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May 12, 1981

Mrs. Jean Simpson
United States District Court
Post Office Box 369
Biloxi, MS 39567

Re: Asbestos litigation

Dear Jean:

Please find attached hereto an Affidavit from Johns-Manville Sales Corporation which should have been attached to the Defendants Answers to the Amended Supplemental Set of Interrogatories propounded by the Plaintiffs in the Lelos Wedgeworth and Roy L. Hart lead cases. Please file this Affidavit in your usual manner. Said Answers were mailed to you on Friday, May 8, 1981.

Sincerely,

ROY C. WILLIAMS

RCW/kys

cc: All Counsel of Record

m-884

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AFFIDAVIT

STATE OF COLORADO)
) ss:.
COUNTY OF JEFFERSON)

R. B. VON WALD being duly sworn according to law deposes and says he is Vice President and Corporate Counsel of JOHNS-MANVILLE SALES CORPORATION, a defendant in this action, that he is authorized to make this Affidavit on its behalf and that the facts set forth in the foregoing pleading have been supplied to him by others upon whom he relies and are true and correct to the best of his knowledge, information and belief.

R. B. VON WALD

Sworn and subscribed to
before me this 8 day
of May, 1981.

NOTARY PUBLIC

My Commission expires Nov. 12, 1984

CRMC-Motley1000-Subj-004824

SOUTHERN DISTRICT OF MISSISSIPPI
FILED
MAY 12 1981
CLARENCE A. PIERCE, CLERK
BY _____ DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

ROY LATHARN HART — PLAINTIFF

VS. — CIVIL ACTION NO. S79-0033(N) and ALL CASES CONSOLIDATED THEREWITH

ARMSTRONG CORK COMPANY, et al. — DEFENDANTS

LELOS WEDGEWORTH — PLAINTIFF

VS. — CIVIL ACTION NO. J78-0002(N) and ALL CASES CONSOLIDATED THEREWITH

ARMSTRONG CORK COMPANY, et al. — DEFENDANTS

NOTICE OF MOTION

Please take notice that the plaintiffs' will call up for hearing their Motion to Compel before the Honorable John M. Roper, United States Magistrate, Federal Courthouse, Biloxi, Mississippi, on Friday, May 29, 1981 at 9:00 A.M. or as soon thereafter as is convenient to the Court.

DATED: May 11, 1981.

Respectfully submitted,

ROY LATHARN HART and
LELOS WEDGEWORTH, PLAINTIFFS

BLATT & FALES
P. O. Box 365
Barnwell, South Carolina 29812

CUPIT & MAXEY
P. O. Box 22666
Jackson, Mississippi 39205
ATTORNEYS FOR PLAINTIFFS

BY: _____
OF COUNSEL

SOUTHERN DISTRICT OF MISSISSIPPI
FILED
MAY 12 1981
CLARENCE A. PIERCE, CLERK
BY _____ DEPUTY

UNITED STATES DISTRICT COURT
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ARMSTRONG CORK COMPANY, et al. — DEFENDANTS

LELOS WEDGEWORTH — PLAINTIFF

VS. — CIVIL ACTION NO. J78-0002(N) and ALL CASES CONSOLIDATED THEREWITH

ARMSTRONG CORK COMPANY, et al. — DEFENDANTS

MOTION TO COMPEL

Come now plaintiffs, Roy Latharn Hart, James L. Jackson, Mrs. Frankie B. Ates, Mrs. Marjorie Johnson, Lelos Wedgeworth and Mrs. Evelyn Buckley, and move for an order compelling defendants, Celotex Corporation, Johns-Manville Sales Corporation, Nicolet, Inc., Owens-Illinois, Inc., H. K. Porter Company, Inc., Raybestos-Manhattan, Inc., Rock Wool Manufacturing Company, Inc., Unarco, Empire Ace Insulation Manufacturing Company and Crane Packing Company to answer interrogatories heretofore propounded to them and to award plaintiffs reasonable expenses incurred in connection with this motion and in support would show the following:

1. On April 15, 1981, these plaintiffs propounded supplemental interrogatories to these defendants.

2. By order dated April 28, 1981 this Court directed said defendants to respond to interrogatories 14 through 23 on or before May 1, 1981. At an informal conference with the Court, liason counsel requested and was given until Monday, May 4, 1981, for the defendants to respond to questions 14 through 23 of said interrogatories. However, responses to said interrogatories were not filed until May 8, 1981.

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3. The supplemental interrogatories are relevant to the subject matter of these actions, material and necessary to the plaintiffs for the proper preparation of their cases for trial, and proper in all other respects.

4. In the following particulars the responses given by the defendants were so evasive and inadequate as to amount to a total failure to respond:

INTERROGATORY 1

With respect to each plaintiff listed above, please state specifically each and every fact, as distinguished from conclusory allegations, which you now know or rely upon to support your contenti contained in your answer that the plaintiff misused or abnormally or improperly used some or all of the products referred to in the complaint.

ANSWER

If the plaintiff used or was exposed to any of the Defendants products, which is denied, such products were improperly used by plaintiff, or by co-workers in the same work area as plaintiff. Such misuse, as revealed in plaintiff's deposition and depositions of co-workers and other employees, and union officials, was primarily failure to comply with normal safety regulations, failure to utilize safety equipment, and failure to heed warnings on various products. Further, those that used certain products, such as asbestos cloth, used such products in a manner that they were not intended to be used asbestos cement was mixed in areas not properly ventillated in opposition to recommended procedures; and, proper ventillation device and cutting tools were not used for fabricating or installing piping and other insulation, although the installers, co-workers, employers and union officials knew the proper procedures to be utilized.

REASON SUPPORTING THE MOTION

Although the question specifically seeks facts as distinguished from conclusory allegations, the response given here is

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nothing but vague and general conclusions of counsel, does not recite one single specific fact, as requested. Defendants should be required to particularize each and every separate fact upon which they rely for their allegations or be prohibited from offering any facts in support of such contentions at trial.

INTERROGATORY 2

With respect to each plaintiff listed above, please state specifically each and every fact, as distinguished from conclusory allegations, which you now know or rely upon to support your contentior contained in your answer that the plaintiff assumed the risk of dangers complained of in the complaint.

ANSWER

See Answer to Interrogatory #1.

REASONS SUPPORTING THE MOTION

Although the question specifically seeks facts as distinguished from conclusory allegations, the response given here is nothing but vague and general conclusions of counsel and does not recite one single specific fact, as requested. Defendants should be required to particularize each and every separate fact upon which they rely for their allegations or be prohibited from offering any facts in support of such contentions at trial.

INTERROGATORY 3

With respect to each plaintiff listed above, please state specifically each and every fact, as distinguished from conclusory allegations, which you now know or rely upon to support your contention contained in your answer that the plaintiff himself was negligent in connection with the use of and exposure to the products referred to in the complaint.

ANSWER

See Answer to Interrogatory #1.

REASON SUPPORTING THE MOTION

Although the question specifically seeks facts as distinguished from conclusory allegations, the response given here is

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nothing but vague and general conclusions of counsel, and does not recite one single specific fact, as requested. Defendants should be required to particularize each and every separate fact upon which they rely for their allegations or be prohibited from offering any facts in support of such contentions at trial.

INTERROGATORY 4

With respect to each plaintiff listed above, please state specifically each and every fact, as distinguished from conclusory allegations, which you now know or rely upon to support your contention contained in your answer that if the plaintiff has suffered any injuries or damages alleged in the complaint, they resulted solely from acts and omissions of persons other than you, which constituted an independent, intervening and sole proximate cause of the injuries and/or damages complained of in the complaint.

ANSWER

See Answer to Interrogatory #1.

REASON SUPPORTING THE MOTION

Although the question specifically seeks facts as distinguished from conclusory allegations, the response given here is nothing but vague and general conclusions of counsel, and does not recite one single specific fact, as requested. Defendants should be required to particularize each and every separate fact upon which they rely for their allegations or be prohibited from offering any facts in support of such contentions at trial.

INTERROGATORY 5

Please give the name, address and telephone number of each individual whose acts or omissions you believe cause or contributed to the injuries and/or damages complained of in the complaint.

ANSWER

Co-workers as listed on plaintiffs' and defendants' witness lists, local union officials listed on defendants' witness list, representatives of Shook & Fletcher Insulation Co., Badham Insulation,

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Frigitemp, Hopeman Brothers listed on defendants' witness list, representatives of American Mutual Insurance Company listed on defendants' witness list, representatives of plaintiffs' employers listed on defendants' witness list, Navy personnel listed on defendants' witness list, the United States of America, Ingalls Shipbuilding Corporation, member unions of the Pascagoula Metal Trades Counsel, Heat & Frost Insulation Workers Union, American Mutual Insurance Company, individual plaintiffs and all other witnesse on plaintiffs' and defendants' witness list.

REASON SUPPORTING THE MOTION

Although the question seeks the identity of each individual whom the defendants claim caused or contributed to the injuries complained of, the answer given in addition to specifying some individuals, refer to lists "personnel" and "all other witnesses". Such response is inadequate, not responsive to the question asked and evasive.

INTERROGATORY 7

If your answer to the preceding question was in the affirmative, please state specifically the name, address and telephone number of each individual or entity you contend caused or contributed to such injury or damages.

ANSWER

See Answer to Interrogatory #5.

REASON SUPPORTING THE MOTION

Although the question seeks the identity of each individual whom the defendants claim caused or contributed to the injuries complained of, the answer given in addition to specifying some individuals, refer to lists "personnel" and "all other witnesses". Such response is inadequate, not responsive to the question asked and evasive.

INTERROGATORY 8

With respect to each individual or entity listed in your response to the preceding questions, please state specifically eac

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act or omission you contend caused or contributed to such injuries or damage and with respect to each such act or omission, please state specifically each and every fact, as distinguished from conclusory allegations, which you now know or upon which you presently rely to support such contentions.

ANSWER

See Answers to Interrogatories #1 through #4.

REASON SUPPORTING THE MOTION

Again, the question seeks each specific act or omission claimed by the defendant to support their allegations and the response given refers merely to generalities and conclusions of counsel. The defendants should be required to state each and every fact upon which they rely or be prohibited from offering any evidence in support of such allegation at trial.

INTERROGATORY 9

Please list the name, address and telephone number of each individual who you know or believe has personal knowledge of any of the facts set forth in your responses to questions 1, 2, 3, 4, 5, 6, 7 and 8, and indicate which responses each such individual has knowledge of.

ANSWER

See Answer to Interrogatory #5.

REASON SUPPORTING THE MOTION

Once again, the question seeks specific and detailed information and the answer given refers to an inadequate answer which is unresponsive.

INTERROGATORY 11

If your answer to the preceding question or any subpart thereof was in the affirmative, please state the following:

(a) the name and address of each person from whom such notes, statements, reports or memoranda were received;

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(b) the name and address of each person having custody of each such statement, report, note or memoranda;

(c) the date of each such statement, report, note or memoranda.

ANSWER

Defendants object to this question on the grounds that to answer this question would be overly burdensome and oppressive. Attorneys and other representatives of the various defendants have spent over three (3) years accumulating such information, all of same being protected by the attorney/client privilege. Such materials include attorney work product, materials prepared in anticipation of litigation, materials protected from discovery by virtue of Rule 26 of the Federal Rules of Civil Procedure. This does not apply to insurance adjusters in as much as adjusters have not been involved. Further, at this time defendants do not know of any informal statement taken in this litigation.

REASON SUPPORTING THE MOTION

The defendants have failed to offer any factual support for its claim that to respond to this question would be burdensome and oppressive. Plaintiffs are entitled to a response to this question in order to determine the discoverability of any documentary material relevant to the subject matter of this action. Defendants do not object to this question on grounds of privilege or work product, but merely an unsupported, naked claim of burdensomeness. They should be required to answer completely.

INTERROGATORY 13

If your answer to the preceding question was in the affirmative, please state the following with respect to each such summary, report, statement, note or memoranda:

(a) the name and address of the person making it;

(b) the date of it;

(c) the name and address of the person having current custody or possession of it.

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ANSWER

Defendants know of no statement taken at this time. Defense attorneys have taken numerous notes, corresponded with numerous parties and otherwise made written responses, all of same being privileged.

REASON SUPPORTING THE MOTION

The answer given to this question is a direct contradiction of the answer given in interrogatory 12. The defendants do not object to answering this question and they should be required to do so

INTERROGATORY 14

Please identify each individual named on the defendants' witness list who you will or may call as an expert witness to give opinion testimony in the trial of this cause and with respect to each, state the following:

(a) the field in which he or she is to be offered as an expert;

(b) the substance of the facts to which he or she is expected to testify;

(c) the substance of the opinions to which he or she is expected to testify and a summary of the grounds for such opinion;

(d) a summary of his or her qualifications within the field he or she is expected to testify.

ANSWER

Will Call or May Call

1. William Brooks Emory, M.D.

   (a) Field of expertise - Internal Medicine, pulmonary diseases.

   (b) Substance of testimony - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

   (c) See attached curriculum vitae.

2. H. Corwin Hinshaw, M.D.

   (a) Field of expertise - Internal medicine, pulmonary diseases.

   (b) Substance of testimony - State-of-the-Art; clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

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(c) Substance of opinions - See deposition testimony.

(d) See attached curriculum vitae.

3. Robert Jones, M.D. (Hinton case only).

(a) Field of expertise - Internal medicine, pulmonary diseases.

(b) Substance of testimony - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(c) Substance of opinions - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(d) Curriculum vitae not available.

4. Paul Kotin, M.D.

(a) Field of expertise - Pathology.

(b) Substance of testimony - State-of-the-Art; pathology of pulmonary diseases and cancer; clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer; industrial hygiene aspects of occupational disease control.

(c) Substance of opinions - See deposition testimony.

(d) See attached curriculum vitae.

5. Forde Anderson McIver, M.D.

(a) Field of expertise - Pathology.

(b) Substance of testimony - State-of-the-Art; pathology of pulmonary diseases and cancer; clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer; industrial hygiene aspects of occupational disease control.

(c) Substance of opinions - See deposition testimony.

(d) See attached curriculum vitae.

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6. Alton Ochsner, Sr., M.D.

   (a) Field of expertise - Surgery

   (b) Substance of testimony - Lung cancer and its causal relationship to tobacco smoking.

   (c) Substance of opinions - See deposition testimony.

   (d) See attached curriculum vitae.

7. Barry Whites, M.D. (Wedgeworth case only).

   (a) Field of expertise - Internal medicine, pulmonary diseases.

   (b) Substance of testimony - clinical aspects of asbestosis.

   (c) Substance of opinions - Clinical aspects of asbestosis.

   (d) Curriculum vitae not available.

8. John D. Wofford, M.D.

   (a) Field of expertise - Internal medicine, pulmonary diseases.

   (b) Substance of testimony - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

   (c) Substance of opinions - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

   (d) Curriculum vitae not available.

9. Clark W. Cooper, M.D.

   (a) Field of expertise - Internal medicine, preventive medicine, industrial hygiene.

   (b) Substance of testimony - State-of-the-Art; clinical and epidemiological aspects of pulmonary diseases; including asbestosis, mesothelioma and lung cancer; industrial hygiene aspects in the control of occupational diseases.

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(c) Substance of opinions - See deposition testimony.

(d) See attached Curriculum vitae.

10. Paul Gross, M.D.

(a) Field of expertise - Pathology

(b) Substance of testimony - Pathology of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(c) Substance of opinions - See deposition testimony.

(d) See attached Curriculum vitae.

11. John N. McAtee, M.D.

(a) Field of expertise - Internal medicine, pulmonary diseases.

(b) Substance of testimony - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(c) Substance of opinions - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(d) Curriculum vitae not available.

12. Joe R. Norman, M.D.

(a) Field of expertise - Internal medicine, pulmonary diseases.

(b) Substance of testimony - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(c) Substance of opinions - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(d) See attached curriculum vitae.

13. David Rex Thorning, M.D.

(a) Field of expertise - Anatomic pathology.

(b) Substance of testimony - Pathology of pulmonary diseases, including asbestosis, mesothelioma and lung cancer; electron microscopy techniques.

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(c) Substance of opinions - Pathology of pulmonary diseases, including asbestosis, mesothelioma and lung cancer; electron microscopy techniques.

(d) See attached curriculum vitae.

14. William Weiss, Jr., M.D.

(a) Field of expertise - Pulmonary diseases, particularly lung cancer.

(b) Substance of testimony - Pathology of pulmonary diseases, including asbestosis, mesothelioma and lung cancer; effects of tobacco smoking on causation and aggravation of certain pulmonary diseases and cancer.

(c) Substance of opinions - See deposition testimony.

(d) See attached curriculum vitae.

15. Oscar Auerback, M.D.

(a) Field of expertise - Pathology

(b) Substance of testimony - Lung cancer and the interrelationship with tobacco smoking both from a clinical and epidemiological viewpoint.

(c) Substance of opinions - Lung cancer and the interrelationship with tobacco smoking both from a clinical and epidemiological viewpoint.

(d) Curriculum vitae not available.

16. Charles B. Carrington, M.D.

(a) Field of expertise - Pathology

(b) Substance of testimony - Pathology of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(c) Substance of opinions - Pathology of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(d) Curriculum vitae not available.

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17. John DeGroote, M.D.

(a) Field of expertise - Internal medicine, pulmonary diseases.

(b) Substance of testimony - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(c) Substance of opinions - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(d) Curriculum vitae not available.

18. Keith Morgan, M.D.

(a) Field of expertise - Internal medicine, pulmonary diseases.

(b) Substance of testimony - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer; effects of smoking on the causation and aggravation of various pulmonary diseases and cancer.

(c) Substance of opinions - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer; effects of smoking on the causation and aggravation of various pulmonary diseases and cancer.

(d) Curriculum vitae not available.

19. Philip Enterline

(a) Field of expertise - Epidemiology

(b) Substance of testimony - Epidemiology of asbestos related diseases.

(c) Substance of opinions - Epidemiology of asbestos-related diseases.

(d) Curriculum vitae not available.

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20. John Butler, M.D.

(a) Field of expertise - Respiratory diseases

(b) Substance of testimony - Clinical aspects of pulmonary diseases; pulmonary function and exercise testing.

(c) Substance of opinions - Clinical aspects of pulmonary diseases; pulmonary function and exercise testing.

(d) See attached curriculum vitae.

21. Daniel G. Jenkins

(a) Field of expertise - Internal medicine, pulmonary diseases.

(b) Substance of testimony - Clinical aspects of pulmonary diseases.

(c) Substance of opinions - See deposition testimony.

(d) See attached curriculum vitae.

22. Gerald Ray Kerby, M.D.

(a) Field of expertise - Internal medicine, pulmonary diseases.

(b) Substance of testimony - Clinical aspects of pulmonary diseases.

(c) Substance of opinions - See deposition testimony.

(d) See attached curriculum vitae.

23. LeRoy Lapp, M.D.

(a) Field of expertise - Internal medicine, pulmonary diseases.

(b) Substance of testimony - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer; pulmonary function and exercise testing; radiology.

(c) Substance of opinions - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer; pulmonary function and exercise testing; radiology.

(d) See attached curriculum vitae.

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24. James Daniel Snell, Jr., M.D.

(a) Field of expertise - Internal medicine, pulmonary diseases.

(b) Substance of testimony - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma

(c) Substance of opinions - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(d) See attached curriculum vitae.

25. George Wilbur Wright, M.D.

(a) Field of expertise - Pulmonary diseases and occupational medicine.

(b) Substance of testimony - State-of-the-Art; clinical aspects of asbestos-related disease; effects of smoking on the causation and aggravation of pulmonary diseases.

(c) Substance of opinions - See deposition testimony.

(d) See attached curriculum vitae.

26. Richard D. Liss, M.D.

(a) Field of expertise - Internal medicine, pulmonary diseases, occupational medicine.

(b) Substance of testimony - Clinical aspects of pulmonary diseases.

(c) Substance of opinions - See deposition testimony.

(d) Curriculum vitae not available.

27. Edwin Merrill, M.D.

(a) Field of expertise - Internal medicine, pulmonary diseases, occupational medicine.

(b) Substance of testimony - Clinical aspects of pulmonary diseases.

(c) Substance of opinions - See deposition testimony.

(d) Curriculum vitae not availab.e

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28. Hans Weill, M.D.

(a) Field of expertise - Internal medicine, pulmonary diseases.

(b) Substance of testimony - Clinical aspects of pulmonary diseases, including asbestosis, mesothelioma and lung cancer.

(c) Substance of opinions - See deposition testimony.

(d) Curriculum vitae not available.

29. William Paul, M.D.

(a) Field of expertise - Surgery; occupational medicine.

(b) Substance of testimony - Clinical aspects of asbesto related disease.

(c) Substance of opinions - Clinical aspects of asbestos related disease.

(d) Curriculum vitae not available.

REASON SUPPORTING THE MOTION

The defendants completely failed to answer subparts (b) and (c) of this question in each instance, and where a curriculum vitae is not available, completely failed to respond to subpart (d). Because of their failure to answer or object, the defendants should be prohibited from calling any of the witnesses listed in response to this question.

INTERROGATORY 15

With respect to each person named on the defendants' witness list not identified in response to the preceding question as an expert witness, please state the following:

(a) whether such person has given a written or oral statement to you or someone acting on your behalf;

(b) whether such person has personal knowledge of any of the material facts of either of these lawsuits, and if so, which ones;

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(c) a complete summary of the facts to which he or she is expected to testify.

ANSWER

Defendants object to this Interrogatory on the grounds that the same is overly burdensome and constitute harrassment.

REASON SUPPORTING THE MOTION

With over one thousand (1,000) witnesses named by the defendants, most of whom are totally unknown to plaintiffs, it is virtually impossible for plaintiffs to have reasonable notice as to the expected testimony of the individuals listed on the defendants' witness list, since time does not permit discovery depositions of these witnesses. The question is totally proper in that it seeks reasonable information concerning witnesses the defendants themselves have listed on their witness list. The information is discoverable and should be required.

INTERROGATORY 16

Please give the name, address, telephone number and place of employment of all persons whom you have retained or employed in anticipation of litigation or for trial preparation purposes whom you do not expect to call as a witness at trial.

ANSWER

Defendants object to this Interrogatory in that it goes beyond the scope of proper discovery. The Federal Rules of Civil Procedure do not require the disclosure of the identities and whereabouts of any consultant or other individual who this Defendant does not intend to call as a witness at the time of trial and who had no personal knowledge of any facts or documents which might be relevant to any of these cases set for trial.

REASON SUPPORTING THE MOTION

The question seeks proper information, is relevant to the subject matter of this action, and should be answered.

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INTERROGATORY 17

Please state when you first learned the identification of any product which could be reasonably used as a substitute for asbesto. in your insulation products.

ANSWER

Defendants object to this Interrogatory on the grounds that it is too vague and ambiguous for these Defendants to meaningfully respond. The Interrogatory calls for a subjective rather than an objective conclusion on the part of these Defendants as to what, at any given point in time, may have been a "reasonable" substitute product for any or all of this Defendants' asbestos containing insulation product lines. Further, the Interrogatory fails to distinguish between different types of insulation products, each with differing chemical and physical properties. Lastly, the Interrogatory fails to distinguish between a substitute for asbestos fiber in any particular insulation products, or substitutes for the entire product itself or an entire line of products.

REASON SUPPORTING THE MOTION

This question seeks information which is proper, reasonable and relevant. It should be answered.

INTERROGATORY 18

Please state whether you, your insurance carriers or any other persons, firms or corporations authorized by either, have conducted any polls, attitude surveys, interviews or samplings of people in the State of Mississippi at any time within the past three (3) years.

ANSWER

Defendants object to this Interrogatory in that it goes beyond the bounds of proper discovery, is vague and ambiguous, and calls for the disclosure of information falling within the attorney work product privilege and attorney/client privilege. Further,

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Plaintiffs have as free an access to the public at large as does this Defendant and any information relating to "public attitudes" is equally and readily available to the Plaintiffs. The subject matter of this Interrogatory is not discoverable in as much as such subject matter has nothing to do with a trial on the merits.

REASON SUPPORTING THE MOTION

Plaintiffs have been informed and believe that the defendants or some of them - have engaged in efforts to influence potential jurors by the use of telephone surveys, questionaires, and other extra-judicial communications with potential jurors in this district. It is anticipated that the defendants will, sometime shortly, file a motion to change venue and will rely in part, upon alleged attitudes of potential jurors in this district. The question is, therefore, relevant to the subject matter of this action, proper discovery, and seeks information material to anticipated claims to be made by these defendants. There is nothing inherent in this question that brings it within any type of privilege, unless the attorney for the defendant conducted or authorized such polling, surveys or interviews, and even if they did, to respond to this question would not divulge any privileged information.

INTERROGATORY 19

Please state whether you, your insurance carriers or any other persons, firms or corporations authorized by either, have conducted any polls, attitude surveys, interviews or samplings of people in the State of Mississippi at any time within the past three (3) years.

ANSWER

See answer to Interrogatory #18.

REASON SUPPORTING THE MOTION

Plaintiffs have been informed and believe that the defendants - or some of them - have engaged in efforts to influence

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potential jurors by the use of telephone surveys, questionaires, and other extra-judicial communication with potential jurors in this district. It is anticipated that the defendants will, sometime shortly, file a motion to change venue and will rely in part, upon alleged attitudes of potential jurors in this district. The question is, therefore, relevant to the subject matter of this action, proper discovery, and seeks information material to anticipated claims to be made by these defendants. There is nothing inherent in this question that brings it within any type of privilege, unless the attorney for the defendant conducted or authorized such polling, surveys or interviews and even if they did, to respond to this question would not divulge any privileged information.

INTERROGATORY 20

Please state whether you, your insurance carriers or agents of either, have been made aware of any polls, attitude surveys, interviews or samplings conducted, planned or to be conducted in the State of Mississippi within the past three (3) years.

ANSWER

See answer to Interrogatory #18.

REASON SUPPORTING THE MOTION

Plaintiffs have been informed and believe that the defendants - or some of them - have engaged in efforts to influence potential jurors by use of telephone surveys, questionaires, and other extra-judicial communication with potential jurors in this district. It is anticipated that the defendants will, sometime shortly, file a motion to change venue and will rely in part, upon alleged attitudes of potential jurors in this district. The question is, therefore, relevant to the subject matter of this action, proper discovery, and seeks information material ~~to~~ anticipated claims to be made by these defendants. There is nothing inherent in this question that brings it within any type of privilege, unless the attorney for the defendant conducted or authorized such polling,

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surveys or interviews, and even if they did, to respond to this question would not divulge any privileged information.

INTERROGATORY 21

Please identify any person, firm or corporation employed, retained, commissioned or authorized by you to conduct any polls, attitude surveys, interviews or samplings in the State of Mississippi at any time within the past three (3) years.

ANSWER

See answer to Interrogatory #18.

REASON SUPPORTING THE MOTION

Plaintiffs have been informed and believe that the defendants - or some of them have engaged in efforts to influence potential jurors by the use of telephone surveys, questionaires, and other extra-judicial communication with potential jurors in this district. It is anticipated that the defendants will, sometime shortly, file a motion to change venue and will rely in part, upon alleged attitudes of potential jurors in this district. The question is, therefore, relevant to the subject matter of this action, proper discovery, and seeks information material to anticipated claims to be made by these defendants. There is nothing inherent in this question that brings it within any type of privilege. unless the attorney for the defendant conducted or authorized such polling, surveys or interviews, and even if they did, to respond to this question would not divulge any privileged information.

INTERROGATORY 22

Please give the location of any polls, attitude surveys, interviews or samplings and working papers thereof, conducted in the State of Mississippi by you or any person, firm or corporation authorized by you.

ANSWER

See answer to Interrogatory #18.

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REASON SUPPORTING THE MOTION

Plaintiffs have been informed and believe that the defendants - or some of them - have engaged in efforts to influence potential jurors by the use of telephone surveys, questionaires and other extra-judicial communication with potential jurors in this district. It is anticipated that the defendants will, sometime shortly, file a motion to change venue and will rely in part, upon alleged attitudes of potential jurors in this district. The question is, therefore, relevant to the subject matter of this action, proper discovery, and seeks information material to anticipated claims to be made by these defendants. There is nothing inherent in this question that brings it within any type of privilege, unless the attorney for the defendant conducted or authorized such polling, surveys or interviews, and even if they did, to respond to this question would not divulge any privileged information.

INTERROGATORY 23

By way of a request to produce documents, please attach to your responses, a copy of all results, reports, memoranda, notes, correspondence, questionaires, computer print-outs or programs, working papers or other documents concerning or in any way relating to any poll, attitude survey, interviews or samplings conducted in the State of Mississippi by you or any person, firm or corporation authorized, employed, retained commissioned or known by you within the preceding three (3) years.

ANSWER

See answer to Interrogatory #18.

REASON SUPPORTING THE MOTION

Plaintiffs have been informed and believe that the defendants - or some of them - have engaged in efforts to influen potential jurors by the use of telephone surveys, questionaires and other extra-judicial communication with potential jurors in thi district. It is anticipated that the defendants will, sometime

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shortly, file a motion to change venue and will rely in part, upon alleged attitudes of potential jurors in this district. The question is, therefore, relevant to the subject matter of this action, proper discovery, and seeks information material to anticipated claims to be made by these defendants. There is nothing inherent in this question that brings it within any type of privilege, unless the attorney for the defendant conducted or authorized such polling, surveys or interviews, and even if they did, to respond to this question would not divulge any privileged information.

5. Plaintiffs' counsel has been required to expend substantial time and expense in the development and preparation of this motion to require the defendants to comply with the Federal Rules of Civil Procedure. Under Rule 37, an award of attorneys' fees is required to be imposed when the party failing to properly respond to discovery does so without justification. There is no reasonable justification or excuse for the responses given by the defendants to these questions and an award of expenses and attorneys' fees is proper under these circumstances.

WHEREFORE, plaintiffs pray for an order compelling the defendants to answer fully and without evasion or equivocation, each of the above interrogatories within ten (10) days from the date of hearing on this motion, and after a hearing hereof, ordering the defendants to pay reasonable expenses and attorneys' fees in connection with this motion.

DATED: May 11, 1981.

Respectfully submitted,

ROY LATHARN HART, and
LELOS WEDGEWORTH, PLAINTIFFS

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CUPIT & MAXEY
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Jackson, Mississippi 39205
ATTORNEYS FOR PLAINTIFF

BY: _____
OF COUNSEL

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CERTIFICATE

The undersigned certifies that on the date set forth hereinafter, a true and correct copy of the above and foregoing NOTICE and MOTION TO COMPEL was mailed, postage prepaid to Alex A. Alston, Jr., Esquire, P. O. Drawer 1532, Jackson, MS 39205, attorney for Combustion Engineering, Inc.; Jeffrey R. King, Esquire, P. O. Box 789, Vicksburg, MS 39180, attorney for Flintkote; Roy C. Williams, Esquire, P. O. Box 787, Pascagoula, MS 39567, attorney for Johns-Manville Sales Corporation; Junior O'Mara, Esquire, P. O. Box 22567, Jackson, MS 39205, attorney for Owens-Illinois, Inc., and Nicolet, Inc.; Walter Eppes, Jr., Esquire, P. O. Box 3311, Meridian, MS 39301, attorney for H. K. Porter Company, Inc.; W. Swan Yerger, Esquire, 1030 Capital Towers, Jackson, MS 39201, attorney for Raybestos-Manhattan, Inc.; Natie Caraway, Esquire, P. O. Box 651, Jackson, MS 39205, attorney for Rock Wool Manufacturing Company, Inc. and Celotex Corporation; William F. Goodman, III, Esquire, P. O. Box 650, Jackson, MS 39205, attorney for GAF Corporation, Heber Ladner, Jr., Esquire, 407 Riverhill Tower, 1675 Lakeland Drive, Jackson, MS 39216, attorney for Unarco; Cary Bufkin, Esquire, P. O. Box 157, Jackson, MS 39205, attorney for Owens-Corning Fiberglas Corporation, Dorrance Aultman, Esquire, P. O. Box 750, Hattiesburg, MS 39401, attorney for Armstrong Cork Company; Curtis E. Coker, Esquire, P. O. Box 1084, Jackson, MS 39205, attorney for Pittsburgh Corning Corporation; Jerry Langford, Esquire, P. O. Box 131, Jackson, MS 39205, attorney for Amatex Corporation, Michael S. Allred, Esquire, P. O. Box 847, Jackson, MS 39205, attorney for ACandS, Inc.; Louis G. Baine, Jr., Esquire, P. O. Box 16183, Jackson, MS 39206, attorney for Fibreboard Corporation; Wade Lagrone, P. O. Box 466, Tupelo, MS 38801, attorney for Eagle-Picher Industries, Inc.; John H. Holloman, Esquire, P. O. Box 427,

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Jackson, MS 39205, attorney for Garlock, Inc.; Suzanne Saunders, Esquire, P. O. Box 16295, Jackson, MS, attorney for Hopeman Brothers, Inc.,; Thomas W. Tyner, Esquire, P. O. Box 31, Hattiesburg, MS 39401; attorney for Anchor Packing Company; Ernest Graves, Esquire, P. O. Box 4326, Laurel, MS 39440, attorney for Keene Corporation; Ronald G. Peresich, Esquire, P. O. Drawer 289, Biloxi, MS39522, attorney for Forty-Eight Insulation; Karl Wiesenberg, Esquire, P. O. Box 26, Pascagoula, MS 39567, attorney for Litton Systems; Grover E. Asmus, II, Esquire, P. O. Box 290, Mobile, AL 36601, attorney for American Mutual Corporation and American Mutual Liability Insurance Company; Alben Hopkins, Esquire, P. O. Drawer K, Gulfport, MS 39501, attorney for Rockwell International Corporation; M. M. Roberts, Esquire, P. O. Box 879, Hattiesburg, MS 39401, attorney for Amchem Products, Inc., Foster Division; Rae Bryant, Esquire, P. O. Box 10, Gulfport, MS 39501, attorney for Flexitallic Gasket Company, Walker W. Jones, III, Esquire, 1080 Flynt Drive, Jackson, MS 39208. attorney for Garlock, Inc.; James C. Pittman, Jr., Esquire, P. O. Drawer 1975, Hattiesburg, MS, attorney for Crane Packing Company; D. Gary Sutherland, Esquire, Post Office Box 1079, Hattiesburg, MS 39401, attorney for Empire Ace.

This the 11th day of May 1981.

DANNY E. CUPIT

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C33-2

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KENNETH W BARTON
AMESA H. BARKSDALE
ALAN W PERRY
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FRED KRUTZ, III
DON B. CANNADA
WALTER G WATKINS, JR.
PHIL B. ABERNETHY
W. EUGENE MAGEE
LUTHER T. MUNFORD
THOMAS E. WILLIAMS

GEO BUTLER (1948)
J. MORGAN STEVENS (1985)
CHAS. B. SNOW (1960)

JUNIOR O'MARA
COUNSEL

May 18, 1981

Mrs. Jean Simpson, Deputy Clerk
United States District Court
Southern District of Mississippi
Post Office Box 369
Biloxi, Mississippi 39533

Re: Lelos Wedgeworth, et al. v. Armstrong Cork, et al.
C. A. No. J78-0002(N)
And All Cases Consolidated Therewith

Roy Latharn Hart, et al. v. Armstrong Cork, et al.
C. A. No. S79-0033(N)
And All Cases Consolidated Therewith

Dear Jean:

We enclose Affidavit submitted on behalf of Owens-Illinois, Inc. which we would appreciate your affixing to the following document recently filed in the above-referenced lead cases:

Answers of Celotex Corporation, Johns-Manville Sales Corporation, Nicolet, Inc., Owens-Illinois, Inc., H. K. Porter Company, Inc., Raybestos-Manhattan, Inc., Rock Wool Manufacturing Co., Inc., Unarco, Empire Ace Insulation Manufacturing Co., and Crane Packing Company to Plaintiffs Lelos Wedgeworth, Roy Latharn Hart, Frankie B. Ates, Mrs. Evelyn Buckley, James L. Jackson and Mrs. Marjorie Johnson's Amended Supplemental Set of Interrogatories Propounded to Defendants

These answers were filed on or about May 8, 1981. As shown on the attached certificate, we are sending a copy of this Affidavit to counsel of record. Please file stamp and return copy.

Thank you for your assistance.

Very truly yours,

BUTLER, SNOW, O'MARA, STEVENS & CANNADA

Richard L. Forman

Richard L. Forman

RLF:ml
Enclosure
cc: All Counsel of Record

CRMC-Motley1000-Subj-004851

PHILIP M. RICE, being duly sworn according to law, deposes and says that he is an Assistant Secretary of Owens-Illinois, Inc., a defendant herein; that as such he is authorized to take an Affidavit on its behalf; and that the facts set forth in the foregoing Answers of Owens-Illinois, Inc. to Plaintiffs' Amended Supplemental Set of Interrogatories are true and correct to the best of his knowledge, information and belief.

Philip M.Rice

Sworn to and subscribed before me this 13th day of May, 1981.

Notary Public

MELODEE KARLA KORMAN
Notary Public — State of Ohio
My Commission Expires Nov. 22, 1984

CRMC-Motley1000-Subj-004852

I, RICHARD L. FORMAN, attorney for Owens-Illinois, Inc., do hereby certify that I have this day mailed a true and correct copy of the above and foregoing Affidavit to be attached to Answers of Celotex Corporation, Johns-Manville Sales Corporation, Nicolet, Inc., Owens-Illinois, Inc., H. K. Porter Company, Inc., Raybestos-Manhattan, Inc., Rock Wool Manufacturing Co., Inc., Unarco, Empire Ace Insulation Manufacturing Co., and Crane Packing Company to Plaintiffs Lelos Wedgewort Roy Latharn Hart, Frankie B. Ates, Mrs. Evelyn Buckley, James L. Jackson and Mrs. Marjorie Johnson's Amended Supplemental Set of Interrogatories Propounded to Defendants to the following counsel of record at their respective addresses as listed:

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ATTORNEY FOR NEW JERSEY MANUFACTURERS INSURANCE COMPANY, FIREMAN'S FUND INSURANCE COMPANY AND BITUMINOUS CASUALTY CORPORATION--INTERVENORS

SO CERTIFIED, this the 18th day of May, 1981.

Richard L. Forman

RICHARD L. FORMAN

CRMC-Motley1000-Subj-004854

I, RICHARD L. FORMAN, attorney for Owens-Illinois, Inc., do hereby certify that I have this day mailed a true and correct copy of the above and foregoing Affidavit to be attached to Answers of Celotex Corporation, Johns-Manville Sales Corporation, Nicolet, Inc., Owens-Illinois, Inc., H. K. Porter Company, Inc., Raybestos-Manhattan, Inc., Rock Wool Manufacturing Co., Inc., Unarco, Empire Ace Insulation Manufacturing Co., and Crane Packing Company to Plaintiffs Lelos Wedgewor Roy Latharn Hart, Frankie B. Ates, Mrs. Evelyn Buckley, James L. Jackson and Mrs. Marjorie Johnson's Amended Supplemental Set of Interrogatories Propounded to Defendants to the following counsel of record at their respective addresses as listed:

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ATTORNEY FOR CRANE PACKING COMPANY

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ATTORNEY FOR GARLOCK, INC.

Mr. M. M. Roberts
Roberts & Easterling
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Hattiesburg, Mississippi 39401

ATTORNEY FOR ANCHEM PRODUCTS, INC.,
FOSTER DIVISION, SUBSIDIARY OF
UNION CARBIDE CORPORATION

SO CERTIFIED, this the 18th day of May, 1981.

Richard L. Forman
RICHARD L. FORMAN

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CP3-6

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI

LELOS WEDGEWORTH et al	PLAINTIFFS
VERSUS	CIVIL ACTION NO. J78-0002(N) AND ALL CASES CONSOLIDATED THEREWITH
ARMSTRONG CORK, et al	DEFENDANTS

* * *

ROY LATHARN HART, et al	PLAINTIFFS
VERSUS	CIVIL ACTION NO. J79-0033(N) AND ALL CASES CONSOLIDATED THEREWITH
ARMSTRONG CORK, et al	DEFENDANTS

* * *

JAMES McCARTY, et al	PLAINTIFFS
VERSUS	CIVIL ACTION NO. S79-0316(N) AND ALL CASES CONSOLIDATED THEREWITH
JOHNS-MANVILLE SALES CORP., et al	DEFENDANTS

* * *

L. T. CHAPIN, et al	PLAINTIFFS
VERSUS	CIVIL ACTION NO. S79-0272(N) AND ALL CASES CONSOLIDATED THEREWITH
ACANDS, INC., et al	DEFENDANTS

DEFENDANTS' SUPPLEMENTAL RESPONSES TO
THE AMENDED SUPPLEMENTAL SET OF INTERROGATORIES
PROPOUNDED TO THE DEFENDANTS

COME NOW all Defendants named in the above styled and numbered actions as consolidated, with the exception of American Mutual Liability Insurance Company, Amchem (Foster Division), and any Defendants who have previously settled all of such cases, and file these their supplemental answers to interrogatories propounded by the Plaintiffs, pursuant to directives from the Court on May 29, 1981, which such answers supplement those answers

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[illegible], which such Interrogatory shall be supplemented by individual Defendants.

1. With respect to each plaintiff listed above, please state specifically each and every fact, as distinguished from conclusory allegations, which you now known or rely upon to support your contention contained in your answer that the plaintiff misused or abnormally or improperly used some or all of the products referred to in the complaint.

ANSWER: Plaintiffs and each of them failed to comply with safety regulations promulgated by the Walsh-Healy Act and Occupational Safety and Health Act as well as the requirements for health and safety set forth in the brochures and other documents provided to its employees and workers by Litton Industries, Inc. or its predecessor in ownership, and those requirements provided for in the applicable union contracts as negotiated by the Plaintiffs' respective bargaining agents. Further, there was made available to the Plaintiffs, and each of them, respirators, exhaust fans and other similar safety equipment which such Plaintiffs failed or refused to utilize. Such equipment had been made available according to various depositions from some point in time preceeding the 1950's. Additionally, from and after at least 1964 warning labels appeared on various asbestos-containing products, the exact wording of which has been provided to Plaintiffs in previous Answers to Interrogatories, which warnings were not complied with by Plaintiffs.

Depositions taken of co-workers and others also revealed that certain products, such as asbestos cloth, were misused in as much as the Plaintiffs and others similarly situated would, on occasion, "wrap up in such cloth" in order to be protected from burning and welding in the area. Other Plaintiffs were known to have used asbestos cloth and other products as pillows or blankets during their rest periods.

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and continued to smoke after they knew that smoking would cause cancer, emphysema, heart disease and otherwise weaken their lungs, cardiovascular and respiratory system and that continuing to work in dusty conditions as set forth would aggravate such conditions caused by smoking.

Ventilation equipment including exhaust fans and blowers, were available to each and every Plaintiff for use in confined areas for dust removal as well as other ventilation. Such equipment was not utilized though made available nor was exhaust equipment used on sawing equipment although such exhaust equipment was available. The use of all such ventilation equipment and availability of same was known to Litton and its predecessors in interest, safety personnel, union stewards and business agents, supervisory and other management personnel, insulation sub-contractors, American Mutual Liability Insurance Company representatives, and others as well as the Plaintiffs.

2. With respect to each plaintiff listed above, please state specifically each and every fact, as distinguished from conclusory allegations, which you now know or rely upon to support your contention contained in your answer that the plaintiff assumed the risk of dangers complained of in the complaint.

ANSWER: See Answers to Interrogatory #1. Also, each and every Plaintiff continued to work in and around dusty areas, without regard to the content of the dust, though each Plaintiff knew that such dust could be hazardous to his health. Specifically, Plaintiffs failed to use respirators that were made available to them and worked in dusty areas and in areas where such products were being misused and/or misapplied, all in violation of safety regulations.

3. With respect to each plaintiff listed above, please state specifically each and every fact, as distinguished from conclusory allegations, which you now know or rely upon to support your contention contained in your answer that the plaintiff himself was negligent in connection with the use of and exposure to the products referred to in the complaint.

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further, previous depositions reveal that each of the Plaintiffs worked in and around others in the shipyard who were misusing or misapplying asbestos-containing products even though they knew or should have known that such products were being misused or misapplied, all in violation of safety regulations and all as identified hereinabove.

4. With respect to each plaintiff listed above, please state specifically each and every fact, as distinguished from conclusory allegations, which you now know or rely upon to support your contention contained in your answer that if the plaintiff has suffered any injuries or damages alleged in the complaint, they resulted solely from acts and omissions of persons other than you, which constituted an independent, intervening and sole proximate cause of the injuries and/or damages complained of in the complaint.

ANSWER: See Answers to Interrogatories #1, #2 and #3. Further, depositions reveal insufficient and/or negligent supervision by the safety department of Ingalls Shipyard and its sub-contractors of shipyard workers, including Plaintiffs, who worked in and around asbestos-containing products. Depositions also revealed insufficient and/or negligent inspections by the safety department of Ingalls Shipyard, its sub-contractors and American Mutual Liability Insurance Company of shipyard working conditions, including application and use of asbestos-containing products. Additionally, union officials failed to enforce previously negotiated union contracts providing for health and safety and proper working conditions of union members. The United States Navy, United States Maritime Commission, United States Coast Guard, Department of Occupational Safety and Health, and other governmental entities failed or refused to properly inspect for unsafe conditions, failed or refused to adopt or

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containing products in vessels on which the Plaintiffs worked or in other areas of the shipyard wherein asbestos containing products were used, stored or fabricated.

5. Please give the name, address and telephone number of each individual whose acts or omissions you believe caused or contributed to the injuries and/or damages complained of in the complaint.

ANSWER: The entities and the members, employees or agents thereof whose acts or omissions caused or contributed to injuries sustained by the Plaintiff, if any, were: (a) all unions whose members worked in and around the Ingalls Shipyard; (b) the United States Navy, United States Maritime Commission, Department of Occupational Safety and Health, United States Coast Guard and any and all other governmental entities who had jurisdiction or control over employees of shipyards such as Ingalls Shipyard, including the Department of Labor; (c) any and all insulation sub-contractors who worked in and around Ingalls Shipyard; (d) Ingalls Shipbuilding Corporation and/or Litton Industries, Inc. and its predecessors in ownership of the Ingalls Shipyard in Pascagoula; (e) American Mutual Corporation and/or American Mutual Liability Insurance Company or any of their parent or subsidiary corporations who had workmen's compensation and/or liability insurance coverage at the shipyard, or Longshoremen and Harbor Workers Act coverage, or contractual obligations to Litton Industries, Inc. for the performance of inspection or industrial hygienic functions or similar duties.

7. If your answer to the preceding question was in the affirmative, please state specifically the name, address and telephone number of each individual or entity you contend caused or contributed to such injury or damages.

ANSWER: See answer to Interrogatory No. 5.

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In your response to the preceding questions, please state specifically each act or omission you contend caused or contributed to such injuries or damage and with respect to each such act or omission, please state specifically each and every fact, as distinguished from conclusory allegations, which you now know or upon which you presently rely to support such contentions.

ANSWER: See answer to Interrogatories Nos. 1 through 5.

9. Please list the name, address and telephone number of each individual who you know or believe has personal knowledge of any of the facts set forth in your responses to questions 1, 2, 3, 4, 5, 6, 7 and 8, and indicate which responses each such individual has knowledge of.

ANSWER: See Defendants' revised witness list and answers to Interrogatories Nos. 1 through 5.

14. Please identify each individual named on the defendants' witness list who you will or may call as an expert witness to give opinion testimony in the trial of this cause and with respect to each, state the following:

(a) the field in which he or she is to be offered as an expert;

(b) the substance of the facts to which he or she is expected to testify;

(c) the substance of the opinions to which he or she is expected to testify and a summary of the grounds for such opinion;

(d) a summary of his or her qualifications within the field he or she is expected to testify.

ANSWER: See Defendants' revised witness list.

15. With respect to each person named on the defendants' witness list not identified in response to the preceding question as an expert witness, please state the following:

(a) Whether such person has given a written or oral statement to you or someone acting on your behalf;

(b) whether such person has personal knowledge of any of the material facts or either of these lawsuits, and if so, which ones;

she is expected to testify.

ANSWER: See Defendants' Revised Witness List.

16. Please give the name, address, telephone number and place of employment of all persons whom you have retained or employed in anticipation of litigation or for trial preparation purposes whom you do not expect to call as a witness at trial.

ANSWER: All persons retained or employed are listed on Defendants' Witness List.

Respectfully submitted,

ARMSTRONG CORK CO., et al

BY: MEGEHEE, BROWN, WILLIAMS & MESTAYER

BY: _____
ROY C. WILLIAMS, Liaison Counsel

OF COUNSEL:

MEGEHEE, BROWN, WILLIAMS & MESTAYER
3112 Canty Street
Post Office Box 787
Pascagoula, MS 39567
Telephone: (601) 762-2271

C E R T I F I C A T E

I, ROY C. WILLIAMS, Liaison Counsel for the Defendants, do hereby certify that I have this day mailed, postage prepaid, a true and correct copy of the above and foregoing Supplemental Answers to all counsel of record as per the attached sheet.

THIS the 22nd day of June, A. D., 1981.

_____
ROY C. WILLIAMS

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PAUL S. MINOR, ESQ.
P. O. DRAWER 1388
Biloxi, MS 39533

[illegible], Texas 75670

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U.S. DISTRICT COURT
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Biloxi, MS 39533

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P. O. DRAWER 1120
Jackson, MS 39201

TOM TARDY, ESQ. &
ALEX ALSTON, ESQ.
P. O. DRAWER 1532
Jackson, MS 39205

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P. O. Box 789
Vicksburg, MS 39180

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Tupelo, MS 38801

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Jackson, MS 39205

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REX GORDON, SR. ESQ.
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Birmingham, AL 35203

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Hattiesburg, MS 39401

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Jackson, Ms 39205

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Gulfport, MS 39501

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P. O. Box 8367
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ROBERT KENDALL, ESQ.
P. O. Box 550
Mobile, AL 36601

DIAMOND, LATTOFF, GARNDER,
PATE & PETERS, ESQ.
P. O. Box 3066
Mobile, AL 36601

PATE & PETERS, ESQ.
P. O. Box 1245
Mobile, Al 36633

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SOUTHERN DISTRICT OF MISSISSIPPI
FILED
JUN 10 1981
CHARLIE A. PIERCE, CLERK
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

ROY LATHARN HART — PLAINTIFF

VS. — CIVIL ACTION NO. S79-0033(N) and ALL CASES CONSOLIDATED THEREWITH

ARMSTRONG CORK COMPANY, et al. — DEFENDANTS

LELOS WEDGEWORTH — PLAINTIFF

VS. — CIVIL ACTION NO. J78-0002(N) and ALL CASES CONSOLIDATED THEREWITH

ARMSTRONG CORK COMPANY, et al. — DEFENDANTS

ORDER

This cause having come on motion of the plaintiffs to compel further responses to the supplemental interrogatories propounded to the defendants, and the Court having considered said motion hereby ORDERS:

1. The defendants shall make further and more detailed responses to Interrogatories 1, 2, 3, 4, 5, 7, 8, 9, 14, 15, and 16.

2. Interrogatories 11, 18, 19, 20, 21, 22, and 23 shall be presented to the Court for adjudication on June 11, 1981.

SO ORDERED this 8th day of June, 1981.

UNITED STATES MAGISTRATE

Approved as to Form:

ATTORNEY FOR PLAINTIFFS

LIAISON COUNSEL FOR DEFENDANTS

CRMC-Motley1000-Subj-004867

SOUTHERN DISTRICT OF MISSISSIPPI
FILED
JUL 1 1981
CLARENCE A. PIERCE, CLERK
DEPUTY
BY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

LELOS WEDGEWORTH, et al,	:	
PLAINTIFFS,	:	CIVIL ACTION NO. J78-0002(N) AND ALL CASES CONSOLIDATED
VS.	:	THEREWITH
ARMSTRONG CORK, et al,	:	
DEFENDANTS.	:	
ROY LATHARN HART, et al,	:	
PLAINTIFFS,	:	CIVIL ACTION NO. S79-0033(N) AND ALL CASES CONSOLIDATED
VS.	:	THEREWITH
ARMSTRONG CORK, et al,	:	
DEFENDANTS.	:	

ORDER

This cause having come on motion of the plaintiffs to compel answers to questions 18 through 23 of the plaintiffs' second set of interrogatories, and the Court having considered said motion along with briefs and arguments of counsel, is of the opinion that it is well taken and should be sustained; IT IS, THEREFORE,

ORDERED that on or before July 1, 1981, the defendants answer fully and without evasion, questions 18 through 23 of the plaintiffs' supplemental set of interrogatories.

SO ORDERED this 1st day of July, 1981.

U. S. DISTRICT JUDGE

APPROVED AS TO FORM:

Attorney for plaintiffs

Attorney for defendants

m-884

CRMC-Motley1000-Subj-004868

E. COPPIN KINSEAU, M.D., Ph.D., D.Sc.

Degrees	A.B. College of Idaho, 1923; M.A. University of Californ 1926; Ph.D. University of California, 1931; M. D. Univer sity of Pennsylvania, 1933; D.Sc.(Hon.)College of Idaho, 1947; F.A.C.P.(Fellow American College of Physicians); F.C.C.P.(Fellow American College of Chest Physicians).
Member of	American Bronchoesophagological Association; American Society for Clinical Investigation; American Climatol and Climatological Association; Society for Experimental Biology and Medicine; Central Society for Clinical Rese American College of Physicians(Fellow); American Thorac Society(Medical Section of National Tuberculosis Assoc. (Pres. 1942-43); National Tuberculosis Association(Vice Pres.1946-47, 1954-55, 1960-61, 1967-68). Member Board of Directors 1944-54; Member of Dir. of San Francisco Tuberculosis and Health Association 1950-19; California Tuberculosis and Health Association Bd. of Dir. 1949-54 Minnesota Trudeau Society(President 1947); Mississippi Valley Medical Association(Hon. Member); American Medic Association; San Francisco County Medical Society; Argentine Society of Pathology(Hon. Member). Medical Advisory Board, Research Foundation, Chicago. Fello American College of Chest Physicians, California Acade of Medicine.
Positions held	
1924-28	Successively Teaching Fellow, Teaching Assistant and Instructor(Zoology)University of California(resigned as Asst. Prof. 1928)
1928-31	Adjunct. Prof. Parasitology, School of Med. American U. of Beirut, Lebanon(Chair. Dept. of Parasitology and Bacteriology)
1931-33	Instructor in Bacteriology, U. of Pennsylvania Medical School
1933-38	Fellow and First Assistant in Med., Mayo Foundation (University of Minnesota)
1938-40	Instructor in Medicine, Mayo Foundation(U. of Minnesota)
1940-43	Consultant in Medicine, Mayo Clinic
1940-43	Assistant Professor of Medicine, Mayo Foundation(U. of M
1943-46	Associate Professor Medicine, Mayo Foundation(U. of Min
1946-49	Head of a Section in Medicine, Mayo Clinic, Rochester Mi
1946-51	Consultant to Surgeon General, U. S. Public Health Serv Member Experimental Therapeutics Study Section, National Institutes of Health
1948-67	Area Consultant, U. S. Veterans Administration
1949-55	Clinical Professor of Medicine, Stanford University School of Medicine, Head of Division, Diseases of the Chest
1951-54	Consultant in Medicine, Walter Chest Center

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1954-74	Consultant in Medicine, U. S. Army(Letterman Hospital)
1955-69	Consultant in Medicine, U. S. Navy(Oak Knoll Naval Hospital)
1955	Recipient of the California Medal(Calif. Tuberculosis and Health Association)
1956-57	Consultant to the Surgeon General, U.S. Air Force (Travis Air Force Base)
1956---	Editorial Board, Excerpta Medica, Amsterdam
1957-75	Consultant, Department of Public Health, State of Calif.
1958-73	Consultant and Visiting Physician, Southern Pacific Hospital(now Fairmont Community Hospital)
1958	Recipient of the Trudeau Medal(American Thoracic Soci
1959---	Clinical Professor of Medicine, University of California Medical Center, San Francisco
1967	Distinguished Alumni Award - College of Idaho
1967-75	Director of Medical Services, Fairfax Community Hospital and Medical Center, San Francisco
1968-71	Member of California Interagency Council of Tuberculosis (represented in California Medical Association)
1969-76	Member California Committee on Regional Medical Program
1970-74	Member of the Board of Trustees of the Fairfax Community Hospital
1972-74	Director of Health Operations for Health Maintenance Or of Northern California and member of Board of Directors
1972-74	Chief of Staff, Fairfax Community Hospital and Medical Center, San Francisco
1974---	Editorial Advisory Board "Consultant" Medical Magazine
1974---	Honorary Life Membership, American Lung Association
1975---	Editorial Consultant, "Clinical Medicine"
1975---	Editorial Consultant, "Postgraduate Medicine"
1975---	Editorial Consultant, United States Pharmacopeia
1976---	Honorary Life Membership, American Thoracic Society
1978---	Editorial Consultant, Dorland's Medical Dictionary
	Certified American Board of Internal Medicine
	Diplomate National Board Medical Examiners
	Listed in WHO'S WHO IN AMERICA; INTERNATIONAL WHO'S WHO, AMERICAN MEN OF SCIENCE, etc.
	Author or co-author of over 200 scientific papers an four volumes. Contributed chapters to 12 volumes, textbooks, monographs, Encyclopedia Britannica, etc.
1980---	Emeritus Professor of Medicine, University of California, San Francisco.
1981---	"Hall of Fame" Award, American Lung Association.

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CURRICULUM VITAE

EMORY, William Brooks

ADDRESS:

Ochsner Clinic, 1514 Jefferson Highway, New Orleans, La. 70121

PERSONAL:

Birthplace:	New Orleans, La.
Date of birth:	August 1, 1942
Parents:	Dr. and Mrs. Mayo L. Emory (Marjorie Klinesmith)

EDUCATION:

High School:	St. Martin's, New Orleans, La., 1955-1960.
Academic College:	University of North Carolina, Chapel Hill, N.C. 1960-1964, B.A. degree.
Medical School:	Tulane University School of Medicine, New Orleans, La. 1964-1968, M.D. degree

INTERNSHIP:

Rotating internship at Methodist Hospital, Dallas, Texas, 1968-1969.

RESIDENCY:

Internal Medicine, Alton Ochsner Medical Foundation, New Orleans, La. 1969-1971.

FELLOWSHIP:

Chest Diseases, Alton Ochsner Medical Foundation, New Orleans, La. 1971-1972.
Clinical Research in Chest Diseases, McGill University, Montreal, Canada, under Dr. Peter T. Macklem, Director of Respiratory Division, Royal Victoria Hospital, Montreal 111, P.Q., April 1973-April 1974.

BOARD CERTIFICATION:

Diplomate, American Board of Internal Medicine, June 1972; certified in the subspecialty of Pulmonary Diseases October 1974.

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EMORY, William Brooks

MEDICAL PRACTICE:

Joined Ochsner Clinic staff and Ochsner Foundation Hospital staff, July 1, 1972.
Head, Section on Pulmonary Disease, Department of Internal Medicine, Ochsner Clinic and Ochsner Foundation Hospital, June 16, 1977 - Present.

MEMBER OF:

Orleans Parish Medical Society, Board
Louisiana State Medical Society
American Medical Association
Southern Medical Association
American Thoracic Society
American College of Physicians, Member
American College of Chest Physicians, Fellow 1978
College Committee on Fungus Diseases, Member

APPOINTMENTS:

Tulane School of Medicine, Clinical Appointment
LSU School of Medicine, Clinical Appointment

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David E. Thorning, M.D.

Prizes and Awards (cont'd)

VA Career Resident
February 1970 - June 1973

Specialty Board Certification

Anatomic Pathology, November 17, 1973

Licensed Physician

Kansas	13579	Basic Science Certificate 1957 State of Kansas
Washington	12824	

Military Service

Commissioned - Lieutenant, MC, USNR - July 14, 1966

Active Duty - July 1966 to November 1968 as:

a. Student at Submarine Medical School, New London, Connecticut
July 1966 - December 1966

b. Medical Officer of Nuclear Submarine (USS John C. Calhoun - SSBN630-Gold) January 1967 - November 196[illegible]

Appointed Lt. Commander, MC, USNR - July 1, 1968

Honorable Discharge - January 5, 1969

Teaching Appointments

University of Wisconsin School of Medicine [illegible] 1974 - June 1974
Instructor in Pathology

University of Washington School of Medicine July 1973 - July 1976
Instructor in Pathology
Assistant Professor of Pathology July 1976 -

Hospital Staff Appointments

Associate Physician, University of Kansas [illegible]

Pathologist, VA Hospital, Robinson, [illegible] [illegible]

Pathologist, VA Hospital, Seattle, Washington July 1973 - [illegible]
(Currently VA Medical Center)

Chief of Histochemistry, VA Medical Center, [illegible]
[illegible]

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CURRICULUM VITAE

NAME:	Joe Robert Norman, M.D.	
PERSONAL DATA:	Born:	March 10, 1928, Birmingham, Alabama
	Married:	Patricia Foley, M.D., June 2, 1953
	Children:	Melissa D. Norman - October 31, 1962
		Robert F. Norman - January 13, 1964
EDUCATION:	Primary:	Birmingham Public Schools
	Secondary:	St. Bernard High School, St. Bernard, Ala.
UNDERGRADUATE:	1952	University of the South, Sewanee, Tenn. Howard College, Birmingham, Ala. - B.S.
GRADUATE:	1957	Medical College of Alabama - M.D. (Upper 1/3)
INTERNSHIP:	Jul. 1957-Jun. 1958	Straight Medical, Medical College of Alabama
RESIDENCY AND FELLOWSHIP:	Jul. 1958-Jun. 1959	Junior Assistant Resident, Internal Medicine, Medical College of Alabama, Birmingham
	Jul. 1959-Jun. 1960	Senior Assistant Resident, Internal Medicine, Mass. Memorial Hospital, Boston (Chief of Service, Chester Keefer)
	Jul. 1959-Jun. 1960	Senior Teaching Fellow, Boston Univ. School of Medicine, Boston, Mass.
	Jul. 1960-Jun. 1961	Research Fellow, Pulmonary Physiology, Mass. Gen. Hospital (USPHS)
	Jul. 1960-Jun. 1961	Clinical and Research Fellow, Harvard Medical School, Boston, Mass. (Chief of Unit, John H. Knowles, now General Director, Mass. Gen. Hosp., Boston
	Jul. 1961-Jun. 1962	Chief Resident in Medicine, Medical College of Alabama, Birmingham (Professor and Chairman, W. B. Frommeyer, Jr.)
TEACHING:	Jul. 1961-Sept. 1963	Instructor in Medicine, Pulmonary Division, Medical College of Ala. (Division Director, Ben V. Branscomb)

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Oct. 1962- Jun. 1970	Chief, Pulmonary Physiology Unit, Birmingham Veterans Administration Hospital
Aug. 1963- Jun. 1970	Associate Director, Clinical Research Center, University Hospital and Hillman Clinic, Medical College of Ala. (Director, Robert Kreisberg)
Oct. 1963- Sept. 1966	Assistant Professor of Medicine, Pulmonary Division, Medical College of Alabama
Oct. 1964- Jun. 1970	Assistant Professor, Dept. of Physiology and Biophysics, Medical College of Alabama
Oct. 1966- Jun. 1970	Associate Professor, Dept. of Medicine, Medical College of Alabama
Jul. 1970- Present	Professor of Medicine, University of Mississippi School of Medicine
Jul. 1970- Present	Director, Div. of Pulmonary Diseases, Department of Medicine, University of Mississippi School of Medicine
Jul. 1970- Present	Associate Professor, Department of Physiology and Biophysics, University of Mississippi School of Medicine
Jul. 1970- Present	Consultant Physician, Jackson Veterans Administration Hospital

ORGANIZATIONS: AOA
American Federation for Clinical Research
New York Academy of Sciences
Sigma Xi
FACCP

ARMED SERVICE: Active duty completed - U. S. Navy
Rank - Lt. Commander (MC), U. S. Naval Reserve

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CONSULTANT:	1964-70	Consultant in Pulmonary Diseases, Dept. of Vocational Rehabilitation, State of Alabama
	1964-70	Consultant in Pulmonary Diseases, Disability Determination Unit, State of Alabama
	1964-70	Special Consultant to the Dean in matters of disability, U.S. Department of Labor, State of Alabama
	1964-Present	Consultant in Pulmonary Diseases, U. S. Dept. of Labor
	1970-Present	Consultant in Pulmonary Diseases, Dept. of Vocational Rehabilitation, State of Mississippi
	1972-Present	Consultant in Pulmonary Diseases, Disability Determination Unit, State of Mississippi
	1972-75	Governor, American College of Chest Physicians in Mississippi
	1975-Present	Consultant, State Board of Health, State of Mississippi
	1976-Present	Consultant, National Institutes of Health, General Clinical Research Centers
	1980-	Director, Adult Intensive Care Unit, University Hospital, Jackson, Mississippi

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Paul [illegible] M.D.

CRMC-Motley1000-Subj-004781

W. CLARK COOPER, M.D.
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Berkeley, California 94704

Education:

M.D.	University of Virginia	1934
M.P.H.	Harvard School of Public Health	1958

Experience:

Independent Consultant -- Occupational Health	1978--
Senior Medical Scientist, Equitable Environmental Health, Inc., Berkeley, California	1977
Vice President, Equitable Environmental Health, Inc., Berkeley, California (formerly Tabershaw/Cooper Associates, Inc.)	1972-1976
School of Public Health, University of California, Berkeley, Professor of Occupational Health in Residence	1967-1972
School of Public Health, University of California, Berkeley, Clinical Professor of Occupational Medicine	1966-1967
School of Public Health, University of California, Berkeley, Research Physician (Occupational Health) and Lecturer	1963-1967
Division of Occupational Health, Washington, D.C., Chief of program planning and analysis five years; Acting Research Grants Administrator; successively Deputy Chief, Acting Chief, and Chief of Division, 1962-1963	1957-1963
Occupational Health Field Headquarters, Division of Occupational Health, PHS, Cincinnati, Ohio, Chief	1952-1957
U.S. Public Health Service Hospital, San Francisco, California, Assistant Chief of Medicine	1950-1952
National Institutes of Health, Bethesda, Maryland, Research in chemotherapy of malaria	1941-1950
April, entered U.S. Public Health Service as Commissioned Officer	1940-
U.S. Army Medical Corps, First Lieutenant: Prepared pneumococcus vaccine at Army Medical Center, served as adjutant, Army Medical Center, studied preventive medicine and attended Medical Field Service School, Carlisle Barracks, and served as Division Surgeon, 18th Infantry, 1st. Division	1937-1940

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University of Cincinnati, resident fellow in nutrition: participated in clinical tests which proved that nicotinic acid (niacin) was curative in pellagra	1937
University Hospitals of Cleveland, intern and assistant resident in internal medicine	1934-1937

Specialty Board Certification:

American Board of Internal Medicine, 1949
American Board of Preventive Medicine (Occupational Medicine), 1962
American Board of Industrial Hygiene (Comprehensive), October, 1962

Professional Organizations:

Fellow, American Association for the Advancement of Science
Fellow, American Public Health Association
Fellow, American College of Chest Physicians
(Member of Committee on Occupational Diseases of the Chest)
Fellow, American Occupational Medical Association
Fellow, American Academy of Industrial Hygiene
Fellow, Royal Society of Tropical Medicine and Hygiene (London)
Fellow, Royal Society of Medicine (London)
Member, American Society of Tropical Medicine and Hygiene
Member, Permanent Commission and International Association on Occupational Health
Member, Western Occupational Medical Association
Member, American Academy of Occupational Medicine
Member, Alameda-Contra Costa Medical Association
Member, Society for Environmental and Occupational Health

Special Committees and Activities:

Member, Committee on Environmental Health, American College of Chest Physicians
Member, Committee for Criteria Document Review, American Academy of Occupational Medicine
Member, Subcommittee on Asbestosis, Permanent Commission and International Association on Occupational Health
Medical Consultant, State of California Department of Public Health, Bureau of Occupational Health, Berkeley
Medical Consultant, U.S. Atomic Energy Commission, 1964-1973
Member, Panel on Clinical Testing of Antimalarials, Board of Coordination of Malarial Studies, 1941-1945

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Member, Threshold Limits Committee of the American Conference of Governmental Industrial Hygienists, 1954-1961, ~~1964-1966~~
Member, Committee on Biologic Effects of Atmospheric Pollutants, National Academy of Sciences, 1970-1972, and Chairman, Panel on Asbestos, 1970-1971
Member, Task Force on Chronic Bronchitis and Emphysema (USPHS and National Tuberculosis Association), 1966-1967
Associate Editor, Journal of Occupational Medicine, 1971-1976
Member, Committee on Public Information in the Prevention of Occupational Cancer, National Academy of Sciences, 1975-1977

SELECTED PUBLICATIONS

Spies TD, Cooper WC, Blankenhorn MA: The Use of Nicotinic Acid in the Treatment of Pellagra. JAMA, 110:622-27, Feb. 26, 1938

Coatney GR, Cooper WC: Recrudescence and Relapse in Vivax Malaria. Proceedings of 4th International Congresses Tropical Medicine and Malaria, Washington, D.C., 629-39, 1948

Cooper WC: Summary of Antimalarial Drugs. Public Health Rep, 64:717-32, June 10, 1949

Cooper WC: Summary of Antimalarial Drugs. J Am Pharm Assoc, 10:552-56, Sept. 1949

Cooper WC, Cralley LJ, Clark WH, Hubbard BR, Hurley DJ, Sullivan RR: Pneumoconiosis in Diatomite Mining and Processing. Public Health Service Publication No. 601, 1958

Cooper WC: Case Study No. 1. Uranium Milling and Mining. Proceedings of the Conference on Epidemiologic Research in Occupational Health. J Occup Med (Special Supplement, pp 614-622), October 1962

Cooper WC, Enterline PE, Worden ET: Estimating Occupational Disease Through Medical Care Plans. Public Health Rep, 77:1065-70, December 1962

Tabershaw IR, Cooper WC: Sequelae of Acute Organic Phosphate Poisoning. J Occup Med, 8:5-20, January 1966

Cooper WC, Tabershaw IR: Biologic Effects of Nitrogen Dioxide in Relation to Air Quality Standards. Arch Environ Health, 12:522-30, April 1966

Aden EV, Cooper WC, Horton RJM, Daniels LC: Health Aspects of Castor Bean Dust, Review and Bibliography. Public Health Service Publication No. 999-AP-36, 1967

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CURRICULUM VITAE

October, 1973

GEORGE WILBUR WRIGHT, M. D.

BORN: Briarcliff Manor, New York, December 21, 1907

Pre-Professional Education:

Evansville College, Evansville, Indiana	1926 - 1928
Indiana University, Bloomington, Indiana	1928 - 1930
	B.S. June, 1930

Professional Education:

Indiana University School of Medicine	1928 - 1932
	M.D. June, 1932

Internships:

Barnes Hospital, St. Louis, Mo.	Service - Medicine Completed December 1932 - 33 (18 Months)
Barnes Hospital, St. Louis, Mo.	Assistant in Medicine Completed June, 1934 (6 mos.)

Residencies and Fellowships:

Bellevue Hospital, New York City	Service, Medicine, 2nd Div. Res. Completed June, 1935 (12 mos.)
New Haven Hospital, New Haven,	Service, X-Ray Assistant Res. Completed December, 1935 (6 mos.)
Bellevue Hospital, New York City	Service, Tuberculosis, Res. Completed December, 1936 (12 Mos.)

Professional Career:

1937 - 1939	Instructor, Department of Physiology Case - Western Reserve University Cleveland, Ohio
1939 - 1953	Director, Department of Clinical Physiology E. L. Trudeau Foundation, Saranac Lake, New York Associate, Department of Medicine School of Medicine, University of Rochester
1953 - 1972	Head, Department of Medical Research, St. Lukes Hospital Cleveland, Ohio Professor of Medicine, Case - Western Reserve University School of Medicine Cleveland, Ohio Senior Associate Physician, St. Lukes Hospital, Cleveland

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SNELL, JAMES DANIEL JR.

Address: Vanderbilt Hospital, Nashville, Tenn. 37232
(tel. 615 322-2386)

Born: 1933, Memphis, Tenn.

Education: M.D. - Vanderbilt Univ., Nashville, Tenn., 1958.

Certified Specialties: Internal Medicine, 1965; Pulmonary Disease, 1974.

Professional Positions:
Intern, Internal Medicine, Vanderbilt, 1958-59.
Assistant Resident Physician, 1959-60; Chief Resident Physician, 1961-62;
Fellow, Pulmonary Physiology, 1960-61; Attending Physician, 1963- ;
all at Vanderbilt Hospital, Nashville, Tenn.
Fellow, Clinical Pulmonary Disease, New York Hospital- Cornell Medical Center,
1962-63.
Attending Physician, Nashville Veterans Administration Hospital, Nashville,
Tenn., 1965- .
Associate Professor of Medicine, Vanderbilt Universtiy, Nashville, Tenn.

Biographical Source: DIRECTORY OF MEDICAL SPECIALISTS. 18th ed. 1977-78.

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[illegible]

[illegible]

Personal Data

Date of Birth: May 10, 1933
Place of Birth: Perkasie, Pennsylvania
Marital Status: Married - two children

Education

Public Schools - Perkasie, Pennsylvania; elementary and secondary.

B. S. - 1956 Eastern Mennonite College, Harrisonburg, Virginia.

M. D. - 1961 Temple University, Philadelphia, Pennsylvania.

Rotating Internship - 1961-62, St. Luke's Hospital, Bethlehem, Pennsylvania.

Resident, Internal Medicine - 1962-63, St. Luke's Hospital, Bethlehem, Pennsylvania

Resident, Internal Medicine - 1963-64, Mayo Graduate School, Rochester, Minnesota.

N.I.H. Trainee in Pulmonary Physiology, Section of Physiology - 1964-65, Mayo Graduate School (Dr. R. E. Hyatt), Rochester, Minnesota.

Resident, Internal Medicine - 1965-66, Mayo Graduate School, Rochester, Minnesota.

Positions Held

1966-1970 - Chief, Cardiopulmonary Unit, Appalachian Laboratory for Occupational Respiratory Diseases (ALFORD), U.S. Public Health Service, Morgantown, West Virginia.

1966-1969 - Instructor, Department of Medicine, West Virginia University Medical School, Morgantown, West Virginia.

1969-1972 - Assistant Professor, Department of Medicine, West Virginia University Medical School, Morgantown, West Virginia.

1970-1975 - Chief, Medical Research Branch, Appalachian Laboratory for Occupational Respiratory Diseases (ALFORD), U.S. Public Health Service, Morgantown, West Virginia.

1972-1975 - Associate Professor, Department of Medicine, West Virginia University School of Medicine, Morgantown, West Virginia.

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Licenses

1962 - Pennsylvania

1963 - Minnesota

1966 - West Virginia

Professional Societies

Monongalia County Medical Society

West Virginia State Medical Society

American Medical Association

American Thoracic Society

West Virginia Thoracic Society

American Federation for Clinical Research

American Physiological Society (Associate Member)

Central Society for Clinical Research

Chairman, Scientific Assembly on Environmental and Occupational Health, American Thoracic Society, 1976-77

Certification

Diplomate - American Board of Internal Medicine, February, 1969

Diplomate - American Board of Internal Medicine, Subspecialty Pulmonary Diseases, June, 1978

Fellow, American College of Physicians, November 10, 1969

Fellow, American College of Chest Physicians, October 27, 1971

B Reader by National Institute for Occupational Safety & Health, 1973 (re-certified 1977)

Other Appointments

Exchange Visitor under U.S. - France Agreement, under auspices of National Institutes of Health at INSERM U 14, Nancy, France September - December, 1974.

Member, Editorial Committee - Bulletin European de Physiopathologie Respiratoire, Nancy, France.

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Positions Held

1975 to 1977 - Assistant Dean, Continuing Medical Education, West Virginia University School of Medicine, Morgantown, West Virginia.

1976 to present - Professor, Department of Medicine, West Virginia University School of Medicine, Morgantown, West Virginia.

1978 to Chairman, Division of Pulmonary Diseases, West Virginia University School of Medicine, Morgantown, West Virginia.

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KERBY, GERALD RAY

Born: Wakefield, Kansas, 1932.

Address: University of Kansas Medical Center, Kansas City, Kansas 66103.

MD: University of Kansas School of Medicine, Kansas City, Kansas, 1958.

Certified specialties: Internal Medicine 1965, Pulmonary Disease 1967.

Primary specialty: Internal Medicine.
Secondary specialty: Pulmonary Diseases.

Type of Practice: Full-time medical school faculty.

Year of license in state of present professional mailing address: 1962.

Year of certification by National Board of Medical Examiners: 1959.

Professional positions:
Intern, U.S. Navy Hospital, Bethesda, Maryland, 1958-59.
Resident, Internal Medicine, 1962-64; Pulmonary Disease Fellow, 1964-65, University of Kansas Medical Center.
Staff Physician, Milwaukee County General Hospital & Muirdale Sanitarium, 1965-67.
Instructor of Medicine, Marquette University School of Medicine (now Medical College of Wisconsin), Milwaukee, Wisconsin, 1965-67.
Assistant Professor of Medicine, 1967-71; Associate Professor of Medicine, 1971- , University of Kansas Medical Center, Kansas City, Kansas.
Lt., U.S. Naval Reserve, 1958-61.

Memberships:
American College of Physicians (Fellow)
American Thoracic Society
American Federation Clinical Research
American College of Chest Physicians (Fellow)

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CURRICULUM VITAE

John Butler, M.D.

Date of Birth: November 28, 1923

Divorced, 5 children

Place of Birth: Grantham, England

Citizenship: United States

Education: Oldham Hulme Grammar School, 1936-1938

King Edwards High School, Birmingham, 1938-1941

Higher School Certificate Examination
Distinctions in English, Physics, Mechanics and Biology
Randle Prize for Biology

University of Birmingham (England)	M.B., Ch.B.	1946	Medicine
University of Birmingham	M.D. (by thesis)	1957	Thesis: Lung Mechanics
University of Birmingham	Research Fellow	1957-59	Medicine
University of Birmingham	Rockefeller Traveling Fellow	1958	Physiology

Faculty: 1965 to present: Professor, Department of Medicine, University of Washington. Head of Respiratory Diseases Division, Department of Medicine. Director, Pulmonary Function Laboratory, University of Washington Hospital.

1960-65: Staff Member and Associate Clinical Professor, Cardiovascular Research Institute, University of California Medical Center, San Francisco, California.

1959-60: Honorary Consultant Physician, Manchester Royal Infirmary, Manchester, England: and Senior Lecturer in Medicine, Manchester University Medical School.

1958-59: Lecturer in Medicine, University of Birmingham.

Hospital Appointments: Chief Resident, University of Birmingham United Hospitals. Queen Elizabeth Hospital, Birmingham - 1955.

Senior Resident, University Professorial Unit, Queen Elizabeth Hospital, 1955-57.

Resident, Queen Elizabeth Hospital (Centre Teaching Hospital, Birmingham United Hospitals) - 1953-55.

Intern to J. Smart, M.D., M.R.C.P., and N. Lloyd Rusby, D.M., M.A., F.R.C.P., at London Chest Hospital, Institute of Diseases of the Chest (Brompton Hospital), London, 1950.

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Hospital Appointments (cont'd):	Intern to J.W. Crofton, M.D., F.R.C.P., and J.G. Scadding, M.D., F.R.C.P. (Director, Institute of Diseases of the Chest), at Royal Post-Graduate Medical School, Hammersmith Hospital, London, 1949.
	Intern to P.C.P. Cloake, D.Sc., M.D., F.R.C.P., D.Ph., D.P.M., Professor of Medicine, University of Birmingham, 1946.
Honors:	Fellowship, Royal College of Physicians, (F.R.C.P.E.) Edinburgh, 1959.
	Fellowship, Royal College of Physicians, London (F.R.C.P.), 1969.
Certification:	California State Licensing Board, M.D., 1963 Washington State Licensing Board, M.D., 1966
Professional Societies:	American Federation for Clinical Research American Heart Association American Physiooogical Society American Thoracic Society Western Society for Clinical Investigation
Editorial Responsibility:	American Physiological Society (Past member of Editorial Board) Journal of Applied Physiology American Journal of Physiology American Review of Respiratory Diseases Journal of Clinical Investigation
Special Duties and Offices:	Director and Principal Investigator, NIH Program Project "Lung Edema in ARDS" Member, Board of Cardiopulmonary Council, American Heart Association Member, Research Grant Review Board, American Thoracic Society Member, Research Grant Review Board, Veterans Administration Member, Environmental Health Committee, Washington Lung Association

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