

H. K. Porter Company, Inc.

H. K. Porter Company, Inc. (“Porter”) was originally organized in 1866 as Smith & Porter. In 1878 the name was changed to H. K. Porter & Company and in 1899 to H. K. Porter Company. Porter’s early business was primarily in the manufacture and repair of locomotives. In 1926 Porter claimed to be the largest manufacturer of locomotives in the United States.

As a result of decreased demand for locomotives and increased competition from pneumatic tired trucks, Porter filed a voluntary petition for bankruptcy on November 10, 1937. On January 12, 1939, a new H. K. Porter Company, Inc. was incorporated in Pennsylvania. The new corporation engaged in manufacture and sale of various industrial products.

In the 1950s Porter acquired the first of several companies that engaged in the manufacture, sale and/or distribution of asbestos-containing products. These companies included Thermoid Corporation, Southern Asbestos Company, Asbestos Manufacturing Company, Carolina Asbestos Company, LaCledde Christy Company , Russell Manufacturing Company and Southern Textile Company.

As a result of Porter’s involvement with asbestos products, it was named in lawsuits for wrongful death and personal injuries arising out of exposure to Porter’s or its predecessors’ asbestos-containing products. Porter was also named in asbestos property damage lawsuits. After paying over \$200 million in asbestos suit settlements, Porter eventually filed for bankruptcy protection on February 15, 1991.

In 1996, the bankruptcy court order authorized Porter to establish a Qualified Settlement Fund to pay Asbestos Claims. This fund was established per Treasury Regs. § 1.468B-3(e) with an initial transfer of \$800,000 on December 31, 1996. On June 25, 1998 the court confirmed a plan of reorganization for Porter with an effective date of July 28, 1998 (the “Plan”).

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