



DEPOSITION SUMMARY

HORACE BAKER

TAKEN ON: JUNE 27, 1991

C. A. NO. 905650; MARGARET G. DOUGLAS VS. ABEX CORPORATION, ET AL., IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF SAN FRANCISCO.

<u>PAGE:</u>	<u>LINE:</u>	<u>DESCRIPTION:</u>
5	15	Horace Baker.
6	1 - 25	Previous deposition, C. F. Braun lawsuit. \$2,000 settlement. Not asbestos related.
9	1 - 25	No current medications. Is represented by counsel.
10	1 - 25	Discussion of counsel.
11	14 - 25	Discussion of Thorpe Companies.
12	1 - 25	Discussed company formation.
14	1 - 25	Was not given advice about the deposition. Hillyard represented J.T. Thorpe.
15	1 - 25	Hillyard met him at his home.
16	11 - 25	Discussed the history of J.T. Thorpe at the meeting.
17	19 - 25	Was not given advice on how to answer questions.
18	24	Born in 1914.
19	1	Good health.
20	1 - 25	Did not bring documents.
21	4 - 25	Has no documents reflecting the purchase or source of asbestos. Knows no one who has knowledge of location of the documents.
22	1 - 25	He was president and CEO of J.T. Thorpe, Inc.

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23	1 - 25	Does not know the source of the asbestos. Does not have documents concerning health hazards associated with asbestos.
26	13 - 14	Does not have materials reflecting compensation claims made on behalf of J.T. Thorpe employees for asbestos exposure.
27	1 - 25	Is uncertain whether J.T. Thorpe employees filed worker's comp claims. Does not have documents reflecting warnings.
28	10 - 11	J.T. Thorpe was a privately owned corp.
29	3 - 25	Has no documents reflecting studies conducted by J.T. Thorpe. Has no documents reflecting J.T. Thorpe employees, or their job titles or duties.
30	1 - 25	Has no notes or minutes of J.T. Thorpe. Has no records reflecting James Baird Douglas' employment with J.T. Thorpe; 1960-1982.
31	1 - 25	Douglas was a glass plant foreman for J.T. Thorpe. Does not have a list of jobsites reflecting 1960-1982 employment for Douglas. Douglas may have worked at refineries.
32	8 - 25	Has no materials reflecting Douglas' co-workers, 1960-1982. Baker is retired; 1988. He sold J.T. Thorpe in 1986.
33	9 - 25	Baker owned approximately 55% of the shares when he sold J.T. Thorpe.
34	1 - 25	William Solaini was the president of J.T. Thorpe. Leo Parrish was treasurer.
35	1 - 25	He sold the business to pay off the retiring shareholders.
37	4 - 6	Is not receiving income from J.T. Thorpe.
39	1 - 25	After he retired, he remained as an employee. When he retired in December 1986 was CEO.

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60	25	Thorpe Insulation did place warning signs.
61	1 - 25	Discussion of warning labels.
62	1 - 25	Thorpe, Inc. did warn employees of asbestos hazards.
63	1 - 25	Does not remember the time period of the warnings. Employees were warned through meetings. He attended meetings where the asbestos hazards were discussed.
65	24	Does not recall the names of persons who conducted the meetings.
66	1 - 25	J.T. Thorpe did provide its employees with respirators and masks. J.T. Thorpe did not belong to any professional associations.
67	10 - 25	Does not recall whether the manufacturers advised Thorpe of the dangers of asbestos. Does not recall when manufacturers ceased putting asbestos in their insulation products.
68	17 - 25	Safety meetings began with OSHA.
69	1 - 25	Does not know whether J.T. Thorpe safety meetings took place prior to time manufacturers stopped putting asbestos in their products.
70	17 - 25	To his knowledge, J.T. Thorpe never employed an industrial hygienist.
71	1 - 25	J.T. Thorpe did not do work in shipyards until about 1941.
72	1 - 25	Discussion of work in shipyards.
73	1 - 25	James Kelso served as an estimator with J.T. Thorpe.
74	24 - 25	Worked as an analyzer in the 1930s and 1940s.
75	1 - 25	Discussion of work in the shipyards.

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76	15 - 17	He worked at Bethlehem shipbuilding in San Pedro, CA.
77	5 - 25	He worked at Consolidated Steel Corp., Craig Shipbuilding in Long Beach, Dockside Machine and Boiler Works.
78	13 - 15	Worked at Los Angeles Shipbuilding and Dry dock.
79	1 - 25	Discussion of work in shipyards.
80	4 - 25	Worked at Longbeach Naval Shipyard. At the shipyards J.T. Thorpe repaired refractory linings of the boilers.
82	1 - 25	Discussion of work in shipyards.
83	23 - 25	Insulation was mostly expansion joint material and packing material.
84	1 - 4	Refractory cement was also used.
85	1 - 25	Discussion of contracts between J.T. Thorpe and customers.
86	1 - 25	Discussion of repair work at shipyards.
87	12 - 25	J.T. Thorpe delivered fire brick to the shipyard.
88	1 - 25	Discussion of contractual agreements between J.T. Thorpe and customers.
89	1 - 25	Contracts did not require J.T. Thorpe to deliver products to the shipyard.
90	1 - 25	Suppliers delivered materials to the ship.
92	1 - 25	Purchase orders reflected J.T. Thorpe. 5-10% of J. T. Thorpe's work was spent in the shipyards.
93	1 - 8	90-95% of the time was spent with refineries, chemical plants, forge ships, steel mills. This was refractory work.

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94	7 - 25	Started to work for J.T. Thorpe in the early 1930s. He attended California Institute of Technology Mechanical Engineering.
95	1 - 25	Baker served as director for J.T. Thorpe in the 1970s, 1980s, currently.
96	1 - 25	Served up to 1986. He became a board director with Thorpe after Falts became president of Thorpe.
98	1 - 25	Does not recall when he went on the Board. He has held stock in Thorpe Insulation. Does not recall when he first held stock.
99	20 - 25	He served as director for Thorpe Insulation Co. Does not recall when he served as director for J.T. Thorpe Co. in Houston.
100	1 - 25	He served as director for J.T. Thorpe in Houston at the same time he was officer for J. T. Thorpe, Inc. in California.
101	6 - 25	He began serving on the board of J.T. Thorpe in Houston, in 1948. Did not serve as an officer. Held stock.
102	2 - 25	J.T. Thorpe, Houston was part of J.T. Thorpe in Los Angeles. There was a split. This is how he became involved in Houston.
103	1 - 25	J.T. Thorpe Co. in Houston is now Thorpe Corp. He is a board member.
104	5 - 25	In December 1986 he ceased being a board member for M. H. Detrick. He was there for about ten years.
105	18 - 25	He was a board member for M. H. Detrick for less than 15 years.
106	6 - 25	Discussion of M. H. Detrick products.
108	21 - 25	J.T. Thorpe, Inc. was incorporated in 1933.

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109	3 - 25	He began working full-time in 1935. J.T. Thorpe was doing business in Los Angeles as J.T. Thorpe & Son. ,
110	1 - 25	J.T. Thorpe & Sons began doing business in Northern California about 1906.
111	21 - 25	In 1933, J.T. Thorpe, Inc. ceased to be a branch of the San Francisco J.T. Thorpe & Sons.
112	1 - 25	Thorpe Insulation Company was not associated with J.T. Thorpe & Sons in San Francisco.
114	10 - 25	Thorpe Insulation Co. and J.T. Thorpe, Inc. have the common name for Thorpe because the president at the time wanted the name associated with Thorpe.
115	1 - 25	Karl Glasoe was the president Plant Insulation. He changed the name from Plant Insulation to Thorpe Insulation because Thorpe was a good name.
116	1 - 25	A. L. Erickson, chairman, agreed on the name Thorpe Insulation. J.T. Thorpe, Inc. did not license Mr. Glasoe to use the name Thorpe.
117	15 - 25	Glasoe did not give J.T. Thorpe Inc., anything in exchange for use of the name.
118	1 - 25	Discussion of various addresses for J.T. Thorpe, Inc.
119	19 - 25	He held stock in both J.T. Thorpe, Inc., and Thorpe Insulation at the same time.
120	16 - 25	J.T. Thorpe, Inc. was never a holding company.
121	1 - 25	J.T. Thorpe Inc. never had any subsidiaries. It never held stock of any other company.
122	1 - 25	J.T. Thorpe, during the time he served as an officer, was not a general partner in a general partnership. Never limited partner.

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123	1 - 25	J.T. Thorpe did not enter into joint ventures.
124	1 - 25	When J.T. Thorpe Inc. was incorporated back in 1933 it was branch of J.T. Thorpe & Son. The same sort of business was continued.
125	1 - 25	Same customers were serviced.
126	1 - 25	When J.T. Thorpe, Inc. began doing business in southern California J.T. Thorpe & Son did not continue doing business in Southern CA. J.T. Thorpe did not assume debts of another corporation. Did not acquire assets of another company. Did not purchase products and relabel them J.T. Thorpe Inc.
127	12 - 15	Does not know whether J.T. Thorpe shareholders served as officers of other corporations.
128	2 - 25	A. L. Erickson and M.L. Webster as shareholders of J.T. Thorpe Inc served as directors of other corporations. A. L. Erickson served as director for J.T. Thorpe Inc., Thorpe Insulation, J.T. Thorpe & Company. Currently Thorpe Corp.-Houston. M. L. Webster was a shareholder of J.T. Thorpe, Inc.
129	10 - 14	Does not know whether Thorpe Insulation Co. ever operated under a fictitious business name.
130	5 - 25	A. L. Erickson was chairman of J.T. Thorpe Inc. He served as an officer for Thorpe Insulation (chairman).
131	16 - 19	Erickson served in both boards prior to the time when Mr. Fults became president of Thorpe Insulation Co.
132	1 - 12	Does not recall the exact time frame.
133	1 - 9	Erickson, as member of J.T. Thorpe, Inc. served as an officer in another corporation.

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135	1 - 9	William Solaini was a J.T. Thorpe Inc., board member at the same time he was serving as a board member elsewhere.
137	1 - 25	Does not believe that Thorpe Insulation Co. had employees working at the same jobsites as J.T. Thorpe, Inc. Insulation products were provided by Thorpe Insulation to J.T. Thorpe, Inc.
138	1 - 25	Thorpe Insulation Company provided block insulation and insulated cement to J.T. Thorpe, Inc. The insulating fire brick did not contain asbestos.
139	1 - 4	Block insulation contained asbestos.
141	1 - 5	The insulating fire brick did not contain asbestos. Block insulation did contain asbestos.
143	5	Insulkote, purchased by J.T. Thorpe, also contained asbestos. All J-M products also had asbestos. J-M products included Super X block, 5% Mag Block, Insulkote.
144	17 - 25	B & W and J-M were the principal manufacturers of the insulating firebrick that J.T. Thorpe Inc. was purchasing.
145	1 - 25	Purchased fire brick from Harbison Walker, A. P. Green, and B & W.
146	1 - 25	Also purchased from Thorpe Insulation. Discussion of competitors.
147	1 - 25	Discussion of competitors.
148	10 - 25	Syd Carpenter Marine was a competitor. 1970s.
150	3 - 25	J.T. Thorpe purchased insulation from J-M, Armstrong, Pabco, M.H. Detrick. Marine Engineering supplied J-M block insulation. Thorpe Insulation also supplied J-M block.

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151	9 - 25	Plant insulation became the supplier of J-M block insulation at about 1958. Plant insulation supplied the Armstrong Insulation.
152	1 - 25	This was between 1948 - 1958. Pabco was purchased directly from Pabco; 1948-1958. M.H. Detrick supplied M.H. Detrick block directly.
153	13 - 25	J-M and Detrick were manufacturers of the insulation cement that J.T. Thorpe, Inc. was purchasing.
154	1 - 25	Detrick Insulation cement was supplied directly from M. H. Detrick. Insulkote was manufactured by J-M.
155	1 - 14	Insulkote was supplied by Marine Engineering. Detrick Insulation Cement was supplied from M. H. Detrick.
156	18 - 25	Did not represent Pabco or Armstrong. J-M 85% Mag Block was supplied by Marine Engineering and Thorpe Insulation.
157	1 - 16	J.T. Thorpe did not purchase Pabco 85% Mag Block. Plant Insulation did purchase, and then resold to J.T. Thorpe. 1948-1958. J.T. Thorpe, Inc. purchased 85% Mag Block from Thorpe Insulation.
158	3 - 17	Transite board and rope were asbestos containing products purchased by J.T. Thorpe, Inc.
159	20 - 25	Transite board was supplied by Marine Engineering and Thorpe Insulation.
160	19 - 24	After Marine Engineering sold out to a competitor, Transite was purchased directly from J-M.
162	7 - 18	J-M manufactured rope. Marine Engineering supplied the rope that J.T. Thorpe, Inc. used.
163	21 - 25	J-M manufactured expansion joint packing.

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