

Page 89

1 request for the report. Thank you.
 2 Q. Did I ask you what your
 3 conclusion was in the Celotex case?
 4 A. I think I offered it.
 5 Q. That's right, the trust rather
 6 than have the plaintiff's attorneys run the
 7 company.
 8 A. That's right.
 9 Q. How long did you do research in
 10 order to come up with this conclusion opinion?
 11 A. I think something in the order of
 12 four to five months.
 13 Q. Was that part-time, full-time?
 14 A. It was part-time by me, but it
 15 was also full-time with one of my post-docs who
 16 helped me with it. And did a lot of collection
 17 of materials that we discussed.
 18 Q. Did it take a four or five-month
 19 period of time for him, this post-doc, to
 20 collect the material and then you studied it
 21 and wrote your report or were you studying the
 22 entire time, the entire four or five months?
 23 A. We were doing it together the
 24 entire time. What took the time was to
 25 acquaint us with this literature. I didn't

Page 91

1 upon what I've done in the management school in
 2 evaluating cases.
 3 Q. It had nothing to do with
 4 asbestos?
 5 A. No. I'm just implying that there
 6 was a continuation of my relationship with the
 7 firm.
 8 Q. I understand. We won't inquire
 9 about that.
 10 The Celotex case, how much were
 11 you paid?
 12 A. I think the total was something
 13 on the order of \$40,000.
 14 Q. When you say the total, what do
 15 you mean?
 16 A. That is, I recall because there
 17 was not a payment along the way. I recall a
 18 check for something like \$40,000 times, at that
 19 time, it was \$300 or \$325 per hour.
 20 Q. Your research assistant was paid
 21 separately?
 22 A. Yes.
 23 Q. Do you know how much the research
 24 assistant's bill was?
 25 A. I think about \$18,000.

Page 90

1 take me much time to have a view about the
 2 representation of interest, but I couldn't
 3 apply it unless I acquired the information
 4 about this particular industry that I didn't
 5 have before, which is what I've been valiantly
 6 trying to convey. I don't want to misrepresent
 7 what I knew when.
 8 Q. I understand. You're not
 9 well, this report in the Celotex
 10 case, has it been published anywhere?
 11 A. No, it was just offered to the
 12 court and became the basis for my second expert
 13 witness experience with McCracken, which just
 14 ended this last month.
 15 Q. Is that the boilermaker case?
 16 A. No, no, the boilermaker case is
 17 the tobacco case. The new one that I just
 18 ended is a quite different subject. It has to
 19 do with the evaluation of a claim about a
 20 contract dispute with a camp at Cabrini College
 21 in Philadelphia.
 22 The same sort of issues of who
 23 the representation of the truth of the matter
 24 came up as well as an evaluation of the
 25 particular enterprise, and for that I've relied

Page 92

1 Q. When was this?
 2 A. 1996, February 1996 is when we, I
 3 think, submitted the report.
 4 Q. So February of 1996 is when you
 5 were first acquainted with the general
 6 literature regarding asbestos disease?
 7 A. Not in February. By February.
 8 Q. By February.
 9 A. By February, I had become much
 10 more acquainted with the literature on asbestos
 11 because of this assignment.
 12 Q. And four or five months prior to
 13 that you began becoming acquainted?
 14 A. Much more acquainted. To be
 15 fair, I was not completely ignorant of it, but
 16 I was not well acquainted with the industry,
 17 its characteristics, the nature of the product
 18 and the nature of the claims made about
 19 specific diseases.
 20 Q. The boilermaker case, tell me
 21 about your report and how it related to
 22 asbestos.
 23 A. It relates to asbestos in the
 24 following indirect way. The claim made in the
 25 boilermaker's case was that American workers