601

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

FREDERICK LE GRAND,)
Plaintiff,) Civil No. 741-57
-vs-) ANSWERS TO INTERROGATORIES
JOHNS MANVILLE PRODUCTS CORPORATION, a corporation of the State of Delaware,)
Defendant.)

FILED
OCT 30 1958

The plaintiff, Frederick Le Grand, answering the interrogatories propounded by the defendant, states on information and belief the following:

1. Asbestos particles, silica and silicate particles. See defendant's answers to interrogatories number 2 and 3 which are incorporated herein. Also Fibrocel C Pipe Insulation and Fibrocel VS Pipe Insulation, 352 Cement, 450 Cement, Super 66 Cement.

2. Materials containing particles of certain size ranges cause pneumoconiosis after continued exposure to these particles in sufficient concentration

3. Defendant should have made the dangers of exposure known to its consumers, users, distributors, and workmen, whose activities call for repeated and continual contact with defendant's materials containing asbestos and silica and silicate particles and defendant further should have provided

m-601

CRMC-Motley1000-Subj-001996

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sufficient warning and information on the proper method of handling its products and the types and use of protective devices, including proper ventilation, ventilators, masks and respirators which should be utilized with its products and defendant should have taken steps to create an awareness among users of the latent dangers inherent in its products as well as a sufficient knowledge on how to protect the user in the use thereof.

4. For failing to provide adequate warning and information on and in the packaging of its products containing dangerous asbestos and silica and silicate particles.

5. Impossible to answer as the incidence of asbestosis and silicosis run into many thousands and plaintiff does not have personal knowledge of all such cases. However, plaintiff knows of many instances of asbestosis in the Local to which plaintiff belonged. Plaintiff is reluctant to submit names and addresses because it is believed that this may effect the employability of the men having this disease and their livlihood.

6. Purchases were made by defendant's employer.

7. See 6.

8. Asbestosis. Pneumoconiosis including asbestosis and silicosis.

9. Diagnosis was definitely established after laboratory tests in February, 1956, by Doctor Samuel Einhorn, 241 15th Avenue, Newark 3, New Jersey.

CRMC-Motley1000-Subj-001997

10. Dr. Rozsa, Nov, 1954, Feb., 1956, 837 South 11th Street, Newark, New Jersey. Dr. Samuel Einhorn, Dr. Harvey Einhorn, Nov., 1954 to date.

11. Dr. Emanuel Klosk February, 1956 to August, 1956, Dr. Harold Goldberg, January, 1955 to February, 1956. Dr. Klosk's address is 46 Lyons Avenue, Newark, New Jersey. Dr. Goldberg's address is 814 South 10th Street, Newark 8, New Jersey.

12. (a) Plaintiff collapsed November 9, 1954, thereafter resuming work until February 5, 1956, where after a second collapse he was hospitalized for a lung condition.

(b) Plaintiff suffered heart failure diagnosed as being caused by an asbestosis condition which crippled his lungs, called cor pulmonale. Plaintiff's lung condition ultimately manifested itself thrgh his entire physical condition.

(c) As set forth previously. Beth Israel Hospital, 201 Lyons Avenue, Newark, New Jersey.

(d) H. W. Porter & Co., Travelers Insurance Co..

(e) See workmen's compensation file in defendant attorney's possession.

13. Plaintiff's medical expenses have been paid as a result of determination in workmen's compensation division, which information is at defendant's full disposal.

CRMC-Motley1000-Subj-001998

14. All expenses paid by workmen's compensation carrier.

15. (a) H. W. Porter & Co., 825 Frelinghuysen Avenue, Newark, New Jersey.

(b) Asbestos worker and mechanic.

(c) $3.75 an hour.

(d) $270.00

(e) Nov. 20, 1954 to January 2, 1955, Feb. 18, 1955 to June 17, 1956, Sept. 16, 1956 to Feb. 21, 1957.

(f) $3.75 an hour for each date in (e) that he didn't work.

16. Plaintiff, while objecting to the relevancy of this question says he was employed by Armstrong Cork Co. 8/3/57 - 9/27/57 earnings $1,082.80. Matthew-Balich Corp. for month of October, 1957, 10/7/57 to 6/2/58, to June, 1958 $3,270.20.

17. ~~Nunxx20yx1954:xhnnughnnJanuaryn2n:1955~~ ~~$139x~~

September 16, 1956 through February 21, 1957.

CRMC-Motley1000-Subj-001999

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18. Both parties have full record of this and plaintiff will stipulate workmen's compensation record to the extent same is relevant and material.

19. Knowledge of facts pertaining to plaintiff's exposure:

All the persons who worked with plaintiff through his many years of employment with H. W. Porter & Co. are familiar with the actual work which plaintiff did, the materials he handled, the extent of his exposure to asbestos dust, etc. Supervisory employees of H. W. Porter H& & Co., such as Mr. Morris and Mr. Stevens, also are aware of these facts. Paul Springle, business agent of plaintiff's local, c/o Internation Association of Heat and Frost Insulators and Asbestos Workers, Local 32 A F of L, 19th Avenue, Newark, New Jersey.

Knowledge of facts pertaining to plaintiff's condition are known to plaintiff's immediate faily, his wife and daughter, doctors mentioned previously, all the friends, acquaintances and fellow employees who have work with and near the plaintiff.

By reason of the vageness of the question, it is impossible for plaintiff to list the names and addresses of all persons falling into the above catagories.

20. Besides the three doctors previously cited (Dr. Einhorn- internest, by, Dr. Goldberg- heart specialist, Dr. Klosk, lung specialist) Mr. Clarence

CRMC-Motley1000-Subj-002000

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Winchell, Industrial Engineer, 297 Euclid Avenue, Hackensack, New Jersey, ~~Dr. Allen Micro~~, mineralogist.

21. Defendant should have conducted tests on its materials ~~xx~~ to develop means of curtailing release of toxic dusts and further on means of protection against such dust by persons compelled to handle defendants products on a regular basis, and further means of warning users of dangerous concentrations of such dust.

22. Plaintiff makes no such claim.

23. Yes.

24. This information is available only through H. W. Porter & Co. and respective counsel stipulated at deposition of H. W. Porter & Co. officials that this information would be supplied to both of them through the cooperation of H. W. Porter & Co.

25. Plaintiff asserts prospective loss of income based on earnings as set forth in interrogatory number 15 over his projected life expectancy, plaintiff anticipates continuing medical expenses, and plaintiff will cliam further damages for pain and suffering, past, present and anticipated in the future as well as limitation of his activities and decrease in his normal life expectancy arising out of the disabilities from contracting asbestosis as well as the effects of this disease.

CRMC-Motley1000-Subj-002001