

Attachment K

ARMSTRONG'S CONTRACT DEPARTMENT

Armstrong historically was a cold storage manufacturer and contractor, supplying cork insulation products which were installed by its employees in dairies, ice houses, etc. Except for a limited high pressure product line manufactured 1910-1930, Armstrong's main involvement with asbestos-containing insulation products began at the beginning of World War II, when its Contract Department was first able to install products manufactured by others. Armstrong remained an insulation contractor until the end of 1957, when the contracting business was taken over by ACandS. Documents which may expand upon these responses are available for inspection.

CONTRACT DEPARTMENT WORKER'S COMPENSATION CLAIMS

Armstrong received a number of worker's compensation claims filed by its former union employees, which claimed health problems from asbestos. The first claim was in 1952, and eight more were received by Armstrong while it continued as an employer of union insulators (until the end of 1957). Of the two claims which reached disposition during this period, Armstrong was dismissed from one and paid benefits in the other.

From then until April 1969, when Armstrong last sold an asbestos-containing insulation product, Armstrong received 47 more claims from its former contract department employees, and handled other such claims for ACandS. The majority of Armstrong claims disposed of during this period resulted in dismissals or a similar result for Armstrong.

Following is a case-by-case summary of the contract department worker's compensation claims:

<u>Claimant</u>	<u>First Receipt of Claim</u>	<u>Claimant Attorney</u>	<u>Location</u>	<u>Disposition Date</u>	<u>Disposition as to Armstrong</u>
Rothwell, Richard J. Faulkner Rd. Wilmington, MA	9/52	L. Locke (address unknown)	Ind. Accid. Bd. Boston, MA	10/16/53	Dismissal
Hyatt, Floyd (address unknown)	9/53	Lucille Snowden 808 Seybold Bldg. Miami, FL	Fla. Ind. Comm. Div. - Tallahassee No. S-85602	5/4/54	Award - \$5,000
Munger, Lewis M. (address unknown)	1954	Unknown	Mich. WCAB Bay City	9/8/61	Settlement - \$9,616 (Est.)
son, Jack H. Drive	11/54	Smith & Parrish 1616 Fin. Ctr. Bldg. San Francisco, CA	Cal. Ind. Accid. Comm., San Francisco No. 96 C 622198	5/8/58	Settlement - \$468.60

<u>Claimant</u>	<u>First Receipt of Claim</u>	<u>Claimant Attorney</u>	<u>Location</u>	<u>Disposition Date</u>	<u>Disposition as to Armstrong</u>
Campbell, Edward Woodtick Road Waterbury, CT	7/55	Norman Zolot 2607 Whitney Avenue Hamden, CT	W. C. Comm. Hartford, CT		No award indicated
Swartout, John E. 3000 Merrywood Drive Sacramento, CA	7/56	Smith, Parrish, et al 501 Fin. Ctr. Bldg. Oakland, CA	Cal. Ind. Accid. Comm. San Francisco No. 56 SF 169 171	7/27/60	Dismissal
Hartwig, Henry 1917 North 34th Street Milwaukee, WI	2/57	Hugh Hafer 511 Warner Theater Bldg. Milwaukee, WI	Wis. Ind. Comm. Madison No. E 2227 287	1/10/58	Dismissal
Coll, Vincent P. 719 Cleveland Drive Cheektowaga, NY	7/57	Unknown	N.Y. W.C. Appeals Buffalo No. 85702510	10/30/59	Settlement - \$2,191 (Est.)
Haake, Harry 33 Sunny Ridge Drive East Hartford, CT	10/57	Unknown	W.C. Comm. of Ct. No. B8683974	10/16/59	Settlement - \$124.45
McCarrell, E. O. 12255 Hart Street North Hollywood, CA	2/57	Unknown	Cal. Dept. of Ind. Relats. Los Angeles No. 56 LA 176 684	11/2/60	Settlement - \$13,319
Shepherd, James R. (address unknown)	4/58	Unknown	Ind. Accid. Bd. Boston, MA	6/8/61	Settlement - \$5,891.29
Spencer, Thomas B. R. D. #2 Williamstown, NJ	6/58	Samuel Pelsky 735 P.S.F. Bldg. Philadelphia, PA	Pa. Bur. of W.C. No. 150802	6/7/62	Dismissal
Strickland, Fred E. 39 Ellsworth Street San Francisco, CA	8/58	Smith, Parrish, et al 501 Fin. Ctr. Bldg. Oakland, CA	Cal. Ind. Accid. Comm. San Francisco No. 57 SF 182-526	7/27/59	Settlement - \$37.50
Thorsted, Roy (address unknown)	6/59	Unknown	Cal. Ind. Accid. Comm. Oakland No. 59 OAK 1367	12/30/59	Dismissal

<u>Claimant</u>	<u>First Receipt of Claim</u>	<u>Claimant Attorney</u>	<u>Location</u>	<u>Disposition Date</u>	<u>Disposition as to Armstrong</u>
Reed, Clarence H. 1230 Essex St. San Antonio, TX	6/59	Rudy Rice 4175 South Main San Antonio, TX	Ind. Accid. Bd. Austin, TX	6/7/60	Settlement - \$500
Cuthbertson, Robert F. (address unknown)	7/59	Unknown	Cal. Ind. Accid. Comm. Oakland No. 59 OAK 1053	12/31/61	Dismissal
Viall, Lloyd V. 5485 South 4270 West Kearns, UT	8/59	Unknown	Nev. Ind. Comm. No. OD 59 14826		No award indicated
Zini, Robert 3184 Turk Street San Francisco, CA	8/59	Smith, Parrish, et al 405 14th Street Oakland, CA	Cal. Ind. Accid. Comm. No. 58 SF 186 653	7/1/60	Dismissal
Streithorst, L. J. 2637 Lincoln Avenue Richmond, CA	5/60	Smith, Parrish, et al 501 Fin. Ctr. Bldg. Oakland, CA	Cal. Ind. Accid. Comm. No. 60 SF 192 145	5/19/64	Dismissal
Curtis, Harvey E. 28312 Michigan Avenue Inkster, MI	8/60	Markle & Markle 1030 Buhl Building Detroit, MI	Mich. W.C. Dept. Detroit No. B 9384208	11/7/62	Dismissal
Dean, William 61-07 Woodside Avenue Woodside, NY	9/60	Unknown	N.Y. W.C. Bd. N.Y.C. No. 06008650	2/26/62	Dismissal
Harding, Clifford P. 1407 Howe Avenue Sacramento, CA	1/61	Smith, Parrish, et al 501 Fin. Ctr. Bldg. Oakland, CA	Cal. Ind. Accid. Comm. Oakland No. 60 SF 193 854	2/27/62	Settlement - \$50.57
Riley, James W. 1596 West June Avenue Anaheim, CA;	12/59	Hays, McLaughlin & Evans 6331 Hollywood Blvd. Los Angeles, CA	Cal. Ind. Accid. Comm. Los Angeles No. 57 LA 182 835	11/3/61	Settlement \$1,324.91
Gronenthal, John 1116 Fifth Avenue Spokane, WA	8/61	Leo Frederickson 203 Rookery Bldg. Spokane, WA	Wash. Bd. of Ind. Ins. No. C 753 051		No award indicated

<u>Claimant</u>	<u>First Receipt of Claim</u>	<u>Claimant Attorney</u>	<u>Location</u>	<u>Disposition Date</u>	<u>Disposition as to Armstrong</u>
Staples, John D. (address unknown)	6/62	Unknown	Cal. Ind. Accid. Comm. No. 62 LB 19396	4/25/63	Settlement - \$821.80
Brodale, Frederick 2344 Fulton Street Berkeley, CA	8/62	Minor J. Schmid 1322 Webster Street Oakland, CA	Cal. Ind. Accid. Comm. Oakland No. 62 OAK 8566	4/6/64	Settlement - \$111
Gilivich, Steve 239 Georgia Avenue San Bruno, CA	8/62	Smith, Parrish, et al 315 Fin. Ctr. Bldg. Oakland, CA	Cal. Ind. Accid. Comm. Oakland No. 61 OAK 7152	8/8/63	Dismissal
Wyss, John (address unknown)	8/62	Robert Laws 405 - 14th Street Oakland, CA	Cal. Ind. Accid. Comm. No. 62 OAK 7422	4/26/66	Settlement - \$362
Kingston, George A. 2617 West 70th Street Minneapolis, MN	11/62	Robins, Davis & Lyons 1130 Minn. Bldg. St. Paul, MN	Minn. Ind. Comm. St. Paul No. 112920	3/29/63	Settlement - \$1,500
Miller, Arthur H. 3217 Castalia Avenue Los Angeles, CA	11/62	Brundage, Hackler, et al 1621 West 9th Street Los Angeles, CA	Cal. Ind. Accid. Comm. Los Angeles No. 62 LA 235 371	3/25/66	Dismissal
Faulkner, John 12328 Carmenita Whittier, CA	5/63	Louis Berson 305-1/2 Avalon Blvd. Wilmington, CA	Cal. Ind. Accid. Comm. Long Beach No. 63 LB 22467	1/14/64	Dismissal
Goans, Robert O. 4232 - 25th Street San Francisco, CA	8/63	Smith, Parrish, et al 315 Fin. Ctr. Bldg. Oakland, CA	Cal. Ind. Accid. Comm. Oakland No. 63 OAK 11052	8/12/64	Settlement - \$175
Greischar, Paul J. 151 LaVista Avenue Concord, CA	5/62	Smith, Parrish, et al 315 Fin. Ctr. Bldg. Oakland, CA	Cal. Ind. Accid. Comm. Oakland No. 62 OAK 8188	4/5/66	Settlement - \$85
Everitt, Allen 449 - 22nd Street Richmond, CA	1/64	Unknown	Cal. WCAB Oakland No. 63 OAK 11139	11/1/66	Dismissal
Novak, Edward C. 1855 Riverton Avenue North Hollywood, CA	9/64	William Hays 6331 Hollywood Blvd. Los Angeles, CA	Cal. Ind. Accid. Comm. Los Angeles No. 63 LA 250 854	8/18/66	Settlement - \$300

<u>Claimant</u>	<u>First Receipt of Claim</u>	<u>Claimant Attorney</u>	<u>Location</u>	<u>Disposition Date</u>	<u>Disposition as to Armstrong</u>
Stanley, John 10786 Stanley La. Garden Grove, CA	2/69	Jerrold M. Wolf 727 West 7th Street Los Angeles, CA	Cal. WCAB Santa Ana No. 68 ANA 23456	6/6/69	Settlement - \$221.87

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

JUN 15 1982

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEACONTON DIVISION

MICHAEL E. SMITH, CLERK
BY Michael Smith

MICHAEL GRACEY

S.

BEACONTON CORPORATION,
ET AL

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Civil Action No. E-80-658-CL

ORDER

On this day came on to be considered Defendant Armstrong World Industries, Inc.'s Motion for Judgment Notwithstanding the Verdict of the jury in regard to one of its products submitted to the jury, to wit: LT Cork Covering, and it appearing to the Court that said Motion should be granted in that the jury's finding that LT Cork Covering was defectively designed and defectively marketed is against the great weight and preponderance of the evidence; it is therefore

ORDERED that said defendant's Motion is granted and the verdict of the jury concerning defendant Armstrong World Industries, Inc.'s product LT Cork Covering is hereby set aside and held for naught, and said defendant shall not be liable to the plaintiff for any exposure to plaintiff, if any, from LT Cork Covering.

SIGNED this 15th day of June, 1982.

Michael Smith
UNITED STATES DISTRICT JUDGE