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Peterson
Cor.
UNION CARBIDE CHEMICALS AND PLASTICS COMPANY INC.

Law Department

39 Old Ridg bury Road
Danbury, CT 06817-0001

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January 15, 1990

MEMORANDUM

To: N. A. Dube
L4-501

From: J. R. Downey, Esq.

R : John Peterson, et al. v. Union Carbide
(PVC)

I did want to provide you with a status report about this case. The plaintiff, John Peterson, was employed from June 1967 until October 1986 in Perth Amboy at the Amboy Terminaling Company, known as OTD Terminals Corporation. He allegedly suffered from the xposure to PVC while using a hot glue sealer. He subsequently developed cancer of the larynx.

Cancer of the larynx has never been associated with PVC exposure. Unfortunately, the plaintiff has retained an expert, Dr. Epstein, who, while saying that there is no literature which connected cancer of the larynx to PVC exposure, opined that exposure to PVC fumes could cause cancer.

The review of the medical history and treatment that the plaintiff had received reveals that he had a significant asbestos xposure in addition to other lung problems which more than likely had an impact upon his larynx.

Previous efforts by the plaintiff to consolidate this case with a more recently filed case called Bernadino v. Union Carbide, have been unsuccessful.

A conference date is scheduled for sometime at the end of January. At that time we should be able to get together with a

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judge who will give us his perspective as to the liabilities of the case and any settlement potential.

The case has a trial date of April 2, 1990. That may or may not hold firm.

I did want to give you some advance notice of what was taking place so that you and I could formulate a position in anticipation of any settlement discussions.

I look forward to hearing back from you. My telephone extension is 5196.

JR Downey

John R. Downey

JRD/es

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