

report health effects he found in Monsanto's workers when asked by the West Virginia Compensation Commission, and of publishing studies intended to downplay the actual human health effects of dioxin. As a result of the extreme and unfair limitations placed upon his testimony and this Court's subsequent ban on his further testimony, Dr. Suskind never had the opportunity to respond to these charges, and to demonstrate that his recollection was totally accurate.

The importance of Dr. Suskind's testimony to plaintiffs' punitive damage case is illustrated by the manner and length (18 days) of cross-examination of Dr. Suskind after a reasonably concise direct exam (2-1/2 days), and the extensive use of Dr. Suskind's testimony in the cross examination of Dr. James Webster, Monsanto's chief examining expert. Plaintiffs' counsel spent days cross-examining Dr. James Webster, Monsanto's final medical expert, with the unclarified, and at times unduly and erroneously restricted, testimony of Dr. Suskind.

In addition, misinformation offered by plaintiffs' counsel which was corrected and clarified by Dr. Suskind during his direct examination (which clarification was left unchallenged by plaintiffs' counsel despite 18 days of cross examination) relating to the number of workers reported by Dr. Suskind in his 184 health study as having cancer was used, nevertheless, in it's incorrect and unclarified state to cross examine Dr. Webster. (Tr. 6/8/87). This Offer of Proof demonstrates that Dr. Suskind's redirect examination is critical to Monsanto's