

FILE NAME: Contract Unit Workers Comp Claims (WCC)

DATE: 1960

DOC#: WCC049

DOCUMENT DESCRIPTION: Workers Comp File - Templeton, Dean

Dean Templeton
in

File Name Contract Unit Claim File: Commercial Union vs. Johns - Manville

Scanned ? no

Source JMA: NS-JM

Start Year 1960

Stop Year 1982

Contents claim, letter

Notes significant portion illegible



Johns-Manville

Ken-Caryl Ranch
Denver, Colorado 80217
(303) 978-2000

May 19, 1982

Garrick Cole, Esq.
Hill & Barlow
225 Franklin
Boston, MA 02110

RE: Commercial Union vs. Johns-Manville

Dear Garrick:

I have enclosed a copy of the "complete" file relating to the workers' compensation claim of Dean Templeton, filed in Michigan. I do not see any document which appears to be privileged, thus, you may turn over the complete set to the Commercial Union attorneys.

Very truly yours,


Kenneth G. Gulley
Senior Attorney

KGG:ns

cc: Paul W. Sugarman, Esq.

Enclosure

PLAINIFF

Dean T. [unclear]

Vernon R. [unclear], Atty.

David H. Roberts, Atty. at
Law

DEFENDANTS

John [unclear] Sales Corp.
[unclear] Insurance Co.
[unclear], [unclear] & [unclear], Atty.
[unclear] Cuming Fibreglass Corp.
[unclear] Casualty & Surety Co.
[unclear], [unclear] & [unclear], Atty.
[unclear] Insulating Co. - Rich. [unclear] & [unclear]
[unclear] & [unclear], Atty.
[unclear] H. Anderson, Inc. - State Accident
[unclear] R. Rogers, Atty.
[unclear] & [unclear] Co.
General Accident Assur. Corp.
[unclear] Jones, Atty.
[unclear] Best Company
[unclear] & Son Construction Co.
Employees Mutual Ind. Co.
[unclear] Corp.
General Accident Ind. Co.
[unclear] Corp.
[unclear] Co.

WORKMEN'S COMPENSATION DEPARTMENT

DECISION

Employee on attached sheet

Employer-Insurer(s)

and, as of said date of injury, said employee had an average weekly wage of \$ _____ in United States labor, and had the following dependents: _____

IT IS THEREFORE ORDERED that the Defendant(s) pay compensation at the rate of \$ _____ per week for and further, that said employee is still totally - partially disabled and Defendant(s) shall pay compensation at the rate of \$ _____ until further order of the Department; and, that said Defendant(s) shall reimburse said employee \$ _____ for _____ (specify whether medical, hospital, etc.) with interest thereon at the rate of 6% per annum from the date each weekly payment was due until paid.

IT IS FURTHER ORDERED that the employee is entitled to receive from said defendant(s) compensation at the rate of \$ _____ per week for the specific period of _____ weeks from _____ for the loss of _____ and, that said Defendant(s) shall reimburse said employee \$ _____ (specify whether medical, hospital, etc.) with interest thereon at the rate of 6% per annum from the date each weekly payment was due until paid.

IT IS THEREFORE ORDERED that said Defendant(s) shall pay compensation to said Applicant(s) at the rate of \$ _____ per week as total - partial dependents of _____ (employee) until further order of the Department but not to exceed 450 weeks from the date of death of said employee; and further, that said Defendant(s) shall pay \$ _____ as follows: _____ (specify whether medical, hospital, etc.) with interest thereon at the rate of 6% per annum from the date each weekly payment was due until paid.

Plaintiff's Application for benefits terminated for lack of prosecution.	MAILED OCT 4 1961 WORKMEN'S COMPENSATION DEPT.
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STATE OF MICHIGAN

WORKMEN'S COMPENSATION DEPARTMENT

MAILED

JUN 12 1961

WORKMEN'S COMPENSATION DEPT.
LANSING, MICH.

IN RE: ~~INDUSTRIAL INSURANCE CO.~~

~~INDUSTRIAL INSURANCE CO. OF MICHIGAN~~

~~INDUSTRIAL INSURANCE CO. OF MICHIGAN~~

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~~INDUSTRIAL INSURANCE CO. OF MICHIGAN~~

~~INDUSTRIAL INSURANCE CO. OF MICHIGAN~~

Defendant & Ins. Carrier

REDEMPTION ORDER

The agreement to redeem the employer's entire liability for an injury sustained by the plaintiff on March 2, 1955, February, 1956, August 22, 1956,
Jan. 24, 1956 & June 17, 1956 by a single payment in lieu of weekly payments having been considered by a Hearing Referee of the Workmen's Compensation Department and it appearing that said agreement should be: approved; denied;

THEREFORE, IT IS ORDERED that said agreement to redeem the employer's entire liability for weekly payments herein by the payment of \$ 2,100.00 be: approved; denied;

IT IS FURTHER ORDERED that said sum be paid as follows:

\$ _____ directly to _____, attorney(s) for plaintiff for all legal services rendered, including all expenses in connection therewith;
\$ _____ directly to _____ for medical expenses
(specify type or name)
\$ _____ directly to the plaintiff, being the balance;

IT IS FURTHER ORDERED that defendant(s) shall also complete the payment of weekly compensation of \$ _____ per week until _____

IT IS FURTHER ORDERED, that _____ shall pay the cost of the transcript of the hearing herein.

Robert L. Wickens
Hearing Referee

Signed this 20th day of June, 1961

STATE OF MICHIGAN
WORKMEN'S COMPENSATION DEPARTMENT
LANSING, MICHIGAN

NOTICE OF HEARING

PLAINTIFF

Dean Tompkins,
2805 McQuire,
Taylor, Mich.

Clarence E. Gustafson, Atty.,
230 Van Buren St.,
Dearborn, Mich.

STATE OF MICHIGAN,
County of Ingham

✓ John-Manville Sales Corp.,
675 Fisher Bldg.,
Detroit, Mich.

Producers Ins. Co.,
730 Main Bldg.,
Detroit, Mich.

Lacey & Jones, Atty.,
1224 Main Bldg.,
Detroit, Mich.

Quinn-Corring Fibreglass
Corp.,
13700 V. S. Hill Rd.,
Oak Park, Mich.

John E. & Son Co.,
1800 Guardian Bldg.,
Detroit, Mich.

DEFENDANTS

Edson Insulation Co.,
14100 Subell,
Detroit, Mich.

Michigan Mutual Ldb.,
28 W. Adams,
Detroit, Mich.

Norman J. LeVasseur
Atty.,
682 Penobscot Bldg.,
Detroit, Mich.

Date of Injury
Jan. 27, 1940

To the above named parties and each of them:

PLEASE TAKE NOTICE that a hearing on this case will be held before a Representative of the Workmen's Compensation Department on the matter indicated below:

- (☒) application for hearing and adjustment of claim
- () agreement to redeem liability
- () application for a lump sum advance
- () petition for additional medical benefits
- () order or petition for additional testimony
- () petition for determination of rights
- ()

at the 18th FLOOR, CADILLAC SQUARE BUILDING, in the city of DETROIT, county of WAYNE, State of Michigan, on the 29th DAY OF December, 19 40 commencing at 9:00 o'clock in the forenoon, LOCAL time.

YOU ARE DIRECTED to be present at the time and place above mentioned and to be prepared to proceed with the hearing with such witnesses and proofs as are necessary.

Workmen's Compensation Department

NOTICE OF HEARING DATE

DEAN TEMPLTON

Plaintiff

CLARENCE E. CONSTAN
DAVID M. ROBERTS

Attorney

✓ JOHN W. HILL SHOPS CORP.
OWENS-CORNING FIBERGLAS CORP.
BROWN INSULATION CO.
R. H. ANDERSON INC.
GLANZ & KILLIAN CO.

Defendant

TRAVELERS INS. CO.
AETNA CASUALTY & SURETY CO.
MICHIGAN MUTUAL LIABILITY CO.
STATE ACCIDENT FUND Insurance Company
GENERAL ACCIDENT ASSOCIATION CORP.

MARSHFIELD, DEWITT & SULLIVAN
ALEXANDER, CORREIA & SCHILL
LEVASSOR, WRIGHT Attorney & CHARTERED
RICHARD ROBERTS, ATTY.

The above captioned matter will be heard on March 20, 1961
or as soon thereafter as possible at 1800 Cadillac Square Building, in the
city of Detroit, Michigan, commencing at 9:00 o'clock in the forenoon, LOCAL
time.

You are directed to be present at the time and place above mentioned
and to be prepared to proceed with the hearing with such witnesses and proofs
as are necessary.

WORKMEN'S COMPENSATION DEPARTMENT

David G. Gump
Director

Dated March 6, 1961

Workmen's Compensation Department

AMENDED NOTICE OF HEARING DATE

DEAN TEMPLETON

Plaintiff

CLARENCE R. CONSTAN
DAVID M. ROBERTS

Attorney

JOHN-MANSVILLE SALTS CORP.
OWENS-CORNING FIBERGLAS CORP.
BROWN INSULATING CO.
R. H. ANDERSON INC.
GLANZ & KILLIAN CO.

Defendant

TRAVELERS INSURANCE CO.
AETNA CASUALTY & SURETY CO.
MICHIGAN MUTUAL LIABILITY CO.
STATE Insurance Company ACCIDENT)
GENERAL ACCIDENT ASSURANCE CORP.

MANSFIELD, DE-TITT & SULZBACH
ALEXANDER, BUCHANAN & CORBIN
LEVASSEUR, WERNER Attorney & MITSEFF
RICHARD ROGERS, ATTY.

The above captioned matter will be heard on April 12, 1961
or as soon thereafter as possible at 1800 Cadillac Square Building, in the
city of Detroit, Michigan, commencing at 9:00 o'clock in the forenoon, LOCAL
time. This matter has been reset because the medical examinations
will not be completed until March 27, 1961.

You are directed to be present at the time and place above mentioned
and to be prepared to proceed with the hearing with such witnesses and proofs
as are necessary.

WORKMEN'S COMPENSATION DEPARTMENT

David J. [Signature]
Director

Dated March 9, 1961

C
O
P
Y

February 22, 1961

Workmen's Compensation Department
Lansing 13, Michigan

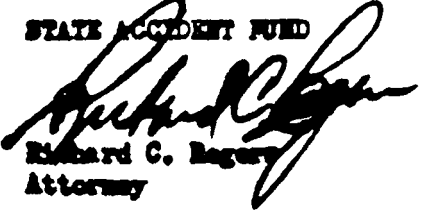
RE: Dean Templeton vs R. E. Anderson, Inc.

Gentlemen:

Enclosed herewith please find Motion to Dismiss in the above
entitled cause.

Very truly yours,

STATE ACCIDENT FUND


Richard C. Bagary
Attorney

RCE:tjb

Encl.

cc: John-Manneville Sales Corp. ✓
Travelers Ins. Co.
Hansfield, Hewitt, Salsbach & Jenkins, Attys.
Owens-Corning Fibreglas Corp.
Aetna Casualty & Surety Co.
Alexander, Buchanan & Conklin, Attys.
Brown Insulation Co.
Michigan Mutual Liability Co.

STATE OF MICHIGAN
WORKMEN'S COMPENSATION DEPARTMENT

DEAN TEMPLETON,
Plaintiff

vs

R. H. ANDERSON, INC. and
STATE ACCIDENT FUND,
Defendants.

NOTION TO DISMISS

Now comes the Michigan State Accident Fund and moves to dismiss as against itself the Application filed by the last employer and its insurance carrier and Attorneys in connection with an Application for Apportionment under Section 9, Part VII of the Workmen's Compensation Act for the reason that the above named plaintiff, Dean Templeton, was employed by the R. H. Anderson, Inc. on April 17, 1958 and April 18, 1958 -- a period of two days -- on which dates the State Accident Fund was not the duly recorded Workmen's Compensation carrier for R. H. Anderson, Inc.

Further, in support of this Motion to Dismiss, the Michigan State Accident Fund avers that their policy became effective on July 15, 1958.

WHEREFORE, the State Accident Fund respectfully requests an Order from the Department dismissing them as a Defendant under the Apportionment Application.

R. H. ANDERSON, INC. and
MICHIGAN STATE ACCIDENT FUND



PRAECIPE FOR HEARING
Workmen's Compensation Department
State of Michigan

Dean Templeton, 5885 McQuire, Taylor, Mich.

Plaintiff

Johns-Manville Sales Corp., et al (See attached list)

Defendant

Date of Injury, June 17, 1960

To:

Director
Workmen's Compensation Department
1800 Cadillac Square Building
Detroit 26, Michigan

Please place the above entitled cause for hearing on the () First Hearing Docket or (☒) Regular Trial Docket.

I, counsel for **Plaintiff** in the above cause, hereby certify that a copy of this praecipe has been served upon all opposite parties.

I, counsel for the **Plaintiff** have discussed this cause with counsel for **Defendant** and we have discussed all possibilities of amicable agreement and I am prepared for trial on the issues.

I, counsel for the **Plaintiff** certify that () no medical examination needed in this cause or () Defendant has complied with Section 19 of Part II and has furnished medical reports to the plaintiff.

/s/ David M. Roberts
David M. Roberts
Attorney for Plaintiff

23460 Church Rd., Oak Park 37, Mich.

Address

See attached list.

Attorney for Defendant

Address

Detroit 26, Michigan

February 17, 1961

This praecipe must be filed with the Workmen's Compensation Department, Detroit, Michigan

TO: WORKMEN'S COMPENSATION DEPARTMENT
DETROIT 26, MICHIGAN

STATE OF MICHIGAN

COUNTY OF WAYNE

} ss.

PROOF OF SERVICE

DEFENDANTS

Johns-Manville Sales Corp.
832 Fisher Bldg.
Detroit, Mich.

Michigan State Accident Fund
1602 Cadillac Tower
Detroit 26, Michigan

Travelers Ins. Co.
930 Dime Bldg.
Detroit 26, Mich.

Glans & Killian Co.
1761 W. Forest
Detroit, Michigan

Mansfield, DeWitt,
Salsbach & Jenkins
Attorneys at Law
1912 Guardian Bldg.
Detroit 26, Mich.

General Accident Assurance Corp.
15440 W. McNichols
Detroit, Michigan

Owens-Corning Fibreglas Corp.
15300 W. 8 Mile Rd.
Oak Park, Mich.

Aetna Casualty & Surety Co.
1000 Guardian Bldg.
Detroit 26, Mich.

Alexander, Buchanan & Conklin
Attorneys at Law
8217 First National Bldg.
Detroit 26, Michigan

Brown Insulation Co.
16200 Hubbell
Detroit, Mich.

Michigan Mutual Liability Co.
28 W. Adams
Detroit 26, Mich.

LeVasseur and Verner
Attorneys at Law
515 Ford Bldg.
Detroit 26, Mich.

R. E. Andersen, Inc.
20483 Woodingham
Detroit, Mich.

STATE OF MICHIGAN
WORKMEN'S COMPENSATION DEPARTMENT
LANSING 13, MICHIGAN



August 3, 1960

James R. Consten, Atty.
Van Born Rd.
Farmington, Michigan.

Johns-Manville Sales, Corp.
122 Fisher Bldg.
Detroit, Michigan.

Dwens-Corning Fibreglas Corp.
15300 W. 8 Mile Rd.
Oak Park, Michigan.

Brown Insulation Co.
16200 Hubbell
Detroit, Michigan.

- Travelers Insurance Co.
930 Dime Bldg.
Detroit, Michigan.
- Metna Casualty & Surety Co.
1000 Guardian Bldg.
Detroit, Michigan.
- Michigan Mutual Liability Co.
28 W. Adams
Detroit, Michigan.

Gentlemen: RE: DEAN TEMPLETON VS: JOHNS-MANVILLE SALES CORP., ET AL.

An Application for Hearing and Adjustment of Claim has been filed and the case will be set for hearing at the earliest possible date. You will be duly notified of the exact time and place of hearing.

It will be necessary for you and your witnesses, if any, to be present at this hearing. If medical testimony is important you should have your doctor present. A mere statement or affidavit from him cannot be accepted as evidence.

If any medical or funeral expenses have been incurred an itemized statement of such expenses should be presented at the time of the hearing.

If for any reason you will not be able to proceed when the case is set for hearing, kindly advise the Department immediately. Forwarding a copy of the Application for Hearing and Adjustment to the opposite party.

Very truly yours,

W. J. Wiles
Director of the Department

Signature LLM LLM
(Applicant must sign here)