



CAUSE NO. CC-98-9394-C

RICHARD COMER, INDIVIDUALLY AND AS	§	IN THE COUNTY COURT
PERSONAL REPRESENTATIVE OF THE HEIRS	§	
AND ESTATE OF BOB G. COMER, DECEASED,	§	
AND FRANKIE COMER,	§	
<i>Plaintiffs,</i>	§	
	§	AT LAW #3
	§	
VS.	§	
	§	
GARLOCK INC., ET AL.	§	
<i>Defendants.</i>	§	DALLAS COUNTY, TEXAS

**DEFENDANT E. I. DUPONT DE NEMOURS AND COMPANY'S
DESIGNATION OF FACT AND EXPERT WITNESSES**

TO: Plaintiffs, by and through their attorneys of record, Stephanie Finch, Baron & Budd, The Centrum, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219.

Pursuant to the Texas Rules of Civil Procedure, E. I. du Pont de Nemours and Company ("DuPont") hereby designates the following fact and expert witnesses. DuPont expressly reserves its right to amend and supplement these designations.

- Morton Corn, Ph.D.**
Department of Environmental Health Sciences
The Johns Hopkins University
615 North Wolfe Street, Room 6010
Baltimore, Maryland 21205
(410) 955-3602
(410) 955-9334 facsimile

Dr. Morton Corn is a professor emeritus with the Johns Hopkins University's Department of Environmental Health Sciences in Baltimore. He is currently Director, National Institute of Occupational Safety and Health (NIOSH) Educational Resource Center in Occupational Safety and Health for Training Physicians, Nurses, Hygienists and Safety Professionals, and Director, Division of Environmental Health Engineering.

Dr. Corn is an industrial hygienist with long-standing experience in addressing asbestos-related issues from the perspective of an industrial hygienist and government regulator. He received his Ph.D. degree in Industrial Hygiene and Sanitary Engineering from Harvard University's Division of Engineering and Applied Physics in 1961. He served as Assistant Secretary of Labor for the Occupational Safety and Health Administration ("OSHA") from 1975 to 1977 during the Ford Administration.

Dr. Corn may testify concerning the following subjects: (a) the uses and characteristics of asbestos and asbestos-containing products; (b) the development of industrial hygiene and occupational safety and health in the United States; (c) the evolution of knowledge in the industrial hygiene community concerning the potential health hazards associated with exposure to dust and asbestos; (d) the characteristics of asbestos dust and fibers and measurements of airborne concentrations of asbestos dust and fibers; (e) standards, guidelines, procedures and practices relating to the control of potential exposure to dust and asbestos dust; (f) exposure assessment and associated exposures for non-asbestos workers and the general public; (g) DuPont's industrial hygiene practices and procedures; and (h) DuPont's practices, programs and procedures for the health and safety of its employees. Dr. Corn is expected to address these subjects in a general context, and also as they relate to DuPont. Dr. Corn is expected to discuss the specific factual allegations by Plaintiff regarding conditions, procedures, and practices at DuPont. Dr. Corn's testimony is based upon (1) his extensive experience and training in the fields of industrial hygiene and occupational health and safety, (2) knowledge of relevant literature, (3) review of documents, discovery, and testimony regarding Plaintiffs' allegations, (4) review of relevant DuPont documents; and (5) review of the record in this case.

2. Richard J. Lee, Ph.D.
RJ Lee Group
350 Hochberg Road
Monroeville, Pennsylvania 15146
(724)325-1776

Dr. Richard J. Lee is President of the RJ Lee Group, Inc., a consulting firm and analytic laboratory in Pittsburgh. Prior to his affiliation with the RJ Lee Group, Dr. Lee was head of the U.S. Steel Technical Center's Electron Microscopy and Surface Analysis Section for 12 years. He is a theoretical physicist by training, and received his Ph.D. degree from Colorado State University. Dr. Lee was a member of the Health Effects Institute's Literature Review Panel on Asbestos in Buildings, commissioned by Congress. He has also performed work for the EPA and served on various EPA panels and committees regarding asbestos issues. He has also performed investigations of naturally occurring asbestos and other minerals and methods for detection and identification of such minerals. This has included analysis of bulk, air, water, soil and dust samples.

The subject matters on which Dr. Lee may testify include: (a) the history of the guidelines and standards governing exposure to asbestos; (b) the development of scientific knowledge regarding the measurement of asbestos in the air; (c) the aerodynamics of fibers; (d) exposure levels of various

activities in the workplace and in public, commercial and private residences including relevant DuPont facilities; (e) analysis and production of bodies of air sampling data for the Environmental Protection Agency and other governmental and private entities regarding naturally occurring forms of asbestos in the environment; (f) the release of asbestos from clothing; and (g) the results of experiments conducted by himself and others.

Dr. Lee is expected to testify based on (1) his extensive experience and training, (2) knowledge of relevant literature and data, (3) review of documents, discovery, and testimony regarding the plaintiffs' allegations, and (4) review of relevant DuPont documents.

3. James M. Crapo, M.D.
Chairman, Department of Medicine
National Jewish Medical and Research Center
1400 Jackson Street
Denver, Colorado 80206
(303)398-1436

Dr. Crapo is a physician specializing in pulmonary medicine. He is Chairman of the Department of Medicine at the National Jewish Medical and Research Center in Denver, Colorado. He is a former Professor of Medicine and Professor of Experimental Pathology at Duke University Medical Center. Dr. Crapo has carried out extensive research into the mechanisms of pulmonary disease resulting from the inhalation of particulates, including the processes associated with asbestos-related disease.

Dr. Crapo is expected to testify generally about the reactions of the lungs to inhaled particulates and foreign substances in both industrial and non-industrial environments. Dr. Crapo is expected to discuss, in particular, the biological effects of exposure to asbestos dust, and the etiology of asbestos-related disease. Dr. Crapo is expected to testify that the risk of asbestos-related lung disease is related to dose, and will provide his opinions regarding the levels of asbestos exposure necessary to produce disease. He may also testify concerning his asbestos-related studies and publications as well as other literature and studies related to asbestos-related diseases.

Dr. Crapo may also review the x-rays and other medical records of Plaintiff and render opinions regarding the presence or absence of asbestos-related abnormalities in Plaintiff's lungs. Dr. Crapo is expected to describe the diagnostic criteria and methods used in the diagnosis of asbestosis and other asbestos-related conditions. Dr. Crapo may critique the diagnostic reports of the Plaintiff's experts as they relate to Plaintiff's alleged conditions. Dr. Crapo may render opinions regarding the probable cause or causes of Plaintiff's conditions.

4. Dr. Bruce W. Karrh
7 Blackhawk Trail
Savannah, Georgia 31411
(912) 598-8992

Dr. Bruce W. Karrh was the Vice President for Integrated Health Care for DuPont from 1993 until 1996 when he retired. Dr. Karrh received a Bachelor of Science degree in Chemistry from the University of Alabama at Tuscaloosa in 1958 and a Medical degree from the Medical College of Alabama in Birmingham in 1962. He entered the United States Army and performed a rotating internship in 1963 at Brooke General Hospital, Fort Sam Houston, Texas. From 1963 to 1965, Dr. Karrh was a flight surgeon in the U.S. Army medical corps, and from 1965 to 1970, he was in private practice in Athens, Alabama. In 1970, Dr. Karrh became the Medical Supervisor for DuPont's Spruance Plant where he remained until 1973. At that time he became the Research Manager of the Environmental Sciences Group at Haskell Laboratory until 1974. DuPont then appointed Dr. Karrh Assistant Medical Director and then Medical Director in 1977. In 1983, Dr. Karrh was named General Director, Medical, Safety and Fire Protection for DuPont. He was then named Vice President for Safety, Health and Environmental Affairs in 1984 - a position he held until 1993.

Dr. Karrh was a long-standing DuPont employee experienced in addressing health and safety-related topics and issues at DuPont. As part of his duties at DuPont, Dr. Karrh gained knowledge, both historical and current, regarding DuPont's history of and practices regarding safety throughout the company. In the course of his duties, Dr. Karrh became familiar with the history of and practices regarding DuPont's approach to workers' safety and health issues involving exposure to dust and asbestos dust. Much of Dr. Karrh's testimony will be fact testimony; however, he may express opinions in some areas that may be considered expert opinions. Out of an abundance of caution, DuPont is designating Dr. Karrh as an expert because he may be asked to provide such opinions.

Dr. Karrh may testify concerning the following subjects: (a) DuPont's history of providing for health and safety of its employees; (b) policies, procedures and programs for the health and safety of workers including those addressing dust and asbestos dust; (c) medical screening, monitoring and surveillance of DuPont employees; and (d) evolution and understanding of potential health hazards posed by exposures of workers to dust and asbestos dust.

Additional Expert Designations

Plaintiff has not provided adequate information about his alleged diseases, current medical condition, and testifying experts to allow DuPont to determine which additional experts it may need in this case. Plaintiff served "First Supplemental Answers to Interrogatories" on July 30, 1999, listing 50 generic witnesses; however, Plaintiff has not provided reports from his experts regarding what opinions they may assert with respect to DuPont or plaintiff's claims against DuPont. As recognized by the Texas Rules on discovery and expert designations, DuPont is not in a position to make more extensive expert designations under these circumstances. To require a party to retain and designate experts without the benefit of this essential information puts the party to an undue burden and unnecessary expense. DuPont will amend or supplement this designation, if necessary, after adequate information is provided with respect to Plaintiff's testifying experts.

5. It is anticipated that a radiologist with specialized training and experience in "B" Readings will be necessary to review, interpret and render opinions regarding x-rays of Plaintiff.

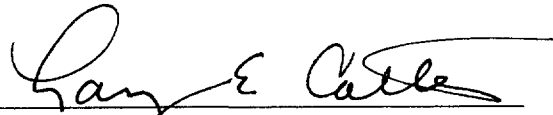
This expert is expected to testify generally about presentations seen on x-rays and to explain the presentation that is seen. It is also anticipated that this expert would testify specifically about the findings seen on Plaintiff's x-ray films and is anticipated to render an opinion regarding the absence or presence of the findings of any asbestos-related condition of the lung.

6. It is further anticipated that another pulmonologist will be designated to discuss the physical condition of the Plaintiff and also to discuss Plaintiff's medical records. This expert is also expected to discuss the anatomy and function of the respiratory system in the human body. This expert is expected to discuss the nature of asbestos, the symptomatology, disease process and diagnosis of asbestosis, as well as cancers associated with the respiratory and related systems. It is also anticipated that this expert will testify regarding the methods of diagnosis of alleged asbestos-related diseases as compared to other non-asbestos related diseases. It is anticipated that this expert will also discuss historical and/or medical literature pertaining to asbestos-related conditions and other diseases of the respiratory and related systems.

7. To the extent any experts designated by other parties are allowed to testify at the trial in this matter, DuPont hereby cross-designates all experts listed by all parties.

8. Plaintiff has listed treating physicians and health care facilities where he sought treatment. To the extent any of these physicians or representatives of health care facilities are listed by Plaintiff as experts or fact witnesses, DuPont reserves the right to call them as witnesses and to elicit opinions from them.

Respectfully submitted,



Larry E. Cotten

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Dennis M. Conrad

State Bar No. 04706400

S. Jan Hueber

State Bar No. 20331150

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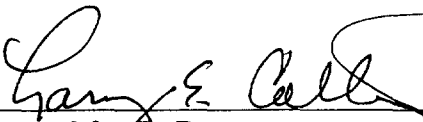
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Attorneys for Defendant

E. I. du Pont de Nemours and Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of *Defendant E. I. du Pont de Nemours and Company's Designation of Fact and Expert Witnesses* was served on Plaintiff's counsel by certified mail, return receipt requested, and on all other known counsel by regular mail on this the 17th day of August, 2001.


Counsel for DuPont