1) ~~RWF~~
2) ~~RET~~
3) ret PFD

The Gulf Companies

LAW DEPARTMENT

John J. Fitzpatrick, Jr.
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June 16, 1982

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JUN 21 1982
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Texaco Incorporated
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Timothy R. Thomas, Esq.
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Exxon Company, U.S.A.
P. O. Box 2180
Houston, Texas 77001

Re: HESC Smoking/Leukemia Information Survey, etc.

Dear Colleagues:

The Ad Hoc Committee on Benzene has responded to my report concerning the SEHL vote of June 11, 1982 against the motion that "there was no legal objection" to the proposed smoking/leukemia information study, by requesting a more precise delineation of the legal considerations, pro and con, for HESC's future consideration. I am requesting that you serve on an ad hoc task force, with Harry Bissonnet as chair, to develop SEHL's response for our July meeting.

By way of further background, it should be pointed out that all the members of the Ad Hoc Benzene Committee agree that the information to be developed

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would not create new information but will only identify existing information in the areas of:

1. The existing studies (approximately 60) in the literature concerning the association between smoking and leukemia, to be reviewed by an outside contractor, to determine the feasibility of developing useful information from those studies;

2. Identification of the chemical composition of smoke and the determination of how many of these chemicals might be leukemogens, by an outside contractor;

3. Identification and feasibility of using existing epidemiological data bases (approximately 8) on smokers which purport to relate to leukemia, by an outside contractor. The information sought from the contractor is whether the bases are of adequate quality to be used in a new study.

Would you gentlemen please determine and examine the upside and downside legal considerations relating to the possible outcomes of these three efforts and the value or lack of value of such outcomes in a litigative sense (e.g., benzene exonerated at low levels vs. benzene implicated at low levels) and be prepared to present them to the SEHL at the July meeting for further referral to HESC.

It is intended by HESC that, once the above feasibility investigations are complete and the pros and cons are in hand, a decision can be made as to whether further pursuit of any or all of the areas is warranted or not.

You are invited to dinner in the Presidential Room of the International Club, 1801 K Street, N.W., on Tuesday evening, July 20, 1982, at 7:00 p.m., to discuss this project.

Thank you very much for your cooperation in this matter.

Very truly yours,

John J. Fitzpatrick, Jr.
Chairman

JJF:SCB

cc: SEHL
Steve Williams
Paul F. Deisler
A. W. Kusch

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