

NEVADA POWER COMPANY, A NEVADA CORPORATION,
PLAINTIFF;
VS.
MONSANTO COMPANY, A FOREIGN CORPORATION; GENERAL ELECTRIC COMPANY, A FOREIGN CORPORATION; WESTINGHOUSE ELECTRIC CORPORATION, A FOREIGN CORPORATION; AND DOES 1 THROUGH XXV, INCLUSIVE,
DEFENDANTS.

1125 East Morehead Street, Charlotte, North Carolina 28204.
(704) 375-5133, 1 (800) 253-2656, FAX (704) 334-9217

2
3 A. YES.

4 Q. NOW, I'D LIKE TO GO BACK TO THIS -- THESE TESTS
5 -- EXCUSE ME.

6 I'D LIKE TO GO BACK TO THE RESULTS OF THE
7 TESTS THAT I BELIEVE YOU SAID ARE STILL PART OF
8 ABB'S RECORDS AT THIS POINT THAT WERE ORIGINALLY
9 WESTINGHOUSE RECORDS.

10 A. YES.

11 Q. DO YOU KNOW HOW MANY -- DO YOU HAVE ANY KNOWLEDGE
12 OF WHETHER WESTINGHOUSE KEPT COPIES OF THOSE
13 RECORDS WHEN ABB TOOK OVER THE PORTION OF
14 OPERATIONS THAT YOU WERE IN?

15 MR. CAILTEUX: CAN THAT I HAVE THAT READ
16 BACK, PLEASE.

17 (THEREUPON, THE COURT REPORTER READ
18 BACK THE QUESTION AS REQUESTED.)

19 MR. CAILTEUX: I'M GOING TO OBJECT TO THE
20 FORM OF THE QUESTION BECAUSE IT'S -- I DON'T
21 THINK YOU'VE GOTTEN A COMPLETE WORK HISTORY FROM
22 DR. WALSH AND HE COULD BE CONFUSED.

23 MR. MERRELL: YOU CAN GO AHEAD AND ANSWER.

24 A. I REALLY DON'T SPECIFICALLY REMEMBER WHETHER OR
25 NOT THERE WERE COPIES TAKEN OF THOSE RECORDS.

Q. TO YOUR KNOWLEDGE, WERE THERE A LARGE NUMBER OF
PCB-RELATED RECORDS THAT WERE FORMER WESTINGHOUSE
RECORDS THAT ARE NOW ABB RECORDS?

MR. CAILTEUX: OBJECT TO THE FORM.

MR. BAUER: YEAH, I JOIN, I THINK THAT'S
KIND OF VAGUE.

THE WITNESS: CAN YOU REPEAT THAT QUESTION,
BECAUSE I THINK THERE IS TWO QUESTIONS IN THAT.

(THEREUPON, THE COURT REPORTER READ
BACK THE QUESTION AS REQUESTED.)

A. I DON'T KNOW WHAT YOU MEAN BY A "LARGE QUANTITY,"
BUT I WILL ANSWER THE QUESTION THAT THERE WERE
SOME RECORDS, AS I'VE ALREADY STATED, THAT WENT
OVER.

Q. OTHER THAN THE VOLUME OF ANALYTICAL RESULTS THAT
WE'VE DISCUSSED, WERE THERE OTHER WESTINGHOUSE
RECORDS RELATED TO PCB'S THAT ARE NOW ABB
RECORDS?

MR. CAILTEUX: OBJECT TO THE FORM AGAIN.

MR. BAUER: OBJECTION, LACK OF FOUNDATION.

A. CAN I CLARIFY -- MAKE A CLARIFICATION STATEMENT?
AS PART OF THE RECORDS TRANSFERRED WITH THE
PURCHASE, WE HAVE ALL THE RECORDS OF WHAT WAS

SOLD IN THE TRANSFORMER DIVISION, I KNOW SPECIFICALLY. I DON'T KNOW ANYTHING ABOUT THE CAPACITOR DIVISIONS. THAT -- IF THAT QUALIFIES AS PCB RECORDS IN YOUR MIND, WE HAVE THOSE, SO -- WE HAVE TITLE TO THEM; I'M NOT SURE WHETHER THEY'RE STILL --

Q. OKAY. WELL, ARE THERE DOCUMENTS THAT YOU KNOW OF THAT WERE FORMERLY WESTINGHOUSE DOCUMENTS THAT CONTAIN THE WORD POLYCHLORINATED BIPHENYL OR ANY FORM OF IT OR THE ACRONYM PCB'S ON THE PIECE OF PAPER OR NOT, ON THIS VOLUME OF ANALYTICAL RESULTS THAT WE'RE DISCUSSING, THAT ARE NOW IN THE POSSESSION, CUSTODY OR CONTROL OF ABB?

MR. CAILTEUX: I'M GOING TO OBJECT TO THE FORM OF THE QUESTION AND ALSO IT'S EXTREMELY, EXTREMELY BROAD. I DON'T SEE HOW THIS WITNESS CAN ANSWER THAT QUESTION.

MR. BAUER: I JOIN.

A. I CAN SPEAK FOR MY RECORDS ONLY.

Q. (BY MR. MERRELL) WOULD YOU ANSWER THE QUESTION, PLEASE?

A. I HAVE SOME SMALL QUANTITY OF RECORDS THAT WERE COPIED BY WESTINGHOUSE, BUT RETURNED TO ME AS MY

RECORDS.

Q. WHEN WERE THEY COPIED BY WESTINGHOUSE?

A. I BELIEVE IN 1989.

Q. AT THE TIME OF PURCHASE AND SALE?

A. NO, PREVIOUS TO THE -- WHILE THE TIME OF THE
JOINT VENTURE -- THERE WAS A JOINT VENTURE FROM
FEBRUARY TO DECEMBER OF 1989.

Q. OKAY. AND THERE ARE, TO YOUR KNOWLEDGE, NO OTHER
DOCUMENTS THAT HAVE THE WORD POLYCHLORINATED
BIPHENYLS OR ANY FORM OF IT OR THE ACRONYM PCB'S
THAT WERE FORMER WESTINGHOUSE DOCUMENTS THAT ARE
NOW IN THE POSSESSION, CUSTODY OR CONTROL OF ABB,
OTHER THAN THE DOCUMENTS YOU'VE SPECIFICALLY
IDENTIFIED SO FAR?

MR. CAILTEUX: OBJECT TO THE FORM OF THE
QUESTION. AGAIN, I THINK IT'S UNFAIR FOR THIS
WITNESS TO HAVE TO ANSWER SUCH A BROAD QUESTION.

A. YOU ASKED TO MY KNOWLEDGE AND I SPOKE TO WHAT I
HAD AND I WHAT I KNOW WAS AT THE MMT DEPARTMENT
OF RECORDS, THAT'S WHAT I CAN SPEAK TO.

Q. SO THERE IS A VOLUME -- ONE VOLUME OF PCB
ANALYTICAL RESULTS OF SAMPLES GATHERED IN
BLOOMINGTON IN 1976, AND THERE IS ANOTHER GROUP

OF DOCUMENTS THAT WERE COPIED BY WESTINGHOUSE DURING THE PERIOD OF THE JOINT VENTURE; AND THOSE ARE THE ONLY DOCUMENTS THAT WERE FORMERLY WESTINGHOUSE DOCUMENTS THAT CONTAIN THE WORD POLYCHLORINATED BIPHENYL OR THE ACRONYM PCB NOW IN THE POSSESSION CUSTODY OR CONTROL OF ABB THAT YOU ARE AWARE OF; IS THAT RIGHT?

MR. CAILTEUX: I'M GOING TO OBJECT TO THE FORM OF THE QUESTION. IT MISCHARACTERIZES DR. WALSH'S TESTIMONY. AND AGAIN, I THINK IT'S EXTREMELY BROAD AND UNFAIR FOR THIS WITNESS TO ANSWER SUCH A QUESTION.

MR. MERRELL: I'M ASKING HIM WHETHER HE HAS ANY KNOWLEDGE OF OTHER DOCUMENTS.

MR. CAILTEUX: SAME OBJECTION.

A. YES, I KNOW -- IN WHAT YOU JUST STATED IN THAT QUESTION, I KNOW OF OTHER DOCUMENTS.

Q. WOULD YOU DESCRIBE THOSE DOCUMENTS.

A. THERE'S MORE THAN ONE VOLUME OF ANALYTICAL RECORDS.

Q. AND MORE THAN ONE VOLUME OF ANALYTICAL RECORDS OF SAMPLES GATHERED IN BLOOMINGTON IN 1976?

A. THE VOLUMES DO NOT LIMIT THEMSELVES TO

2

3 BLOOMINGTON.

4 Q. OKAY. ARE THEY LIMITED TO SAMPLES DRAWN IN THAT
5 PERIOD OF TIME?

6 A. THEY ARE IN CHRONOLOGICAL ORDER.

7 Q. WERE SAMPLES GATHERED FOR ANALYSIS OF PCB'S AT
8 OTHER TIMES OR LOCATIONS INCLUDED IN THOSE
9 VOLUMES?

10 A. YES.

11 Q. WOULD YOU LIST FOR ME AS MANY TIMES AND LOCATIONS
12 AS YOU RECALL.

13 MR. CAILTEUX: OBJECT TO THE FOUNDATION;
14 ALSO TO THE RELEVANCE OF THIS LINE OF
15 QUESTIONING. AGAIN, I THINK WE'RE CROSSING THE
16 BORDER BETWEEN THE PARAMETERS OF THIS LAWSUIT AND
17 THE PARAMETERS OF OTHER LAWSUITS THAT HIS COUNSEL
18 ARE INVOLVED IN; BUT YOU CAN ANSWER THE QUESTION
19 -- IF YOU CAN ANSWER THE QUESTION, YOU CAN.

20 A. THE QUESTION IS -- I THINK YOU MIGHT WANT TO
21 REPHRASE THE QUESTION WHEN YOU UNDERSTAND WHAT
22 THESE RECORDS ARE. THEY REPRESENT SEVERAL YEARS
23 OF PCB TESTING, AND TO LIST THEM IS TO LIST EVERY
24 PAGE IN A LARGE VOLUME AFTER VOLUME AFTER VOLUME,
25 AND SO IF -- YOUR QUESTION WOULD BE -- WE COULD

SIT HERE FOR HOURS IF I COULD REMEMBER ALL THAT.

Q. SO, THEN -- AND THESE VOLUMES ARE ALL NOW IN THE
POSSESSION OF ABB?

A. THE ORIGINAL VOLUMES ARE, YES.

Q. OKAY. DOES WESTINGHOUSE HAVE COPIES OF THEM, TO
YOUR KNOWLEDGE?

MR. BAUER: OBJECTION, ASKED AND ANSWERED.

Q. OF ALL OF THEM?

MR. BAUER: SAME OBJECTION.

MR. CAILTEUX: I'LL OBJECT ON FOUNDATION.

A. I'M NOT SURE WHETHER WESTINGHOUSE HAS THOSE.

Q. SO, IT'S POSSIBLE THAT ABB MIGHT HAVE POSSESSION,
CUSTODY OR CONTROL OF DOCUMENTS OF THIS TYPE THAT
ARE NOT IN THE POSSESSION, CUSTODY OR CONTROL OF
WESTINGHOUSE AT THIS TIME?

MR. CAILTEUX: OBJECT TO THE FORM OF THE
QUESTION.

MR. BAUER: OBJECT TO THE FORM OF THE
QUESTION, ASKING HIM WHAT IS POSSIBLE.

A. I DID NOT HAVE CONTROL OF THE RECORDS DURING THE
TIME WHEN COPIES WERE MADE OF EVERYTHING. I CAN
SPEAK FROM PERSONAL EXPERIENCE THAT THEY MADE
COPIES OF EVERYTHING I HAD -- WESTINGHOUSE DID --

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3 AND I WOULD BE SURPRISED IF THEY DIDN'T HAVE
4 COPIES OF THOSE DOCUMENTS.

5 Q. BUT YOU DON'T KNOW WHETHER --

6 A. I DO NOT KNOW.

7 Q. OKAY. THESE DOCUMENTS ARE NOW -- WE'VE BEEN
8 DISCUSSING THESE VOLUMES THAT ARE NOW IN THE
9 POSSESSION, CUSTODY AND CONTROL OF THE ABB LEGAL
10 DEPARTMENT; IS THAT CORRECT?

11 MR. CAILTEUX: OBJECTION TO THE FORM OF THE
12 QUESTION; MISCHARACTERIZES HIS TESTIMONY.

13 MR. BAUER: JOIN.

14 A. I DIDN'T SAY THAT.

15 Q. IS THAT TRUE?

16 A. NO.

17 Q. WHAT DIVISION OF ABB ARE THEY IN?

18 A. THEY ARE IN THE TRANSMISSION TECHNOLOGY INSTITUTE
19 DIVISION.

20 Q. WHAT IS THE TECHNOLOGY TRANSMISSION INSTITUTE?

21 A. IT IS THE RESEARCH ORGANIZATION OF ABB POWER T&D
22 IN THE UNITED STATES AND IS THE SUCCESSOR TO THE
23 MMT DEPARTMENT.

24 Q. WHICH WAS A WESTINGHOUSE DEPARTMENT?

25 A. WHICH WAS A WESTINGHOUSE DEPARTMENT.

2

3 Q. NOW, WHEN YOU CONSULTED ONE OF THOSE VOLUMES OR
4 ONE OR MORE OF THOSE VOLUMES APPROXIMATELY A YEAR
5 AGO, WHY -- WHAT WERE YOU LOOKING FOR?

6 MR. CAILTEUX: OBJECT TO THE FORM OF THE
7 QUESTION.

8 A. I DON'T REMEMBER THE SPECIFIC INSTANCE. IT HAD
9 TO DO WITH THE QUESTION AS TO WHETHER OR NOT SOME
10 TESTING HAD BEEN DONE AT ONE TIME OR NOT.

11 Q. WAS THAT TESTING FOR PCB'S?

12 A. YES.

13 Q. AND DO YOU RECALL WHAT THE OCCASION WAS?

14 MR. CAILTEUX: OBJECT TO THE FORM OF THE
15 QUESTION.

16 A. I DON'T SPECIFICALLY RECALL.

17 Q. IS THAT SOMETHING YOU DID MORE THAN ONCE, WAS TO
18 CONSULT THOSE VOLUMES SINCE YOU WENT TO WORK FOR
19 ABB?

20 A. I BELIEVE I HAD DONE IT ONCE PREVIOUSLY TO THAT.

21 Q. NOW, I BELIEVE YOU SAID THAT SOME OF THESE
22 DOCUMENTS WERE COPIED DURING THE PERIOD OF THE
23 JOINT VENTURE FOR WESTINGHOUSE.

24 DO YOU RECALL WHO AT WESTINGHOUSE RECEIVED
25 THOSE COPIES?

A. NO, I DON'T.

Q. DO YOU RECALL WHO REQUESTED THAT THE COPIES BE
MADE?

A. IT WAS A PARALEGAL THAT CAME DOWN AND DID IT,
THAT'S THE EXTENT OF MY KNOWLEDGE ON WHO.

Q. DO YOU HAVE ANY KNOWLEDGE OF A LETTER PROMULGATED
WITHIN WESTINGHOUSE STATING WORDS TO THE EFFECT
THAT WESTINGHOUSE HAD CONCERNS ABOUT TOXIC TORT
LIABILITY AND INSTRUCTING WESTINGHOUSE EMPLOYEES
TO GATHER AND DESTROY DOCUMENTS THAT MIGHT CREATE
TOXIC TORT LIABILITY?

MR. CAILTEUX: I'M GOING TO OBJECT TO THE
FORM OF THE QUESTION, AND ALSO THE ABSOLUTE LACK
OF FOUNDATION FOR SUCH A QUESTION.

A. I HAVE NO KNOWLEDGE OF SUCH A LETTER.

Q. HAVE YOU HEARD OF SUCH A LETTER?

MR. CAILTEUX: SAME OBJECTION.

MR. BAUER: JOIN.

A. I'VE NEVER HEARD OF SUCH A LETTER.

Q. HAVE YOU HEARD OF SUCH AN INSTRUCTION IN
NON-WRITTEN FORM?

MR. CAILTEUX: OBJECT TO THE FORM OF THE
QUESTION.

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3 MR. BAUER: JOIN.

4 A. I HAVE NEVER BEEN -- OR HEARD OF SUCH AN
5 INSTRUCTION.

6 Q. ON THE COPIES THAT WERE MADE AND SENT TO THE
7 WESTINGHOUSE PARALEGAL, DID YOU EVER SEE OR HEAR
8 OF THOSE DOCUMENTS AGAIN?

9 MR. CAILTEUX: OBJECT TO THE FORM OF THE
10 QUESTION.

11 Q. THOSE COPIES?

12 A. NO, SIR.

13 Q. PRIOR TO YOUR ENDING YOUR EMPLOYMENT WITH
14 WESTINGHOUSE, DID YOU EVER PROVIDE RECORDS OR
15 COPIES OF RECORDS RELATING TO PCB'S TO
16 WESTINGHOUSE ATTORNEYS OR PARALEGALS OR PEOPLE
17 WITHIN WESTINGHOUSE'S LEGAL DEPARTMENT?

18 MR. CAILTEUX: CAN I HAVE THAT QUESTION READ
19 BACK, PLEASE.

20 (THEREUPON, THE COURT REPORTER READ
21 BACK THE QUESTION AS REQUESTED.)

22 MR. CAILTEUX: I'M GOING TO OBJECT TO THE
23 FORM; BUT ALSO, YOU MEAN OTHER THAN WHAT HE'S
24 ALREADY TALKED ABOUT?

25 MR. MERRELL: YES.

2

3 A. YES, I DID.

4 Q. OKAY. DO YOU RECALL HOW MANY OCCASIONS?

5 A. AT LEAST TWICE.

6 Q. OKAY. AND DO YOU RECALL WHEN THAT WAS?

7 A. I DON'T REMEMBER THE SPECIFIC TIMING OF IT, NO.

8 Q. GENERALLY?

9 A. NOT EVEN GENERALLY.

10 Q. WELL, WAS IT 10 YEARS AGO, 20 YEARS AGO?

11 A. I DON'T -- IT WAS OBVIOUSLY AFTER I STARTED
12 WORKING FOR WESTINGHOUSE, WHICH WAS 17 YEARS AGO.
13 I WOULD ESTIMATE THAT, JUST ON A VERY ROUGH
14 GUESSTIMATE, PLUS OR MINUS THREE YEARS, IT WAS
15 MAYBE '80 AND MAYBE '84, '85.

16 Q. WAS THAT IN RESPONSE TO DISCOVERY REQUESTS THAT
17 WERE FILED IN LAWSUITS?

18 MR. CAILTEUX: OBJECT TO THE FORM OF THE
19 QUESTION.

20 MR. BAUER: JOIN.

21 A. I DON'T KNOW THE REASON FOR IT.

22 Q. WHAT PARTICULAR TYPES OF DOCUMENTS WERE
23 REQUESTED?

24 A. ALL FILES WERE REQUESTED.

25 Q. ALL FILES RELATING TO?

A. PCB'S.

Q. WERE THE FILES RETURNED?

A. NO.

Q. WHAT KIND OF VOLUME OF DOCUMENTS ARE WE TALKING ABOUT HERE?

A. SEVERAL BOXES WORTH. THE FIRST TIME WAS MORE THAN A FILE CABINET AND THE SECOND TIME WAS APPROXIMATELY HALF A FILE CABINET.

Q. DID THEY TELL YOU WHY THEY WANTED THE DOCUMENTS?

MR. CAILTEUX: I'M GOING TO OBJECT TO THE FORM OF THE QUESTION. YOU CAN ANSWER IT YES OR NO, BUT I DON'T WANT YOU TO GO INTO ANY REASONS THAT MAY HAVE BEEN GIVEN BY --

A. NO.

MR. CAILTEUX: -- ANY LEGAL PERSON OF WESTINGHOUSE.

Q. SO THIS WAS JUST SIMPLY AN INSTRUCTION THAT CAME DOWN FROM THE LEGAL DEPARTMENT TO GATHER ALL PCB-RELATED DOCUMENTS?

A. I ASSUMED IT WAS THE LEGAL DEPARTMENT.

Q. HOW DID THAT INSTRUCTION COME TO YOU?

A. IT WAS A LETTER TO THE -- TO MY DEPARTMENT HEAD ASKING FOR ALL FILES.

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3 Q. AND DID YOU SEE THAT LETTER?

4 A. YES.

5 Q. AND I BELIEVE YOU SAID YOU THOUGHT THERE WERE TWO
6 OCCASIONS. WAS IT THE SAME THING BOTH TIMES,
7 BASICALLY ALL YOUR PCB RECORDS WERE REQUESTED AND
8 YOU DIDN'T GET THEM BACK?

9 A. THE SECOND TIME I DON'T REMEMBER A LETTER, JUST A
10 REQUEST, A PHONE REQUEST.

11 Q. DID YOU GET THE RECORDS BACK THE SECOND TIME?

12 A. NO. I DID GET THE RECORDS BACK FROM THE JOINT
13 VENTURE REQUEST.

14 Q. WAS THAT DISTURBING TO YOU THAT YOU WOULDN'T GET
15 THE RECORDS BACK?

16 MR. CAILTEUX: I'M GOING TO OBJECT TO THE
17 FORM OF THE QUESTION. I DON'T KNOW WHAT YOU MEAN
18 BY "DISTURBING."

19 A. IT WAS INCONVENIENT.

20 Q. DID YOU MAKE ANY INQUIRIES OR ATTEMPTS TO GET THE
21 DOCUMENTS BACK?

22 A. IT WAS NECESSARY FOR ME TO REFER TO SOME OF THOSE
23 DOCUMENTS SEVERAL YEARS LATER, AND I DID FIND
24 WHAT I NEEDED.

25 Q. WHERE DID YOU FIND WHAT YOU NEEDED?

A. IN OUTSIDE ATTORNEY OFFICES.

Q. WHICH -- DO YOU RECALL WHICH OUTSIDE ATTORNEYS' OFFICE?

MR. CAILTEUX: YOU CAN ANSWER THAT.

A. JONES-DAY; IS THAT RIGHT?

MR. CAILTEUX: I DON'T KNOW.

A. IT'S SUPPOSED TO BE A BIG FIRM IN CLEVELAND.

Q. OKAY. AND DO YOU KNOW WHY THEY HAD THOSE DOCUMENTS?

A. I DO NOT.

Q. DO YOU HAVE ANY AWARENESS OF ANY LAWSUITS BEING ASSOCIATED WITH THAT, WITH THEIR POSSESSION OF THE DOCUMENTS?

A. I DON'T KNOW WHAT SPECIFIC LAWSUIT WAS INVOLVED.

Q. DO YOU BELIEVE THERE WAS A LAWSUIT?

MR. CAILTEUX: OBJECT TO THE FORM OF THE QUESTION.

A. GENERALLY, IF THE RECORDS ARE IN A LAWYER'S OFFICE, YOU'RE IN A LAWSUIT.

Q. WHERE WERE YOU WORKING AT THE TIME THAT YOU WENT TO REVIEW THE DOCUMENTS AT THE ATTORNEY'S OFFICE?

A. I WAS WORKING IN THE SHARON TRANSFORMER PLANT IN THE MMT DEPARTMENT.

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3 Q. HOW LONG A DRIVE IS THAT?

4 A. APPROXIMATELY AN HOUR-AND-A-HALF, TWO HOURS.

5 Q. DO YOU RECALL WHO YOU SPOKE TO THERE?

6 A. I DON'T.

7 Q. HOW WERE YOU ABLE TO LOCATE THOSE DOCUMENTS?

8 WERE YOU ABLE TO DETERMINE THAT THOSE DOCUMENTS
9 WERE AT THAT ATTORNEY'S OFFICE?

10 A. I ASKED MR. WILLS WHERE MY RECORDS HAD GONE, THAT
11 I NEEDED TO REFERENCE THEM.

12 Q. AND MR. WILLS TOLD YOU WHERE THEY WERE?

13 A. HE FOUND OUT, YES, SIR.

14 Q. NOW, DID YOU DO WORK -- I BELIEVE YOU MENTIONED
15 ONE CHEMICAL, BUT DID YOU DO WORK ON OTHER
16 CHEMICALS FOR WESTINGHOUSE?

17 MR. CAILTEUX: OBJECT TO THE FORM OF THE
18 QUESTION.

19 A. YES.

20 Q. DID IT HAPPEN, AT ANY TIME, THAT -- WITH YOUR
21 WORK INVOLVING OTHER CHEMICALS, THAT ALL YOUR
22 RECORDS RELATING TO THEM WERE REQUESTED BY
23 SOMEONE AND YOU DIDN'T GET THEM BACK?

24 A. THERE WAS ONE REQUEST FOR SOME OTHER RECORDS.

25 Q. OKAY. AND WHAT CHEMICAL DID THAT INVOLVE?

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3 A. IT WAS A HIGH-TEMPERATURE HYDROCARBON.

4 Q. NOT PCB'S?

5 A. NOT PCB'S.

6 Q. WHEN WAS THAT, GIVE OR TAKE?

7 A. IN THE EARLY 1980'S.

8 Q. I'D LIKE TO GO BACK AGAIN TO THESE PCB RECORDS
9 THAT WE WERE DISCUSSING.

10 DO YOU HAVE -- WE'VE TALKED ABOUT THE ONE
11 GROUP THAT WOUND UP AT THE OUTSIDE COUNSEL'S
12 OFFICE; DO YOU KNOW WHERE THE OTHER GROUP WOUND
13 UP OR HAVE ANY KNOWLEDGE ABOUT THAT?

14 A. I HAVE NO KNOWLEDGE.

15 Q. DO YOU RECALL WHO REQUESTED THEM?

16 MR. CAILTEUX: OBJECTION, ASKED AND
17 ANSWERED.

18 A. I DON'T RECALL THE PERSON.

19 Q. DO YOU RECALL WHAT DEPARTMENT THEY WERE IN?

20 A. I JUST ASSUMED IT WAS THE LEGAL DEPARTMENT.

21 Q. I BELIEVE YOU SAID AT THAT TIME THAT IT WASN'T IN
22 WRITING, IT WAS VERBAL. DO YOU RECALL -- OR
23 COULD YOU DESCRIBE FOR ME AS CLOSELY AS YOU CAN
24 RECALL WHEN THE REQUEST WAS?

25 A. I CAN ONLY PARAPHRASE IT, BUT IT WAS SIMPLY

STATE OF NORTH CAROLINA

COUNTY OF WAKE

C E R T I F I C A T E

I, MARY K. PRAIN, COURT REPORTER AND NOTARY PUBLIC, DO HEREBY CERTIFY THAT THE DEPOSITION OF DR. EDWARD J. WALSH WAS TAKEN AND TRANSCRIBED UNDER MY DIRECT SUPERVISION; AND THAT THE FOREGOING 192 PAGES CONSTITUTE A TRUE AND ACCURATE TRANSCRIPT OF THE TESTIMONY OF THE WITNESS.

I DO FURTHER CERTIFY THAT I AM NOT OF COUNSEL FOR, OR IN THE EMPLOYMENT OF EITHER OF THE PARTIES TO THIS ACTION, NOR AM I INTERESTED IN THE RESULTS OF THIS ACTION.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME THIS 18TH DAY OF FEBRUARY, 1993.

Mary K. Prain

NOTARY PUBLIC

MY COMMISSION EXPIRES: 1/22/94