

1 In Re:

2 Solutia, et al.,

3
4 Vs. Case No. CV-03-PWG-134-E.

5
6 McWane, et al.,

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11
12 August 30, 2004

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14 Videotaped Deposition of WILLIAM B. PAPAGEORGE, Volume I

1 In the United States District Court
2 For the Northern District of Alabama
3 Magistrate Judge Green
4

5 Solutia, et al.,
6 Plaintiffs
7

8 Vs. Case No. CV-03-PWG-134-E.
9

10 McWane, et al.,
11 Defendants.
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18 Videotaped Deposition of WILLIAM B. PAPAGEORGE, taken
19 on behalf of the Defendants, at the offices of Husch &
20 Eppenberger, LLC, 190 Carondelet Plaza, Suite 600, in
21 the County of St. Louis, State of Missouri, between
22 the hours of 1:15 P.M. and 4:53 P.M. on the 30th day
23 of August, 2004, before J. Bryan Jordan, Certified
24 Court Reporter and Notary Public.

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1 THE VIDEOGRAPHER: We're on the record at
2 1:15 P.M. Today's date is August 30th, 2004. We're
3 at the offices of Husch Eppenberger. The address is
4 190 Carondelet Plaza, Clayton, Missouri. My name is
5 Curt Shaw, legal videographer, along with Jerry
6 Jordan, Certified Court Reporter, here today for the
7 deposition of William B. Papageorge, in the case of
8 Solutia, et al. vs. McWane, et al., currently pending
9 in the Northern District of Alabama, Cause Number
10 CV-03-PWG-1345-E. At this time, would counsel please
11 identify themselves for the record?

12 MS. LAVEY: This is Wendy Lavey, of Squire,
13 Sanders & Dempsey, representing defendant Mead
14 Westvaco Corporation.

15 MS. O'NEAL: Lynne O'Neal, from the Lietman,
16 Siegal & Payne firm in Birmingham, Alabama,
17 representing Phelps Dodge.

18 MS. MYERS: Stacey Myers, representing
19 Southern Tool.

20 MS. SMITH: Lynette Smith, of Troutman
21 Sanders, representing Scientific-Atlanta, Inc.

22 MR. TAYLOR: Jarred Taylor, with Maynard,
23 Cooper & Gale, representing McWane, FMC, and United
24 Defense.

25 MR. NASSIF: I'm Joe Nassif. I'm with Husch

Papageorge, William; McWane (Former Monsanto Employee)

1 Eppenberger, and I'm representing Pharmacia and
2 Solutia in the case.

3 MR. NASSIF: And the folks on the phone?

4 MR. SCOTT: John Scott, for Lee Brass.

5 MS. PILAT: Karen Pilat, for Huron Valley
6 Steel.

7 MR. ARNOLD: Doug Arnold, for Walter
8 Industries and U.S. Pipe.

9 MS. BISWAS: Raakhee Biswas, for DII
10 Industries.

11 MR. NASSIF: Michael McMahon, are you still
12 on the phone?

13 MR. McMAHON: Yes, I am. I was still in
14 mute. Sorry. Michael McMahon for Datron and Anchor
15 Metals.

16 THE VIDEOGRAPHER: Very good. Jerry, would
17 you, please, swear in the witness?

18 WILLIAM B. PAPAGEORGE,
19 of lawful age, having been first duly sworn to testify
20 the truth, the whole truth, and nothing but the truth
21 in the case aforesaid, deposes and says in reply to
22 oral interrogatories propounded as follows, to-wit:

23 EXAMINATION

24 QUESTIONS BY MS. LAVEY:

25 Q. Mr. Papageorge, my name is Wendy Lavey. I'm

1 an attorney with Squire, Sanders & Dempsey, located in
2 Cleveland. I represent Mead Westvaco Corporation,
3 which is one of a number of defendants being sued by
4 Solutia and Pharmacia in a lawsuit that relates to
5 operations in Anniston, Alabama. A couple of
6 preliminaries. I--we have agreed in advance with
7 Husch & Eppenberger that the--your deposition will be
8 restricted to half days, so we would expect to go
9 until an appropriate time today, 5:00 o'clock-ish, and
10 in addition, we had agreed in advance to waive the
11 seven-hour limitation, and hopefully, we will finish
12 on Wednesday morning. That's the goal. We will begin
13 again tomorrow at 9:00 A.M., again as only a half a
14 day.

15 I know you've been deposed before, but I
16 would ask that you be sure to speak clearly so that
17 the court reporter can hear you, as well as the
18 videographer. If you don't understand my question,
19 please ask me to clarify, let me know that you don't
20 understand the question. Otherwise, I'm going to
21 assume that you do understand the question.

22 If you need a break, let me know.
23 Otherwise, I would expect that we'll take a break when
24 the video needs changed, in about an hour and twenty
25 minutes, we'll take a break at that point, but if you

1 need a break sooner than that, just let us all know.

2 I gather that you are being represented

3 today by legal counsel from Husch & Eppenberger,

4 Mr. Nassif?

5 A. That is correct.

6 Q. Mr. Papageorge, what is your date of birth?

7 A. September 7, 1922.

8 Q. Where do you live, currently?

9 A. In the Town & Country, Missouri, which is a
10 suburb of St. Louis.

11 Q. What is the mailing address?

12 A. 63141. Oh, you want the whole address. I'm
13 sorry. 321 Pebble Valley Drive, St. Louis, Missouri,
14 63141-8039.

15 Q. Do you have an existing relationship with
16 Solutia, Pharmacia, or Monsanto?

17 A. Yes.

18 Q. What is that relationship?

19 A. The relationship with Solutia involves
20 medical coverage during my retirement, a term life
21 insurance. That's all that comes to mind now. With
22 Monsanto, I have a relationship relating to the
23 pension I receive.

24 Q. The pension is through Monsanto?

25 A. Yes.

1 Q. Are you currently serving as a consultant or
2 a paid professional in any way for Solutia, Pharmacia,
3 or Monsanto?

4 A. In any way?

5 Q. Yes.

6 A. I'm serving as a consultant to a law firm
7 which is involved with Monsanto and Solutia.

8 Q. Okay. What is your consultant role?

9 A. It's to relate to interested parties my
10 experience with assignments in, originally, Monsanto,
11 the old Monsanto, from the time I joined Monsanto
12 until I retired, 1951 to 1986.

13 Q. Are you on a paid retainer?

14 A. With this law firm?

15 Q. Yes.

16 A. Yes.

17 Q. What is the amount of that retainer?

18 A. A thousand dollars a month.

19 Q. Mr. Papageorge, did you review any written
20 material in preparation for today's deposition?

21 A. Written material?

22 Q. Yes, sir.

23 A. I hesitate because the only document I
24 reviewed was my curriculum vitae,--

25 Q. Okay.

1 A. --to see if it still is appropriate.

2 Q. Did you do anything else in preparation for
3 today's deposition, speaking with other individuals?

4 A. I spoke with attorneys.

5 Q. Okay. Anyone other than lawyers?

6 A. No.

7 Q. How much time overall would you say you
8 spent preparing for today's deposition?

9 A. I hesitate because you are not counting
10 travel time and all that involvement?

11 Q. No, I wasn't.

12 (Laughter.)

13 A. I thought so. I'm going to estimate about
14 eight to ten hours.

15 Q. Which lawyers did you meet with? Don't--I'm
16 not asking for the substance of your conversation, but
17 what lawyers did meet with in preparation?

18 A. I met with Mr. Mike Kelly.

19 Q. Is he with Husch & Eppenberger?

20 A. No.

21 Q. Who is he with? Do you know?

22 A. He's with Smith, Moore, LLP, Greensboro,
23 North Carolina.

24 Q. Hence, the traveling. Did you have to
25 travel to North Carolina?

1 A. No.

2 Q. Oh, okay. Anyone else?

3 A. Joseph Nassif.

4 Q. Mr. Papageorge, do you still have any
5 personal files or documents that relate to your time
6 of employment with Monsanto that you have in your
7 possession at home?

8 A. No, I do not keep any documents.

9 Q. I'd like to ask a few questions about your
10 education and training. We'll try, we'll do this
11 fairly quickly because I know you've testified as to
12 your education on a number of occasions, but could you
13 just trace briefly for us your higher education after
14 high school?

15 A. I have a Bachelor of Science Degree, a major
16 in chemical engineering from Washington University in
17 St. Louis, and that was awarded in 1943. I have a
18 Master of Science in chemical engineering from
19 Washington University that was awarded in 1947.

20 Q. Did you take any formal course work after
21 receiving your Master's of Science?

22 A. I have difficulty with the definition of the
23 word "formal."

24 Q. Did you begin, at the conclusion of
25 receiving your Master's Degree, did you begin studies

1 toward a further degree, a Ph.D., for example, at that
2 point in time?

3 A. I attended courses at Oklahoma, at that time
4 it was called Oklahoma A&M in Stillwater, with the
5 intent to pursue a Doctor of Science Degree. I also
6 attended courses at Washington U., I think it was in
7 19, middle 1950's, or late 1950's, at Washington
8 University in the business school for credits toward a
9 business administration degree.

10 Q. The course work at Oklahoma was in what area
11 of study?

12 A. Chemical engineering.

13 Q. Did you receive any formal certification, as
14 in a Professional Engineer's certificate or similar
15 professional certificate?

16 A. I was registered, and I'm still registered.

17 Q. You are a Registered Professional Engineer?

18 A. Professional Engineer in the State of
19 Missouri.

20 Q. When did you become a Registered
21 Professional Engineer? Do you recall the year?

22 A. Late Fifties, early Sixties.

23 Q. And does maintaining your Registered
24 Professional Engineer status require that you take
25 continuing education courses over some period of time?

1 A. I am currently emeritus member, so I don't
2 have to take any further courses.

3 Q. When did you go on emeritus status?

4 A. In the early 1990's.

5 Q. And prior to going on emeritus status in the
6 early 1990's, what type of continuing education was
7 required to maintain your registration as a
8 Professional Engineer?

9 A. I don't remember the details. I remember
10 filling out forms, and so on. It's been awhile.

11 Q. That's fine. After you obtained your
12 Master's Degree in chemical engineering, I think you
13 said, in 1947, did you become employed at that point
14 in time?

15 A. Yes.

16 Q. Where did you first go for employment?

17 A. I went to Bartlesville, Oklahoma, working
18 for the Phillips Petroleum Company.

19 Q. Was that in 1947?

20 A. Yes.

21 Q. How long were you at Phillips Petroleum?

22 A. Until November 1951.

23 Q. I'm going to do this as a quick overview and
24 then we'll step back. When you left Phillips
25 Petroleum November of 1951, where were you employed

1 next?

2 A. Monsanto Company in St. Louis.

3 Q. And for how long were you employed by
4 Monsanto? Or rather than doing the math, I'll ask you
5 what year did you leave Monsanto?

6 A. December 31st, 1986.

7 Q. Could you take us through the different
8 locations of your employment at Monsanto, beginning
9 with 1951?

10 A. Locations? Initially, St. Louis, Missouri,
11 area, and then the Sauget, S-a-u-g-e-t, Illinois,
12 location.

13 Q. And when you--

14 A. Annis--I'm sorry.

15 Q. Go ahead.

16 A. Anniston, Alabama, and back to St. Louis.

17 Q. When you started at St. Louis, were you at
18 headquarters or at a manufacturing plant?

19 A. When I started?

20 Q. Yes.

21 A. It was at a manufacturing plant.

22 Q. And which plant was that?

23 A. The plant called John F. Queeny Plant.

24 Q. How long were you at the John F. Queeny
25 Plant?

1 A. Until, as best I remember, 1963-ish.

2 Q. Okay, and then you said you went to the
3 Sauget--am I pronouncing that right?

4 A. That is correct.

5 Q. The Sauget location, is that the Krummrich
6 Plant?

7 A. Yes.

8 Q. How long were you at the Krummrich Plant?

9 A. About a year.

10 Q. 1964 time frame?

11 A. I think it went through '63 and '64. It's
12 almost two years, mm-hmm.

13 Q. And then you said you next went to the
14 Anniston, Alabama, plant?

15 A. Yes.

16 Q. What was the period of time at the Anniston
17 Plant?

18 A. 1965 to the end of 1969.

19 Q. Okay, and then you indicated you returned to
20 St. Louis?

21 A. Yes.

22 Q. Was that to--that was to headquarters;
23 correct?

24 A. Yes.

25 Q. And from 1970 all the way through December

1 31st, 1986, then you were at the Monsanto headquarters
2 in St. Louis?

3 A. Yes.

4 Q. Going back to Phillips Petroleum, 1947-1951
5 time frame, describe generally for me your job
6 responsibilities at Phillips Petroleum.

7 A. In a general way, there are two types.
8 Initially, I was in, assigned to Phillips' research
9 department, involved with different studies related to
10 what is known as secondary recovery. This is when
11 water is introduced into a well system to push out the
12 oil in the producing wells.

13 Q. Mm-hmm.

14 A. That lasted about two years, and then the
15 final two years with Phillips, I was in the
16 engineering department that designed processes and
17 types of equipment used in petroleum processing.

18 Q. During any of the time at Phillips
19 Petroleum, did you have any involvement in or
20 responsibilities relating to PCBs?

21 A. No.

22 Q. Returning to the Queeny Plant, nineteen
23 fifty--late 1951 through 1963 or so, because I'm not
24 familiar with the area, where, where is the Queeny
25 Plant?

1 A. I don't know quite how to describe it. It's
2 near the Mississippi River, near an area that locally
3 is called the Soulard district. I don't know how else
4 to describe it. It's--it was on, I forget, 1800 South
5 Second Street or some such address.

6 Q. Is that plant still there?

7 A. To the best of my knowledge, yes.

8 Q. Can you walk us through the different
9 positions that you held at the Queeny Plant, beginning
10 in late 1951?

11 A. Initially, I was assigned to an engineering
12 design department, working on the design of equipment
13 to be used in processing chemicals. I was then
14 assigned as a supervisor in a production unit.

15 Q. Which production unit?

16 A. A unit that produced chemicals generally
17 known as plasticizers. These are materials that are
18 added to plastics to make them flexible, pliable,
19 instead of brittle.

20 Q. Did these particular plasticizers for which
21 you were a production supervisor contain PCBs?

22 A. No.

23 Q. Then I know I interrupted your train of
24 thought, but after the production supervisor position,
25 what came next?

1 A. I was sent, or assigned to the plant
2 engineering unit, where I supervised a team of
3 technicians, engineers, who were working on technical
4 problems related to producing units out in the plant.

5 Q. Was that in connection with a particular
6 production process, or for the entire Queeny Plant?

7 A. It was involved with a group of products
8 that were made out in the plant.

9 Q. Which group of products?

10 A. For example, the unit where I was
11 supervisor, making plasticizers, that would be one of
12 them. There was an assignment to two departments that
13 made ingredients that go in the plasticizers. One of
14 the units was one that I designed equipment for
15 earlier. There were several more, but at the moment,
16 I can't recall them specifically.

17 Q. Was the Queeny Plant manufacturing PCBs?

18 A. I'm sorry?

19 Q. Did the Queeny Plant manufacture PCBs at
20 that time period?

21 A. Whew. Will you help me with the word
22 "manufacture"?

23 Q. Were they--well, the production process, as
24 I understand it, once the biphenyls are produced, is
25 to then add the chlorine to chlorinate it. Is that a

1 production process that existed at the Queeny Plant?

2 A. No.

3 Q. It was Queeny Plant making any products that
4 contained PCBs while you were at the Queeny Plant?

5 A. Yes.

6 Q. Which products were they making?

7 A. There were a series of hydraulic fluids that
8 consisted of blends of PCBs with other ingredients.
9 That's all that comes to mind at present.

10 Q. So while the Queeny Plant was not making the
11 PCBs themselves, they were blending different PCB
12 materials to create a product? Is that correct?

13 A. That is correct.

14 Q. Going back to the time frame within the
15 Queeny Plant, you had indicated that you were
16 supervising a group of people who were responsible for
17 addressing different problems or different aspects of
18 productions out in the plant. Is there a title for
19 that, that job you were describing?

20 A. There was a title; as best as I recall, the
21 Technical Services Superintendent or some such, such
22 title.

23 Q. Do you remember the time frame for this
24 particular job description?

25 A. About 1963-ish.

1 Q. Now, you indicated that you left the Queeny
2 Plant in 1963-ish. Was that the last position that
3 you held? I'm not trying to test you on your memory
4 of the resume'. I'm just trying to line up the order,
5 here.

6 A. The dates don't come to mind clearly.

7 Q. Let me do it a different way, then. The
8 dates aren't that critical. After you were production
9 supervisor, was there a period of time when you were
10 within the Maintenance Department?

11 A. Yes.

12 Q. And was that prior to this Technical
13 Services Superintendent?

14 MR. NASSIF: Let me make a suggestion.
15 Bill's got a copy of his resume' in his pocket. Why
16 doesn't he just pull his resume' out and maybe that
17 will help?

18 MS. LAVEY: That would be fine. Do you want
19 to mark it as Exhibit--

20 MR. NASSIF: Sure. That's fine.

21 MS. LAVEY: --1?

22 MR. NASSIF: I'm sure it's been in his other
23 depositions, but--

24 MS. LAVEY: I don't have it with me or I'd
25 pull it out and make it Exhibit 1 for you.

1 MR. NASSIF: Why don't you do that?

2 (Defendant's Exhibit 1

3 marked for

4 identification.)

5 BY MS. LAVEY:

6 Q. May I take a quick look at what--

7 A. Yes.

8 Q. --we've marked as Exhibit 1?

9 MS. LAVEY: For the record, then, Exhibit 1
10 is the curriculum vitae of Mr. Papageorge.

11 BY MS. LAVEY:

12 Q. Mr. Papageorge, looking at that, to continue
13 to clarify the different positions at the Queeny
14 Plant, let's go back and, and make sure we got this
15 right. Time frame as the--as a design engineer, I
16 believe, is the first one you talked about. Using
17 Exhibit 1 to the extent you need to to refresh your
18 recollection, what's the time frame for the design
19 engineer position?

20 A. The design engineer initially?

21 Q. Yes, sir.

22 A. 1951 through 1954.

23 Q. And is the production supervisor next in the
24 chronology?

25 A. Well, I'd like to make a,--

1 Q. Go ahead.

2 A. --an addition to that statement.

3 Q. Okay.

4 A. The time period in '54, I still had the same
5 type of job, but I was promoted to Senior Chemical
6 Engineer, and that--

7 Q. Okay.

8 A. --continued until 1955.

9 Q. Okay, and so for that time period, you were
10 designing equipment used in the processing of
11 different chemicals?

12 A. Correct.

13 Q. Correct?

14 A. Correct.

15 Q. Okay, then the next job that you held at the
16 Queeny Plant was what?

17 A. Production Supervisor.

18 Q. And that's when you were responsible for the
19 plasticizers group of chemicals?

20 A. That is correct.

21 Q. Okay, and for how long were you Production
22 Supervisor?

23 A. About a year. 1956.

24 Q. Following Production Supervisor, what was
25 your next job description?

1 A. Maintenance Supervisor.

2 Q. Can you describe generally for me what your
3 job duties were as Maintenance Supervisor?

4 A. As Maintenance Supervisor, I was assigned a
5 team of mechanics that installed equipment in small
6 projects, a pump and some pipeline, or some electric
7 wiring and some switches, that kind of thing; the
8 small jobs.

9 Q. All right, what followed your position as
10 Maintenance Supervisor?

11 A. I was made the Maintenance Superintendent.

12 Q. How did your duties change if they changed
13 when you became Maintenance Superintendent?

14 A. Well, this activity not only included the
15 small, new equipment installations but also included
16 the repair of the equipment in service throughout the
17 plant, the whole plant.

18 Q. While you were with--well, was there a
19 Maintenance Department--

20 A. Yes.

21 Q. --at that time? While you were with the
22 Maintenance Department, did you have occasion to work
23 with any PCB-containing equipment such as transformers
24 or other electrical equipment?

25 A. I hesitate, because when you say "work

1 with," I did not personally put my hands on the
2 compressor or the heat exchanger.

3 Q. That's why you were the supervisor and the
4 superintendent.

5 A. I had--that's right. I had several hundred
6 people in that team that branched out and took care of
7 all those things.

8 Q. But the Queeny Plant did have some
9 PCB-containing equipment used in its--used in its
10 operations for which the Maintenance Department was
11 responsible to maintain?

12 A. That is correct.

13 Q. Did you have any specific obligations with
14 respect to handling of PCBs or conducting repair of
15 PCB-containing equipment? In other words, were you,
16 as superintendent, charged with the responsibility of
17 knowing how to handle PCBs by the Maintenance
18 Department workers?

19 A. Yes, but no different than all the hundreds
20 of other chemicals.

21 Q. That, that's fine, but--so correct me if I'm
22 wrong, but it sounds that--it sounds like your first
23 contact with PCBs as a class of chemicals wasn't until
24 you became a member of the Maintenance Department at
25 the Queeny Plant.

1 A. I don't recall any earlier contact, no.

2 Q. Okay, and the time period in the Maintenance
3 Department, either supervisor or superintendent, is
4 what?

5 A. From 1957 to 1959.

6 Q. And what is the next position, then, that
7 you held?

8 A. This is the position that we earlier talked
9 about where I supervised engineers and technicians in
10 working on engineering and technical problems for
11 certain operations out in the plant.

12 Q. Okay. Did any of those--you mentioned the
13 responsibility involved different groups of products.
14 You mentioned plasticizers, certain ingredients that
15 went into plasticizers. Did any of those
16 responsibilities involve the blending of any Aroclors
17 with other products?

18 A. Not that I recall.

19 Q. And how long were you Technical Services
20 Superintendent?

21 A. 1959 to 1961.

22 Q. What was your next job responsibility or job
23 title?

24 A. General superintendent of warehousing,
25 inventories, utilities.

1 Q. Could you describe generally what that
2 position entailed?

3 A. These are, these are the activities that
4 supported the manufacturing units in warehousing their
5 incoming raw material, or their shipping out of the
6 finished product, and it also involved the supplying
7 of what was called the utilities--electricity, steam,
8 gas--to the manufacturing units.

9 Q. In your role as general superintendent,
10 would you--did you have much involvement in dealing
11 with customers of the finished products at the Queeny
12 Plant?

13 A. No.

14 Q. Do you recall if there were any major
15 customers of the--you mentioned earlier hydraulic
16 oils. Were there major customers of the hydraulic
17 oils that you were shipping to from the warehouse?

18 A. I don't recall specific customers.

19 Q. Okay. Was that the last position that you
20 had at the Queeny Plant?

21 A. Yes.

22 Q. And after that, I believe you indicated you
23 went to the Krummrich Plant in Illinois?

24 A. Correct.

25 Q. Why did you leave the Queeny Plant?

1 A. Well, my supervisor told me go there. I
2 followed orders.

3 Q. Okay, what was your position at the
4 Krummrich Plant when you first arrived?

5 A. I was assigned a group of products produced
6 at the Krummrich Plant, in one of five different
7 manufacturing groups in the plant.

8 Q. Okay, let me step back, then, and ask first,
9 what were the five different groups that were within
10 the plant?

11 A. Huh. I don't re--

12 Q. If you recall.

13 A. I don't remember 'em by the terms used at
14 that time. They--in general, I do remember three of
15 them were involved with products that were at that
16 time assigned to a group called the Inorganic--I mean
17 Organic, I'm sorry, Organic Chemicals Division. One
18 of them was involved with products that are referred
19 to as agricultural products, and another unit was
20 assigned to products called Inorganic.

21 Q. Were you assigned to one of those three
22 groups--

23 A. Yes.

24 Q. --that you just identified?

25 A. Yes.

1 Q. Which group were you assigned to? Which of
2 the groups were you assigned to? The Organic,
3 Inorganic, or the Agricultural?

4 A. One of the--I'm sorry, one of the three in
5 the Organic Division--

6 Q. Okay.

7 A. --was my group.

8 Q. And which was that?

9 A. I don't know that it had a unique name or
10 specific name, of just a cluster of separate,
11 unrelated operations.

12 Q. Which products were made out of that group?

13 A. Whew.

14 Q. Or can you generally classify the types of
15 products? It's not--I'm not asking a
16 product-by-product litany, but--

17 A. I just don't remember specifically.

18 Q. Was it the Krummrich Plant manufacturing
19 PCBs?

20 A. Yes.

21 Q. Was that an operation for which you had any
22 responsibility?

23 A. No.

24 Q. Did you have any responsibility for the
25 manufacturing of biphenyls?

1 A. No.

2 Q. Do you recall any of the names of the type
3 of products that were in the cluster of products for
4 which you were responsible?

5 A. No, I do not.

6 Q. While you were at Krummrich, did you have
7 any dealings at all with manufacturing at the biphenyl
8 plant or the Aroclor facility?

9 A. No.

10 Q. Do you recall the name of the Krummrich
11 Plant manager at that time?

12 A. No, I would be guessing.

13 Q. That's fine. Do you remember the name of
14 the individual who held your corresponding position
15 for the biphenyl production operations?

16 A. No, I do not.

17 Q. Do you have any knowledge of the process by
18 which biphenyls were produced at Krummrich?

19 A. No.

20 MR. NASSIF: A clarification: You mean
21 biphenyls or polychlorinated biphenyls?

22 MS. LAVEY: I meant biphenyls.

23 MR. NASSIF: Okay.

24 MS. LAVEY:

25 Q. Same answer? Still no?

1 A. Yes.

2 Q. I think you indicated you were at the
3 Krummrich Plant for approximately one year? Is that
4 correct?

5 A. Yes.

6 Q. And following that, that job, you then went
7 on to the Anniston Plant? Is that correct?

8 A. That is correct.

9 Q. When did you arrive at the Anniston Plant?
10 Do you recall the, the month?

11 A. Early part of the year.

12 Q. This is 1965, correct?

13 A. Yes.

14 Q. So early in 1965, and what, what was your
15 position when you arrived at the Anniston Atlanta?

16 A. Plant manager.

17 Q. Was there any--why did you move from the
18 Krummrich Plant to the Anniston Plant?

19 A. The boss said go, and I obeyed.

20 Q. Can you describe generally your job
21 responsibilities, please, as plant manager at the
22 Anniston Plant?

23 A. Well, I always felt it boils down to "buck
24 stops here." Everything that happened at the plant
25 was under my--was in my responsibilities.

1 Q. So your job responsibilities included having
2 an understanding of all the products that are
3 manufactured at the Anniston Plant at that time
4 period?

5 A. Have as much of an understanding as I could
6 possibly get.

7 Q. Did you go through any training when you
8 first arrived at the Anniston Plant?

9 A. You mean a formal training, or just a sort
10 of a walk-through, talk about?

11 Q. I'll start with the formal training, but I
12 think I know where this is going.

13 A. No, there was no formal training. It was a
14 day-by-day exposure and a continuing learning process.

15 Q. Okay. Did your job responsibilities require
16 that you have knowledge of, of sales and customer
17 relationships as plant manager?

18 A. It required knowledge, but I was not in the
19 same position, for example, as the marketing man who
20 sold to a group of customers in an area. I had an
21 idea of generally what customers were involved in
22 different parts of the country and the world, but not
23 very specific.

24 Q. How was, how was the marketing set up? In
25 other words, was it--is there a marketing department

1 that's reporting to you at the Anniston Plant or was
2 that handled at the headquarters level?

3 A. Marketing was handled at the headquarters
4 level.

5 Q. Did you have marketing staff at the Anniston
6 Plant?

7 A. No.

8 Q. Or sales, salespeople generally at the
9 Anniston Plant?

10 A. No.

11 Q. No. As the plant manager, then, you would
12 have had--your job responsibilities would have also
13 required that you have knowledge of the nature of
14 different waste streams and how they're managed at the
15 Anniston Plant?

16 A. I would have a broad knowledge of the
17 general scheme of things. I would leave the details
18 up to individuals in the plant who reported to me.

19 Q. To whom did you report as the plant manager?

20 A. I reported to the Director of Manufacturing
21 located in St. Louis.

22 Q. And who was that individual when you started
23 at the Anniston Plant in 1965?

24 A. Robert Soden, S-o-d-e-n.

25 Q. Was he still the Director of Manufacturing

1 when you left the Anniston Plant?

2 A. I don't remember the timing.

3 Q. You don't remember reporting to any other
4 individual as your direct line of report while you
5 were Anniston Plant manager?

6 A. I just don't recall the details.

7 Q. Obviously, we'll come back and talk about
8 the Anniston Plant some more, but I want to get a
9 little lay of the land after you left the Anniston
10 Plant. What was the, the month when you left the
11 Anniston Plant? I don't know if that's on Exhibit 1
12 or not, but when did you leave the Anniston Plant and
13 go back to St. Louis?

14 A. I don't remember the exact date, but there
15 was a period of time when I was officially assigned to
16 the Anniston Plant, but between jobs, I was going to
17 St. Louis fairly often in the late part of '69.

18 Q. Do you mean you were no longer the plant
19 manager of Anniston at that point and had taken on a
20 different job with Monsanto but just had not
21 relocated?

22 A. We were in a transition stage. I was
23 turning over the plant to the newly-assigned
24 individual. In the meantime, I was trying to get
25 organized back in St. Louis on a totally new job, so

1 there was a period, there, when I, I guess I was, in
2 essence, wearing a couple of hats.

3 Q. And was the--your successor at the Anniston
4 Plant, is that Mr. Jesse?

5 A. Yes.

6 Q. Do you know if Mr. Jesse is still living?

7 A. I do not.

8 Q. Why did you leave the Anniston Plant and
9 return to St. Louis?

10 A. There was a perceived need by the management
11 at Monsanto to assign someone to the specific task of
12 following the PCB issue, which was evolving, and since
13 I was more generally involved with PCBs, as
14 distinguished from analytical, and sampling, and the
15 detail work, management thought that I was the best
16 candidate to serve as the individual within Monsanto
17 who could follow the issue and sort of left--let the
18 left hand know what the right is doing within Monsanto
19 and keep abreast of all the developments occurring
20 worldwide on this new issue.

21 Q. At that point in time, PCBs were being
22 manufactured at the Anniston Plant and Krummrich? Is
23 that correct?

24 A. Uh--

25 Q. Let me cancel that question. Let me just

1 ask, at that point in time when you went back to
2 St. Louis for this position you are, you are starting
3 to describe, where was Monsanto manufacturing PCBs at
4 that time?

5 A. In the United States?

6 Q. Yes, sir, in the United States.

7 A. Anniston and the Krummrich Plant, Sauget,
8 Illinois.

9 Q. Okay. Now, walk--I would like to walk
10 through your different positions, then, back at--in
11 St. Louis. This is in the headquarters office,--

12 A. Yes.

13 Q. --I assume? Okay, and what was the--what
14 was the first position that you held, or you've been
15 describing this, this overall responsibility for the
16 evolving PCB issue. Did that come with a job title?

17 A. Well, the job title did not mention PCBs,
18 but it's the first job within Monsanto where the title
19 contains the word "environment."

20 Q. Okay.

21 A. Manager, Environmental Control.

22 Q. Were your responsibilities broader than
23 those associated with the evolving PCB issues?

24 A. At that time, specific to PCBs.

25 Q. And how long was that your job

1 responsibility, this Manager of Environmental Control?

2 A. Until 1973.

3 Q. And how did your job change in 1973?

4 A. There was two changes. One is the, the
5 group that used to be called the Organic Division was
6 entitled "Monsanto Industrial Chemical Company," and I
7 was assigned all the products in that company, in
8 addition to PCBs, and given the title Manager-Product
9 Acceptability."

10 Q. And what, generally, were your job
11 responsibilities as the Manager of Product
12 Acceptability?

13 A. My job responsibility was to make sure that
14 the products assigned to Monsanto Industrial Chemical
15 Company met the known criteria for acceptable products
16 in terms of safety, purity, proper usage, proper
17 handling, the whole gamut.

18 Q. Other than PCBs and PCB-related products,
19 what other type products were within this, the--what
20 you've described as the Monsanto Industrial Chemicals
21 Company?

22 A. There's so many, I know--

23 Q. Can they be generally classified? I don't
24 need to know the detailed listing, but--

25 A. Well, generally, that's what the title

1 "Industrial Chemicals"--

2 Q. Okay.

3 A. --implies. There were the plasticizers we
4 talked of earlier. I just don't remember them all.
5 There's--

6 Q. That would be the organic, the organic
7 chemicals?

8 A. I'm sorry.

9 Q. These, all of them, would involve organic
10 chemicals, or was there some inorganics?

11 A. Most of them were the original organic
12 chemicals grouping, but as I remember, they picked up
13 additional chemicals from other parts of Monsanto.

14 Q. Did it include some of the agricultural
15 products?

16 A. I don't think so, no.

17 Q. Was the Monsanto Industrial Chemicals
18 Company a standalone--an independent company separate
19 from Monsanto Chemical Company?

20 MR. NASSIF: I'm going to object on lack of
21 foundation. Go ahead if you can answer.

22 A. I have--I don't have information that helps
23 explain that.

24 BY MS. LAVEY:

25 Q. Okay.

1 A. This is an upper management decision to use
2 these groupings and their titles.

3 Q. Who were you reporting to as the Manager of
4 Product Acceptability for Monsanto Industrial
5 Chemicals Company? Let me narrow the time period for
6 you. That may not help you, but I'm asking at the
7 beginning of this time, so it's 1973.

8 A. Mm: I'd be guessing. I don't remember.

9 Q. With respect to PCBs, did your job
10 responsibilities change between when you were focused
11 only on PCBs as Manager of Environmental Control and
12 then in 1973, you picked up other chemicals, as well?
13 Just looking at the PCB part, did your job
14 responsibilities change from 1970 to 1973?

15 A. They changed to a degree. As I remember,
16 there was an individual within Monsanto who picked up
17 the PCB issues within the company. I maintained the
18 responsibilities relating to the rest of the world and
19 PCBs; foreign producers, foreign governments,
20 foreign--or outside laboratories, and the like.

21 Q. Who was the individual, then, that assumed
22 the responsibilities within the company?

23 A. John Craddock.

24 Q. How do you spell the last name?

25 A. C-r-a-d-d-o-c-k.

1 Q. Was he located in St. Louis?

2 A. Yes.

3 Q. How long were you the Manager of Product
4 Acceptability?

5 A. It would be less than a year, about a year.

6 Q. Okay, what was the next position, then?

7 A. The next position was entitled Director,
8 Environmental Operations for that same Chemical
9 Intermediates Company.

10 Q. You said that same chemical intermediates
11 company, is this a new name at that point in time?

12 A. No, that's the same as the one back in 1977.

13 Q. Okay, I don't think we talked about 1977.
14 We were--in 1973, you became Manager of Product
15 Acceptability for Monsanto Industrial Chemicals
16 Company.

17 A. Correct.

18 Q. Okay.

19 A. Oh.

20 Q. Did we skip a step? I don't know what the
21 intermediate company is.

22 A. That was another change within Monsanto in
23 naming the different parts,--

24 Q. Okay.

25 A. --and that happened in 1977.

1 Q. All right, and then in 1977, you were named
2 the Director For Environmental Operations for Monsanto
3 Intermediate Chemicals Company?

4 A. Chemical Intermediates Company.

5 Q. Okay, and could you describe your, your
6 responsibilities as the Director of Environmental
7 Operations as of 1977?

8 A. It included the responsibilities as it
9 relates to product acceptability, and also added to
10 that was a responsibility as it related to industrial
11 hygiene, both to customers, employees, and Monsanto
12 employees, and the general public.

13 Q. What do you mean by "industrial hygiene"?
14 What's that phrase mean to you?

15 A. To me, it means the awareness of what
16 different materials handled in the plant by the
17 workers are, and what they can do if improperly
18 handled in terms of health effects.

19 Q. What was your next position after Director
20 of Environmental Operations For Chemicals,
21 Intermediate?

22 A. The next position was, again, a Monsanto
23 reorganization and renaming. The unit that was--to
24 which I was assigned was then called Monsanto
25 Industrial Chemicals Company.

1 Q. Okay. Did your job responsibilities change
2 or was this just a change in name?

3 A. The responsibilities as described didn't
4 change, but the products that were assigned to that
5 were changed. Some products remained with the team I
6 had and new products were added, and some of the older
7 products were transferred to another part of Monsanto.

8 Q. By this point in time, PCBs were no longer
9 being manufactured; correct?

10 A. That's true.

11 Q. So presumably, they were not in your job
12 responsibility at that point in terms of production
13 operations.

14 A. They were not included as it relates to a
15 product manufactured, sold, shipped, and handled
16 elsewhere, but they were related to inquiries,
17 questions from anywhere relating to PCBs, and they
18 were related to addressing the presence of PCBs in
19 those facilities that, at one time within Monsanto,
20 handled them.

21 Q. Was that the last position, or--I'm not sure
22 if we're done through the end, here. Let's see: This
23 was Director of Environmental Operations for Monsanto
24 Industrial Chemicals. Was there any subsequent
25 position?

1 A. Yes. In '86, I was assigned to what was
2 called Occupational Health. This is what we earlier
3 called Industrial Hygiene, this is products and effect
4 on workers within Monsanto, and this particular
5 assignment put me in the position where I dealt with
6 Monsanto's Medical Department in making the necessary
7 communications between all of the plants in Monsanto
8 and the Medical Department. This did not limit itself
9 to pieces of Monsanto.

10 Q. Did you continue, then, to have, in 1986,
11 responsibility on the PCB issues?

12 A. If it came up, yes, it would come to me,
13 mm-hmm.

14 Q. So throughout the time frame of 1970 through
15 1986, when you were back at Monsanto's headquarters in
16 St. Louis, throughout that--for that span of time, you
17 had responsibility that included following and
18 responding to PCB-related issues that came up?

19 A. Yes, following, but I also had some
20 assistance in my team to help me.

21 Q. Sure. I'm just trying to get an
22 understanding that that responsibility, although you
23 had different people working with you over time,
24 continued over that span and you had other jobs coming
25 and going, as well, that I'm less interested in, but

1 there's a continuous period, really, of 1970 through
2 1986 when on your list of things to do, PCBs were on
3 that list.

4 A. Yes.

5 MR. NASSIF: I object to the form.

6 THE WITNESS: Hmm?

7 MR. NASSIF: You are fine. I was trying to
8 figure out with that was a question.

9 MS. LAVEY: It just means I didn't ask a
10 very good question.

11 THE WITNESS: I thought she was summarizing.

12 MS. LAVEY: I had something mine head, and
13 that's all I needed at the moment.

14 BY MS. LAVEY:

15 Q. After relocating to St. Louis, did you have
16 occasion to return to the Anniston Plant at any time?

17 A. Yes.

18 Q. Um, do you recall how often you
19 returned--well, let me strike that.

20 Do you recall the first time that you
21 returned to the Anniston Plant once you had relocated
22 back to St. Louis?

23 A. The specific date, I don't remember, but it
24 was in '71 time period.

25 Q. About how often did you return to the

1 Anniston Plant?

2 A. When you said "About," that's the best I can
3 do. I can't remember. I didn't keep any score sheet,
4 but--whew, I don't know, three, three to six times.

5 Q. Over what span of time? I mean, three to
6 six times over the whole period after you had left, or
7 is that a per-year number, or--

8 A. No, the whole--

9 Q. Okay.

10 A. --since I left.

11 Q. Okay. When is the last time you were in
12 Anniston, Alabama?

13 A. Again, I'm guessing a bit. Three to five
14 years ago.

15 Q. When you first went to St. Louis in 1970,
16 was there a primary point of contact back at the
17 Anniston Plant for you?

18 A. I have trouble with the word "primary." My
19 primary, of course, is the plant manager, but that
20 didn't mean that I avoided his team. I could go
21 directly to them to get the specifics of the
22 activities.

23 Q. Maybe it would help me if I figure out the
24 organization at Anniston, then. When you first
25 arrived at the Anniston Plant in 1965 as the plant

1 manager, can you describe how, how the management team
2 was structured at that time? In other words, who's
3 reporting to you?

4 A. I'll try,--

5 Q. Okay.

6 A. --as best as my memory will help me. I had
7 two manufacturing superintendents, Art Leisy and
8 Robert Moody.

9 Q. Do you remember how to spell Mr. Leisy's
10 last name?

11 A. I'm sorry?

12 Q. Do you recall the spelling of Mr. Leisy, I
13 think you said?

14 A. L-e-i-s-y.

15 Q. I won't hold you to it if that's not right.

16 A. It's either -e-i or -i-e. That's why I
17 hesitate.

18 Q. They were both manufacturing
19 superintendents--

20 A. Yes.

21 Q. --for you in 1965?

22 A. Correct.

23 Q. Did they have different areas of the plant
24 that they were responsible for?

25 A. Yes. Mr. Leisy had the unit that produced

1 the boll weevil insecticide, and Mr. Moody had the
2 rest of the operations.

3 Q. So that would include the Aroclor facility,
4 the biphenyl production--

5 A. Yes.

6 Q. --was all Mr. Moody?

7 A. Yes.

8 Q. Was he at the plant prior to your arrival,
9 do you recall?

10 A. Yes.

11 Q. Was he still the manufacturing
12 superintendent when you left at the end of 1969?

13 A. No.

14 Q. Did somebody else have that job
15 responsibility, then, during your tenure as plant
16 manager?

17 A. Yes. I'm trying to recall who it was. I
18 can't think of his name at the moment.

19 Q. That's okay. Do you know if Mr. Moody is
20 still living?

21 A. No, he is deceased.

22 Q. As you said, you had two manufacturing
23 superintendents reporting directly to you.

24 A. Correct.

25 Q. And then I'm sure I interrupted you. Who

1 else was reporting to you?

2 A. There was at that time called a personnel
3 superintendent, Jack Aldridge.

4 Q. What were his job responsibilities?

5 A. He's the individual that concerned himself
6 with hiring people.

7 Q. Was the Anniston Plant a union shop?

8 A. Yes.

9 Q. Would Mr. Aldridge have had the
10 responsibility for negotiating with the union and
11 addressing union grievances, for example?

12 A. He would set up the grievances and would be
13 involved in initiating renewal of contracts.

14 Q. Okay, who else had a direct report to you?

15 A. Lou Fuhrmeister. -m-e-i-s-t-e-r, I think,
16 is the way he spells it, F-u-h-r-m-e-i-s-t-e-r. He
17 was the superintendent in charge of the group called
18 Technical Services: Engineering, chemical, laboratory
19 testing.

20 Q. By that, you mean all of the engineers were
21 within the Technical Services Group?

22 A. Well, there were many engineers that were
23 also production supervisors, there were many engineers
24 were maintenance supervisors, so I can't say all
25 engineers, but the engineers actively pursuing

1 engineering problems.

2 Q. Let me step back and ask if you could give
3 me a general description of the purpose of the
4 Technical Services Group or Department.

5 A. That department was to support the plant in
6 any scientific matters that would help make better
7 products, also produce more products. If you required
8 another pump, or another tank, or a different process
9 that made more material than the old process using the
10 same starting material; that kind of activity.

11 Q. So the Technical Services Department
12 reported directly to you or to St. Louis?

13 A. The one in the plant reported to me through
14 Mr. Fuhrmeister.

15 Q. Okay. Was Mr. Fuhrmeister the
16 superintendent of that group for the entire period
17 when you were plant manager?

18 A. No. No.

19 Q. Was there a subsequent individual in that
20 position?

21 A. Yeah, he was replaced by Joseph Landwehr.

22 Q. L-a-n-d-w-e-h-r?

23 A. -h-r. Correct.

24 Q. Do you recall what year he, Mr. Landwehr,
25 became the superintendent?

1 A. No, I don't.

2 Q. It was while you were plant manager, though?

3 A. Yes.

4 Q. Was he still in that position when you left?

5 A. Yes.

6 Q. Do you know if Mr. Fuhrmeister is still

7 living?

8 A. The last I heard, he was, but that doesn't--

9 Q. I understand.

10 A. That's not recent.

11 Q. How about Mr. Landwehr?

12 A. I understand Mr. Landwehr is deceased.

13 Q. Do you know if the Technical Services Group

14 continued in existence after you left as plant

15 manager?

16 A. Yes.

17 Q. Do you recall the names of any subsequent

18 superintendents after you left Anniston?

19 A. Any subsequent who?

20 Q. Superintendents.

21 A. Superintendents?

22 Q. Of the Technical Services Group.

23 A. No.

24 Q. Anyone else who's got a direct report to you

25 as plant manager that we haven't covered? We have two

1 manufacturing superintendents, the personnel
2 superintendent, technical services superintendent--

3 A. I'm trying to recall the name of the
4 maintenance superintendent, and at the moment, I just
5 cannot recall it.

6 MS. LAVEY: Is he waving?

7 MR. NASSIF: Yeah, time to stop the tape.

8 MS. LAVEY: Why don't we take a five-minute
9 break?

10 MR. NASSIF: Okay.

11 MS. LAVEY: At our midway point, here,
12 width.

13 THE VIDEOGRAPHER: This will end tape number
14 1 in the deposition of William B. Papageorge. We're
15 off the record at 2:35 P.M.

16 (Recess.)

17 THE VIDEOGRAPHER: We're back on the record
18 at 2:38 p.m. This is tape number 2 in the deposition
19 of William Papageorge.

20 BY MS. LAVEY:

21 Q. Mr. Papageorge, we were talking through the
22 different organizational positions that had a direct
23 report to you as plant manager in Anniston. I just
24 want to be sure that we ended up covering all of them.
25 There were the two manufacturing superintendents, a

Papageorge, William; McWane (Former Monsanto Employee)

1 personnel superintendent, superintendent of Technical
2 Services, and a maintenance superintendent. Is there
3 any other job responsibility that was a direct report
4 to you?

5 A. Yes, there was a, uh, individual in charge
6 of warehousing, shipping, waste hauling. He was the
7 individual that assisted the Manufacturing Group in
8 areas other than maintenance. I cannot remember his
9 name. The best I remember, it started with an "s."

10 Q. Well, that narrows it down.

11 (Laughter.)

12 A. That narrows it down. Only takes the other--

13 Q. Okay, but that person in that position
14 directly reported to you, as well as--

15 A. Yes.

16 Q. Okay. Do you remember the position that
17 held at any point in time?

18 A. It was the same person--

19 Q. Okay.

20 A. --for years and years.

21 Q. Any other positions that directly reported
22 to you as plant manager?

23 A. Well, there was the part-time plant
24 physician.

25 Q. Okay. Any other positions?

1 A. I can't recall any at the moment.

2 Q. Do you remember any written organizational
3 charts describing the organizational structure at the
4 Anniston Plant?

5 A. Do I recall the organization chart?

6 Q. Were there any written charts?

7 A. I just don't remember seeing one.

8 Q. I'd like to go back and try to get the
9 succession of plant managers in order. They
10 have--obviously, you were plant manager at the
11 Anniston Plant in 1965 through somewhere in late 1969.
12 You indicated earlier you were then replaced by
13 Mr. Jesse.

14 A. Correct.

15 Q. Do you recall who the plant manager was
16 before you?

17 A. John McClain, M-c capital C-l-a-i-n.

18 Q. Do you know if he is still living?

19 A. I do not.

20 Q. Do you recall any plant managers prior to
21 Mr. McClain?

22 A. Yes, I do remember: Desmond Hosmer,
23 D-e-s-m-o-n-d, H-o-s-m-e-r. I don't know the dates,
24 though, just whether Mr. McClain followed him or not,
25 but I know Mr. Hosmer was a plant manager there.

1 Q. Do you know if Mr. Hosmer is still living?

2 MR. NASSIF: He's deceased.

3 MS. LAVEY: Thank you?

4 A. I think he's deceased, yeah. That's why I
5 want to make sure.

6 BY MS. LAVEY:

7 Q. Do you know how long Mr. Jesse was plant
8 manager at Anniston Plant?

9 A. No, I don't. I don't remember.

10 Q. Do you know who became plant manager after
11 Mr. Jesse?

12 A. No.

13 Q. Do you recall any other individuals who had
14 the position as the superintendent of the Technical
15 Services Department other than Mr. Fuhrmeister,
16 Mr. Landwehr?

17 A. That's all I remember.

18 Q. How many people were in the Technical
19 Services Group?

20 A. I don't remember.

21 Q. Could you approximate if it's less than ten,
22 more than 25? Roundabout approximation?

23 A. It's just pure guess.

24 Q. Okay.

25 A. I--

1 Q. Who would have had--did somebody have
2 responsibilities related to environmental matters
3 while you were plant manager?

4 A. Yes, that fell in the domain of
5 Mr. Fuhrmeister, Mr. Landwehr, and they, of course,
6 had individuals reporting to them who followed the
7 details.

8 Q. Do you remember the names of any of those
9 individuals?

10 A. I remember a Gene Cooley. I think he
11 spells it C-double-o-l-e-y, but I'm not certain.

12 Q. Do you remember a Eugene Wright?

13 A. Yes. Eugene Wright followed Mr. Cooley.

14 Q. And Mr. Wright, Mr. Cooley would have
15 reported to September of the Technical Services
16 Department? Is that correct?

17 A. Correct.

18 Q. Do you recall any other individuals with
19 responsibilities relating to environmental matters?

20 A. I recall a Jerome Brown, Jerry Brown, but I
21 don't recall the exact assignment he had, and I recall
22 a individual the last name of Turner who became the
23 analytical chemist on PCBs.

24 Q. I think you mentioned that the--there--did
25 you say that there was a lab, laboratory function

1 within the Technical Services Department?

2 A. Yes.

3 Q. And was there an on-site lab?

4 A. Yes.

5 Q. What was the lab used for?

6 A. Oh, to analyze the finished products or the
7 intermediates, to see that they were ready for further
8 processing. They also analyzed, on occasion, the raw
9 materials that arrived, to see that they met the
10 specifications we asked for.

11 Q. Was there a person responsible overall for
12 the laboratory function?

13 A. Yes, Gerald Miller rings a faint bell. I
14 associate him with the laboratory.

15 Q. I know you said you didn't recall the name
16 of the superintendent of the Maintenance Department.
17 Do you recall the names of any individuals in the
18 Maintenance Department while you were plant manager?

19 A. Not at the moment, no.

20 Q. Do you remember something called the
21 Corporate Development Committee?

22 A. Yes, I remember the title. It was a
23 high-level committee of--containing members of top
24 management in Monsanto.

25 Q. So it was in St. Louis?

1 A. Yes.

2 Q. Do you recall the purpose of the Corporate
3 Development Committee?

4 A. I don't know that I can describe it the way
5 that they would describe it. They--I perceive them as
6 being the top management group that made decisions
7 concerning the corporate aims, objectives,
8 organization, practices. They made all the
9 suggestions that the corporate board of directors
10 would consider and approve, or disapprove, or modify.

11 Q. Were you ever a member of the Corporate
12 Development Committee?

13 A. No.

14 Q. Do you recall any people, any individuals
15 who were a member of the Corporate Development
16 Committee?

17 A. I'd be guessing. That's--

18 Q. Did you ever make any--have any occasion to
19 make any presentations to the Corporate Development
20 Committee, whether in writing or oral?

21 A. I believe, yeah, I was involved, at least
22 one presentation.

23 Q. And what kind of presentation was that?

24 A. This was a presentation relating to the PCB
25 evolving issues, and it would also include

1 recommendations regarding some activities that could
2 take place rather in a hurry, and then it also made
3 recommendations to progress in certain steps that I
4 have forgotten now.

5 Q. Was this a written presentation?

6 A. It was written in that I read from notes,
7 but the audience just received the verbal discussion.

8 Q. Do you remember the time period for this
9 presentation?

10 A. I'm sorry?

11 Q. Do you recall when this presentation was
12 given?

13 A. It was after I was appointed the--with the
14 job title Manager, Environmental Control, so that
15 would have been in 1970.

16 Q. Mr. Papageorge, I'm going to hand you a
17 document that I'll ask the court reporter to mark as
18 Exhibit 2, ask you to take a look at it, take your
19 time, and when you've finished looking it over, tell
20 me whether you recognize it.

21 (Defendant's Exhibit 2

22 marked for

23 identification.)

24 (Witness peruses said

25 document.)

1 MS. LAVEY: While Mr. Papageorge is looking
2 it over, I'll state for the record Exhibit 2 is, has
3 the Bates number range of MONS, M-O-N-S, 035310
4 through 035331.

5 MS. LAVEY: Also for the record, I will note
6 that page 10 of the document appears to be missing, so
7 there is no MONS 035323 in this exhibit.

8 BY MS. LAVEY:

9 Q. Is that a document that you recognize at
10 all, Mr. Papageorge?

11 A. I remember it.

12 Q. Did you prepare this document?

13 A. No.

14 Q. Do you know who did?

15 A. I do not.

16 Q. In what context do you remember seeing it,
17 then?

18 A. I don't remember specifically when I saw it,
19 but I related to the review I made when I was assigned
20 as a Manager, Environmental Control, on the PCB issue,
21 in which I saw other summaries of what was known at
22 the time and what recommendations had been made to the
23 top management. That's what I relate this particular
24 document to.

25 Q. So the, the time frame is when you,

1 yourself, were putting together a presentation, that
2 you came upon this?

3 A. No, it was before I was appointed.

4 Q. Before that? The document that I handed you
5 on the first page says that the rough draft dated
6 November 10, 1969. Do you know if you saw a final?

7 A. I recall seeing a document that summarized
8 what was related to the top management team, but I
9 don't know if that document was the final version of
10 this or whether they contained similar data.

11 Q. I'm only going to ask you to identify some
12 individuals for now. If you could return to the third
13 page of that document, Bates number MONS 035312,
14 you'll see those numbers at the bottom part of the
15 page. This page refers to something called an Ad Hoc
16 Committee, consisting of M. Ferrar, H. Hodges,
17 E. John, W. Richard, and E. Wheeler. Do you know who
18 M. Ferrar is?

19 A. Yes.

20 Q. Who is that?

21 A. He was Director of Research for the
22 Marketing Group referred to as--I think it's mentioned
23 in here as Plasticizer Group? Yes, Plasticizer Group.

24 Q. What is the--what is his first name?

25 A. Martin.

1 Q. Martin? How about P. Hodges? Do you know
2 who that individual is?

3 A. Paul Hodges represented the Organic Division
4 of Monsanto's Manufacturing Group.

5 Q. How about E. John?

6 A. Ed John, public relations.

7 Q. W. Richard?

8 A. William Richard was the Director of Research
9 for the Fluids Group, as distinguished from the
10 Plasticizer Group.

11 Q. And E. Wheeler?

12 A. Elmer Wheeler represented the Corporate
13 Medical Department.

14 Q. Were all these individuals located in
15 St. Louis?

16 A. Yes.

17 Q. Were you familiar with something called the
18 Ad Hoc Committee that this page is referencing? Do
19 you know what committee this is--have you ever heard
20 of this group of people being put together on
21 something called the Ad Hoc Committee?

22 A. That is the Ad Hoc Committee, mm-hmm.

23 Q. Were you ever--did you ever have occasion to
24 make a presentation to this committee regarding the
25 evolving PCB issues?

1 A. Not to this group as an Ad Hoc Committee,
2 no.

3 Q. Did it at some point turn into a different
4 committee?

5 A. The individuals listed were involved in
6 subsequent committees relating to the subject of PCBs,
7 so I did--was able to communicate with them.

8 Q. Do you recall the names of any of those
9 committees, if they had formal names?

10 A. I don't remember. They--I--

11 Q. This is something different than the
12 Corporate Development Committee; correct?

13 A. Correct.

14 Q. You can set that aside. That's all I have
15 on that exhibit for now.

16 I'm also going to hand you an organizational
17 chart that is undated and simply ask if it's something
18 you recognize, if we could mark this as Exhibit 3, as
19 well. For record, it is Bates stamped DSW 001400.

20 (Defendant's Exhibit 3
21 marked for
22 identification.)

23 BY MS. LAVEY:

24 Q. Is that an organizational chart that you've
25 ever seen before?

1 A. I don't recall ever seeing this chart.

2 Q. Looking at it, do you have any way of
3 knowing whether it is for the Anniston Plant or
4 Krummrich Plant?

5 A. I cannot tell.

6 Q. You can put that aside. You had indicated
7 one personnel superintendent's name that you recalled:
8 Jack Aldridge? Is that correct?

9 A. Yes.

10 Q. Do you recall any other personnel
11 superintendents at the Anniston Plant?

12 A. Yes, Thomas Tucker.

13 Q. Was he before, or after Mr. Aldridge?

14 A. After.

15 Q. Do you know when he became the personnel
16 superintendent?

17 A. I'd be guessing.

18 Q. Do you recall any other superintendents of
19 personnel at the Anniston Plant?

20 A. I do not.

21 Q. Is there a corporate-level Environmental
22 Affairs Department at Monsanto in the, let's pick the
23 1960's for now, when you were plant manager. Was
24 there any, any, any corporate-level department in
25 St. Louis that had responsibility for environmental

1 affairs?

2 A. Not to my knowledge.

3 Q. Did there come a point in time when there
4 was an Environmental Affairs Department in Monsanto?

5 A. I don't recall a group specifically
6 appointed and described as an environmental,
7 environmental group. I do recall a vice president
8 having that responsibility at the corporate level.

9 Q. What was that position? Vice president of
10 what?

11 A. Oh, I don't know his total title, but the
12 environment was part of his responsibilities.

13 Q. Who was that individual?

14 A. Monte, M-o-n-t-e, Throdahl, T-h-r-o-d-a-h-l.

15 Q. And what time period was his vice president
16 duties including, inclusive of environmental?

17 A. After 1966, but I don't have any specific
18 year in mind.

19 Q. Was there a vice president prior to that
20 time who had responsibility for environmental?

21 A. Not to my knowledge.

22 Q. Do you know if there was a corporate audit
23 committee? Did you ever hear of an audit committee at
24 the corporate level of Monsanto?

25 A. What types of audits? Financial audits,

1 or--

2 Q. Yes, charged with responsibility for the
3 financial reports, and so forth.

4 A. I'm not familiar with that activity,--

5 Q. Okay.

6 A. --so I can't comment.

7 Q. Was there a particular committee or group of
8 individuals charged with strategic planning at the
9 corporate level?

10 A. Strategic planning: Again, I'm not familiar
11 with that activity.

12 Q. Was there somebody, one or more individuals
13 at Monsanto's headquarters who were charged with the
14 overall responsibilities relating to PCB
15 manufacturing?

16 A. At what point in time?

17 Q. Well, I'll start with the time that you were
18 plant manager. Well, let me back up. PCBs were being
19 manufactured at both the Krummrich and the Anniston
20 Plant. Where I'm trying to get an understanding is
21 whether there was--who were the individuals who were
22 above both plants that had overall responsibilities
23 for the PCB manufacturing operations.

24 A. The manufacturing operation?

25 Q. Yes, sir.

1 A. Of course, the plant managers of the two
2 plants, and the superintendents assigned those
3 products at the plants, they were responsible. The
4 plant managers, of course, are responsible to the
5 Director of Manufacturing, who in turn had a staff
6 assisting him.

7 Q. Okay, that's right, we identified one
8 Director of Manufacturing that you relate earlier now,
9 that I--

10 A. Mr. Hosmer?

11 Q. Mr. Hosmer, correct. Okay. You are right.
12 I apologize. We did go down that road already. Are
13 you familiar with the grievance procedures that were
14 in place at all at the Anniston Plant while you were
15 plant manager?

16 A. You mean grievance from the union work force
17 into management?

18 Q. Yes.

19 A. Yes, I--

20 Q. Can you describe generally how that, how
21 that worked?

22 A. I can't describe the details of how the
23 union handled it, but we, as representing the plant,
24 would receive from the union officials, officers and
25 all, the complaint about an issue. That would, of

1 course, go to the personnel superintendent, the
2 Aldridge and Tom Tucker people. Mr. Aldridge and
3 Mr. Tucker would try to resolve it at that level. If
4 the union was dissatisfied with that, they would ask
5 for a formal grievance meeting at which the person who
6 filed the grievance would be present, along with the
7 rest of the union committee and members of management,
8 the plant manager, the superintendent of personnel,
9 and the superintendent in charge of the activity,
10 maintenance, production, shipping, they would be
11 present in the room, and there would be a discussion
12 on what the issue is, what the problem is, and what
13 was unsatisfactory to the union, and we would try to
14 resolve it then.

15 Q. If it wasn't resolved at that level, was
16 there another step?

17 A. Well, there, there were opportunity, or
18 there was a procedure, if necessary and when
19 necessary, to appoint some individual as an
20 arbitrator, a person outside of the plant, but that
21 never came about while I was there.

22 Q. Do you remember what union was representing
23 the, the plant workers?

24 A. Yeah, the Chemical Workers Local 21.

25 Q. Do you recall the name of the president of

1 that local union during your time as plant manager?

2 A. I don't remember. I know--I can picture
3 him, but I can't--his name escapes me.

4 Q. I want to go back and clarify one thing
5 because I jumped on a name you gave before. The
6 Director of Manufacturing that you had identified
7 earlier was a gentleman named Robert Soden, SOW-den
8 (Phonetic)?

9 A. Oh. Robert Soden, he was way up there at
10 the top, reporting to the vice president of--he was a
11 top person.

12 Q. A few moments ago, when I was trying to
13 remember who the Director of Manufacturing was in
14 St. Louis to whom the plant managers reported,--

15 A. Yeah.

16 Q. --you mentioned Mr. Hosmer. You said
17 earlier Mr. Hosmer is a plant manager--

18 A. Yes.

19 Q. --in the chain of title. Was he also a vice
20 president of manufacturing--

21 A. He was not--

22 Q. --at some point?

23 A. --a vice president --

24 Q. Correct.

25 A. --he was a manufacturing director reporting

1 to Mr. Soden.

2 Q. Oh, he was? Okay. Is this--was this the
3 case at the time when you were plant manager? That
4 Mr. Hosmer was a manufacturing--

5 A. Yes.

6 Q. --director who reported to Mr. Soden?

7 A. Yes.

8 Q. You mentioned Gene Jesse became the plant
9 manager after you left. Had he been at the Anniston
10 Plant while you were plant manager?

11 A. No.

12 Q. Do you know where he came from prior to
13 being employed as plant manager?

14 A. I don't remember.

15 Q. But he was not at the Anniston Plant prior
16 to becoming plant manager?

17 A. That is correct.

18 Q. Do you recall Gene Arnette? Do you remember
19 who that individual is?

20 A. The name I recall, now that you mention it.
21 I, I cannot recall the individual.

22 Q. You mentioned Jerry Brown earlier. Do you
23 recall what his position was at the time when you were
24 plant manager?

25 A. All I recall is that he worked in this

1 Technical Services Department, but that's the best I
2 can do on Jerry.

3 Q. Okay. How about Charles Chatman?

4 A. I don't remember that name.

5 Q. Robert Cheever?

6 A. I don't remember him, hmm-mm.

7 Q. Alan Faust?

8 A. I do not remember him.

9 Q. Some of these people may have been after
10 your time, as well. I don't know the chronology,
11 here. Robert Jones?

12 A. I don't know him.

13 Q. Robert Kaley (Phonetic)?

14 A. Yes, Robert Kaley, I remember him as being
15 in St. Louis, involved with environmental matters. I
16 don't recall specifically having worked very closely
17 with him, but I know that he was involved in--

18 Q. He was not at the Anniston Plant ever, to
19 your knowledge?

20 A. No.

21 Q. How about Tom Lackey?

22 A. Tom Lackey: I don't remember him.

23 Q. William Taffy?

24 A. William Taffy I remember, yes.

25 Q. Who was he?

1 A. He was at the Anniston Plant. He had
2 several different types of assignments in
3 manufacturing and in Technical Services. At this
4 point in time, I don't remember just when and
5 specifically what those assignments were.

6 Q. He did not directly report to you?

7 A. No.

8 Q. So he was never the director or the
9 superintendent of Technical Services?

10 A. No.

11 Q. Eugene Wright we mentioned earlier as
12 someone who had some environmental responsibilities
13 within the Technical Services Group? Is that correct?

14 A. Yes.

15 Q. During the time frame that you were plant
16 manager at Anniston--I know this is a broad question,
17 and I want to try to narrow it in, but I have to start
18 broad. Can you tell us what the products or
19 byproducts were that you were producing at the
20 Anniston Plant that contained PCBs during that
21 five-year period that you were plant manager?

22 A. The products that were PCBs sold by Monsanto
23 went under the trade name Aroclors with a four-digit
24 number. The Aroclor 1200 group were the PCB groups.
25 There was 1221 which was a monochlor, not a polychlor.

1 Q. So that means one chlorine--

2 A. Mono is one chlorine per the double biphenyl
3 structure. There was 1242, and a blend of 21 and 42
4 was sold as 1232. 1248, 1254, 1260, and 1268. The
5 last two digits of all of those four-digit numbers
6 represent the percent of chlorine in the total
7 mixture, derived by an old, I'm going to call it
8 old-fashioned method of analysis that determined
9 chlorine without exotic instruments.

10 Q. So all of those 1200 series were all sold
11 under the name Aroclors; correct?

12 A. Correct.

13 Q. And those Aroclors are all 100 percent PCBs,
14 rather than a PCB blend?

15 A. I am confused by the use of the word
16 "blend."

17 Q. It probably means I got it wrong. That's
18 okay. There, is there--was there not a category of
19 products that were referred to as Aroclor blends, or
20 does that phrase not mean anything to you?

21 A. Well, like I said, the 1232 was a blend
22 mixing 1221, which is the monochlor, with the 1242.
23 That's the only one I'm personally familiar with as
24 being a deliberate blend of two separate products.

25 Q. Is the--was the--when you arrived in 1965,

1 was the Aroclor production facility located at one
2 part of the plant separate from the non-PCB
3 production?

4 A. Well, it's separate, but then they're all
5 neighbors of each other in a way. There's usually a,
6 I'm going to call it a road between, to allow forklift
7 trucks and other vehicles to traverse around a
8 facility, so in a way, it was a little bit of an
9 island with roadways around each production unit.

10 Q. What, what were the non-PCB products that
11 were being produced at the Anniston Plant when you
12 were plant manager?

13 A. Well, there was biphenyl, chlorine,
14 hydrogenated biphenyl, and the boll weevil
15 insecticides I mentioned earlier, phosphorus
16 pentasulfide, terphenyls, chlorinated terphenyls.

17 Q. What's the difference between the biphenyls
18 and the terphenyls, chemically?

19 A. The benzene ring is represented graphically
20 as a hexagon-shaped configuration. Two of them make
21 biphenyl. Each one is called a phenyl. Two of them
22 are the biphenyl, three of them are the terphenyls.

23 Q. Were the chlorinated terphenyls made in a
24 different location than the chlorinated biphenyls?

25 A. Yes, a separate group of pots and pans, so

1 to speak.

2 Q. Okay, any other non-PCB-based products that
3 you can think of while you were plant manager?

4 A. I can't think of any right now, but I
5 suspect I may have missed some.

6 Q. You mentioned biphenyls. Were the biphenyls
7 sold as a finished product to anyone else, or were
8 they all used as an intermediary to produce the
9 hydrogenated--you mentioned hydrogenated--hydrogenated
10 (sic) biphenyls and the PCBs? In other words, was the
11 biphenyl all used internally?

12 A. Yes.

13 Q. Would the--the phrase "Aroclor facility,"
14 would that refer, if it refers to anything, just to
15 the PCB manufacturing, or does it encompass the
16 biphenyl production area, as well?

17 A. The term "Aroclor facility" was generally
18 used--there's no official definition written down
19 anywhere, but generally used to describe those pieces
20 of equipment as a group that made either the chlor--
21 Aroclor 1200 series, which is the biphenyls, or the
22 Aroclor 5000 series, which is the chlorinated
23 terphenyls. They were both loosely referred to as
24 Aroclor facilities.

25 Q. Were biphenyls manufactured at Anniston and

1 used at the Krummrich Plant, to your knowledge?

2 A. I'm not aware of any shipment of biphenyl
3 going to Krummrich Plant. I don't recall any.

4 Q. Are there any other Aroclor series besides
5 the 1200s and the 5000s?

6 A. Well, there's one that was a 4452, which was
7 a blend of one of the terphenyls--I don't remember
8 exactly which one--along with Aroclor 1242.

9 Q. What does "Therminol" refer to?

10 A. Therminol is a trade name to describe a PCB
11 that is used to transfer heat in a manufacturing
12 process.

13 Q. Was that manufactured at the Anniston Plant,
14 Therminols?

15 A. Well, the, the ingredient, chlorinated
16 diphenyl, was. I'm not aware of any other plant being
17 involved with those drums that were labeled Therminol,
18 containing the chlorinated biphenyl.

19 Q. Was Therminol a trade name of Monsanto's or
20 of another company?

21 A. It's Monsanto's trade name.

22 Q. Is there any difference between diphenyls
23 and biphenyls?

24 A. No, not really.

25 Q. What does Santovac--

1 A. I'm sorry?

2 Q. Santovac, S-a-n-t-o-v-a-c.

3 A. Santovac. Oh.

4 Q. What does that refer to?

5 A. It's a hydraulic fluid used to operate
6 vacuum pumps.

7 Q. Is that a Monsanto trade name?

8 A. Yes.

9 Q. Was that manufactured at Anniston?

10 A. I don't--I don't remember which plant
11 packaged it and sold it. Hmm-mm.

12 Q. Do you recall which Aroclor series
13 were--makes up Santovac?

14 A. I do not.

15 Q. What does Pydraul refer to, P-y-d-r-a-u-l?

16 A. Pydraul is a Monsanto trademark, trade name
17 for liquids used in hydraulic-operated equipment.

18 Q. Was that manufactured at Anniston?

19 A. No.

20 Q. Do you know what its composition was?

21 A. I do not remember.

22 Q. What does "Pyranols" refer to?

23 A. Pyranol is a General Electric trade name for
24 a liquid used in General Electric capacitors or
25 transformers.

1 Q. Was Pyranol packaged at the Anniston Plant--

2 A. No.

3 Q. --under the name "Pyranol"?

4 A. No.

5 Q. What is Montar?

6 A. Montar is a byproduct of the manufacture of
7 chlorinated biphenyls. It's really what is left over
8 after they distill off the usable liquid, and at the
9 bottom of the pot, so to speak, there is this thick
10 residue that looks very much like road asphalt, black
11 tar, and it was used in several applications by
12 several customers.

13 Q. What applications are you aware of that
14 Montar was used for?

15 A. I'm only aware of paving applications, but--

16 Q. Did the Anniston Plant use Montar for paving
17 within the plant?

18 A. No.

19 Q. Are you familiar with the term "lampblack"?

20 A. The term "lampblack"? Well, I've read and
21 seen the word in print, but--

22 Q. Do you know what lampblack is?

23 A. To me, it's the carbon that is obtained when
24 a flame is produced and all of its carbon is not
25 consumed but emitted as a byproduct of the flame.

1 Q. Are you familiar with the term "lampblack"
2 in connection with the production operations at
3 Anniston?

4 A. No.

5 Q. Or a byproduct or product called Lampblack
6 Number 2?

7 A. I never heard that.

8 Q. What is Santowax?

9 A. Santowax?

10 Q. Wax.

11 A. I'm familiar with the term, but I do not
12 know what it's made with or from.

13 Q. How about the term "Santocel,"
14 S-a-n-t-o-c-e-l?

15 A. I've never heard that before.

16 Q. I'm going to hand you a document and ask if
17 this helps you recall the term "lampblack" if we could
18 mark this as Exhibit, Defendant's Exhibit Number 4.
19 Thank you. It's Bates number DSW 173620.

20 (Defendant's Exhibit 4
21 marked for
22 identification.)

23 BY MS. LAVEY:

24 Q. (Continuing) Take a moment to look at that
25 document, Mr. Papageorge.

1 (Witness peruses said?
2 document.)

3 A. I have read the document.

4 Q. Okay. That's your name at the bottom of the
5 letter; correct?

6 A. Yes.

7 Q. Do you recall writing the letter?

8 A. No, I don't.

9 Q. Does it help you refresh your memory at all
10 as to Lampblacks as a Monsanto product?

11 A. Not really, but that's what it says.

12 Q. You can set that aside for now?

13 MS. LAVEY: Can we can we go off the record
14 for a second?

15 THE VIDEOGRAPHER: Off the record at 3:48
16 P.M.

17 (Discussion off the
18 record.)

19 MS. LAVEY: We'll mark this as Exhibit 5.
20 We can go back on.

21 THE VIDEOGRAPHER: We're back on the record
22 at 3:50 P.M.

23 BY MS. LAVEY:

24 Q. Again, I'm going to ask you to take a look
25 at a series of letters. I'm not going to ask about

1 the content particularly, just at the moment, to see
2 whether or not that refreshes your recollection at all
3 about the product series referred to as Santocels if
4 we could mark that as Exhibit 5, please.

5 (Defendant's Exhibit 5
6 marked for
7 identification.)

8 (Witness peruses said
9 document.)

10 MS. LAVEY: For the record, the--what's been
11 marked as Exhibit 5 is a collection of different pages
12 with the following Bates numbers, DSW 173352, DSW
13 173720, DSW 173555, DSW 173331, and DSW 173740.

14 BY MS. LAVEY:

15 Q. Mr. Papageorge, does that cause you to
16 recall at all anything about the product Santocel and
17 whether or not it was manufactured in Anniston?

18 A. It does recall the presence of Santocel, but
19 I don't recall Santocel with Anniston. I'm having
20 difficulty remembering where it was manufactured in
21 Monsanto.

22 Q. Okay, but right now, you don't think it was
23 manufactured at Anniston, as far as you recall?

24 A. As far as I recall, it was not.

25 Q. Other than the Montar, are there any other

1 byproducts of the chlorinated biphenyl production
2 process that were sold to customers?

3 A. Not that I know of.

4 Q. How about muriatic acid, or hydrochloric
5 acid?

6 A. Yes. There was acid as a, as a byproduct,
7 yes.

8 Q. Was that marketed under any particular trade
9 name that you recall?

10 A. No, just "muriatic acid."

11 Q. Do you recall how many people worked at the
12 Anniston Plant while you were plant manager?

13 A. I have numbers that I associate with the
14 plant. They, they're not exact to the perfect single
15 individual, but when I arrived, it was 150 employees.
16 When I left, there were 350.

17 Q. What was the cause for such a dramatic
18 increase in the number of employees?

19 MR. NASSIF: I'll object to the form. Go
20 ahead, Bill.

21 THE WITNESS: I'm sorry?

22 MR. NASSIF: I objected to the form.

23 THE WITNESS: To the form.

24 A. Well, it's a result of increased production
25 on the existing products, the introduction of new

1 products such as if one I mentioned earlier,
2 phosphorus pentasulfide, the increase in technical
3 personnel that were hired. That's it.

4 BY MS. LAVEY:

5 Q. What was, if you can, when you arrived
6 at--in 1965 with approximately 150 employees, what was
7 the ratio between salaried versus hourly, if you
8 recall?

9 A. I just don't remember that.

10 Q. Any clearer idea when it had increased to
11 350, what the ratio was between hourly and salaried?

12 A. No. No, I don't.

13 Q. How many employees of the 150 were
14 associated with the biphenyl Aroclor production area?

15 A. I don't, I don't know that I ever knew.

16 Q. When you first arrived, as I understood it,
17 there is the biphenyl and Aroclor production
18 operations, there is also a pesticide formulation
19 area, as well. Do you know approximately the split in
20 personnel between those two production process areas?

21 A. No. No, I didn't. Hmm-mm.

22 Q. What was the primary source of power to the
23 Anniston Plant during the 1965 to '69 time frame when
24 you were plant manager?

25 A. Electrical power?

1 Q. Yes, sir.

2 A. Alabama Power Company.

3 Q. Did they have a substation within your,
4 within your plant?

5 A. They had a facility. I don't know if they
6 called it a substation, but there was a distribution
7 system adjacent to the Anniston Plant.

8 Q. Putting aside the biphenyls, the terphenyls,
9 chlorinated biphenyls, chlorinated terphenyls, is the
10 only other product category being made at Anniston the
11 pesticide formulations?

12 A. Well, we hydrogenated biphenyls.

13 Q. What was hydrogenated biphenyls used for?
14 Do you know the primary application?

15 A. I don't recall. I just associate H--it's HB
16 40.

17 Q. HB 40?

18 A. Hydrogenated biphenyls. I associate that as
19 a plasticizer, and as I remember, the best of my
20 memory, it was an ingredient in carbonless copy paper
21 application.

22 Q. Do you recall the trade names of the
23 pesticides that were being formulated at Anniston?

24 A. I'm sorry?

25 Q. The trade names of the pesticides that were

1 being formulated or manufactured at the Anniston Plant
2 while you were there as plant manager.

3 A. There were two common terms, parathion and
4 malathion.

5 Q. Is that M-a-l-a--

6 A. M-a-l-a-t-h-i-o-n.

7 Q. Okay. Was lead used in any way as a raw
8 material, an additive, or catalyst in the production
9 of pesticides at the Anniston Plant?

10 A. Not to my knowledge.

11 Q. Before I forget to ask this, when you were
12 the plant manager in Anniston, where did you live?

13 A. Where did I live? Well, there's a route
14 called Tenth Street, up Tenth Street Mountain.

15 Q. On the east side of town?

16 A. I think it is. I'm kind of disoriented,
17 but--

18 Q. I'll help you out. Do you recall your
19 street address? Do you recall the street address on
20 Tenth Street?

21 A. Street address: Try Crestview Road, and I
22 think it was 612, but it's been thirty years since I
23 tried to remember it.

24 Q. I'm going to ask you if you can locate it on
25 the map. If you can't do that on the map, that's

1 fine. We'll give it a shot.

2 MR. NASSIF: Watch yourself. You're plugged
3 in.

4 MS. LAVEY: Thank you.

5 MR. NASSIF: That's all right. I was going
6 to attempt to raise it as an objection but I didn't
7 know how to phrase it. Objection to your blouse being
8 torn by the microphone.

9 MS. LAVEY: There you go.

10 (Witness peruses said
11 document.)

12 A. I think I have found Crestview Road.

13 BY MS. LAVEY:

14 Q. Did you live at the Crestview Road address
15 the entire time that you were plant manager?

16 A. Yes.

17 Q. I'm going to ask you to circle, and then
18 we'll mark it as an exhibit so we don't lose track.
19 If you could, circle the general location where you
20 lived while you were plant manager for me, please.

21 (Witness complies.)

22 A. Somewhere in that area.

23 MS. LAVEY: Okay. We should mark this as
24 Exhibit 6. 7? 6.

25 (Defendant's Exhibit 6

1 marked for
2 identification.)

3 BY MS. LAVEY:

4 Q. Mr. Papageorge, I'm going to hand you a
5 drawing and ask you to take a few minutes to locate
6 the Monsanto facility on it and let me know if it
7 looks familiar to you, and I'd like to mark that as
8 Exhibit 7.

9 (Defendant's Exhibit 7
10 marked for
11 identification.)

12 MS. LAVEY: Just for identification purposes
13 and the record, this is a drawing with a label on it
14 that's not Bates numbered, labeled from the Sanborn
15 Library, has a year of 1967 written on the Sanborn
16 Library's marking.

17 (Witness peruses said
18 document.)

19 BY MS. LAVEY:

20 Q. (Continuing) Have you found Monsanto on
21 there? It's labeled down in the southeast corner, to
22 help you out:

23 (Witness continues to peruse
24 said document.)

25 Q. (Continuing) I realize it's extremely hard

1 to read, and I'm only going to talk general layout,
2 not tiny writing.

3 A. Yeah, other than the notes on this map
4 referring to Monsanto Chemical Company, I find nothing
5 to help me orient myself, street names, and so on. I
6 see Adams, but I don't associate that with Monsanto.
7 First Avenue. I'm looking for Clydesdale. I see the
8 reference to Alabama Power.

9 Q. Do you see in the very--if it's okay with
10 Mr. Nassif if I point him to one part--

11 MR. NASSIF: Sure.

12 BY MS. LAVEY:

13 Q. --of the map, see if this helps. If it
14 doesn't, then we'll be done, but down here--I don't
15 know if you can read that writing--I'm reading the
16 word "Aroclor." I don't know if that gets you
17 bearings for the Aroclor facility or not, absent
18 street names. Ultimately, what I want to ask you,
19 whether the layout is familiar to you and--in terms of
20 the area up here and this area down here (Indicating),
21 and if it's no, it's no.

22 (Witness peruses said
23 document.)

24 A. Well, I do see the reference to Aroclor. I
25 have a hard time relating to the word "development

1 building" and the reference to a pilot plant and
2 reference to sodium phosphorus building.

3 Q. Okay.

4 A. Those are strange to me. I've never heard
5 of those before.

6 Q. Okay. We can--

7 A. I have a hard time relating to the plant as
8 I knew it,--

9 Q. That's fine.

10 A. --other than the word "Aroclor."

11 Q. The only one I could come up with, so if
12 it's not helpful, it's not helpful. That's okay.

13 THE VIDEOGRAPHER: This will end tape number
14 2 in the deposition of William B. Papageorge. We're
15 off the record at 4:09 P.M.

16 (Recess.)

17 THE VIDEOGRAPHER: Back on the record at
18 4:18 P.M. This begins tape number 3 in the deposition
19 of William Papageorge.

20 BY MS. LAVEY:

21 Q. Can you describe generally the production
22 process for the phosphorus pentasulfide, the raw
23 materials that went into that process and how it was
24 manufactured?

25 A. I just don't remember.

1 Q. Do you remember what the raw materials were?

2 A. No, I don't.

3 Q. Where in the plant was that manufactured?

4 A. I don't know how to describe it. It was as
5 I looked toward the parathion producing unit, it was
6 off to the right and toward the parathion unit, and
7 I'm standing probably at the Aroclor producing unit,
8 looking toward the parathion unit.

9 Q. Is the Aroclor producing unit in the
10 southern portion of the facility and the parathion is
11 to the north? Or maybe--

12 A. Well,--

13 Q. --I'll ask you the question. What's the
14 layout?

15 A. --I never did orient myself geographically,
16 north, east, south, west. It's just "up there" kind
17 of thing.

18 Q. Up is often north.

19 A. Yeah.

20 Q. Okay. So--

21 A. I just don't remember the raw materials or
22 the--

23 Q. Is it--was it in a separate building or
24 collection of buildings from the parathion or the
25 Aroclor producing units?

1 A. Actually, there were no buildings. These
2 were open structures.

3 Q. This was true for all of the processes at
4 the Anniston Plant, or you are just speaking of the
5 phosphorus pentasulfide?

6 A. I think it's true for all of the
7 manufacturing processes, they were open structures
8 except for enclosed rooms that contained the
9 instruments to control the process, and restrooms, and
10 other than that, the chemicals were produced out in
11 the open.

12 Q. When was--when did production begin for
13 phosphorus pentasulfide?

14 A. About the middle of my tenure there. I
15 don't recall the exact date.

16 Q. Was it still being manufactured when you
17 left at the end of 1969?

18 A. Yes.

19 Q. Do you recall what its primary use or
20 application was?

21 A. It was the ingredient, it was an ingredient
22 used in parathion production.

23 Q. Was the phosphorus pentasulfide produced at
24 Anniston used solely in the parathion production or
25 was it sold to third parties, as well?

1 A. As best I remember, it was used solely in
2 the production of parathion.

3 Q. Was the--so the Aroclor-producing unit, as
4 well, was in an open-type structure?

5 A. Yes.

6 Q. Rather than an enclosed building?

7 A. Yes.

8 Q. Was there a roof over the overall production
9 area?

10 A. Yes.

11 Q. But no walls?

12 A. Correct, except for, like I said, the
13 selected areas, instrument room, and so on.

14 Q. What was the floor? Was it dirt, or
15 concrete, or, or what?

16 A. The first floor?

17 Q. Yes, sir.

18 A. Well, the floor inside the manmade structure
19 was concrete. Now, the area around it was the
20 original soil, dirt, dirt, grass, gravel, so on.

21 Q. During the time that you were plant manager,
22 do you recall whether the plant roads within the plant
23 were paved or unpaved?

24 A. To the best of my memory, they were paved,
25 and I hesitated because there were some routes that

1 trucks took to perform some special function that were
2 not paved, just one- or two-time-a-year use; easement,
3 so to speak.

4 Q. What was the--when you went--when you were
5 plant manager at Anniston, off of what road was the
6 main entrance for the Anniston Plant?

7 A. I think it was Clydesdale.

8 Q. Do you recall a time period when Route 202
9 was relocated?

10 A. Do I recall a time? That implies I was
11 there when it was done.

12 Q. I don't think you were.

13 A. No.

14 Q. It's a question of whether you had any
15 knowledge of 202 being relocated after you left and
16 returned to St. Louis.

17 A. Yes, I was aware of this new road which
18 disoriented me initially. When I went--

19 Q. It still disorients me.

20 A. When I went back to visit and saw that road,
21 it was new to me, and after subsequent visits, of
22 course, I expected it; it was there.

23 Q. Did the Monsanto property go all the way
24 down to the original, the original 202 prior to the
25 relocation?

1 A. I don't know that I understand your
2 question.

3 Q. Did the property line butt up against the
4 old 202, Old Highway 202?

5 A. I'm confused, because I never thought of an
6 "Old 202."

7 Q. Old Birmingham Highway?

8 A. Hmm?

9 Q. The Birmingham Highway.

10 A. Birmingham Highway was 78 to me.

11 Q. Okay. That's okay, wait.

12 (Pause.)

13 MS. LAVEY: As it is now. No, we'll come
14 back.

15 BY MS. LAVEY:

16 Q. Do you remember when--you mentioned you had
17 heard the 202 had relocated, had moved and it threw
18 you off when you came back to Anniston. Do you know
19 if Route 202 cut off Monsanto's property, cut across
20 its property?

21 A. The 202 cutting across?

22 Q. Yes.

23 A. Yes, I understand that, mm-hmm.

24 Q. That there is Monsanto property on the other
25 side of 202?

1 A. On both, yeah, on both sides.

2 Q. On both sides?

3 A. Mm-hmm. (Nods head in affirmative manner).

4 Q. Okay. Were you involved, are you aware of
5 any issues in connection with that relocation project
6 of 202?

7 A. No.

8 Q. Okay. When you went, became plant manager
9 at Anniston, you mentioned you sort of learned on the
10 job, rather than formal training in terms of the
11 production processes in Anniston. Were all those
12 production processes new to you, or had you been
13 familiar with them at Krummrich?

14 A. They were new to me, all of them.

15 Q. How did you go about the task, then, of
16 understanding the biphenyl and Aroclor production
17 area?

18 A. I don't know that I remember specifics, but
19 I do recall being escorted by the supervisor and--
20 superintendent of manufacturing and the supervisor,
21 and they'd point to a, a tank, or a pipeline and say
22 "This does this, and here's where we add this," and
23 take me through the department, take me to the
24 instrument room and show me, "Now, this instrument
25 tells us this," and I, I didn't learn everything the

1 first trip. It took subsequent trips to--and then I
2 reached the point where I understood enough about the
3 process where I could talk with the operators, and
4 they gave me lot of the details, what buttons they
5 pushed, and what valves they turned, and this is sort
6 of the way I went about learning it. There was no
7 sit-down, formal session.

8 Q. Did you have occasion to study the, the
9 history of the Anniston Plant and its operations prior
10 to your time as plant manager?

11 A. To a degree; not totally. I didn't go back
12 all the way to the pre-Swan Chemical Company era.

13 Q. I'm going to hand you a document and ask you
14 to take a look at it, see whether it's a document
15 you've seen before, in which case I'll ask you to
16 identify it. We'll mark this as Exhibit Number 8,
17 please.

18 (Defendant's Exhibit 8

19 marked for

20 identification.)

21 (Witness peruses said

22 document.)

23 MS. LAHEY: For the record, this is--this
24 document has Bates numbered DSW 088087 through DSW
25 088092. It is not dated.

1 (Witness continues to
2 peruse exhibit.)

3 BY MS. LAVEY:

4 Q. (Continuing) Is that a document you have
5 ever seen before?

6 A. I have not seen it before.

7 Q. Have you read similar-type histories of the
8 Anniston Plant historic operations?

9 A. I don't recall seeing any.

10 Q. Okay. Can you think of any former, any
11 former employees who would have knowledge about the
12 production processes prior to 1965, the not--I'm
13 sorry, let me rephrase that: The historic operations
14 that did not relate to biphenyls and PCB production
15 but more the former phosphorus, the inorganic
16 activities that took place at Anniston?

17 A. I just don't recall any individual that fits
18 that, that description.

19 Q. Do you have any understanding as to where
20 the inorganic production processes once took place at
21 the Anniston Plant?

22 A. No. I have no--

23 Q. The inorganic, maybe I have this wrong, but
24 the inorganics were no longer being manufactured by
25 the time you came in 1965; correct?

1 A. That's true.

2 Q. Only the organics, the biphenyls,
3 chlorinated or the parathion, and so forth?

4 A. Yeah, which became agriculture, mm-hmm.

5 Q. Right. Okay. In addition to Robert Moody
6 that you identified as one of your manufacturing
7 superintendents, thinking about the part of the plant
8 that he's responsible for, which as I understood was
9 everything except the insecticide, parathion
10 production area, do you recall the individuals that
11 then worked beneath him? I don't know if "supervisor"
12 is the right word or "foreman." I'm trying to get a
13 handle on the organizational structure beneath him,
14 within his area of responsibility.

15 A. I know Mr. Moody was replaced. I recall
16 that, but I don't recall the individual that replaced
17 him, and I don't recall the other members in
18 manufacturing. At this moment, I just--

19 Q. How many shifts were operating in the
20 biphenyl and Aroclor area? How many--is it three
21 shifts, 24 hours a day, or--

22 A. Yeah, 24, seven days a week, three shifts a
23 day.

24 Q. Three shifts a day? Were they manufacturing
25 during each of the three shifts? They were producing

1 during each of those three shifts?

2 A. Oh, yes.

3 Q. Okay.

4 A. Mm-hmm.

5 Q. And is that true throughout the time frame
6 that you were plant manager?

7 A. Yes.

8 Q. Was there a regular downturn or shutdown
9 period for scheduled maintenance that occurred on a
10 regular basis?

11 A. Not in these operations, no. They occurred
12 only as needed.

13 Q. Would there have been different foremen for
14 each of the different shifts?

15 A. No, the foremen would be available primarily
16 during the day, but at times, they would come out in
17 the evening shift and the midnight shift. The
18 operations were really run by individuals referred to
19 as chief operators.

20 Q. And would each chief operator then have
21 responsibility for a given part of the production
22 process?

23 A. Yes.

24 Q. Okay. Do you recall the names of any of
25 those chief operators?

1 A. No, I don't, no.

2 Q. You knew I was going to ask that next.

3 (Laughter.)

4 Q. (Continuing) Again, staying with the
5 biphenyl and PCB Aroclor facility, I'm not talking
6 about the parathion area, do you know about how many
7 chief operators there were?

8 A. No, I don't. Hmm-mm.

9 Q. Were there individuals who are referred to
10 as supervisors?

11 A. Yes.

12 Q. It's somebody different than these chief
13 operators?

14 A. Correct.

15 Q. Were they above the chief operator?

16 A. The supervisors were above the foremen, and
17 the foremen were above the chief operators, and the
18 supervisors reported to the manufacturing
19 superintendent.

20 Q. Mr. Moody?

21 A. Mr. Moody and his successor.

22 Q. Okay, but that, that's the area you don't
23 recall any names for, the supervisors, or the
24 foreman's, or the chief operator's?

25 A. No.

1 Q. Okay. Did any of your other family members
2 work at the Monsanto Anniston Plant?

3 A. My family members?

4 Q. Yes.

5 A. No.

6 Q. Did any of your family members work at any
7 of the foundries in Anniston?

8 A. No.

9 Q. Did you have any other family living in the
10 Anniston area other than your own immediate family?

11 A. No.

12 Q. Did you, yourself, use any foundry sand as
13 fill at your residence on Crestview?

14 A. No.

15 Q. Do you recall size of the Maintenance
16 Department while you were plant manager, approximately
17 how many individuals?

18 A. No, I don't.

19 Q. And the name of the superintendent hasn't
20 come to you in the last two hours, has it?

21 A. No, it hasn't.

22 MS. LAHEY: Okay. I'm debating launching
23 into a series of exhibits that will take more time
24 than we have left.

25 MR. NASSIF: How long would it take? Thirty

1 minutes?

2 MS. LAVEY: At least, so we might be better
3 off--yeah, I could cover that. All right, we'll skip
4 over those documents for now.

5 BY MS. LAVEY:

6 Q. Was the Anniston Plant using PCB-containing
7 products in its own--at its own facility?

8 A. The only use that I recall was in electrical
9 distribution transformers and capacitors.

10 Q. And which product was being used in those,
11 in those pieces of equipment?

12 A. It depends on whether it was--where it was
13 purchased, from which manufacturer, and what that
14 manufacturer called the liquid in his product.

15 Q. Do you recall any of the product names
16 specifically?

17 A. Which product? The transformers and
18 capacitors,--

19 Q. Yes, sir.

20 A. --or the fluids?

21 Q. Let's go with the transformers and
22 capacitors.

23 A. Westinghouse, General Electric--whew; I've
24 forgotten the others. Up in New England, there were
25 several capacitor manufacturers.

1 Q. And while you were plant manager, there were
2 transformers and capacitors that contained a PCB-based
3 fluid?

4 A. Correct.

5 Q. Okay. Do you recall--well, how many, how
6 many transformers would you say, if you can, when you
7 were the plant manager, were spread about the Anniston
8 Plant?

9 A. I would be guessing. I don't remember.

10 Q. Same question on capacitors. Do you have
11 any recollection of how many?

12 A. I had no idea. All the fluorescent tubing
13 systems, and--

14 Q. All of the fluorescent--

15 A. Motors.

16 Q. --tubing systems were what?

17 A. They had capacitors--

18 Q. Okay.

19 A. --of the old, the old type, mm-hmm.

20 Q. I'm not familiar with, maybe because it's
21 the old type, I'm not familiar with the use of
22 capacitors in connection with fluorescent tubing.
23 What kind of--can you describe the capacitor? What
24 size are we talking about?

25 A. Well, it's--I don't know how to describe it.

1 They come in different shapes, of course, but inside
2 is a coil, wire, and aluminum, and foil, and it's
3 immersed in a liquid.

4 Q. Is this like an electrical--like an
5 electrical switch?

6 A. Well, in a way, I guess it's a switch,
7 because it stores enough electricity to start, and the
8 current then keeps the light lit, so you need that
9 initial surge of power--

10 Q. How about a--

11 A. --which--

12 Q. --starter? Is a that better phrase for me
13 to use instead of a switch?

14 A. That's a good word, it's a starter.

15 Q. Okay.

16 A. It's--and there are many electric motors
17 that have capacitors that need that initial surge to
18 start it, and then it keeps running on the power
19 being--

20 Q. Would you have these starters all over the
21 plant, or is there a particular area that you are
22 thinking of?

23 A. They're all over the plant, right with the
24 motor or the tubing, the lighting. It's scattered.

25 Q. And connected with each one of these

1 starters is some type of oil contained--oil container?

2 A. No, these are sealed--

3 Q. You had mentioned they were immersed in an

4 oil. That's what I'm trying to get at.

5 A. The coil that is inside the little can, and

6 the can, itself, contains that oil--

7 Q. Okay.

8 A. --and it's sealed, and the only thing that

9 comes out of it are electric connections.

10 Q. Okay, is that oil a PCB oil that you are
11 referring to?

12 A. PCB mixture.

13 Q. Okay. Is there a particular product name
14 associated with that, that use of PCB mixture?

15 A. Well, the product that these electrical
16 equipment manufacturers call it, Inerteen, Pyranol,
17 they all had their, their names for these things.

18 Q. Is there a particular 1200 series Aroclor
19 that would be associated with this particular use?

20 A. It was primarily twelve forty--Aroclor 1242.

21 Q. How about the transformers? Is there--what
22 Aroclor 1200 series would that be, typically, if you
23 know? This is at the Anniston Plant.

24 A. 1254 is the more common. Some of them used
25 to be, but they would eventually change, 1248s.

1 Q. Do you know whether there came a point in
2 time where the Anniston Plant began a program to
3 change out its PCB-containing transformers to non-PCB?

4 A. I'm not familiar with that, that type of
5 phaseout program.

6 Q. Who had the responsibility for maintaining
7 the transformers and capacitors at the Anniston Plant?
8 Is that a separate department?

9 A. It's the Maintenance Department.

10 Q. Was there an area within the plant where
11 transformers and capacitors were stored for use later?

12 A. I'm certain that there was, there was no
13 storage of transformers. My hesitation has to do with
14 the possibility that capacitors, being small as they
15 are, could be in a Maintenance Department cabinet, or
16 box, or on the shelf.

17 Q. Were there large capacitors, as well? Banks
18 of capacitors?

19 A. I'm not aware of any banks of capacitors.
20 Some of them are about the size of that water bottle,
21 and others are about the size of this switch, here.

22 MR. NASSIF: For the record, Mr. Papageorge
23 was referring to the switch on the microphone which is
24 approximately two inches long and a half inch high.

25 BY MS. LAVEY:

1 Q. Was there hydraulic equipment at the plant?

2 A. I'm sorry?

3 Q. Was there hydraulic equipment at the

4 Anniston Plant?

5 A. Yes, I'm aware of compressors, air
6 compressors. That's all that comes to mind right now,
7 but--

8 Q. Do you know if any hydraulic equipment was
9 using a PCB-based fluid?

10 A. Any who? I'm sorry.

11 Q. Any of the hydraulic equipment, whether it
12 was using a PCB-based fluid.

13 A. Yes.

14 Q. The air compressors you were--

15 A. Yes.

16 Q. --you are referring to?

17 A. That's the one I have in mind.

18 Q. Where were the air compressors located?

19 A. I don't recall the specific applications.

20 Q. Were there occasions where there would be
21 leaks from the hydraulic equipment, where the
22 hydraulic fluid would, would leak out?

23 A. I never saw any.

24 Q. If there were any leaks, who would have the
25 responsibility for addressing that?

1 A. Of course, the user, the production
2 management would be closest to it, and if there was a
3 leak, they would contact the Maintenance Department to
4 send over the proper type of mechanic to handle it,
5 whether it was a pipe leak, or an electrical leak, or
6 whatever.

7 Q. Were there--was there any other use of a
8 heat, heat transfer fluids at the Anniston Plant?

9 A. Not that I know of.

10 Q. Any other use of any PCB, liquid or solid,
11 other than transformers, capacitors, the switches we
12 talked about, and hydraulic equipment such as air
13 compressors?

14 A. I can't think of anymore.

15 MS. LAHEY: I think this is probably a good
16 break point before we pick up tomorrow.

17 MR. NASSIF: Okay. You guys want to start
18 at 8:30 tomorrow.

19 MS. LAHEY: That's up to you.

20 MR. NASSIF: Is that all right?

21 MR. TAYLOR: It's fine with me.

22 MR. NASSIF: What about for your court
23 reporters? Can you start at 8:30?

24 THE COURT REPORTER: Tell us when, we'll be
25 here 30 minutes early.

1 MR. NASSIF: Yeah, start at 8:30 and then--

2 MS. LAVEY: Is the receptionist here, he can
3 get in at 8:00 o'clock?

4 MR. NASSIF: Oh, yeah. Yeah, there'll be
5 somebody here.

6 MS. LAVEY: Raakhee, are you on the phone?
7 Are we off the record now?

8 THE VIDEOGRAPHER: We can go off the record
9 now.

10 MS. LAVEY: We can be off the record.

11 THE VIDEOGRAPER: This will end today's
12 session of deposition of William Papageorge. We're
13 off the record at 4:53 P.M.

14 (Whereupon, at 4:53 P.M., the
15 deposition was recessed to the
16 following day.)

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1 COMES NOW THE WITNESS, WILLIAM B. PAPAGEORGE,
2 and having read the foregoing transcript of the
3 deposition taken on the 30th day of August, 2004,
4 acknowledges by signature hereto that it is a true and
5 accurate transcript of the testimony given on the date
6 hereinabove mentioned.

7
8
9
10 WILLIAM B. PAPAGEORGE

11
12 Subscribed and sworn to me before this
13 day of , 2004.

14
15 My Commission expires: .

16
17
18
19 Notary Public

20
21
22
23 jj

1 State of Missouri)

2) SS.

3 City of St. Louis)

4 I, J. Bryan Jordan, a Notary Public in
5 and for the State of Missouri, duly commissioned,
6 qualified and authorized to administer oaths and to
7 certify to depositions, do hereby certify that
8 pursuant to Notice in the civil cause now pending and
9 undetermined in the In the United States District
10 Court For the Northern District of Alabama, to be used
11 in the trial of said cause in said court, I was
12 attended at the offices of Husch & Eppenberger, LLC,
13 in the County of St. Louis, State of Missouri, by the
14 aforesaid witness and by the aforesaid attorneys, on
15 the 13th day of September, 2004.

16 The said witness, being of sound mind
17 and being by me first carefully examined and duly
18 cautioned and sworn to testify the truth, the whole
19 truth, and nothing but the truth in the case
20 aforesaid, thereupon testified as is shown in the
21 foregoing transcript, said testimony being by me
22 reported in shorthand and caused to be transcribed
23 into typewriting, and that the foregoing pages
24 correctly set forth the testimony of the
25 aforementioned witness, together with the questions

1 propounded by counsel and remarks and objections of
2 counsel thereto, and is in all respects a full, true,
3 correct and complete transcript of the questions
4 propounded to and the answers given by said witness;
5 that signature of the deponent was not waived by
6 agreement of counsel.

7 I further certify that I am not of
8 counsel or attorney for either of the parties to said
9 suit, not related to nor interested in any of the
10 parties or their attorneys.

11 Witness my hand and notarial seal at
12 St. Louis, Missouri, this 13th day of September, 2004.

13
14
15 J. Bryan Jordan

16 Certified Court Reporter No. 00532

17 State of Missouri

18 My License expires: January 1, 2005
19
20
21
22
23
24

1 COURT MEMO

2 IN THE UNITED STATES DISTRICT COURT

3 FOR THE NORTHERN DISTRICT OF ALABAMA

4 MAGISTRATE JUDGE GREEN

5
6 Solutia, et al.,

7 Plaintiffs

8 vs. Case No. CV-03-PWG-134-E.

9 McWane, et al.,

10 Defendants.

11
12 CERTIFICATE OF OFFICER AND

13 STATEMENT OF DEPOSITION CHARGES

14 Rule 57.03 (g) (2) (a) & Sec. 492.590 RSMO 1985)

15
16 VIDEOTAPED DEPOSITION OF WILLIAM B. PAPAGEORGE, VOLUME

17 1, TAKEN ON BEHALF OF DEFENDANTS, AUGUST 30, 2004

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17
18 IN WITNESS WHEREOF, I have hereunto set my hand and
19 seal this 13th day of September, 2004.

20
21 _____
22 J. Bryan Jordan

23 Notary Public State of Missouri

24 (St. Louis City)

25 My Commission expires January 14, 2007

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