alaska under contract through the Asbestos workers union. Several other defendants also objected to reapportionment of expenses, and the matter was dropped. The objection from J-M and Armstrong's lawyers seems to admit that asbestos insulation work killed Mr. Swartout.

Judge Gately was kind enough to let me make a few copies from the Swartout file, though the usual charge is 50¢ per copy. The copying service charges about 20¢ per copy. Gately is retiring to get work with an insurance firm in May, and the best person to contact there is Evelyn Kanada. She understands why we are doing this research, and is knowledgable about how the records are kept.

My Bay Area contact on this is an investigative reporter named David Weir. He was with me for 2 hours at the comp board office and we went through the case files together, so he could see what to take note of. Dave will receive notice when the other files arrive, and he will go through them and arrange to have relevant parts copied and sent to me. The case files are typically an inch thick, sometimes more, so this is a time-consuming assay. I agreed to pay $10/hr for this work. (415 [illegible]

17-UNSAFE ACT | 18-UNSAFE PRES. FACTOR | 19 | 1-COMPANY | 2 DIVISION Head Office | 3-EMPLOYEE

1-COMPANY FPPC | 2-DIVISION | CLAIM NO. 20G-5067

3-EMPLOYEE STREITHORST, L. J. | 4-AGE | 5-SEX M [X] FM [ ] | YEARS EMPLOYED

6-OCCUPATION Insulation installer | 7-LENGTH OF TIME ON THIS JOB YRS MOS | TEMP [ ] | 8-DEPT.

11-DATE OF ACCIDENT 6-21-59 | TIME OF ACCIDENT A.M. P.M. | LOST TIME | DATE CASE CLOSED

9-INJURY SUSTAINED Asbestosis | PRIOR ACCIDENTS

10-PART OF BODY INJURED Chest | EXTENT OF INJURY

12-AGENCY | 13-AGENCY PART

14-UNSAFE MECHANICAL CONDITION | 15-TYPE OF ACCIDENT

17-UNSAFE ACT | 18-UNSAFE PERSONAL FACTOR

FPPC dismissed 60 SF A2-145

FIBREBOARD PRODUCTS, INC.-COMPENSATION CLAIMS MEDIA-FORM 373

E-Z SORT SYSTEMS-U.S. PATS. 2,1[illegible]-2 39,519-OTHERS PENDING
A.A. REMBOLD & CO./INDUSTRIAL ENGINEERS SYSTEMS-SAN FRANCISCO, CALIF.

12-AGENCY | 11-DATE OF INJURY | 10-BODY PART | 9-INJURY SUSTAINED | 8-DEPARTMENT

STREITHORST, L. J. — EXPENSE DISTRIBUTION — 20G-5067

EMPLOYEE

DATE	MEDICAL: PLANT	MEDICAL: OUTSIDE	HOSPITAL	X-RAY	OTHER EXPENSE	EXPLANATION	LEGAL	TOTAL	EX GRATIA PAYMENTS	COMPENSATION	TOTAL COSTS	RESERVE
1-61												150 --
		Cl			Dec	1961						150 —
										b.w.l.		
			(1)	12/61			Partial	(1)		(1)		

81301A

FIBREBOARD PRODUCTS FORM 373-R