Dr. Du Bow
Please advise me so that I can inform Mr. Hall.

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NEW JERSEY
TELEPHONE 8-1030

August 5, 1952

Johns-Manville Corporation
Main Street
Manville, New Jersey

Attention: Benjamin F. Stanton, Esq.

Re Johns-Manville ads. Miller

Gentlemen:

In accordance with our general understanding with Messrs. Parsonnet, Weitzman & Oransky that all alleged asbestosis cases would be discussed with us before any petitions are filed, Mr. Mungle has written us in connection with the above entitled matter as follows:

"We have been retained by Mr. Herbert Miller 991-18087 to represent him in a claim for workmen's compensation benefits against Johns-Manville. It is my understanding that Mr. Miller has taken a leave of absence and is at the present time not in the State.

"It appears from the information I have, that Mr. Miller is either suffering from asbestosis or a combination of asbestosis and some other lung pathology.

"In accordance with our understanding, I will withhold the filing of a formal petition pending a reply from you advising me what Johns-Manville's opinion is in this matter."

We desire to give Mr. Mungle at least a preliminary answer at an early date, and in accordance with our prior practice in these cases, would appreciate your advising what the facts of the situation are, whether your present medical record shows the man to have asbestosis, and whether his job was changed because of it. If he was exposed, we should like to know the date of last exposure.

In other words, we would like to be able to advise Mr. Mungle as to whether this is a case in which there is something to his client's claim warranting further discussion, or as to whether additional investigation is required on our part. If there is nothing in our point of view substantiating such a claim we would like to be in a position to tell Mr. Mungle to go ahead and file his petition.

In line with our communication with you in the Radovick case, we feel we should not wait for as long a time as we did in the Steffek matter before giving at least a preliminary reply to Mr. Mungle.

In accordance with usual practice, we are sending a copy of this letter to Hugh Jackson at the New York office.

Very truly yours,

Wharton, Hall, Stewart & Halpern

JWF:FBS

Copy to H. M. Jackson, Esq.