...NS-MANVILLE CORPORATION

EDITORIAL REQUEST

CENT WISE FILES 12.1144

CONFIDENTIAL

DATE: August 21, 1975

CALLER: David Graulich TITLE: 3:50 pm

Pittsburgh, Pa. Bureau

PUBLICATION: Wall Street Journal PHONE #: 412/471-1904

Requesting: David Graulich is writing a story about occupational medicines and doctors. In connection with that he has come across a case, "Vella vs. Wise", which deals with a Dr. Wise, retained by J-M in Pittsburg, Calif. to examine employees. In this case, Dr. Wise was cited with malpractice because he failed to inform the patient, Mr. Vella, that he had symptoms of asbestosis.

Dr. Wise's defense contends that he was instructed by J-M not to disclose findings with patients, that J-M would do that after obtaining the information from the doctor--apparently no one notified Mr. Vella he had asbestosis symptoms.

David Graulich's question is: Does J-M concur that the doctor was to inform only J-M and not the patient?

STATUS: Both Jerry Murray and I researched the matter and find:

1. Apparently J-M would concur;

   However

2. I discovered that the case which was settled resulting in an award to Mr. Vella in the sum of $351,000 has been appealed by Dr. Wise, therefore, restricted J-M from making any comment.

Immediately upon receiving the inquiry I notified Earl Parker. Earl requested I work with Dennis Markusson, which I did.

When I informed David Graulich that because the matter was in litigation due to the appeal, and that J-M could not comment on it, he understood fully. In fact, he was not aware that the case was being appealled.

---Now, one additional matter is, that there are approximately five similar cases of the same nature and also involving Dr. Wise waiting to be heard.

[redacted] PRIVILEGED

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cc: G. E. Parker
W. F. Goodwin
D. Markusson
J. D. Murray

cc:

SIGNED: N. T. Amarino

GP

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