

FILE NAME: Johnson & Johnson (JAJ)

DATE: 1998 Mar 16

DOC#: JAJ137

DOCUMENT DESCRIPTION: Letter to J&J Lawyers from Mehaffy & Weber RE
Coker vs. Bill Thames Pharmacy Inc., et al.

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March 16, 1998

Re: NO. D-157746; Darlene Coker, and spouse Roy Coker vs. Bill Thames Pharmacy Inc., et al; M&W File No. 3125-11

Mr. John C. O'Shaughnessy
Assistant General Counsel
Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, N.J. 08933-7002

Dear Mr. O'Shaughnessy:

On Thursday, March 12, 1998 and Monday March 16, 1998, I spoke with Dr. Alice Blount about the possibility of retaining her as an expert in the above entitled case. Dr. Blount is a geologist and mineralogist who has written extensively on talc and asbestos contamination in commercial talc preparations. Dr. Blount was formerly a professor at Rutgers University, but is now employed by Fluess-Staufer Industries, Inc., a mining concern in Proctor, Vermont.

Although Dr. Blount seemed less than ecstatic about the idea of testifying in a legal proceeding, she agreed to consult in the case if we desired her to do so, but stated that in her opinion, commercial talcum powder preparations including Johnson & Johnson Baby Powder contain trace amounts of asbestos. However, Dr. Blount said that all powders she tested, including Johnson & Johnson Baby Powder were well below acceptable limits (as defined by OSHA) and that she considered Vermont talc as some of the purest talc available. In addition, Dr. Blount stated that she did not think that whatever amount of asbestos that might be present in baby powder was harmful, that the concern about talc was blown out of proportion, and that she has a very high opinion of Johnson & Johnson Baby Powder.

Although she did not elaborate, Dr. Blount asked whether she would be called as a witness regardless of whether she agreed to consult for us. When I asked her why she felt that she might be called to testify, she indicated that some of her research or publications while at

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Mr. John O'Shaughnessy
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Rutgers were funded by Johnson & Johnson. We might want to see if Johnson & Johnson has any records relating to funding of Dr. Blount's research.

Please feel free to contact me at any time should you have any questions or desire additional information on this matter.

Very truly yours,

M. Raymond Hatcher
For the Firm

MRH/jah

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1 MR. KURLAND: Yes. This document, we're not
2 asserting privilege over. We said before that we were
3 checking on that --

4 THE COURT: And so --

1 MR. KURLAND: Yes. This document, we're not
2 asserting privilege over. We said before that we were
3 checking on that --

4 THE COURT: And so --

5 MR. KURLAND: -- and we checked on it. And we
6 agree that it was privileged at one time, but that's been
7 waived. So we're not asserting any privilege or
8 work-product arguments with regard to that document.

9 MR. BLOCK: And just to be clear, that was --
10 that's Exhibit 767.

22 believe both of these (indicating) documents are
23 inadmissible.

24 So I'm happy to address the reasons why, one at a
25 time, however the Court would like.