

FILE NAME: General Motors (GM)

DATE: 1995 Aug 29

DOC#: GM061

DOCUMENT DESCRIPTION: Memo RE GM Document Production/Liability Memo

MEMORANDUM

To: Steve Wolens, Diane Andrew, Amy Blumenthal, Steve Gruber and Jeffrey Simon

From: Pat Folkerth

Date: August 29, 1995

Re: General Motors Document Production/Liability Memo

As you know, when we attended the General Motors document production in Dayton, OH earlier this summer, GM produced no useful/relevant documents to us. Perhaps the attached liability memo will give you some ideas about the kind of documents/information we should be able to request from GM.

I have contacted some other law firms, but so far I have been unable to locate any other firm which has any early GM workers' compensation cases.

Although we were unable request copies of post-1965 documents at the production, I did copy information from some of the documents we were reviewing:

GM Dayton supervisors/directors included:

J. Mark Brumbaugh - Supervisor of Compensation, Delco Moraine Division, GM Corp., 1420 Wisconsin, Dayton, OH 45408 - from 1959 to at least 1967.

Dr. Richard L. Whitmer - Medical Director, Delco Moraine, 1420 Wisconsin, Dayton - from 1961 until at least 1969

Richard P. Scheu - Supervisor WC, Delco Products Division, GM Corp., Dayton - 1969

Don Abbott, Supervisor of Workers' Comp., Delco Moraine, Dayton - 1975 until at least 1984 - (Abbott was the GM person to whom insurance certificates were issued. He attended a conference on WC sponsored by Smith & Schnacke (attorneys) in 1984.

Dr. Evelyn Mobley, Director of Occupational Safety & Health, attended a workers' comp seminar on 2-15-84.

Patricia McEldowney, Supervisor of Insurance - 1980

There was a letter from P.G. Frey, Asst. Mgr./Investigation, to Don Abbott with an employee list of Agency Personnel who "may perform investigations for General Motors Corp."

L.A. Wheeler
G.W. Merriman
B.J. Upton
A.F. Threats, Jr.
K.A. Kolozsi
P.G. Frey

Metropolitan Life insured GM for workers' comp claims in the late 1970's. Thomas A. Salvato was the Met Life Manager, Group Claims Office, First National Plaza, Dayton, OH 45470. N. Kahler was the supervisor for group health claims at that time.

Listed below are some employees at the Dayton Delco Moraine plant:

Frances P. Wernicke, 33 Mello Ave., Dayton, OH 45410 - assembler of brake plates in 1975 (at the time 57 years old)

Martha H. Wolfe, 1552 Navajo Dr. Xenia, OH 45385 - Brake Inspector from 1960 to 1979

Quintina J. Wilson, 2257 Finland Dr., Dayton, OH 45439 - was diagnosed as having "abdominal pain due to asbestos exposure" in the 1980's

There were a couple of documents dated Oct. 26, 1984 referring to GM workers' comp. meetings:

Pat Osborne - "Systems Utilization in W.C. Administration" 10/26/84 meeting.

Dr. McCloud - PPD Evaluation Meeting "W/C Oper. Mtg., Friday, 10/26/84"

There was a handwritten page which read, "Let Gary Brinsfield know - Silverman - Legal Staff - asbestos cases"

A page from the GM Administration Manual, Page IV-13, Sec. 455, (9-77) - "If requested, any claim file is to be turned over to any attorney or representative of GM who represents the corporation in WC or Unemployment Comp. Cases. They may be removed from the premises."

cc: Russell Budd
Peter Kraus
Mary Skelnik

GENERAL MOTORS CORPORATION PRODUCT CHART

Note: ~~GM holds that brake linings incorporated into its vehicles in the 1910s & comprise of nonasbestos-containing materials. Refer to source listing number: t~~
to Load Br Brakes

PRODUCT	NAME	DESCRIPTION	USE	% ASBESTOS	YRS. CONTAINING ASBESTOS	TYPE OF ASBESTOS
GM Manufactured Drum Brakes L. (Trade Names Inlite & Delco)	Brake Linings co)	Solid, curved, dense, grayish material	Component of vehicle braking system. Used in Autos, light trucks, Buses & Coaches (4)	50%-75% (1) (4)	1939-present (2) Sales of these as separate replacement components ceased in 1979 (4)	Chrysotile
Non-GM Manufactured Drum Brake Linings (Note 1 below)	Brake Linings See			?	1928s-present (2)	Chrysotile
GM Manufactured Disc Brake Linings (Trade Names: AC Delco; Delco; Delco; GM Parts; Delco; Delco)	Brake Linings See	Dense grayish or tan material	Component of vehicle braking system	30%-50% (1)	1966-1985 (2)	Chrysotile 11

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✓ Stocked for use
 Delco

PRODUCT NAME	DESCRIPTION	USE	% ASBESTOS	YRS. CONTAINING ASBESTOS	TYPE OF ASBESTOS	YR. OF 1ST WARNING	SOURCE
Non-GM Manufactured Disc Brake Linings (See Note II below)			?	1966- present (2)	Chrysotile	?	2
GM Manufactured (Trade Names: Delco Moraine; Delco; United; Hydra-Matic) Clutch Plate Facing and Bands for Automatic Transmissions (See Note III for purchased components of foregoing bands)	Plates: light tan to medium brown in color w/ smooth paper-like texture	Components of transmission system	Band lining: 40%-50% (2)	1965-1979 (2)	Chrysotile	1975	1,2, 4

PRODUCT NAME	DESCRIPTION	USE	% ASBESTOS	YRS. CONTAINING ASBESTOS	TYPE OF ASBESTOS	YR. OF 1ST WARNING	SOURCE
GM Manufactured Clutch Plate Assemblies for Manual Transmissions w/ asbestos-bearing facings purchased from other manufactures (Trade Names: GM Parts; Buick; Cadillac; Chevrolet; Oldsmobile; Pontiac; GMC Truck) (See Note IV for suppliers of asbestos-laden facings)	Dark brown	Component of manual transmission system	?	1930-1980s (2)	Chrysotile	?	2

Note I: GM purchased drum brake linings from outside suppliers. They were as follows: Johns-Manville; Abex Corporation; Eaton Brake Division; Dana Axel; American Coleman; Delco moraine; Inland/Inlite; B.F. Goodrich; Bendix; Dayton Walther; H.K. Porter; Kelsey Hayes; Kelsey Products Division; Rockwell International; Unibond Brake; Wagner Electric; Raybestos Manhattan; Friction Division Products; Ferod; ITT AMCO; Multibestos; Universal Friction; Akebono; AMCO and Marshall Eclipse. The dates of manufacture w/ asbestos, as well as the percentage of asbestos, are unknown. Chrysotile was used by all of the foregoing manufacturers. Reference source two (2).