Monsanto

LAW DEPARTMENT

Monsanto Company
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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

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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.