$2.5 Million Lawsuit Brought Against J-M

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SHERMAN — A $2.5 million lawsuit was filed Monday in U.S. District Court against the Johns-Manville Corp. by Charlie Downs of Durant.

The suit alleges that Downs was "seriously and permanently injured as a result of asbestosis, lung cancer, pulmonary disease, pleural mesothelima and other related diseases now developed, and in the developing stages or which will subsequently develop as the result of his contact with asbestos while working with Johns-Manville in Denison."

In his suit, Downs claims his wage earning capacity has been permanently destroyed, that he has suffered physical pain and mental anguish, that he has incurred medical and hospital expenses and expects to have substantial medical and hospital expenses for the remainder of his life, that his life span has been greatly reduced and that he has "contracted a disease with these unreasonably dangerous products which will be fatal to him."

The suit, a class action filing for all who have been exposed to asbestosis and may have contracted cancer, contends that persons in the industry have been aware of the problem for years and have failed to take any action to alleviate it.

Attorney Larry Cain of Sherman, representing Downs, said the suit was one of two suits he is preparing. The second suit will be filed within the next couple of weeks, he said. A similar suit has been filed in Tyler against Pittsburgh Corning Glass.

Johns-Manville plant manager, Lou Richards said, "we are aware of the class action suit that has been filed; however, we have not yet received a copy of the document, and haven't reviewed it and cannot respond at this time."

PENGAD-Bayonne,N.J.
PLAINTIFF'S EXHIBIT
~~JMMC-65~~