FILE COPY

(1942)

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re JOHNS-MANVILLE CORPORATION, et al., Debtors.	In Proceedings for a Reorganization Under Chapter 11 Case Numbers 82 B 11656 (BRL) Through 82 B 11676 (BRL)
JOSEPH McLOUGHLIN and HELEN McLOUGHLIN, et al., Plaintiffs, v. JOHNS-MANVILLE CORPORATION, et al., Defendants.	Adversary Proceeding Number 82-6037 AFFIDAVIT OF CHARLES H. ROEMER

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

CHARLES H. ROEMER, being duly sworn, deposes and says:

1. I am an attorney who was admitted to practice in the State of New Jersey in 1920 and presently maintain an office at 99 Broadway, Elmwood Park, Bergen County, New Jersey.

2. I was born February 5, 1899 and am presently under the care of Dr. David Roth.

3. Sometime in 1942-43, I was advised by my cousin, Dr. Jacob Roemer, that in the course of reviewing chest x-rays of employees at the Union Asbestos and Rubber Company's Paterson plant he had observed a significant number with lung changes

which he believed were due to exposure to asbestos. Dr. Roemer suggested that the men be advised of his findings and that they secure outdoor employment which did not involve exposure to asbestos dust. Dr. Roemer said unless this was done immediately the men would suffer from painful asbestos diseases.

4. Immediately I reported what Dr. Roemer said to Robert Cryor, the Union Asbestos and Rubber Company Plant Manager and Edward Shuman, the Assistant Plant Manager.

5. I was then informed that in accordance with the labor union contract, the 5 or 6 employees in question could not be discharged without the consent of the union. The union refused to consent to their dismissal.

6. I then suggested that since Johns-Manville was the largest asbestos company in the country, we should set up an appointment to see how they were handling the asbestos health problem.

7. Mr. Cryor and Mr. Shuman set up an appointment with Johns-Manville. Shortly thereafter, Mr. Cryor, Mr. Shuman and I met with Vandiver Brown, General Attorney for Johns-Manville and the President of the Corporation, at Johns-Manville corporate headquarters in New York City.

8. We advised the Johns-Manville officials of Dr. Roemer's findings and asked them if Johns-Manville's physical examination program had turned up similar findings and, if so, what Johns-Manville was doing about it.

9. In response, Vandiver Brown stated that Johns-Manville's physical examination program had, indeed, also produced findings of x-ray evidence of asbestos disease among workers exposed to asbestos and that it was Johns-Manville's policy not to do anything nor to tell the employees of the x-ray findings. Vandiver Brown went on to say that it was foolish for us to be concerned and that if Johns-Manville's workers were told, they would stop working and file claims against Johns-Manville, and that it was Johns-Manville's policy to let them work until they quit work because of asbestosis or died as a result of asbestos-related diseases.

10. Thereafter, we contacted Dr. Lanza at Saranac Lake, who was in charge of an asbestos exposure study and we were unable to gather any further advice or information from him.

Charles H. Roemer

Charles H. Roemer

Sworn to before me this
29th day of September, 1982

Notary Public

FRANCES C. [illegible]IA
Notary Public, State of New York
No. 41-647573
Qualified in Queens County
Term Expires March 30, 1984