

1 mesothelioma. We know that it came from asbestos. We
 2 know that Mr. Vandergucht was exposed to pipecovering
 3 and block at new construction, and that is the key,
 4 because at new construction everybody is there, they
 5 are all working. The dust is everywhere. He is
 6 breathing it.

7 So why is Owens-Illinois and Owens-Corning
 8 Fiberglas here as defendants?

9 Well, I will tell you why. Kaylo. Say it
 10 in your mind, Kaylo. By the end of this trial, you
 11 will know that word. It is kind of an odd word. It
 12 is a word that sticks in your mind. It is a word that
 13 you will all remember when this trial is over.

14 Kaylo was a form of pipecovering and block.
 15 That is what it was called. It was called Kaylo.

16 Between 1943 and 1958, Owens-Illinois, one
 17 of the defendants in Mr. Vandergucht's case, made
 18 Kaylo. They made it.

19 From 1953 until 1958 for those five years
 20 while it is being made by Owens-Illinois, Owens-
 21 Corning Fiberglas is distributing it. They are

1 selling it basically as the distributor.

2 And then things went so well that from 1958
 3 into the 1970s, Owens-Corning Fiberglas decides not
 4 only are they going to sell it, but they buy the line
 5 from Owens-Illinois and they make it.

6 That is why we are here, ladies and
 7 gentlemen.

8 There will be no dispute about what is on
 9 this board, no dispute. I dare say that the lawyers
 10 will get up and admit this. They will admit this that
 11 Kaylo was a form of pipecovering and block, that it
 12 was made by Owens-Illinois during a period of time,
 13 made by and distributed by Owens-Corning Fiberglas.

14 There will be no dispute about that.

15 Ladies and gentlemen, also a thing that
 16 there will be no dispute about is that the Kaylo had
 17 asbestos in it. That is from '43 to '58 when Owens-
 18 Illinois is making the asbestos-containing
 19 pipecovering, it has got 13 to 25 percent amosite and
 20 chrysotile asbestos in it. Mr. Ignatowski told you a
 21 little bit about those differences.

1 From '58 into the '70s when Owens-Corning
 2 Fiberglas was making it, it had 15 to 20 percent
 3 amosite and chrysotile asbestos in it.

4 Look at the block. Same thing. Same dates,
 5 same composition. It had asbestos in it.

6 Well, if asbestos is going in when they are
 7 making it, the evidence will show it is coming out
 8 when it is being sawed at the jobsite and it is coming
 9 out and it is visible, it is in the air. And if it is
 10 in the air, then Mr. Vandergucht breathed it.

11 Ladies and gentlemen, why are we focusing on
 12 Kaylo? Why did we do that?

13 Well, when you get ready for a trial, you do
 14 an investigation. And when you are trying to figure
 15 out what happened back during the time when Mr.
 16 Vandergucht was working out at these new construction
 17 sites, the best thing to do is talk to people he
 18 worked with.

19 We went out and we got the eyewitnesses, the
 20 guys who were there, the guys who stood next to Jean
 21 Vandergucht and breathed the same dust he breathed,

1 saw the boxes he saw, watched the pipecoverers cut the
 2 pipecovering that they did, and you are going to hear
 3 from these men in various forms under oath.

4 You are going to hear the eyewitnesses who
 5 said I stood next to Jean Vandergucht at Sinai, I
 6 stood next to Jean Vandergucht at GBMC and the
 7 pipecoverers were cutting and the dust was flying and
 8 the dust that was flying was Kaylo, and I know he
 9 breathed it because I breathed it because you couldn't
 10 help but breathe it when you were there.

11 And that is what the evidence will show.

12 We will bring in men like Dick Cunningham,
 13 Joe Farrell. You will hear from fellows like Joe Urps
 14 and Virgilio Guglielmi, men who stood arm and arm with
 15 Mr. Vandergucht and will testify as to the products
 16 and exposures that occurred here. Pipecovering and
 17 block, ladies and gentlemen.

18 But, you know, that is not the only product
 19 that contained asbestos. That is not the only product
 20 that contained asbestos, because Mr. Ignatowski told
 21 you that Mr. Grewe was exposed, too. He was also