PLAINTIFF'S
EXHIBIT
CEL-971

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July 3, 1986

Barry Castleman, Ph.D.
1722 Linden Avenue
Baltimore, MD 21217

RE: Industrial Hygiene Foundation

Dear Dr. Castleman:

Please find enclosed a copy of the former membership registration cards of the Industrial Hygiene Foundation, as well as a Protective Order entered by the U.S. District Court for the Western District of Pennsylvania which governs the conditions of possible dissemination of these documents. As we have discussed in the past, it is my opinion that the present Protective Order precludes publishing the list in a book or magazine for public use, but nothing prevents dissemination of the list to other attorneys involved in litigation so long as the Protective Order accompanies the documents.

These documents are being sent to you at this time for your review and analysis in connection with your work as an expert witness with our office in various asbestos and silica-related product liability lawsuits. I believe that the Protective Order is clear that these documents may be used by you or other attorneys in connection with other forms of litigation so long as the protective order accompanies the documents and no use is made of the documents for purposes other than litigation, such as anti-competitive efforts by competing industrial hygiene companies to exploit former members of the IHF.

It is my understanding that you are willing to abide by the terms of the Protective Order until modified by the court.

Very truly yours,

Robert L. Jennings, Jr.

RLJJr:kjk
Enclosures

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS LITIGATION) Miscellaneous No. 8482

SUPPLEMENTAL PROTECTIVE ORDER OF COURT
CONCERNING INDUSTRIAL HEALTH FOUNDATION, INC.

AND NOW, this 12th day of March, 1986, upon motion (the "Motion") by INDUSTRIAL HEALTH FOUNDATION, INC. (the "IHF"), and its President, DANIEL C. BRAUN, M.D. ("Dr. Braun"), pursuant to Rules 26 and 45 of the Federal Rules of Civil Procedure, 28 U.S.C.A. (the "Rules"), and to Local Rule 4, the IHF having asserted that the Index Cards referred to in Paragraph Two of its Motion contain sensitive, proprietary information and that some of the information contained therein is not relevant to the asbestos litigation identified at the above Miscellaneous Number (the "Asbestos Litigation"), and the Court subsequently determining that all the information contained therein is relevant in the Asbestos Litigation but that the IHF is entitled to an appropriate Protective Order to prevent undue dissemination of this information, IT IS HEREBY ORDERED:

1. THAT the IHF shall make available to counsel for various plaintiffs, as well as to legal counsel in Pittsburgh for any of the defendants (either original or third party) named in the

Asbestos Litigation (hereinafter collectively referred to as "Pittsburgh Asbestos Litigation Counsel") copies of any or all of the Index Cards (the "Index Cards") identified as Exhibit THREE to the May 17, 1985 deposition of Dr. Braun. In order to minimize duplication burdens, any Pittsburgh Asbestos Litigation Counsel requesting immediate copies of any of the Index Cards shall direct their request, in written form on counsel's letterhead, to Dr. Braun at the IHF within thirty (30) days from entry of this Order. The letter shall indicate the number of complete sets of Index Cards requested or which individual Index Cards are requested and the party or parties which said counsel represents.

2. THAT the Index Cards reproduced by the IHF shall be retained in the actual custody of the Pittsburgh Asbestos Litigation Counsel which requested copies of the Index Cards, except as provided in paragraph THREE herein.

3. THAT the Index Cards (or any information contained therein) may not be divulged or disseminated by Counsel which will be obtaining the Index Cards from the IHF except in connection with litigation proceedings, such as to other counsel in the United States of America who are involved in asbestos litigation lawsuits or claims now pending or which may be pending in the various courts and/or agencies of the United States of America or any of its states, pursuant to formal requests for production of documents or written interrogatories, or to written request on counsel's letterhead in lieu of said formal requests, as to proceedings referred to in this paragraph.

4. A copy of this Protective Order shall accompany any production or other dissemination of the Index Cards with respect to matters referred to in paragraph THREE.

5. The IHF shall be reimbursed fifty cents ($0.50) a page for copying each of the Index Cards, which are requested by Pittsburgh Asbestos Litigation Counsel.

6. Should counsel for the plaintiffs or defendants notice the deposition of Dr. Braun on matters directly relating to the Index Cards, or as to other IHF matters, said counsel shall reimburse the IHF the total sum of Three Hundred Dollars ($300.00) for the time spent by Dr. Braun in reviewing the documents for the deposition and for the actual deposition itself, as well as for any desired pre-deposition conference with Dr. Braun.

7. THAT the District Court of the United States for the Western District of Pennsylvania will retain jurisdiction over all matters relating to this Protective Order.

United States District Judge

THE CENTRAL PENNSYLVANIA COAL PRODUCERS' ASSOC
ALTOONA, PA.

JOINED: 3/11/37
RESIGNED: ?

MR. WALTER A. JONES, SEC. - TREAS.

CENTRAL MEDICAL HEALTH SERVICES
1400 Centre Ave.
Pittsburgh, Pa. 15219

Joined: 1/77
Resigned: 12/77

L. S. Harris, Vice president, Management Services

CELANESE CORP.
1211 Avenue of the Americas
New York, N.Y. 10036

Joined: 1/52
Resigned: 12/76

E. M. Dixon, M.D., Corporate Medical Director

INDUSTRIAL HYGIENE FOUNDATION

FOUNDATION FACTS

Foundation Facts is a monthly news-letter issued to industrial concerns holding membership in Industrial Hygiene Foundation. The Foundation is a nonprofit association of industries for the advancement of healthful working conditions.

Volume 14 January, 1952 No. 1

NEW ADDITIONS TO FOUNDATION MEMBERSHIP

The following new members have recently affiliated with the Foundation:

American Foundrymen's Society
Celanese Corporation of America
Lakey Foundry and Machine Company
The Refractories Institute

RADIO TALKS ON SCIENCE IN LIVING

Mellon Institute has arranged a series of six talks on "Science in Living," to be presented by members of the Institute's research staff, over WDUQ, the radio station of Duquesne University, Pittsburgh, Pa. The first talk, "Science and Health," by Dr. Walmer, Managing Director of the Foundation, has been tape recorded for broadcasting on January 13, 1952. Other subjects to be covered in the weekly series are: Science and Food, Science and the Home, Science and Resources, Science and Energy, and Science and the Future.

INDUSTRIAL HYGIENE COLUMN

The Industrial Hygiene column which the Foundation prepares bimonthly for Industrial and Engineering Chemistry, has recently had articles dealing with a cancer control program for high-boiling catalytically cracked oils, maximum allowable concentrations, arsine poisoning, and influence of dietary factors on susceptibility to toxic substances.

INDUSTRIAL HEALTH MEETINGS IN PITTSBURGH

The 4th Annual Meeting of the American Academy of Occupational Medicine is meeting in Pittsburgh on January 17-19, 1952. Dr. Henry F. Smyth, Jr., Chairman of the Foundation's Chemical-Toxicological Committee, will present a paper entitled "Toxicology and Experimental Pathology," as part of a general discussion on "The Liver as Related to Occupational Exposures." Dr. A.G. Kammer, Secretary of the Foundation's Medical Committee, will present a paper on the "Purposes and Uses of Industrial Medical Records and Reports."

The 12th Annual Congress on Industrial Health of the AMA will also meet in Pittsburgh on January 18-19, 1952. Dr. A.J. Lanza, Chairman of the Foundation's Medical Committee, and Dr. L.C. McGee, a member of the Medical Committee, will participate in the program.

INDUSTRIAL HYGIENE FOUNDATION 2400 FIFTH AVENUE PITTSBURGH (13) PA.