

General Case Summary

Mr. Dennis John Zampa was born on October 30, 1956, and was diagnosed with malignant mesothelioma in September 2016, at the age of 59 (Plaintiff's Response to Joint Defense Interrogatories, dated November 28, 2016: p. 2, 11-12). It was reported that he received an unspecified number of chemotherapy treatments (Plaintiff's Response to Joint Defense Interrogatories, dated November 28, 2016: p. 6).

According to the answers to interrogatories, Mr. D. Zampa never smoked tobacco products and was never a member of the Armed Forces (Plaintiff's Response to Joint Defense Interrogatories, dated November 28, 2016: p. 6, 15). According to the answers to interrogatories, Mr. D. Zampa was a member of the Carpenters Union, Local 152 (Plaintiff's Response to Joint Defense Interrogatories, dated November 28, 2016: p. 5, 26).

Occupational exposure to asbestos was alleged through Mr. D. Zampa's work as a carpenter (Plaintiff's Response to Joint Defense Interrogatories, dated November 28, 2016: p. 17-18). According to the documents reviewed, asbestos exposures were alleged from work with or around joint compound, wall textures, ceiling textures, and window glazing products and para-occupational exposure to asbestos through his father's, Mr. Richard Zampa, work as an ironworker from 1956 to 1967 (Plaintiff's Response to Joint Defense Interrogatories, dated November 28, 2016: p. 18-19).

Family Members Testifying in This Case and Their Associations with Mr. D. Zampa

Mr. Richard Zampa, father of Mr. Dennis Zampa

Mr. Richard Zampa testified that he was the father of Mr. Dennis Zampa (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 9, 14).

Mr. D. Zampa's Work History

Union Construction Worker (1974-present)

According to the answers to interrogatories, Mr. D. Zampa underwent an apprenticeship as a carpenter from 1974 to 1978 and was a member of the Carpenters Union, Local 152, as of the date of his interrogatories in 2016 (Plaintiff's Response to

Joint Defense Interrogatories, dated November 28, 2016: p. 5, 26). According to the answers to the interrogatories, he was exposed to asbestos-containing products during industrial and commercial construction, including joint compound, wall texture, ceiling texture, and window glazing (Plaintiff's Response to Joint Defense Interrogatories, dated November 28, 2016: p. 17-18). Mr. D. Zampa also reportedly worked in the presence of insulators who removed and installed insulation at a refinery from 1975 to 1976 (Expert Report of Steven, Kazan, M.D., dated December 2, 2016: p. 4).

DuPont-Specific Testimony

Mr. D. Zampa testified that he never personally worked at a DuPont facility (Videotaped Deposition of Dennis Zampa, Volume VIII, dated December 23, 2016: p. 766).

Mr. R. Zampa's Work History

Union Ironworker (1955-1967 or 1955-1968)

Mr. R. Zampa testified that he personally began a two year ironworker apprenticeship program in approximately 1955, and continued to work as a journeyman ironworker his "*whole life*," beginning in 1957 or 1958 (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 11, l. 8; Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 236). However, he later clarified that he stopped working with his tools and became a business agent or full-time union officer in late 1967 or 1968 (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 46, 163). According to his testimony, he did not believe that he was exposed to asbestos after he became a full-time officer (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 163).

Mr. R. Zampa testified that as an ironworker, he performed structural steel erection, rigging, reinforcing steel work, window placement, metal siding and decking work, welding, and bridge work (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 11). He stated that as an ironworker, he worked around other craftsmen, including pipefitters, steamfitters, boilermakers, insulators, carpenters, scaffold workers, and laborers, and that he was "[s]ometimes" as close as two feet to these other workers (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 52, l. 22, p. 53, 78). He stated that when he performed construction work, it was "*just*

about all outdoors" (Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 259, l. 6).

Product-Specific Testimony

- Insulation

Mr. R. Zampa stated that he observed insulators install pipe and block insulation during his work at various facilities as an ironworker (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 53-54, 85-86, 96, 112-113). He testified that he observed insulators install insulation on pipes, boilers, turbines, and heaters (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 85-86, 112-113, 123, 142-143). He stated that the insulators also left "*mounds*" of insulation on the scaffolding, and that when they moved the scaffolding the insulation "*snow[ed] down on everybody*" (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 56, l. 23, p. 57, l. 1-2). Mr. R. Zampa testified that he observed insulators cut insulation (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 65). According to his testimony, he recalled that he observed Kaylo insulation at "*almost every of the refinery jobs*" and that he also observed insulators use Thermobestos block insulation (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 59, p. 60, l. 8-9, p. 64).

Mr. R. Zampa testified that he also personally rigged insulated pipe (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 54, 74-75). According to his testimony, he "*beat that insulation off*" the pipe with a wrench in order to weld or rig it into place (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 74, p. 75, l. 13; Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 251-252). He stated that this work was "*common*" (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 75, l. 17).

- Putty

Mr. R. Zampa testified that he observed insulators mix and apply a "*putty*" to the seams and cracks of block insulation on boilers during his work as an ironworker (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 123, l. 20, p. 124). He

confirmed that he was in proximity to this work (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 124).

DuPont – Specific Testimony

According to Mr. R. Zampa's Social Security records, he was employed by E I Du Pont De Nemours and Company during the fourth quarter of 1962; the first and second quarters of 1963; and the first, third, and fourth quarters of 1964 (Social Security Administration Records: p. 8). Mr. R. Zampa testified that he worked as a journeyman directly for DuPont and that he performed structural steel work in the construction of a new pigment plant, including erecting pipeways, bolting structural steel, rigging piping and mechanical equipment, and unloading equipment and steel (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 133-134; Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 264, 272, 291-292). He confirmed that he reported to a union foreman (Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 265). He stated that he worked alongside carpenters, laborers, asbestos workers, pipefitters, and boilermakers who were all directly hired by DuPont (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 136-137; Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 312-313).

Mr. R. Zampa stated that DuPont never provided him with a respirator or mask, and that DuPont never talked about the hazards of asbestos (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 134-135). However, he stated that "*DuPont was one of the few companies that [he] ever worked for that all they did was talk about safety*" and that DuPont was "*very serious on the safety*" (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 134, l. 24-25, p. 135, l. 6-7). He stated that there were safety meetings at DuPont "*at least once a week*" that included an ironworker, supervisor, and a member of DuPont management (Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 282, l. 18, p. 283).

According to Mr. R. Zampa's testimony, he observed insulators manipulate pipe insulation and block insulation at DuPont (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 137; Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 300). He stated that he also observed other workers spray fireproofing onto columns, beams, and under the flooring (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 137-138). Mr. R. Zampa testified that he personally erected

preinsulated pipe and used a wrench to “knock off” “[n]ot more than a foot” of insulation on the pipe to rig it into place (Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 301, p. 302, l. 2, p. 309, l. 23). He stated that he performed this rigging work with insulated pipe “[s]ometimes all day,” during a period of time after the structural steel was already erected (Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 302, l. 22). He later stated that it took “a minute or two” to knock insulation off the pipe and that he did this a few times a day “[o]r more” (Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 314, l. 17, p. 315, l. 1). Mr. R. Zampa stated that “[n]ot every piece, but a major majority” of the pipes that he erected at DuPont were already insulated (Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 303, l. 15). According to his testimony, he recalled Kaylo block insulation and Thermobestos pipe insulation at DuPont (Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 303-305).

Mr. D. Zampa’s Residence History

According to the answers to interrogatories, Mr. D. Zampa lived in Crockett, California, from 1957 to 1976; Pinole, California, from 1976 to 1977; Rodeo, California, from 1977 to 1978; Crockett, California, from 1978 to 1981; Novato, California, from 1981 to 1984; Vallejo, California, from 1984 to 1985; and Crockett, California, from 1985 to the date of his interrogatories in 2016 (Plaintiffs’ Amended and Supplemental Responses to Joint Defense Interrogatories, dated December 8, 2016: p. 1-2).

Mr. R. Zampa testified that after Mr. D. Zampa was born in October 1956, the family moved to a two bedroom apartment in Bayo Vista, California, in 1956 (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 14-16). According to Mr. R. Zampa’s testimony, he and his family next lived in a three bedroom residence at 716 Alhambra Street in Crockett, California, from March 1958 to 1965 (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 16-17, 22). Mr. R. Zampa stated that he and his family moved to 166 Old County Road in Tormey, California, in 1965, and that he lived at this residence at the date of his deposition (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 16-17).

Opportunities for Para-Occupational Exposure

Mr. D. Zampa stated that he wrestled with his father when he returned from work (Videotaped Deposition of Dennis Zampa, Volume II, dated December 14, 2016: p. 179). He testified that he also played with his father's work boots "[w]eekly" (Videotaped Deposition of Dennis Zampa, Volume II, dated December 14, 2016: p. 181, l. 13).

Mr. R. Zampa stated that when he lived in Crockett, California, he wore his work clothes home, and that his work clothes consisted of jeans and a shirt (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 23, 32). He testified that he played with his kids "daily" when he got home from work, including Mr. D. Zampa, and continued to wear his work clothes through dinner and until he went to bed (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 23-24, 27, p. 28, l. 6). He testified that he wore the same set of work clothes for several days in a row and that his wife washed his work clothes "[g]enerally once a week" (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 25, l. 22). According to Mr. R. Zampa's testimony, his wife did the laundry in a washing machine located in a pantry off of the kitchen at the Alhambra residence (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 20, 22, 26). He stated that his wife dried the clothes by either hanging them in the living room or on a clothesline outside (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 26-27). Mr. R. Zampa testified that at their home in Tormey, California, his wife did the laundry in the garage where there was a washer and dryer (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 44). He stated that he did not recall if his wife shook out the clothing before putting them in the washing machine (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 186).

Mr. D. Zampa testified that his mother was responsible for doing the laundry, and that he observed his mother shake out his father's clothing prior to laundering (Videotaped Deposition of Dennis Zampa, Volume II, dated December 14, 2016: p. 175-177). He stated that his mother shook out the clothes in the pantry area of their Alhambra residence (Videotaped Deposition of Dennis Zampa, Volume II, dated December 14, 2016: p. 175-176). According to his testimony, he did not personally assist his mother in laundering the clothes (Videotaped Deposition of Dennis Zampa, Volume II, dated December 14, 2016: p. 175).

Mr. R. Zampa testified that he used his personal vehicle to travel to and from work, and that his family also rode in his vehicle with him (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 30-31). Mr. D. Zampa also testified that he rode in his father's vehicle that he used for work (Videotaped Deposition of Dennis Zampa, Volume II, dated December 14, 2016: p. 185).I

DuPont-Specific Testimony

Mr. R. Zampa testified that he did not recall if there was a change house at DuPont and that he was not assigned a locker (Deposition of Richard Zampa, Volume II, dated January 10, 2017: p. 279-280). He testified that he hugged and played with his kids "daily" when he got home from DuPont (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 139, p. 140, l. 3). He confirmed that he wore his work clothes home from DuPont and he stated that his children also played with his work boots (Deposition of Richard Zampa, Volume I, dated January 9, 2017: p. 139-140).

Conversation with Charles Carisch - DuPont Construction Engineer - Antioch Facility

Based upon the telephone discussion I had with Mr. Carisch on February 28, 2017, Mr. R. Zampa was employed at the DuPont Antioch Facility constructing the titanium dioxide (TiO₂) unit which was a separate unit at the Antioch facility. He stated that the unit started up in late 1963 and was later expanded in 1964. Mr. Carisch confirmed that the unit did not require fireproofing on the steel structure. This is consistent with my understanding where fireproofing is necessary within chemical plants. In addition, Mr. Carisch stated that the TiO₂ unit was approximately four levels with open-grating floors. This would not permit insulation or fireproofing between floors. Mr. Carisch also noted that a lot of piping in the TiO₂ unit was not insulated and that there were at least four different types of insulation that might have been used in the TiO₂ unit, including fiberglass, polyfoam, mineral wool, and asbestos.

In addition, Mr. Carisch confirmed that when Mr. R. Zampa worked at the plant in the fourth quarter of 1962 and the first and second quarters of 1963, this most likely involved erecting the steel structure for the unit and other trades, including insulators, would not have been working below ironworkers erecting steel or equipment. This was the policy at DuPont at the time that no one works below workers erecting structures.

Mr. R. Zampa returned and worked at the DuPont facility the first, third, and fourth quarters of 1964. According to Mr. Carisch, Mr. R. Zampa may have been involved in the TiO₂ expansion project which took place around that time period. According to plant specifications, some piping that may have been elevated and installed by ironworkers, may have been pre-insulated in the fab shop before being installed. The pre-insulation would not have included areas of the pipe where the pipe was to be joined with other pipe or equipment, i.e. near the flange. Ironworkers would attach their rigging at these points. However, it is possible some insulation may have been removed on occasion to attach rigging. Mr. Carisch stated that this would have been the exception. Mr. R. Zampa testified that it took a minute or two to remove the insulation and that he did this a few times a day. If this was done, it would have been outdoors prior to rigging, hoisting, and installing pipe.