

# Exhibit 36

**CASE NAME AND CASE NUMBER:**

MDL 1553; In Re Silica Products Liability Litigation

This document applies to: *Maxine Woods, et. al. v. Pulmosan Safety Equipment Company, et al.*

MDL number 04-025

**SILICA MDL  
PLAINTIFF'S SUPPLEMENTAL SWORN FACT SHEET**

Name: David Brewer

Street Address: 10471 Road 315

City: Union

State: Mississippi

ZIP: 39365

Date of Birth: 09-28-59

Date of Death (if applicable): Not-applicable.

Work History - See attached Exhibit A - Work History

Product Identification - See attached Exhibit A - Work History.

I am making a claim for the following injuries (diseases):

Silicosis: Yes

**Known Complicating Diseases:**

Lung Cancer	_____	Rheumatoid Arthritis	_____
Scleroderma	_____	Pulmonary Massive Fibrosis	_____
Lupus	_____	Tuberculosis (TB)	_____
Kidney Cancer	_____	Enlarged Heart	_____
Fear of Cancer:	_____	Other:	_____

My medical providers are on the attached Exhibit B or will be provided in a supplemental disclosure. Copies of my B-read and diagnosis report are attached hereto as Exhibit C.

**II. Authorizations**

I have signed and attached the following authorizations:

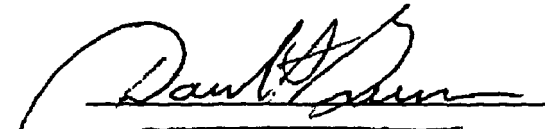
**I. Medical Authorization**

2. Social Security Earnings History Authorization
3. Employment Authorization
4. IRS Authorization (if I am making a claim for lost wages)
5. Veterans Administration Authorization

III. Claims

At this time, I am making the claims stated in Exhibit D.

I declare under penalty of perjury subject to 28 U.S.C. S 1746 that all of the information provided in this Fact Sheet is true and correct to the best of my present memory, knowledge, information and belief, that I have completed the List of Medical Providers and Work History appended hereto (or in a supplement), which are true and correct to the best of my knowledge, information and belief, and that I have provided the authorizations stated in Section II above. I reserve the right to modify or supplement the foregoing information during the discovery process of my case.



David Brewer

**Exhibit A**

**Exposure Work History**  
**(Also list any other activity for which you claim silica exposure)**

Employer and Exposure Site	Address	Dates of Exposure	Job Description	Types of Products (List all manufactures or models you remember)
See Attached	See Attached	See Attached	See Attached	See Attached

Exposure Work History

Client: David Brewer

Employer and Exposure Site: Brewer Tile (Self Employed)

Beg Date: 1/1/2000 End Date: 12/31/2001

\*Present? 0

\*Presently Employed - "0"=no "1"=yes\*

Contracted to:

Address: 1119 Donnybrook Street, Jackson, MS

Title/Trade: Flooring installation & Ceiling

Additional Duties:

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Types of Products (check  all manufactures or models you remember using at this job)

- Air Fed Hood  Air Sweeping Equip  Bag Sand  Bag/Baghouses
- Blast Equip  Brick Cutter  Bulk Sand  Cartridge Respirator
- Ceramic Equip  Compressors, Hoses, Nozzles  Cutting Saws, Cutting Equip
- Disposable Dust Masks  Drills, Drill Bits  Jack Hammer  Grinders, Grinding  
Wheels, Grinding Pads  Mining Equip  Masonry Tile, Brick, Mortar
- Non-Air Fed Hoods  Pots  Paint Products, Fillers  Quarry Equip
- Sandpaper  Refractory Products & Brick  Rock Drilling Equip  Sanders
- Shakeout Equip  Shaetrock  Silica Flour
- Other Products VARIOUS Floor patches

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List other activity for which you claim silica exposure

Activity: Demolition Work Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_

Sanding & Sweeping Floors in prep. for  
NEW floors

Exposure Work History

Client: David Brewer

Employer and Exposure Site: Kassel Tile

Beg Date: 1/1/1999 End Date: 12/31/2001

\*Present? 0

\*Presently Employed - "0"-no "1"-yes\*

Contracted to:

Address: PO Box 225, Ridgeland, MS 39158

Title/Trade: Flooring installation & Ceiling

Additional Duties:

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Types of Products (check  all manufactures or models you remember using at this job)

- Air Fed Hood  Air Sweeping Equip  Bag Sand  Bag/Baghouses
- Blast Equip  Brick Cutter  Bulk Sand  Cartridge Respirator
- Ceramic Equip  Compressors, Hoses, Nozzles  Cutting Saws, Cutting Equip
- Disposable Dust Masks  Drills, Drill Bits  Jack Hammer  Grinders, Grinding  
Wheels, Grinding Pads  Mining Equip  Masonry Tile, Brick, Mortar
- Non-Air Fed Hoods  Pots  Paint Products, Fillers  Quarry Equip
- Sandpaper  Refractory Products & Brick  Rock Drilling Equip  Sanders
- Shakeout Equip  Sheetrock  Silica Flour
- Other Products various floor patches

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List other activity for which you claim silica exposure

Activity: Remolition Work Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_

Sanding + sweeping floors in prep. for  
new floors.

Exposure Work History

Client: David Brewer

Employer and Exposure Site: Kassel Tile

Beg Date: 1/1/1983 End Date: 12/31/1995

\*Present? 0

\*Presently Employed - "0"=no "1"=yes\*

Contracted to:

Address: PO Box 225, Ridgeland, MS 39158

Title/Trade: Flooring installation & Ceiling

Additional Duties:

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Types of Products (check  all manufactures or models you remember using at this job)

- Air Fed Hood  Air Sweeping Equip  Bag Sand  Bag/Baghouses
- Blast Equip  Brick Cutter  Bulk Sand  Cartridge Respirator
- Ceramic Equip  Compressors, Hoses, Nozzles  Cutting Saws, Cutting Equip
- Disposable Dust Masks  Drills, Drill Bits  Jack Hammer  Grinders, Grinding  
Wheels, Grinding Pads  Mining Equip  Masonry Tile, Brick, Mortar
- Non-Air Fed Hoods  Pots  Paint Products, Fillers  Quarry Equip
- Sandpaper  Refractory Products & Brick  Rock Drilling Equip  Sanders
- Shakeout Equip  Sheetrock  Silica Flour
- Other Products Various floor patches

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List other activity for which you claim silica exposure

Activity: Demolition work Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_

Sanding + sweeping floors in prep for  
new floors

Exposure Work History

Client: David Brewer

Employer and Exposure Site: Branton Flooring Installations, Inc.

Beg Date: 1/1/2001 End Date: 12/31/2001

\*Present? 0

\*Presently Employed - "0"=no "1"=yes\*

Contracted to:

Address: PO Box 720938, Byram, MS 39272

Title/Trade: Carpet & Flooring

Additional Duties:

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Types of Products (check  all manufactures or models you remember using at this job)

- Air Fed Hood  Air Sweeping Equip  Bag Sand  Bag/Baghouses  
 Blast Equip  Brick Cutter  Bulk Sand  Cartridge Respirator  
 Ceramic Equip  Compressors, Hoses, Nozzles  Cutting Saws, Cutting Equip  
 Disposable Dust Masks  Drills, Drill Bits  Jack Hammer  Grinders, Grinding  
Wheels, Grinding Pads  Mining Equip  Masonry Tile, Brick, Mortar  
 Non-Air Fed Hoods  Pots  Paint Products, Fillers  Quarry Equip  
 Sandpaper  Refractory Products & Brick  Rock Drilling Equip  Sanders  
 Shakeout Equip  Sheetrock  Silica Flour  
 Other Products Various floor patches

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List other activity for which you claim silica exposure

Activity: Demolition Work Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_

Sanding & sweeping floors in prep for  
new floors



Exposure Work History

Client: David Brewer

Employer and Exposure Site: Engle Inc.

Beg Date: 1/1/1998 End Date: 12/31/1999

\*Present? 0

\*Presently Employed - "0"=no "1"=yes\*

Contracted to:

Address: PO Box 4622, Jackson, MS 39296

Title/Trade: Flooring installation & Ceilings

Additional Duties:

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Types of Products (check  all manufactures or models you remember using at this job)

- Air Fed Hood  Air Sweeping Equip  Bag Sand  Bag/Baghouses
- Blast Equip  Brick Cutter  Bulk Sand  Cartridge Respirator
- Ceramic Equip  Compressors, Hoses, Nozzles  Cutting Saws, Cutting Equip
- Disposable Dust Masks  Drills, Drill Bits  Jack Hammer  Grinders, Grinding  
Wheels, Grinding Pads  Mining Equip  Masonry Tile, Brick, Mortar
- Non-Air Fed Hoods  Pots  Paint Products, Fillers  Quarry Equip
- Sandpaper  Refractory Products & Brick  Rock Drilling Equip  Sanders
- Shakeout Equip  Sheetrock  Silica Flour
- Other Products various floor patches

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List other activity for which you claim silica exposure

Activity: Demolition work Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_

Sanding & sweeping floors in prep for  
New floors

Exposure Work History

Client: David Brewer

Employer and Exposure Site: Fulton Inc.

Beg Date: 1/1/2000 End Date: 12/31/2000

\*Present?

\*Presently Employed - "0"=no "1"=yes\*

Contracted to:

Address: 533 Gulf Line Road, Pearl, MS 39208

Title/Trade: Flooring installation

Additional Duties:

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Types of Products (check  all manufactures or models you remember using at this job)

- Air Fed Hood  Air Sweeping Equip  Bag Sand  Bag/Baghouses
- Blast Equip  Brick Cutter  Bulk Sand  Cartridge Respirator
- Ceramic Equip  Compressors, Hoses, Nozzles  Cutting Saws, Cutting Equip
- Disposable Dust Masks  Drills, Drill Bits  Jack Hammer  Grinders, Grinding  
Wheels, Grinding Pads  Mining Equip  Masonry Tile, Brick, Mortar
- Non-Air Fed Hoods  Pots  Paint Products, Fillers  Quarry Equip
- Sandpaper  Refractory Products & Brick  Rock Drilling Equip  Sanders
- Shakeout Equip  Sheetrock  Silica Flour
- Other Products various floor patches

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List other activity for which you claim silica exposure

Activity: Demolition work Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_

sanding & sweeping floors in prep for  
new floors

Exposure Work History

Client: David Brewer

Employer and Exposure Site: Brewer Tile (Self Employed)

Beg Date: 1/1/1995 End Date: 12/31/1998

\*Present?

\*Presently Employed - "0"=no "1"=yes\*

Contracted to:

Address: 1119 Donnybrook Street, Jackson, MS

Title/Trade: Flooring installation & Ceiling

Additional Duties:

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Types of Products (check  all manufactures or models you remember using at this job)

- Air Fed Hood  Air Sweeping Equip  Bag Sand  Bag/Baghouses
- Blast Equip  Brick Cutter  Bulk Sand  Cartridge Respirator
- Ceramic Equip  Compressors, Hoses, Nozzles  Cutting Saws, Cutting Equip
- Disposable Dust Masks  Drills, Drill Bits  Jack Hammer  Grinders, Grinding  
Wheels, Grinding Pads  Mining Equip  Masonry Tile, Brick, Mortar
- Non-Air Fed Hoods  Pots  Paint Products, Fillers  Quarry Equip
- Sandpaper  Refractory Products & Brick  Rock Drilling Equip  Sanders
- Shakeout Equip  Sheetrock  Silica Flour
- Other Products various floor patches

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List other activity for which you claim silica exposure

Activity: Demolition work Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_

Sanding & sweeping floors in prep for  
New floors

Exposure Work History

Client: David Brewer

Employer and Exposure Site: H&H Floors & Specialties

Beg Date: 2/1/2002 End Date: \*Present? I

\*Presently Employed - "0"=no "1"=yes\*

Contracted to:

Address:

Title/Trade: Construction

Additional Duties: Installing flooring, asbestos abatement remodeling

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Types of Products (check  all manufactures or models you remember using at this job)

- Air Fed Hood  Air Sweeping Equip  Bag Sand  Bag/Baghouses
- Blast Equip  Brick Cutter  Bulk Sand  Cartridge Respirator
- Ceramic Equip  Compressors, Hoses, Nozzles  Cutting Saws, Cutting Equip
- Disposable Dust Masks  Drills, Drill Bits  Jack Hammer  Grinders, Grinding  
Wheels, Grinding Pads  Mining Equip  Masonry Tile, Brick, Mortar
- Non-Air Fed Hoods  Pots  Paint Products, Fillers  Quarry Equip
- Sandpaper  Refractory Products & Brick  Rock Drilling Equip  Sanders
- Shakeout Equip  Sheetrock  Silica Flour
- Other Products Various floor patches

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List other activity for which you claim silica exposure

Activity: Demolition work Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_

Sanding & sweeping floors in prep for  
New floors

Exposure Work History

Client: David Brewer

Employer and Exposure Site: Diberville Apts Inc.

Beg Date: 1/1/1981 End Date: 12/31/1983

\*Present? 0

\*Presently Employed - "0"=no "1"=yes\*

Contracted to:

Address: 2000 Springhill, Mobile, AL 36607

Title/Trade: Painter

Additional Duties:

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Types of Products (check  all manufactures or models you remember using at this job)

- Air Fed Hood    Air Sweeping Equip    Bag Sand    Bag/Baghouses
- Blast Equip    Brick Cutter    Bulk Sand    Cartridge Respirator
- Ceramic Equip    Compressors, Hoses, Nozzles    Cutting Saws, Cutting Equip
- Disposable Dust Masks    Drills, Drill Bits    Jack Hammer    Grinders, Grinding
- Wheels, Grinding Pads    Mining Equip    Masonry Tile, Brick, Mortar
- Non-Air Fed Hoods    Pots    Paint Products, Fillers    Quarry Equip
- Sandpaper    Refractory Products & Brick    Rock Drilling Equip    Sanders
- Shakeout Equip    Sheetrock    Silica Flour
- Other Products \_\_\_\_\_

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List other activity for which you claim silica exposure

Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_  
Activity: \_\_\_\_\_ Year of this activity: \_\_\_\_\_

Exhibit B

Medical Providers and Diagnosing Physicians

Please list the Diagnosing Physician, if any, and medical providers that you can remember seeing during the last 20 years. If you know, please provide the address, city, state and dates of treatment. Also, if you remember having a chest x-ray, please check the Chest x-ray box.

Doctor or other Health care provider	Address	Diagnosis	Date of Diagnosis or Treatment	Chest X-Ray
JG Alexander	Union, MS	Breathing Problems		X
Dr. Brill	Byram, MS	COPD		X
Baptist Hospital	Jackson, MS	COPD		X

Exhibit C

Medical Testing

Please list the medical testing, if any. X-rays, other xerographs and PFT results, in Plaintiffs' custody or control are to be produced. Except documents that are subject to a claim of consulting expert privilege.

Type of testing	Date of Testing
X-Ray	4/19/2001
Cat Scan	2003

BARRY S. LEVY, M.D., M.P.H., P.C.  
20 NORTH MAIN STREET, SUITE 200  
POST OFFICE BOX 1230  
SHERBORN, MASSACHUSETTS 01770  
TELEPHONE: (508) 650-1039  
FAX: (508) 655-4811  
ELECTRONIC MAIL: BLEVY@IGC.ORG

May 8, 2004

Jim M. Zadeh  
Law Office of Jim Zadeh, P.C.  
115 West 2<sup>nd</sup> Street, Suite 501  
Fort Worth, TX 76102

Re: Cause No.CI2003-17; *Maxine Woods, Ind. & As Rep. Of the  
Estate of John Woods, et al vs. Pulmosan Safety  
Equipment, et al*

PLAINTIFF: David Brewer

Dear Attorney Zadeh:

The following represents my preliminary report on David Brewer.

**My Background and Experience:**

I have worked as a medical doctor in the field of occupational and environmental health for more than 25 years. My work in occupational and environmental health has included education, research, clinical work, consulting, and program direction. I have much experience concerning a wide range of workplace hazards, including silica and other dusts, and their adverse health effects. I am Board-certified in Internal Medicine, Preventive Medicine, and Occupational Medicine. I am a physician licensed to practice in the states of Massachusetts and Connecticut. Further details of my background and experience are described in Appendix A.

**Methodology:**

I reviewed the following documents: (1) Report of Richard B. Levine, M.D. in connection with the chest x-rays taken 10/14/2002; and (2) The Detailed Earnings Record from Social Security Administration.

In addition, I reviewed the pertinent medical and scientific literature concerning silica exposure and its adverse health effects. I applied the Bradford Hill principles in reviewing this body of literature.



In coming to my opinions in this case concerning this individual, I examined all pertinent information and considered alternative diagnoses and causes for his medical conditions. I also considered latency.

**Case Summary:**

Mr. Brewer was exposed to free crystalline silica in his work with silica-containing products in his vocation as a floor and ceiling installer. His exposure to these products has been for a period of 22 years while employed at various jobs and locations, including Diberville Apartments, Inc. from 1981 to 1983; Kassel Tile, Inc. from 1983 to 2001; Smith Brothers Ceiling Specialties in 1989; Brewer Tile from 1996 to 1998; Engle, Inc. in 1998 and 1999; Fulton, Inc. in 2000; Branton Flooring Installations in 2001; M&S Construction in 2001; and H&H Specialities, Inc. in 2002.

A B-reading of a chest x-ray dated October 14, 2002, by Richard B. Levine, M.D., demonstrated bilateral interstitial fibrosis with rounded interstitial markings, ILO classification q/q, 1/2. These changes were interpreted as being typical of previous occupational exposure to silica dust and diagnostic of silicosis.

**Illustrative Pertinent Medical and Scientific Literature:**

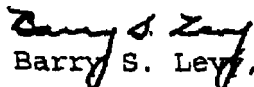
The publications in Appendix B: Silicosis represent illustrative pertinent publications in the peer-reviewed medical and scientific literature concerning silica exposure, which includes but is not limited to these publications.

**Opinion:**

Based on my examination of materials relevant to this case, my review of the pertinent medical and scientific literature, and my extensive experience in occupational medicine, I believe to a reasonable degree of medical probability that David Brewer developed silicosis as a result of his occupational exposure to free crystalline silica at the various jobs listed above for a period of 22 years.

I reserve the right to modify this report should further pertinent information become available.

Sincerely,

  
Barry S. Levy, M.D., M.P.H.

## APPENDIX A

Barry S. Levy, M.D., M.P.H.

### Additional Information on Background and Experience

I received a Bachelor of Science degree summa cum laude (highest honors) from Tufts College of Liberal Arts, in Medford, Massachusetts; a Doctor of Medicine degree from Cornell University Medical College, in New York City; and a Master of Public Health degree from the Harvard School of Public Health, in Boston. I completed residency training in Internal Medicine at University Hospital and the Beth Israel Hospital, both in Boston, and in Preventive Medicine at the Centers for Disease Control.

I founded and directed the Occupational Health Program at the University of Massachusetts Medical School, where I was a tenured Professor of Family and Community Medicine and practiced occupational and environmental medicine for 10 years. I have taught environmental and occupational health at other academic institutions in medicine and public health. As an epidemiologist, I worked for three years for the Centers for Disease Control and, over the years, I have conducted epidemiological studies on a number of occupational and environmental health issues. I developed and directed a program in environment and health at Management Sciences for Health, a nonprofit international health organization. I have worked in 20 countries, as a consultant and educator, on environmental and occupational health matters.

I have authored 16 books and monographs and over 100 other publications. I am senior co-editor of the leading textbook *Occupational Health: Recognizing and Preventing Work-related Disease and Injury*, the fourth edition of which was published three years ago, and co-editor of the books *Preventing Occupational Disease and Injury* and *International Perspectives in Environment, Development and Health*. I have received a number of honors and awards, including leading awards of the Association of Teachers of Preventive Medicine, the American College of Preventive Medicine, and the New England College of Occupational and Environmental Medicine, all three for career-long achievement.

I am an Adjunct Professor of Family Medicine and Community Health at Tufts University School of Medicine, and an adjunct faculty member at the Harvard School of Public Health. In 1997, I served as president of the 30,000-member American Public Health Association, the oldest and largest organization of public health professionals in the world.

## APPENDIX B: SILICOSIS

Banks DE, Moring KL, Boehlecke BA, et al. Silicosis in silica flour workers. *The American Review of Respiratory Disease* 1981; 124: 445-450.

Zambon R, Simonato L, Mastrangelo G, et al. A mortality study of workers compensated for silicosis during 1959 to 1963 in the Veneto Region of Italy. In: Goldsmith DF, Winn DM, Shy CM (eds). *Silica, Silicosis and Cancer*. New York: Praeger, 1986, pp. 367-374.

Muir DCF, Julian JA, Shannon HS, et al. Silica exposure and silicosis among Ontario hardrock miners: III. Analysis and risk estimates. *American Journal of Industrial Medicine* 1989; 16: 29-43.

Chia KS, Ng TP, Jeyaratnam J. Small airways function of silica-exposed workers. *American Journal of Industrial Medicine* 1992; 22: 155-162.

Balaan MR, Weber SL, Banks DE. Clinical aspects of coal workers' pneumoconiosis and silicosis. *Occupational Medicine: State of the Art Reviews* 1993; 8: 19-34.

Hnizdo E, Murray J, Sluis-Cremer GK, et al. Correlation between radiological and pathological diagnosis of silicosis: an autopsy population based study. *American Journal of Industrial Medicine* 1993; 24: 427-445.

Honma K, Chiyotani K. Diffuse interstitial fibrosis in nonasbestos pneumoconiosis - a pathological study. *Respiration* 1993; 60: 120-126.

Weber SL, Banks DE. Silicosis. In: Rosenstock L, Cullen MR (eds.) *Textbook of Clinical Occupational and Environmental Medicine*. Philadelphia: W.B. Saunders Company, 1994, pp. 264-274.

Weill H, Jones RN, Parkes WR. Silicosis and related diseases. In: Parkes WR. *Occupational Lung Disorders*, 3rd edition. Oxford: Butterworth Heinemann, 1994, pp. 285-339.

Rice FL, Stayner LT. Assessment of silicosis risk for occupational exposure to crystalline silica. *Scandinavian Journal of Work, Environment and Health* 1995; 21 (suppl. 2): 87-90.

Wang X, Yano E, Nonaka K, et al. Respiratory impairments due to dust exposure: a comparative study among workers exposed to silica, asbestos, and coalmine dust. *American Journal of Industrial Medicine* 1997; 31: 495-502.

Balaan MR, Banks DE. Silicosis. In: Rom WN (ed.). *Environmental and Occupational Medicine*, 3rd edition. Philadelphia: Lippincott-Raven Publishers, 1998, pp. 435-448.

Graham WGB. Quartz and silicosis. In: Banks DE, Parker JE. (eds.). *Occupational Lung Disease: An International Perspective*. London: Chapman & Hall Medical, 1998, pp. 191-212.

Walsh SJ. Effects of non-mining occupational silica exposure on proportional mortality from silicosis and systemic sclerosis. *Journal of Rheumatology* 1999; 26: 2179-2185.

Wang X, Yano E. Pulmonary dysfunction in silica-exposed workers: a relationship to radiographic signs of silicosis and emphysema. *American Journal of Industrial Medicine* 1999; 36: 299-306.

Sanderson WT, Steenland K, Deddens JA. Historical respirable quartz exposures of industrial sand workers: 1946-1996. *American Journal of Industrial Medicine* 2000; 38: 389-398.

Wang X-R, Christiani DC. Respiratory symptoms and functional status in workers exposed to silica, asbestos, and coal mine dusts. *Journal of Occupational and Environmental Medicine* 2000; 42: 1076-1084.

Chen W, Zhuang Z, Attfield MD, et al. Exposure to silica and silicosis among tin miners in China: exposure-response analyses and risk assessment. *Occupational and Environmental Medicine* 2001; 58: 31-37.

Graham WGB, Vacek PM, Morgan WKC, et al. Radiographic abnormalities in long-tenure Vermont granite workers and the permissible exposure limit for crystalline silica. *Journal of Occupational and Environmental Medicine* 2001; 43: 412-417.

Ulvestad B, Bakke B, Eduard W, et al. Cumulative exposure to dust causes accelerated decline in lung function in tunnel workers. *Occupational and Environmental Medicine* 2001; 58: 663-669.

Department of Health and Human Services. *NIOSH Hazard Review: Health Effects of Occupational Exposure to Respirable Crystalline Silica*. Publication No. 2002-129. Washington, DC: NIOSH, 2002.

Ding M, Chen F, Shi X, et al. Diseases caused by silica: mechanisms of injury and disease development. *International Immunopharmacology* 2002; 2: 173-182.

Mannetje A 't, Steenland K, Attfield M, et al. Exposure-response analysis and risk assessment for silica and silicosis mortality in a pooled analysis of six cohorts. *Occupational and Environmental Medicine* 2002; 59: 723-728.

Sherson D. Silicosis in the twenty first century. (Editorial) *Occupational and Environmental Medicine* 2002; 59: 721-722.

Calvert GM, Rice FL, Boiano JM, et al. Occupational silica exposure and risk of various diseases: an analysis using death certificates from 27 states of the United States. *Occupational and Environmental Medicine* 2003; 60: 122-129.

**RICHARD B. LEVINE, M.D.**

*Practice Limited to Radiology*

304 Dogwood Lane  
Elkins Park, PA 19027  
(215) 884-1523

10/14/02

RE: BREWER, DAVID

**CHEST:**

The chest in two projections demonstrates the trachea, mediastinal structures and cardiac silhouette to be intact. No mass is observed within the lungs. There is definite bilateral interstitial fibrosis noted with rounded interstitial markings delineated. These findings are typical of previous occupational exposure to silica dust and indicate silicosis. No pleural plaque, calcified plaque, pleural thickening or hemidiaphragmatic plaque is observed. The ILO classification is Q-Q, 1-2.

**SUMMARY:**

Interstitial fibrosis typical of previous occupational exposure to silica dust diagnostic of silicosis. The ILO classification is Q-Q, 1-2.

RICHARD B. LEVINE, M.D. *R*

RBL/fph

11/15/02

*Diplomate American Board of Radiology  
N.I.O.S.H. "B" Reader*

MDL 1553  
WOODS-000538

Exhibit D  
Claims

I am making the following claims, at this time, against the following Defendants.

Defendants	Type of Claim
3M Corporation	Design defect, marketing defect, negligence and civil conspiracy
Air Liquide America Corporation	Design defect, marketing defect, negligence and civil conspiracy
American Optical	Design defect, marketing defect, negligence and civil conspiracy
American Sand & Gravel Company	Design defect, marketing defect, negligence and civil conspiracy
Baroid Drilling Fields, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Big Three Industries, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Binks Manufacturing Company	Design defect, marketing defect, negligence and civil conspiracy
Blain Sand & Gravel, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Blue Ridge Sand & Gravel, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Bowen Tools, Inc., Bowto, Inc. f/k/a Bowen Tools, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Briggs Weaver, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Bush Construction Company, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Clark Sales and Rentals, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Clark Sand Company, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Cooper Turbocompressor	Design defect, marketing defect, negligence and civil conspiracy
Clemco Industries, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Custom Aggregates and Grinding, Inc.	Design defect, marketing defect, negligence and civil conspiracy
D&B Sand & Gravel Company, Inc.	Design defect, marketing defect, negligence and civil conspiracy
DFM Equipment Company, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Daloz Safety, Inc., f/k/a WGM Safety Corporation, d/b/a Wilson Safety Products	Design defect, marketing defect, negligence and civil conspiracy
Dependable Abrasives, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Devilbiss Air Power Co. f/k/a Devilbiss Corporation	Design defect, marketing defect, negligence and civil conspiracy
Eastern Safety Equipment Company, Inc.	Design defect, marketing defect, negligence and civil conspiracy
E.D. Bullard Company	Design defect, marketing defect, negligence and civil conspiracy
Empire Abrasive Equipment Company	Civil Conspiracy
Flexco Products, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Glendale Protective Technologies, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Green Brothers Gravel Company	Design defect, marketing defect, negligence and civil conspiracy
Gulf Coast Marine Supply	Design defect, marketing defect, negligence and civil conspiracy
Gulf States Supply Company	Design defect, marketing defect, negligence and civil conspiracy
Halliburton Energy Services, Inc. f/k/a Halliburton Company	Design defect, marketing defect, negligence and civil conspiracy
Hanson Aggregates Central, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Hertz Equipment Rental Corporation	Design defect, marketing defect, negligence and civil conspiracy
Huey Stocksill	Design defect, marketing defect, negligence and civil conspiracy
Humble Sand & Gravel, Inc.	Design defect, marketing defect, negligence and civil conspiracy

Exhibit D  
Claims

Defendants	Type of Claim
Illinois Tool Works, Inc. individually and as Successor By Merger of Ransburg Corporation ( Formerly Devilbiss Industries Products Corporation, Successor to the Devilbiss Company)	Design defect, marketing defect, negligence and civil conspiracy
Inco Safety Products	Civil Conspiracy
Ingersoll-Rand Company	Design defect, marketing defect, negligence and civil conspiracy
JB Industries Sand	Design defect, marketing defect, negligence and civil conspiracy
JJ Ferguson Sand and Gravel	Design defect, marketing defect, negligence and civil conspiracy
JEBCO Abrasives, Inc.	Design defect, marketing defect, negligence and civil conspiracy
John Barten, Individually and d/b/a John Barten Company	Design defect, marketing defect, negligence and civil conspiracy
Kelco Sales Associates, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Kelco Sales & Engineering Company A Division of Polley, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Key Houston	Design defect, marketing defect, negligence and civil conspiracy
Laurel Machine & Foundry	Design defect, marketing defect, negligence and civil conspiracy
Lockheed Martin Corporation	Design defect, marketing defect, negligence and civil conspiracy
Lone Star Industries	Design defect, marketing defect, negligence and civil conspiracy
Louis M. Gerson Co., Inc.	Design defect, marketing defect, negligence and civil conspiracy
Lowry Sand & Gravel, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Martin Marietta Materials, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Mine Safety Appliances Company (MSA)	Design defect, marketing defect, negligence and civil conspiracy
Moldex-Metric, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Norton Company f/k/a San Gobain Abrasives, Inc.	Design defect, marketing defect, negligence and civil conspiracy
North Safety Products, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Ogleby Norton Industrial Sands, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Ottawa Silica Company	Design defect, marketing defect, negligence and civil conspiracy
Pangborn Corporation	Design defect, marketing defect, negligence and civil conspiracy
Parmalee Industries d/b/a Chicago Eye Shield Company (CESCO)	Design defect, marketing defect, negligence and civil conspiracy
Pearl Sands, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Louisiana Partnership Pearl/James Joint Venture	Design defect, marketing defect, negligence and civil conspiracy
Pine Belt Ready-Mix Concrete, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Pine Creek Ready Mix Concrete, Inc.	Design defect, marketing defect, negligence and civil conspiracy
P. K. Lindsey Company	Design defect, marketing defect, negligence and civil conspiracy
Pir. Inc., d/b/a H. S. Cover Company	Design defect, marketing defect, negligence and civil conspiracy
Pulmosan Safety Equipment Corporation	Design defect, marketing defect, negligence and civil conspiracy
Quickrete Materials, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Rent All of Laurel County	Design defect, marketing defect, negligence and civil conspiracy
Rental Service Corporation	Design defect, marketing defect, negligence and civil conspiracy
Saint Gobain Abrasives	Design defect, marketing defect, negligence and civil conspiracy
Sanstorm, Inc. d/b/a Delaware Sanstrom, Inc.	Design defect, marketing defect, negligence and civil conspiracy



Exhibit D  
Claims

Defendants	Type of Claim
Schmidt Manufacturing, Inc.	Civil Conspiracy
Schramm, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Scott Aviation, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Scott Technologies, Inc. f/k/a Figgie International, Inc., Individually and on behalf of his	Design defect, marketing defect, negligence and civil conspiracy
Sherwin-Williams Company	Design defect, marketing defect, negligence and civil conspiracy
Siebe North, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Southern Silica Of Louisiana	Design defect, marketing defect, negligence and civil conspiracy
Specialty Sand Company	Design defect, marketing defect, negligence and civil conspiracy
Specialty Sand Company	Design defect, marketing defect, negligence and civil conspiracy
Sullair Corporation	Design defect, marketing defect, negligence and civil conspiracy
Survuvair, Inc.	Design defect, marketing defect, negligence and civil conspiracy
T.L. James and Company, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Textron, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Truman's Inc.	Design defect, marketing defect, negligence and civil conspiracy
Unimin Corporation Individually and on behalf of its division Unimen Specialty Materials Inc.	Design defect, marketing defect, negligence and civil conspiracy
U.S. Silica Company f/k/a Pennsylvania Glass Sand Corporation and Ottawa Silica Company and as Successor In Interest to Texas Industries Minerals Company	Design defect, marketing defect, negligence and civil conspiracy
Vallen Corporation	Design defect, marketing defect, negligence and civil conspiracy
Vulcan Materials Company	Design defect, marketing defect, negligence and civil conspiracy
W.J. Runyon & Son, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Wedron Silica Company	Design defect, marketing defect, negligence and civil conspiracy
Wheelabrator-Frye, Inc.	Design defect, marketing defect, negligence and civil conspiracy
Wheeler Protective Apparel, Inc.	Design defect, marketing defect, negligence and civil conspiracy

**CASE NAME AND CASE NUMBER:**

MDL 1553; In Re Silica Products Liability Litigation

This document applies to: *Maxine Woods, et. al. v. Pulmosan Safety Equipment Company, et. al.*

MDL number 04-025

**SILICA MDL  
PLAINTIFF'S SECOND SUPPLEMENTAL SWORN FACT SHEET**

Name: David Brewer

To the best of my knowledge during my working career, I worked with or around the following silica related products:

Willson 780A and Box

Flexo Unidentified Flexo Type Dust Mask

Scott 66L Dual Cartridge Respirator

American Optical Dual Cartridge Respirator 50119 M

Eastern Safety Equipment Company Dual Cartridge Re

Wilson AR 700 Double Cartridge Respirator

3M 8710 Dust Mask

American Optical Dual Cartridge Respirator with AO

AOSafety Dual Cartridge Respirator with Cabot Safe

AOSafety R8210N95 Dust Mask (Aearo Eastern)

DeVilbiss Dual Cartridge Paint Spray Respirator in

Eastern Safety 9200 Dual Cartridge Respirator

MSA Comfo Classic Dual Cartridge Respirator

MSA Comfo Dual Cartridge Respirator with silver me

ProTech Dual Cartridge Respirator w/3100 chemical

American Optical 4-1050 Accordion Style Paper Dust

American Optical R-6057L Half Mask Dual Cartridge

American Optical 50305SM Half Mask, Dual Cartridge

American Optical 500809M Half Mask Dual Cartridge

Cabot Safety Corp. Ri 010 (AO-1 01 0) Paper DstMask

Eastern Safety Equipment Co 810 Paper Dust

Gerson 1710 Paper Dust Mist Respirator in Box of 2

Gerson 1501 Nuisance Paper Dust Mask in Box of 50

MSA Comfo II Half Mask Dual Cartridge Respirator

North 7700-30M, Half Mask Dual Cartridge Facepiece

North 770030L, Half Mask Dual Cartridge Respirator

North 7176N95 Disposable Particulate Respirator in

North 7175N95 Disposable Particulate Repirator in

Norton 7200 Bantam Nuisance Dust Respirator in Box

Norton 7400-30M Half Mask Single Cartridge Respira

Norton 65306 Nuisance Dust Mask in Bag

Norton 65076 Nuisance Dust Masks in Package

Oxwall DM5 Nuisance Paper Dust Mask in Plastic Bag

3M 6200-M, Half Mask, Dual Cartridge Face Piece In

3M 8715 Paper Dust and Mist Respirator in Box of 2

3M 8500 Nuisance Paper Dust Mask in Box of 20

3M 8710 Paper Dust and Mist Respirator in Box of 2  
3M 8651ES Nuisance Paper Dust Mask In Package  
Welsh 7300 Bantam Nuisance Dust Respirator  
Willson 6000M Half Mask Dual Cartridge Facepiece  
Willson 6100L Half Mask Dual Cartridge Facepiece  
Survivair "Blue" Dual Cartridge Respirator  
American Optical AOI 010 Disposable Respirator  
AO Safety Products R5091 P Dual Cartridge Respirator  
American Optical R5000 Sure-Guard Dual Cartridge R  
American Optical R2000 Sure-Guard Respirator  
Eastern Safety Filter-Mask Code 335 with facelet  
Bondo Dust Masks, reorder number 947 (unopened)  
Eastern Safety Dust Mask labeled Gerson Post 1991  
Eastern Safety Comfort Masks Code 348-2  
Eastern Safety KA Kleen Airriask w Sanitary Face  
Eastern Safety Nuisance Dust Masks Code 928-X in b  
Eastern Safety ALLPRO Dust Masks in box of 50  
American Optical R2000 Respirator (w Facelet)  
North Dual Cartridge 7700 Series Respirator  
Survivair Dual Cartridge Respirator ("Blue")  
AO Safety - Sanding drywall fiberglass respirator  
American Optical R-6057A Dual Cartridge Respirator  
U.S. Safety - IOOM Comfort Air Dual Cartridge Resp  
Survivair Dual Cartridge Respirator  
MSA - Affinity Dust Mask Lot No. 0596 P-N 815769  
Ferro  
DeVilbiss MSE-502 Dual Cartridge  
DeVilbiss - Misc. Cartridge Respirators  
Willson Respirators - "Dustite" and "Dustguard"  
Survivair Cartridge Respirator  
Glendale GR-500 (photo A) and Glendale GR-555 (pho  
Welsh Manufacturing Company GB50 (photo B)  
Gerson 1501  
Martindale  
3M 8710  
American Optical Three Dual Cartridge Respirators  
American Optical Logos 760-771

I declare under penalty of perjury subject to 28 USC Section 1746 that all of the information provided in this product identification sheet is true and correct to the best of my present memory, knowledge, info and belief. I reserve the right to modify or supplement the foregoing information during the discovery process of my case.