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1 increasingly had to take into account first
2 asbestosis, second, cancer and thirdly,
3 mesothelioma.

4 My judgment is that in the early
5 1960s, '62, '63, '64, there wasn't any doubt
6 that balancing was important if you were going
7 to continue. The only justification you could
8 have for going forward is that you have ways of
9 restricting prolonged exposure below a certain
10 level that would not yield, given the science
11 of the day, likely harms to people who worked
12 for long periods of time with asbestos.

13 Q. Is asbestos a miracle product, in
14 your opinion, because it's versatile or is
15 asbestos a miracle product, in your opinion,
16 because it somehow protects life?

17 A. No, the miracle I'm thinking
18 about is not protecting life. It's the variety
19 of useful applications of this for many, many
20 different purposes; and extraordinary desire to
21 use it by lots and lots of parties, which is
22 typical of lots of innovation, discoveries, new
23 discovered applications.

24 Q. Your statement that it's a
25 miracle, your statement would be the same even

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1 Those are the three. Now,
2 there's a lot more detailed examples of it, but
3 those are the three areas.

4 Q. Give me the detail examples in
5 the toxicology reports which lead you to
6 believe that there were candid statements of
7 the dangers of asbestos at the time.

8 A. Well, the toxicology reports
9 comment on and describes the well-known fact
10 that prolonged exposure to asbestos is
11 associated with asbestosis and cancer. They
12 raise the question about mesothelioma in 1964,
13 I believe, and some years later give more
14 attention to it.

15 There is an example where the
16 science and the conclusions were not settled in
17 the earlier period, but later on in the decade,
18 they were candid about the possibility that
19 this was associated with asbestos as well, even
20 though there was a lot of controversy about it,
21 but I read in the literature.

22 Describing their product was one
23 that had great properties, indeed celebrating
24 their product, at the same time saying the only
25 way it can be used properly without danger is

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1 if it wasn't fire retardant, it would still be
2 a miracle product?

3 A. Miracle product in the sense of
4 multiple uses desired by many people at the
5 cost in the period that I was talking about.

6 Q. Tell me what you know
7 specifically about Union Carbide's efforts in
8 this balancing act you've described between the
9 use of asbestos and its harms, its potential
10 harm.

11 A. What I know about is that the
12 toxicology reports are candid statements of
13 some of the risks of prolonged exposure to
14 asbestos.

15 Two, that the sales reports show
16 that Union Carbide is prepared to help with
17 testing and suggestions about and giving their
18 customers information about how it is that they
19 can control the amount of dust that gets
20 that's breathed by workers and among their
21 customers, and indeed on their own, and
22 thirdly, the attention they paid themselves to
23 examining their own workers and making sure
24 that the conditions in the mining were ones
25 that were by the standards of day careful.

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1 that there is controls of the amount of dust
2 that's inhaled, and that their own process. I
3 particularly think about the pelleting, the
4 turning of it into pellets, as an example of
5 what they used to describe their own
6 innovations to make it less likely that dust
7 was going to be the problem that it's been in
8 so many other kinds of contacts.

9 MS. ROSENBERG: Since Dr. Marmor
10 testified about these documents before,
11 during the break, I had copies of them
12 made. If it will speed things along, I
13 can provide them to you.

14 They're all, as I said before, on
15 the Union Carbide exhibit list. I can
16 tell you which ones they are, if that
17 will help you out. If you prefer, I can
18 hand them over to you now.

19 I also have copies of the
20 deposition transcripts that he mentioned
21 before.

22 MR. GIANARIS: I understand that.
23 That's fine. I don't want to sit here
24 and read toxicology reports now. I
25 would have read them previously if I