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1 instructed me when I asked what his  
2 plaintiff's specific testimony is or  
3 whether he will give plaintiff specific  
4 testimony, asked me to inquire of the  
5 professor, I'll do that only because  
6 that's the only way I'm going to find  
7 out if he even plans to do this, but I  
8 am absolutely not waiving any rights by  
9 inquiring today because there is no way  
10 I was prepared to cross-examine the  
11 doctor today regarding any plaintiff  
12 specific testimony.

13 He was not so disclosed, and it  
14 takes me completely by surprised.

15 BY MR. GIANARIS:

16 Q. With that being said, sir, do you  
17 have plaintiff specific testimony in these  
18 cases?

19 A. No.

20 MR. GIANARIS: Why didn't you  
21 tell me that?

22 MS. ROSENBERG: When we talk  
23 about the exhibits, I need to get you  
24 the exhibits, he can tell you what his  
25 actual opinion is in this case.

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1 comfortable that I knew what kind of trial it  
2 was, who the parties on the other side were.  
3 Q. Just out of an abundance of  
4 caution and I apologize, but I need to do this,  
5 and I understand you answered my question, but  
6 because Union Carbide's attorney has said wait  
7 until we get to the exhibits, are you going to  
8 in any way, shape or form say this particular  
9 plaintiff should have known about this  
10 particular exhibit or another particular  
11 exhibit or the issuance of this exhibit because  
12 he was a blank, or because he lived here, or  
13 because he subscribed to this magazine?

14 A. I don't have that information  
15 about people. I couldn't possibly say that.  
16 That is, I'm not going to testify to links of  
17 the kind you just said.

18 Q. Thank you.

19 During the break, did you look at  
20 deposition transcripts to determine if certain  
21 transcripts were the ones you reviewed before  
22 you reviewed for the trial?

23 A. I didn't review them. We  
24 identified them.

25 Q. And determined that they were the

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1 Q. Are you going to come to trial in  
2 Madison County and say anything about any one  
3 of these plaintiffs in relation to anything?

4 A. In relation to anything?

5 Q. Anything.

6 A. I have no idea what anything  
7 covers. That's too broad.

8 Q. I don't want to know if you like  
9 their hair color.

10 A. I have no personal specific  
11 information that I care to comment on. The  
12 only reason for me to have look at them is to  
13 know something about who is in this case, where  
14 they live.

15 Q. Why does it matter to you?

16 A. Because I don't like to open my  
17 mouth in the context of a trial where I have no  
18 idea who the other parties are, literally,  
19 where they grew up and where they live.

20 Q. That's fair enough.

21 A. That's all.

22 Q. But you're not going to  
23 testify --

24 A. I think I answered that clearly.  
25 Absolutely not. This is just for me feeling

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1 ones?

2 A. Right.

3 MR. GIANARIS: Why don't we --

4 MS. ROSENBERG: We're having  
5 copies made for you. They should be  
6 here relatively soon.

7 Q. Let's talk about your opinions  
8 regarding Union Carbide a little more. You  
9 have three general opinions regarding Union  
10 Carbide, if I'm not mistaken.

11 What are your opinions regarding  
12 Union Carbide and how they acted or did not act  
13 in relation to the dangers of asbestos?

14 A. I had three conclusions. One was  
15 that what the Union Carbide officials are  
16 responsible for, for Calidria, wrote to their  
17 customers was broadly consistent with what I  
18 knew to be scientifically publicly available in  
19 scientific literature at the time.

20 The prior point I was making is  
21 that there is a judgement about not so much  
22 their views, but the circumstances in which  
23 Union Carbide found itself. That because it  
24 was a late comer to the asbestos industry by  
25 the time it started in '63, '64, there was