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PLAINTIFF'S EXHIBIT
ACS-45



November 28, 1966

Mr. Fred L. Gardner
Armstrong Contracting and Supply Corp.
120 North Lime Street
Lancaster, Pennsylvania

Dear Fred:

Subject: Asbestos Worker Chest X-rays

I am not quite sure what Mr. Nunis is saying in his note to you of November 21, but I think he is saying that your company may be responsible for paying for the initial chest X-rays in the same way that you would be responsible for first medical costs in case of an injury or occupational disease. Mr. Nunis said, "It now appears that we may be liable in Virginia due to change in wording of the Law."

In view of his continued uncertainty, we think it would be advisable to have it finally resolved by Aetna Casualty or refer it to our Legal Department for an opinion. I believe there is only one local involved, so everything should be done at this time to obtain a favorable ruling before this potential liability becomes more widespread.

Sincerely yours,

Wallace B. Hofferth
Insurance Manager

DHB