

1 Sayers
2 mesothelioma?
3 A. Did not cause?
4 Q. Correct.
5 A. No, I didn't.
6 Q. Did you have any information whatsoever
7 when you left Union Carbide in 1969 that Calidria
8 asbestos did not cause lung cancer?
9 A. No, I didn't.
10 Q. Did you have any information whatsoever
11 when you left in 1969 that Calidria asbestos did
12 not cause asbestosis?
13 A. Again, I had no knowledge.
14 Q. That's fine.
15 Did you have any information when you
16 left in 1969 that Calidria asbestos did not cause
17 gastrointestinal cancers?
18 A. No, I did not know that.
19 Q. Can you offer any information to us that
20 you believe, based on your education, training and
21 experience with Union Carbide, that prohibited
22 Union Carbide from putting any warning information
23 on any of its bags of Calidria asbestos to which it
24 sold to end users?
25 A. In part it wasn't common practice to put

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2 warning labels on products in that era.
3 Q. I'm not sure you answered my question.
4 Shall we try again?
5 A. Please do.
6 MO Q. I'm going to move that your previous
7 answer be stricken as being non-responsive, and
8 I'll have the court reporter ask it again. Okay.
9 A. Okay.
10 Q. Thank you.
11 (Record read.)
12 MR. WILL: Object to that question
13 because I think his prior answer was
14 responsive to the question as phrased.
15 A. I don't think the case was proven by
16 that at that point in time.
17 Q. At what point in time was the case
18 proven?
19 A. I have no idea, because I left the
20 company. Whether it was or it wasn't, I have no
21 idea.
22 Q. I got the impression that the case was
23 proven in your mind at some point based on your
24 prior answer, but I guess that's wrong; is that
25 right?

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2 A. That is right.
3 Q. Okay. Fair enough.
4 I understand that that may be your
5 viewpoint. What I'm asking you, though, is there
6 anything physically, corporately, anything that had
7 the information been established to your
8 satisfaction that would have not allowed Union
9 Carbide to put information on the containers.
10 MR. WILL: Mike, can you be more
11 specific?
12 MR. POLK: Warning information.
13 MR. WILL: Are you talking about a
14 legal requirement or was it physically
15 impossible to print something on the bag?
16 THE WITNESS: I assumed part of that
17 already, yes.
18 MR. POLK: Any problem.
19 Q. Let me ask you this: Would you have
20 recommended -- would you have recommended to Union
21 Carbide in 1967 when you wrote the report that it
22 ought to put something on its containers?
23 A. No, because I haven't got the expertise
24 to make that judgment.
25 Q. Let's assume for argument purposes --

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2 okay -- well, strike that. Let me back up.
3 Let's ask it this way: Is there any
4 reason that the Mellon Institute report or the
5 conclusions of the Mellon Institute report could
6 not have been communicated to end users? Ask it
7 that way.
8 MR. WILL: Object to the form of the
9 question.
10 A. I can't form a judgment on that,
11 because I've never read the report.
12 Q. Would you read the results, please --
13 it's only three short paragraphs -- on the second
14 page of the 1966 Mellon Institute report.
15 (Pause.)
16 A. There are several words that I believe I
17 understand. I've never encountered them before.
18 Q. Do you understand what happened to the
19 guinea pigs?
20 A. They died.
21 Q. Do you understand why they died?
22 A. Presumably due to intraperitoneal
23 injections.
24 Q. Injections of what?
25 A. I haven't read the report. Asbestos