FILE NAME: Wagner (WAG)

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UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

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CHARLIE AUSTIN, et al., :

Plaintiffs, : HAROLD A. ACKERMAN U.S.D.J.

-against- : Civil Action No. 75-754

JOHNS-MANVILLE, et al., :

Defendants. :

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JOHN ARGESKIE, et al., :

Plaintiffs, : Civil Action No. 76-735

-against- :

JOHNS-MANVILLE, et al., :

Defendants. :

- - - - - - - - - - - - - - - - X

JOSEPH ALESSI, et al., :

Plaintiffs, : Civil Action No. 76-1817

-against- :

JOHNS-MANVILLE, et al., :

Defendants.

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Walter Holden, C.S.R.
President
Esquire Reporting Company
41 East 42 St.
New York
10017
New York
212 687-8010

- - - - - - - - - - - - - - - - - X

JOHN CARNISH, et al., :

Plaintiffs, : Civil Action No. 79-3433

-against- :

JOHNS-MANVILLE, et al., :

Defendants. :

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Continued Deposition of Defendant Lake Asbestos of Quebec, Ltd., by WILLIAM BOYCE RHODES CALLAN, Vice-President of Operations, taken by the Plaintiffs, held at the law offices of Lafleur, Brown & De Grandpre, 800 Victoria Square, Suite 720, Montreal, Quebec, Canada, on the 24th day of November, 1980, commencing at 10:04 a.m., pursuant to Notice, before John B. Newton, Jr., a Certified Shorthand Reporter.

A No.

Q All right, sir, I believe that I asked you a series of questions about any involvement you may have had with warning labels, and you indicated to me that you had none. Moving to a different area in the warning labels, I would like you to focus on that.

Prior to 1973, did you ever see a warning label on a bag of asbestos fiber that was produced by Asbestos Corporation, Limited?

A I don't recollect the time frame exactly.

Q Is that that it could be prior to '73, it could be '73, or it could be after '73?

A It could be '73; it could be after '73.

Q Could you tell me, sir, to the best of your recollection, what the contents were of the warning label that was used--withdrawn.

Do you know, sir, if a warning label was used on Asbestos Corporation, Limited fiber that was shipped to its users prior to 1973?

A I am not certain on the time frame.

Q But you are certain at some point that a warning label was placed on bags of asbestos fiber?

A Yes.

Q And that could be prior to '73, '73, or

after '73?

A Yes.

Q The documents would really contain the date, so to speak, that that label was used; is that correct?

MR. CAMPION: This information has already been provided in the answers to interrogatories.

MR. BAUMEISTER: All right, so we have a stipulation that--

MR. CAMPION: You have an interrogatory answer.

MR. BAUMEISTER: We have an interrogatory answer that--

BY MR. BAUMEISTER:

Q Maybe that will refresh your recollection that warning labels were placed on bags of asbestos fiber prior to 1973.

All right; with that in mind, sir, could you tell me your recollection of the contents of that warning label?

A Truthfully, no.

Q Okay. Focusing on how the warning label was displayed on the bag of Asbestos Corporation, Limited fiber for a moment. Do you remember the

in the warning label as it was stencilled on the bag?

A Approximately?

Q Approximately.

A Two inches by four inches.

Q And at some time the warning label information was preprinted on the bag?

A Yes.

Q And do you know when that began, that practice?

A No, I don't.

Q Could it have begun in '73, or prior thereto?

A Could have.

Q Could have. When you say "preprinted," does that mean that the people who would manufacture the bags that would contain your fiber, would deliver bags to you with the warning information contained thereon?

A That's correct.

Q And where was the information contained on the bags once they were preprinted; same places?

A On the sides.

Q On the sides. Were there any on the end or just the sides after they were preprinted?

E. I. DU PONT DE NEMOURS & CO., INC. SEAFORD, DELAWARE

BILL: Accts. Payable Sect., Wilmington 98, Del.

1958
Jan. 9 40/100 lb. bags 6D ASBESTOS FIBRE @ 5.20/100 lbs. Phila (ASBESTOS CORP.) N 653-6D) Lot #22730 Item #6-184

1/10/58 - Effective immediately, 6D ASBESTOS will be $5.75/100 lbs. for ton lots & over

June 2 40/100 lb. bags 6D ASBESTOS FIBRE @ 5.75/100 lbs. Phila. (ASBESTOS CORP.) Item #6-184 Lot #22730

Dec. 1 40/100 lb. bags DITTO

1959
June 10 80/50 lb. bags 6D ASBESTOS FIBRE @ 5.75/100 lbs. Phila. (ASBESTOS CORP.) Item 6-184 Lot #26583

Dec. 28 80/50 lb. bags DITTO Lot #29295

1960
May 13 40/100 lb. bags 6D ASBESTOS FIBRE @ 5.75/100 lbs. Phila. (ASBESTOS CORP.) Item #6-184 Lot #31129

Nov. 14 40/100 lb. bags ditto Lot #33804

1961
Sept. 25 20/100 lb. bags 6D ASBESTOS FIBRE @ 5.75 cwt. Phila. (ASBESTOS CORP Item 50-184 Lot #37166

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(CONT'D.)

E. I. DuPONT DE NEMOURS & CO., INC. SEAFORD, DELAWARE

BILL: ACCTS. PAYABLE SECT., WILMINGTON 98, DEL.

1962

June 18 20/100 lb. bags 6D ASBESTOS FIBRE @ 5.75/100 lbs. Phila. (ASBESTOS CORP.) Lot #10201 Item 500-28496-196

Dec. 17 20/100 lb. bags 6D ASBESTOS FIBRE @ 5.75 cwt Phila. (ASBESTOS CORP) Lot # 12172 Item 500-28496-196

" 18 25 pcs. GLASS BONDED MICA 1-5/8" I.D. x 3½" O.D. x 1/8" thick @ 3.45 ea. Peabody, Mass. (HL)
25 pcs. GLASS BONDED MICA 1-5/8" I.D. x 3" Square x 3/16" thick @ 3.25 ea. Peabody, Mass. (HL) Plus p.p. $1.90 net 30 to Construction Div., Attn A.S. Trumpore, Jr., Seaford, Del.

" 20 20 pcs. BW MICA WASHERS 1-5/8" I.D. x 3½" O.D. x 1/8" thick @1.40 ea Peabody, Mass. (HL)
15 pcs BW MICA WASHERS 3 x 3" Sq. x 1-5/8" I.D. x .125" thick @1.20 ea. Peabody, Mass. (HL) Set up chge. @ 15.00 per item pp, sd, & ins. $1.40 1% 10 days billed 12/28 Billed P.O. Box 500, Seaford, Del. tp Construction Div.

1963

Apr. 4 162 pcs. NATURAL LINEN ELECTRICAL GRADE TEXTOLITE MICA 1" x 2½" x 1/8" thick @ 21.00/100 pcs. Peabody, Mass. (HL)
Plus p.p. s.d. $1.30 net 30 days

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Cont'd XXXX

E. I. DuPONT DE NEMOURS & CO., INC. SEAFORD, DELAWARE

1963 BILL: ACCTS. PAYABLE SECT., WILMINGTON 98, DEL.

June 4 155 pcs. NATURAL LINEN ELECTRICAL GRADE TEXTOLITE MICA 1" x 2½" 1/8" thick @ 21.00/100 pcs. Peabody, Mass. (HL) Plus p.p. $1.22 S.D. Net 30 days

" 11 12 pcs. GLASS BONDED MICA 1-5/8" I.D. x 3" Sq. x 3/16" thick @ 3.25 ea. Quincy, Mass. (H-L)
25 pcs. GLASS BONDED MICA 1-5/8" I.D. x 3½" O.D. x 1/8" thick @ 3.45 ea. Quincy, Mass. (H-L) Plus postage @ $1.30
Shipped & billed Construction Div., P.O. Box 500, Seaford, Del.

Sept. 24 15/100 lb. bags oD ASBESTOS FIBRE @ 5.75/100 lbs. Phila. (ACL)
Item 500 28490 196 Lot #92403

1964
Feb. 12 15/100 lb. bags 6D ASBESTOS FIBRE @ 5.75/100 lbs. Phila. (ACL)
Item 500 T44712 Lot #2104

Apr. 7 19/100 lb. bags 6D ASBESTOS FIBRE @ 5.75/100 lbs. Phila (ACL)
Item 500-T44712 (originally ordered 20 bags)

Oct. 26 20/100 lb. bags 6D ASBESTOS FIBRE @ 5.75 cwt Phila. (ACL)
Part # 500-44712

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(CONT'D) XXXX

E. I. du PONT de NEMOURS & Co., Inc. Seaford, Delaware

Bill: Acct. Payable Sect. Wilmington, Delaware 19898

1965

Jan. 11 20/100 lb. bags 6D ASBESTOS FIBRE @ 5.75 cwt. Phila (ACL) 4.50/c - 1/15/65
Item 500-T-44712 Shipped & billed Seaford

May 24 12/100 lb. bags 6D ASBESTOS FIBRE @ .0675 lb. Phila (ACL)
Item 500-T-44712 Shipped & billed Seaford

July 7 12/100 lb. bags 6D ASBESTOS FIBRE @ .0675 lb. Phila. (ACL)
Item 500-T-44712 Shipped & billed Seaford

Sept. 15 12/100 lb. bags 6D ASBESTOS FIBRE @ .0675 lb. Phila (ACL)
Item 500-T-44712 Shipped & billed Seaford

Nov. 3 12/100 lb. bags 6D ASBESTOS FIBRE @ .0675 lb. Phila (ACL)
Item 500-T-44712 Shipped & Billed Seaford

Dec. 6 18/100 lb. bags 6D ASBESTOS FIBRE @ .0675 lb. Phila (ACL) 4.67-5/10/66
Item 500-T-44712 Billed Wilmington, Del

1966

Mar. 1 10/100 lb. bags 6D ASBESTOS FIBRE @ .065 lb. Phila (ACL) Partial
" 23 10/100 lb. bags 6D ASBESTOS FIBRE @ .065 lb. Phila (ACL) Complete
Item 500-T-44712 4.67-5/10/66

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E. I. DU PONT DE NEMOURS & CO., INC. SEAFORD, DELAWARE 19973

BILL: Acct. Payable Sect., Wilmington, Del. 19898

1966

May 6 20/100 lb. bags 6D ASBESTOS FIBRE @ .065 lb. Phila. (ACL) Item 500-T-44712

Aug. 30 20/100 lb. bags 6D ASBESTOS FIBRE @ .0675 lb. Phila. (ACL) Item 500-T-44712 Lot 83066

1967

Jun. 18 20/100 lb. bags 6D ASBESTOS FIBRE @ .0675 lb. Phila. (ACL) Item 500-T-44712 Lot #11867

June 20 20/100 lb. bags 6D ASBESTOS FIBRE @ .07 lb. Phila. (ACL) Item 500-T-44712 Lot #62067

1968

Jan. 4 10/100 lb. bags 6D ASBESTOS FIBRE @ .0775 lb. Phila. (ACL) Item 500-T-44712 Lot #1468

Apr. 17 10/100 lb. bags 6D ASBESTOS FIBRE @ .08 lb. Phila. (ACL) Item 500-T-44712 Lot #41768

Aug. 2 10/100 lb. bags 6D ASBESTOS FIBRE @ .08 lb. Phila. (ACL) Item 500-T-44712 lot #8268

Nov. 26 10/100 lb. bags 6D ASBESTOS FIBRE @ .08 lb. Phila., (ACL) Item #500-T-44712 Lot #112568

1969

Mar. 4 10/100 lb. Bags 6D Asbestos Fibre @.085 lb. Phila. (ACL) Item 500-T-44712 Lot #3469

076S05

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E. I. DUPONT DE NEMOURS & CO., INC. Seaford, Delaware 19973

1969
June 16 10/100 lb. bags 6D ASBESTOS FIBRE @ .085 lb. Phila. (ACL) Item Lot# 61369 500-T-44712

Aug. 22 10/100 lb. bags 6D ASBESTOS FIBRE @ .085 lb. Phila. (ACL) Item 500-T-44712

Dec. 16 10/100 lb. bags 6D ASBESTOS FIBRE @ .085 lb. Phila. (ACL) Item Lot# 140391 500-T-44712

1970
Feb 16 10/100 lb. bags 6D ASBESTOS FIBRE @ .085 lb. Phila. (ACL) Item Lot# 26452 500-T-44712

Feb 16 10/100 lb. bags 6D ASBESTOS FIBRE @ .085 lb. Phila. (ACL) Item Lot# 26452 500-T-44712

Aug. 25 10/100 lb. bags 6D ASBESTOS FIBRE @ .085 lb. Phila. (ACL) Lot# 083570 Item# 500-T-44712

Oct. 26 10/100 lb. bags 6D ASBESTOS FIBRE @ .085 lb. Phila. (ACL) Lot#102670 Item# 500-T-44712

Dec. 10 10/100 lb. bags 6D ASBESTOS FIBRE @ .085 lb. Phila. (ACL) Lot# 121870

1971
Feb. 11 10/100 lb. bags 6D ASBESTOS FIBRE @ .085 lb. Phila. (ACL) Lot# 21171

July 27 10/100 lb. bags 6D ASBESTOS FIBRE @ .09 lb. Phila. (ACL) Lot# 72771 Item# 500-98083

1972
Jan 4 10/100 lb. bags 6D ASBESTOS FIBRE @ .09 lb. Phila. (ACL) Lot# 1472 Item# 500-98083

COM'D

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(CONT'D)

E.I. DUPONT DE NEMOURS & CO., INC. Seaford, Delaware 19973

1972

Feb. 23 CREDIT MEMO: Jones Motor returned to our whse. today for credit from Dupont's Seaford, Delaware plant, 11 bags of 6 D ASBESTOS 11 bags of 6D(1100#) @ .09 lb. Less 10% rehandling chge.

Mar. 24 2/100 lb. bags 6D ASBESTOS @ .105 lb. Phila. (ACL) Lot# 32472 Item# 500-98083

Apr. 7 1/100 lb. bag 6D ASBESTOS @ .105 lb. Phila. (ACL) Lot# 4772 Item# 500-Z-28992

AUG. 16 1/100 lb. bag 6D ASBESTOS @ .105 lb. Phila. (ACL) Lot# 81672 Item# 500-Z-28992

Sept. 11 1/100 lb. bags6D ASBESTOS @ .105 lb. Phila. (ACL) Lot# 91172 Item# 500-Z-28992

1973

Jan 29(2/1) 1/100 lb. bag 6D ASBESTOS @ .105 lb. Phila. (ACL) Lot# 12973 Item# 500-Z-28992

1974

Feb. 12 2/100 lb. bags #105 TERRA ALBA @ .075 lb. Phila. (USG) Lot# 21274

090940