PLAINTIFF'S EXHIBIT
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Insulation Worker's Widow Suing for $26 Million

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Herbert Edward Gibson, 58, died Sept. 28 at his home at Louisville, Colo., of an uncommon cancerous condition called mesothelioma.

Tumors of the lungs develop in mesothelioma. The only known cause of the disease is inhalation of asbestos particles.

Gibson had been an insulation installer for 27 years, mostly on the Denver-Boulder area.

Thursday, his widow, Mrs. Pearl D. Gibson of Louisville, filed an amended suit in U.S. District Court in Denver seeking $26.5 million in damages from 12 asbestos manufacturing corporations whose products allegedly were the direct cause of Gibson's illness and death.

The first suit was filed last May in Boulder District Court while Gibson lay ill of the disease at home. He had moderately lucrative work with the disease's symptoms in March.

Suit Transferred

The original suit, transferred in August to federal court at Denver, was approved from the press and public to avoid any undue duress on Gibson, whose mesothelioma is nearly 100 per cent fatal, the family attorney, Gideon Tritz of Boulder, said.

The suit named as defendants the Johns-Manville Products Corp.; Eagle-Picher Industries, Inc.; Armstrong Cork Co.; Fibreboard Corp.; Combustion Engineering, Inc.; Standard Asbestos Manufacturing and Insulating Co.; Owens-Corning Fiberglas Corp.; Pittsburgh Corning Corp.; [redacted] Co.; UNARCO Industries, Inc.; [redacted] Co., and the Fiberglas Corp.

Tritz, who said he has been communicating with doctors and scientists throughout the nation and world on asbestos-caused cancer, charged in the lengthy suit that the defendant companies have conspired, fraudulently concealed and neglected to tell the users of their products of the dangers of asbestos insulation use.

The doctors and scientists specializing on the problem in the United States, England and South Africa almost universally agree, Tritz said, that mesothelioma doesn't show up in its victims until at least 15 to 20 years after continued, concentrated contact with asbestos.

Gibson and other users of asbestos insulation products never were warned by the manufacturers of the dangers, the suit said.

The corporations knew of the growing knowledge being made available through medical studies of the dangers, the suit said.

Studies Assailed

The companies, however, said no fact on hand and known as [illegible] called the "Industrial Hygiene Foundation of America" to "conduct false, inaccurate and fraudulent studies of the health hazards created by asbestos dust, and widely circulated the results of such studies, knowing them to be false, misleading and inaccurate."

The companies, moreover, "had actual knowledge of the substantial number of persons dying or severely ill as a result of working with asbestos insulation," the suit said.

The corporations in 1964 also attempted to subvert a conference called by the New York Academy of Sciences on the biological effects of asbestos, the suit said.

Lawyers retained by the companies wrote a letter of warning to the academy saying the "concerted but unscientific release of research data to public discussion, or hearing it to be more to appreciate the carefully phrased limitations and qualifications that are not included by the users of asbestos insulation ..." the suit said.

The letter urged cessation of the discussion of medical research into asbestos diseases "to avoid panicking the home for possibly damaging and disturbing news abroad," the suit said.

Representatives of the defendant corporations also testified at hearings before the U.S. Occupational Safety and Health Act advisory committee in 1972 opposing standards of safety because such standards "would prove Americans-made asbestos-bearing products right out of the world ..." the suit said.

The suit seeks $5 million in compensatory damages for Mrs. Gibson and $21.5 million in exemplary or punitive damages.

As a precaution last summer, Tritz said, he sought and was given permission by Boulder District Court—before the case was transferred to Denver federal court—to videotape a deposition from Gibson.

The court was also to spend a full day interrogating questions, the attorney said, but about a week later, because very ill from the effects of different cancer treatments.

Because of the court-ordered suppression on the case, some details of the lawsuit were unpublicized until Thursday when a notice appeared in Boulder's Daily Camera disclosed that the suppression order had been lifted after Gibson's death.

A representative of the Johns-Manville Products Corp., the only Colorado-based company listed among the defendants, declined comment Thursday on the complaint.

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