

Monsanto

LAW DEPARTMENT

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63167
Phone (314) 694-1000

November 5, 1986

David C. Musch, M.P.H., Ph.D.
Assistant Research Scientist
University of Michigan Medical Center
W.K. Kellogg Eye Center
1000 Wall Street
Ann Arbor, MI 48105

Re: Charles Wright v. Monsanto

Dear Dr. Musch:

I have received your letter and reviewed the index of materials relating to your PCB mortality study of W.G. Krummrich plant workers. If it would not be too great an imposition, I would appreciate receiving copies of all of the documents on that list. I will of course be happy to pay any copying or postage charges.

With respect to your questions regarding specific items on that list, it is difficult for me to give you an opinion without having first having looked at the documents. However from the description on the list it would appear that Items 1 and 2 are probably protected by the attorney-client privilege and that item #5 is protected by the Monsanto privacy policy from disclosure to third parties. The rest of the items on the list do not appear to be privileged but I would wish to examine them before delivering the final opinion.

Regarding your question on conflict of interest, it seems to me that your confidentiality agreement with Monsanto would prevent you from surrendering personal medical or employment information regarding the individuals who participated in your study. Further that agreement would obligate you not to disclose to Mr. Hobson proprietary information concerning the manner in which Monsanto operated any of its production units at the W.G. Krummrich plant. I appreciate the uncomfortable position which Mr. Hobson's inquiry has placed you in, and I would request that you advise me of any further attempt which Mr. Hobson makes to contact you or question you regarding your study. You are

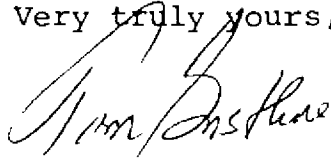
DSW 153283

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David C. Musch, M.P.H., Ph.D.
November 5, 1986
Page 2

certainly within your rights to refuse to speak to him although he may, if he wishes, seek to subpoena you for a deposition. That deposition would, however, be conducted in Michigan. I will be in touch with you shortly to discuss this matter further. In the meantime I appreciate your continued cooperation.

Very truly yours,



Thomas M. Bistline
Assistant Litigation Counsel

/glc:GLC7/61

✓ BCC: David M. Moore, Esq.

DSW 153284

PCB-ARCH-EXT0381780

November 18, 1986

NOV 21 1986

Thomas M. Bistline
Assistant Litigation Counsel
Law Department
Monsanto Company
800 North Lindbergh Blvd.
St. Louis, MO 63167

RE: Charles Wright v. Monsanto

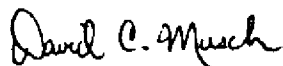
Dear Mr. Bistline:

Enclosed are copies of all documents on the list of correspondence and materials related to the PCB mortality study, as you requested in your letter dated 5 November, 1986.

Thank you for your preliminary advice on the confidentiality of this material and my involvement in this case. The latter question may be irrelevant, however, since I have not heard from Mr. Hobson since 24 September, 1986. I will contact you if any further contact from Mr. Hobson occurs. Any further advice you may offer would be appreciated.

Best regards.

Sincerely,



David C. Musch, Ph.D.
Assistant Research Scientist

DCM:kaw

Enclosures

DSW 153285

Correspondence and Materials, PCB Mortality Study

	<u>DATE</u>	<u>CONTENT</u>
1.	6/16/78	Communication re Starbuck & Curtis trials from Jay R.G. Ortiz, marked "Attorney-Client Privilege"
2.	8/2/78	Memo to Jay Ortiz from D. Musch - draft of "proposal for a historical prospective mortality study of PCB-exposed workers"
3.	8/14/78	Revised draft following Jay Ortiz's review of 8/2/78 proposal
4.	Late 8/78	First handwritten draft of manuscript
5.	Late 8/78	Employee Demographic Information on PCB-exposed workers - including SS#, name, clock#, vital status, exposure years, etc.
6.	12/14/79	Draft of Manuscript by J. Zack & D. Musch
7.	1/26/82	Letter from D. Musch to W. Gaffey re status of paper
8.	4/ ⁴ 16 /82	Letter from D. Musch to W. Gaffey re 1/26/82 letter
9.	4/26/82	Letter from W. Gaffey to D. Musch with go-ahead to publish
10.	5/21/82	Letter from D. Musch to W. Gaffey - thanks and will go forward
11.	9/15/82	Letter from D. Musch to W. Gaffey - request for references
12.	9/16/82	Letter from D. Musch to J. Zack - questions on study details
13.	9/21/82	Letter from W. Gaffey to D. Musch - response to 9/15/82 letter
14.	2/23/83	Letter from D. Musch to W. Gaffey - revised manuscript enclosed with last revision of paper to date - significant shortcomings (small sample size, small # of deaths, lacking SMR standard errors). Request for Gaffey's input on the merit of publishing.

DSW 153286

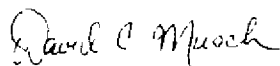
December 9, 1986

Thomas M. Bistline
Assistant Litigation Counsel
Law Department
Monsanto Company
800 North Lindbergh Blvd.
St. Louis, MO 63167

Dear Mr. Bistline:

I thought I should inform you of a telephone call I received today from a Stuart Curry (sp?) of Bloomington, Indiana, regarding health effects of PCBs and the results of the Monsanto PCB study, of which he possessed a copy. He apparently is collecting information, as a layperson, on the current health status of workers in a Westinghouse plant who were exposed to PCB. I provided information on our study to him, and suggested that he speak with Dr. Gaffey if he would like further information. In response to my query, he told me that there is litigation involved in this situation. In this context, I thought you should be informed.

Sincerely,



David C. Musch, Ph.D.
Assistant Research Scientist

DCM:kaw
mdec9

DSW 153342



W. K. Kellogg Eye Center
1000 Wall Street
Ann Arbor, Michigan 48105
(313) 763-8122

January 6, 1987

Thomas N. Bistline
Litigation Counsel
Law Department
Monsanto Company
800 North Lindbergh Blvd.
St. Louis, MO 63167

JAN 09 1987

RE: Bloomington, Indiana
Litigation

Dear Mr. Bistline:

Enclosed are copies of follow-up correspondence which I have had with Mr. Stuart Curry regarding my involvement in Monsanto's PCB mortality study. I will let you know if any further contact occurs on this subject.

Sincerely,

A handwritten signature in cursive script that reads "David C. Musch".

David C. Musch, PhD
Assistant Research Scientist

DCM:kaw
J6-2

Enclosures

DSW 153343

December 10, 1986

Dr. David C. Musch
Kellogg Eye Center
1000 Wall St.
Ann Arbor, Michigan
48105-1910

Dear Dr. Musch,

Thank you for talking with me about the mortality study at Monsanto dated December 14, 1979.

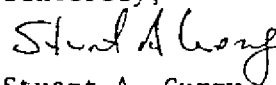
As I mentioned my Father-in-Laws PCB blood level was 336 ppb. The average for workers tested at Westinghouse was 502ppb.

I have found that most of these exposed workers have similar health symptoms. I would like to know if you did a health survey of the Monsanto PCB exposed workers. If such a survey was done I would like to compare the Westinghouse workers health problems with those of the Monsanto workers. Incidentally, just about all of the Westinghouse workers I have talked to list eyes sensitive to light as well as problems with night lights such as on coming headlights.

It still seems to me that your study is significant from the stand point that more than half of the observed deaths were higher than expected and in some categories much higher. I would appreciate knowing how significant you felt the study was. Also, I am not sure how you calculated the 22.88 number for expected deaths. I think you told me but I missed that somehow. The 7.22 higher than expected deaths looks pretty big at least in my view.

Thank you for your time.

Sincerely,



Stuart A. Curry
P.O. Box 3267
Bloomington, Indiana
47402

DSW 153344

December 12, 1986

Stuart A. Curry
P.O. Box 3267
Bloomington, IN 47402

Dear Mr. Curry:

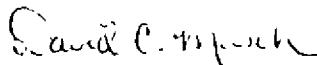
You raised several questions in your correspondence dated 10 December, 1986, which I will attempt to answer. Regarding a health survey of Monsanto workers exposed to PCBs, I was not involved in such a study. My sole involvement was in the mortality study, which did not have a morbidity component. If such a study has been done since my Monsanto employment, I am unaware of it.

Regarding the method of calculating the expected deaths for the study group, a computer program (Monson RR. Analysis of relative survival and proportional mortality. Computers in Biomedical Research 1974; 7:325-32) was employed, which uses age, race, and cause-specific mortality rates for U.S. males to calculate what number of deaths would be expected for the Monsanto worker group.

As I mentioned on the phone, the mortality study had several significant shortcomings, including a small sample size and, therefore, a small number of deaths to evaluate, as well as insufficient exposure information. These weaknesses did not permit us to be conclusive regarding whether the discrepancies between observed and expected deaths in the Monsanto cohort were due to chance, or due to an exposure such as smoking or PCBs. These problems made the study preliminary and inconclusive, and so Judy Zack and I agreed to not pursue publication.

I hope this letter provides you with the answers you needed.

Sincerely,



David C. Musch, MPH, PhD
Assistant Research Scientist
WK Kellogg Eye Center

DCM:kaw
mdec12

DSW 153345