

1 is all genetic related disease.

2 Q You don't think there was any industrially
3 acquired porphyria?

4 A Yes, sir.

5 Q Do you think there's such a thing as an
6 intoxication porphyria?

7 A Yes, sir.

8 Q That's not genetic, is it?

9 A No, sir.

10 Q Doctor, isn't hepatic porphyria a liver disease?

11 A No, sir.

12 Q What is it, Doctor?

13 A It's an enzymatic defect.

14 Q And associated with what organ?

15 A With the liver.

16 Q Doctor, that's what I'm talking about.

17 A If you look at that liver under a microscope
18 you won't see any damage.

19 Q Doctor, there doesn't have to be damage to
20 have a disease process associated with hepatic. What does
21 it mean when you say hepatic?

22 MR. HEINEMAN: Objection, your Honor. He just
23 made a scientific statement and did not ask the doctor
24 whether he agreed with it, or disagreed with it. I move

that it be stricken.

1 THE COURT: I think you'll have to include it
2 in the question.

3 MR. CARR: I don't know the scientific statement
4 that I made, your Honor.

5 THE COURT: Could you read back that question,
6 please.

7
8 (Question read.)
9

10 THE COURT: Could you restate that question
11 for me?

12 Q (By Mr. Carr) No. Your lawyer objected to
13 it.

14 MR. HEINEMAN: The Court ordered --

15 MR. CARR: Well, I'll restate it.

16 Q (By Mr. Carr) Doctor, what is a hepatic
17 disease?
18

19 MR. HEINEMAN: Well, objection, your Honor.
20 That leaves out --

21 MR. CARR: Then read the question again to him.

22
23 (Question read.)
24

1 THE WITNESS: In order to have a disease, you
2 have to have some pathology associated with it. But it's
3 also true that genetic disease, such as hepatic porphyria,
4 and it is genetic, and it also can be environmentally
5 related, doesn't have to have pathology to have genetic --
6 to have an enzymatic block.

7 Q (By Mr. Carr) And it is a malfunctioning
8 liver, isn't it, sir?

9 A Yes, sir.

10 Q That's exactly what we're talking about, isn't
11 it, sir, chronic hepatic porphyria?

12 A Yes, sir.

13 Q Is a liver disease, isn't it, sir?

14 A Yes, sir.

15 Q Doctor, you said it wasn't. You understand
16 that it is, isn't it, Doctor?

17 A I was talking about pathology versus genetic
18 disease, yes, sir.

19 Q Doctor, I'm not talking about genetic disease
20 either. I'm talking about intoxication porphyria.

21 A Yes, sir.

22 Q And you do know that that can occur, don't you,
23 Doctor?

24 A Yes, sir.

1 Q And that's what they are talking about here,
2 aren't they, sir?

3 A Yes, sir.

4 Q Sir?

5 A Yes, sir.

6 Q And they say it is important that hepatic
7 function continue to be examined in further studies, don't
8 they, sir?

9 A Yes. But that's unrelated to the porphyria.

10 Q Doctor, porphyria is a hepatic toxic result, is
11 it not, or can be?

12 A Yes, sir.

13 Q Then they are talking about porphyria, path
14 to toxic effect can be porphyria, can it not, sir?

15 A Yes, sir.

16 Q Then they are talking possibly about porphyria,
17 aren't they, sir?

18 A It's possible.

19 Q And they put that table in there showing the
20 normal Copro/Uro ratio in reporting on chronic hepatic
21 porphyria.

22 A Yes, sir.

23 Q In liver disease?

24 A Yes, sir.

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Q Aren't they, sir?

A Yes, sir.

Q And they are suggesting that this liver disease, chronic hepatic porphyria, can possibly be caused by TCDD, aren't they, sir?

A Yes, sir.

Q Now, Doctor, you have exhibits -- Monsanto Exhibit 909 there, or does Counsel have them? Would you put a Plaintiff's sticker on Monsanto Exhibit 909 please.

(Plaintiff's Exhibit 1524 was marked for identification by the court reporter.)

MR. CARR: Your Honor, I'll offer into evidence Plaintiff's Exhibit 1524, which has been previously marked Defendant's Exhibit 909.

THE COURT: Any objection?

MR. HEINEMAN: No, we have no objection, Your Honor.

THE COURT: So admitted.

MR. CARR: So that we can recognize what I'm passing to the jury, would you mark this Exhibit 1524-A please.

1 (Plaintiff's Exhibit 1524-A was marked
2 for identification by the court reporter.)

3
4 Q (By Mr. Carr) Doctor, handing you 1524-A, if
5 you would compare that to 1524, and acknowledge that it
6 represents certain pages taken from 1524.

7 A Yes, sir.

8 MR. CARR: I offer 1524-A as well, your Honor.
9 And permission to pass it to the jury.

10 THE COURT: Okay. It's part of an admitted
11 exhibit. You may pass it to the jury.

12 MR. HEINEMAN: Your Honor, my copy doesn't have
13 a number on the third page. Are those consecutively
14 numbered?

15 MR. CARR: I don't know, counsel. I'll compare.
16 I think they are. Yes. That's 228.

17 THE COURT: Mr. Carr, before you get into this
18 article, is this a good point for a short break?

19 MR. CARR: Sure, your Honor.

20 THE COURT: Ladies and gentlemen, we'll take a
21 short break at this time. And I would remind you that the
22 admonishments that I've given you earlier will apply during
23 this break also. The Court is in recess.

24 (Short recess.)

1 (The following proceedings were had in the
2 presence and hearing of the jury:)

3 THE COURT: Okay. Mr. Carr.

4 Q (By Mr. Carr) Doctor, before I get into that
5 exhibit I just handed you, I'd like to ask you one addition-
6 al question about the Missouri Health Study from Exhibit
7 55. Directing your attention again to Page Roman Numeral
8 IV of that Exhibit.

9 A Yes, sir.

10 Q You said that when I read the statements to
11 you that all appropriate efforts need be made to prevent
12 human exposure, you said in passing that they no longer
13 believed that. They said that in '83, but that it wasn't
14 true today. Did you not, sir?

15 A Yes, sir.

16 Q Has the Missouri Division of Health and Centers
17 for Disease Control published another study in which they
18 have retracted that statement and said that that isn't the
19 truth?

20 A CDC has.

21 Q What have they published, sir, to say that triple
22 efforts need -- do not need to be made to prevent human
23 exposure?

24 A They say if the amount of dioxin in the soil

1 is less than one -- if 2,3,7,8 tetrachlorodibenzo-para-
2 dioxin in the soil is less than one part per billion, then
3 there is no hazard.

4 Q Doctor, that Study that you're talking about,
5 the CDC statement that was published before 1983, not
6 since.

7 A I thought it was in 1984.

8 Q Doctor, the statement is contained in this
9 document that the exposure, that it's not safe to be
10 exposed to anything that's equal to or greater than one
11 part per billion.

12 A Yes, sir.

13 Q That's CDC's statement.

14 A Yes, sir.

15 Q Doctor, that statement is not the equivalent
16 to saying that appropriate efforts need to be made to
17 prevent human exposure to TCDD because of the latency period
18 of health effects --

19 A No, sir.

20 Q -- is it, sir?

21 A No, sir.

22 Q And, Doctor, this statement that I read to you
23 that health effects could occur with a latency period
24 exceeding the time from initial exposure to examination

1 in this study, for this reason all appropriate efforts
2 need to be made to prevent human exposure. That statement
3 has never been retracted or contradicted by the CDC, has
4 it, sir, or by the Missouri Division of Health?

5 A No, sir.

6 Q Thank you, sir. And when you made that earlier
7 statement, you were confused about what I was asking you,
8 I take it?

9 A No, sir. I just think it's inconsistent.

10 Q Doctor, but you didn't say that. You said
11 that they no longer believed that. You told this jury
12 that the CDC and the Missouri Division of Health no longer
13 believed that this statement was true, that efforts need
14 to be made to prevent human exposure. Now that's what
15 you told us, sir.

16 A Yes, sir.

17 Q But that statement wasn't correct, sir.

18 A I think it was correct.

19 Q Well, Doctor, you just got through saying they
20 have never contradicted or retracted this statement,
21 didn't you?

22 A That's right.

23 Q And you knew at the time you made the statement
24 that they had never contradicted or retracted that statement.

1 A Yes, sir.

2 Q You knew that, didn't you?

3 A Yes, sir.

4 Q Now, Doctor, as you remember saying that at
5 this point in time, is that an effort on your part or is
6 this accidental on your part to mislead us as to what the
7 Missouri Division of Health and the CDC has said on that
8 point?

9 MR. HEINEMAN: Objection, your Honor. The
10 witness just said that he thought the CDC paper was
11 published in 1984.

12 MR. CARR: It wouldn't make any difference if
13 it was published in 1985. The witness said that they no
14 longer believed this. The witness has read this. They're
15 talking about one part per billion greater than or less
16 than in the soil throughout this document. It uses the
17 statement --

18 THE COURT: The objection is overruled. Answer
19 the question, please, Doctor.

20 THE WITNESS: I thought it wasn't a part of
21 this.

22 Q (By Mr. Carr) Well, Doctor, that would make
23 no difference whether it was a part of this, or not a part
24 of this. You have absolutely no knowledge of any statement

1 that the Missouri Division of Health, or the CDC has ever
2 said where they retracted a statement where appropriate
3 efforts need to be made to prevent human exposure to
4 TCDD because of a possible health effects in a latency
5 period.

6 A No, sir.

7 Q Now, Doctor, was your statement that -- well,
8 nevermind. Doctor, from your viewpoint, just suppose
9 hypothetically that only one scientist has ever said
10 that there could be any possible latency period or any
11 possible harm from being exposed to 2,3,7,8 TCDD. Just
12 suppose that. We don't have the body of evidence that we
13 have, and all these studies have been going on for all
14 these years, no animal studies. Wouldn't it be wise if
15 you could avoid it, wouldn't it be wise, and wouldn't it
16 be healthy and safe to avoid exposure to 2,3,7,8 TCDD
17 wherever you could avoid it? Wouldn't that be wise?

18 A Yes, sir.

19 Q Even if there was only one person that said
20 it could be dangerous?

21 A Without other information?

22 Q Yes. Wouldn't it be wise?

23 A That's the only information you have?

24 Q Yes.

1 A Yes, sir.

2 Q Now, Doctor, directing your attention to
3 Monsanto Exhibit 909 and Plaintiff's Exhibit 1524-A,
4 which we have given you now, that is the exhibit that you
5 brought up --by you, I mean you and Mr. Heineman -- to
6 show the source of Exhibit 1267-A, is it not, sir?

7 A Yes, sir.

8 Q And that Table is contained in this exhibit,
9 but on the last page of the exhibit I've given the jury,
10 that is Page 229, is it not, sir?

11 A Yes, sir.

12 Q You've gone through that already. But I want
13 to direct your attention to Page 227, the second --

14 A Yes, sir.

15 Q So as to bring a point in on the chloracne
16 coming with exposure and/or other effects. Do you see the
17 last paragraph on Page 227.

18 A Yes, sir.

19 Q It's that part of it dealing with Toxic Effects
20 in Humans.

21 A Yes, sir.

22 Q It discusses three scientists who were all
23 three who were self-exposed to 2,3,7,8. Do you see that,
24 sir?

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A Yes, sir.

Q Now of those three, all of whom were exposed to 2,3,7,8 two developed chloracne eight weeks after exposure. Do you see that, sir?

A Yes, sir.

Q The third one showed no evidence at all.

A Yes, sir.

Q Do you see that, sir?

A Yes, sir.

Q Now, all three of these scientists were exposed, but only two came up with chloracne.

A Yes, sir.

Q And you accept that as true, don't you, sir?

A Yes, sir.

Q Doctor, if you'll go on to read there, there were delayed symptoms that the document that you have brought up here says were probably due to 2,3,7,8 approximately two years later. Do you see that, sir?

A Yes, sir.

Q The exposure in our case here was in '79. If 2,3,7,8 TCDD does have a latency, and a lay period, you could start seeing some results in the people of Sturgeon in 1981, couldn't you, sir?

A Yes, sir.

1 Q And here these scientists, the second two
2 scientists, that would include the one that did not get
3 chloracne, would it not, sir --

4 A Yes, sir.

5 Q -- showed personality changes, loss of energy
6 and drive, impairment of vision, taste, and muscular
7 coordination, sleep disturbances, gastrointestinal symp-
8 toms, and hirsutism. Now the first of the three experienced
9 none of these adverse effects.

10 A Yes, sir.

11 Q Now, the first one had chloracne, but nothing
12 else, according to this paper; isn't that correct, sir?

13 A Yes, sir.

14 Q The second one had chloracne, and all these
15 other symptoms three years later -- two years later, I'm
16 sorry. So he got chloracne and everything else. The
17 third scientist had no chloracne, and all these other
18 symptoms. All these other problems two years later. Do
19 you see that, sir?

20 A Yes, sir.

21 Q Now, Doctor, isn't that strong evidence that you
22 can have exposure to 2,3,7,8 TCDD, get chloracne in some
23 persons, and some persons because of their genetic make-
24 up, not get chloracne and other persons because of their

1 genetic make-up, and in some persons get chloracne and the
2 other things too? You can get chloracne and nothing else.
3 You can get chloracne and everything else. You can get
4 no chloracne and everything else. Isn't that what this
5 shows, Doctor?

6 A No, sir.

7 Q Doctor, doesn't this -- isn't this what it
8 says, even though it may not show it to you? Doesn't it
9 say the first scientist got chloracne?

10 A Yes, sir.

11 Q But he didn't get anything else, did he, sir?

12 A Yes, sir.

13 Q The second scientist got chloracne, didn't he,
14 sir?

15 A Yes, sir.

16 Q Two years later he got all these other problems
17 as well, didn't he?

18 A Yes,

19 Q The third scientist didn't get chloracne at all,
20 did he, sir?

21 A That's right.

22 Q But two years later he got everything else,
23 didn't he, sir?

24 A Yes, sir.

1 Q Now doesn't that show, Doctor, that there can
2 be a varied response to the exposure to 2,3,7,8 TCDD?

3 A That's one possibility.

4 Q That's all I'm asking. It does show that,
5 doesn't it, sir?

6 A No, sir, it doesn't show that.

7 Q Doctor, are there any words that I've left out
8 here that these scientists put in there?

9 A No, sir.

10 Q Have I read it fairly?

11 A Yes, sir.

12 Q And have I interpreted fairly? These
13 scientists all three have these kind of findings, didn't
14 they, sir?

15 A Yes, sir.

16 Q And doesn't it then show that there can be
17 varied effects to exposure to dioxin, to 2,3,7,8 TCDD?

18 A Depending on the dose.

19 Q Well, Doctor, they had, according to this
20 document, they all were working with the same stuff.
21 They're not talking about dose, are they, sir? You see
22 nothing in here that says it depends on the dose. Do you
23 see that? Did I misread that?

24 A No, sir. No, sir.

1 Q I didn't leave that out, did I, sir?

2 A No, sir.

3 Q They don't say anything about this depending
4 on the dose, do they, sir?

5 A They don't even discuss the dose.

6 Q That's exactly correct.

7 A That's right.

8 Q They don't discuss the dose, do they, sir?

9 A No, sir.

10 Q This shows by itself, without any other
11 evidence, without any other knowledge, on the face of
12 this, it shows that you can indeed have varied responses
13 to exposure to dioxin, doesn't it, sir?

14 A Yes, sir.

15 Q And, Doctor, the man that got everything else,
16 but not chloracne, now according to your earlier hypothesis,
17 if he doesn't get chloracne, he's not going to get
18 anything else. Do you recall that being your testimony?

19 A Yes, sir.

20 Q Now, this man didn't get chloracne, did he,
21 sir?

22 A No, sir.

23 Q But he did get everything else, didn't he?

24 A He got the same as the other men, yes, sir.

1 Q Doesn't that indicate, Doctor, that you can
2 get everything else without getting chloracne?

3 A Yes, sir.

4 Q Thank you, Doctor. Now, Doctor, this article
5 also in the table on Page 229, it has certain citations
6 there, references for the findings on this table, doesn't
7 it, sir?

8 A Yes, sir.

9 Q All right. And it goes through -- talks about
10 all the possible places that people can get exposure to
11 dioxin, doesn't it, sir?

12 A Yes, sir.

13 Q And it talks about in the second column there
14 that a potential source of human exposure has been
15 another, an additional potential source of human exposure
16 has been revealed, beef fat taken from cattle raised on
17 what kind of treated grain, Doctor? 2,4,5-T, isn't it,
18 sir?

19 A Yes, sir.

20 Q And, Doctor, the women living in these areas
21 had breast milk samples that contained one part per
22 trillion of 2,3,7,8, didn't they, sir?

23 A Yes, sir.

24 Q And the Yusho Study that is also -- that I

1 mentioned earlier -- also discussed in this column, isn't
2 it, sir?

3 A Yes, sir.

4 Q Twelve hundred percent in Japan were contami-
5 nated with this thing that contains -- I don't know
6 whether it mentions -- it mentions 2,3,7,8 tetrachlori-
7 nated dibenzofurans, but it does not mention 2,3,7,8
8 TCDD, does it, sir?

9 A No, sir.

10 Q Doctor, one citation it makes under the -- in
11 the Table for porphyria cutanea tarda deals with the
12 industrially acquired porphyria. Could you turn to the --
13 you have the complete exhibit, and look at Citation 27,
14 the porphyria citation.

15 A Yes, sir.

16 Q And 27 is the Bleiberg Article on Industrially
17 Acquired porphyria?

18 A Yes, sir.

19 Q Do you recognize that as being Plaintiff's
20 Exhibit 1445, which we discussed?

21 A Yes, sir.

22 Q Sir?

23 A Yes, sir.

24 Q And 1445 is a discussion of the people who were

1 exposed to 2,4,5-T and 2,4,5-trichlorophenol, and only
2 part of them got acne, chloracne, whereas a large number
3 got porphyria. Do you recall that, sir?

4 A Yes, sir.

5 Q And that again indicates that you can have an
6 effect other than chloracne from dioxin exposure, doesn't
7 it, sir?

8 A No, sir.

9 Q Doctor, if it doesn't show it, didn't you just
10 say that it does show that you can get other things without
11 getting chloracne?

12 A Yes, sir.

13 Q Then you do agree that it does show that you
14 can get other things without getting chloracne, don't
15 you, sir?

16 A Are you talking about --

17 MR. HEINEMAN: I'm confused, your Honor. Let
18 me object to the form of the question. What are we
19 talking about, the Bleiberg Article?

20 MR. CARR: This article, 1445.

21 THE WITNESS: What's that?

22 THE COURT: Objection -- I don't think it was
23 confusing. The objection was overruled. You may continue
24 with your question.

1 THE WITNESS: I'm sorry, would you repeat the
2 question now.

3 Q (By Mr. Carr) The article by Bleiberg referred
4 to in the Huff article called Industrially Acquired
5 Porphyria --

6 A Yes, sir.

7 Q -- demonstrates, according to that article,
8 that you can get porphyria without getting chloracne,
9 doesn't it, sir?

10 A Yes, sir.

11 Q Yes. Now, Doctor, do you recall the article,
12 the Dunigan article, written by Dunigan, that Mr. Heineman
13 asked you about?

14 A Yes, sir.

15 Q Monsanto Exhibit 914. That article, Dr. Roush,
16 was not an article dealing with an investigation conducted
17 by the dermatologist Dunigan on his own. What it was,
18 was it not, simply a review article of works and investi-
19 gations done by others?

20 A Yes, sir.

21 Q And in that, Dunigan gave his interpretation
22 of these articles, did he not, sir?

23 A Yes, sir.

24 Q And all he really did was just review these

1 other articles, that contained nothing new, did it, sir?

2 A No, sir.

3 Q And it doesn't show that Dunigan himself ever
4 saw a person exposed to dioxin or ever treated a person
5 exposed to dioxin, does it, sir?

6 A No, sir.

7 Q And different people can interpret the articles
8 that he reviewed in different ways, can they not, sir?

9 A Yes, sir.

10 Q Now, Doctor, I'd like to direct your attention
11 to the Moses-Selikoff Table, if I might. The article
12 if I might, which is Monsanto Exhibit 908. Do you have
13 it, sir?

14 A No, sir. Thank you.

15 Q Now, Doctor, this work that is now called
16 Moses -- this was work that was originally done by Dr.
17 Selikoff, was it not, sir?

18 A I don't think he participated in the study.

19 Q Doctor, you at Monsanto knew that Dr. Selikoff
20 was retained by the Union to do this work, and did this
21 work, and Dr. Moses came in later when Dr. Selikoff was
22 getting ready to retire, and it was referred to in a
23 number of documents in your possession with your signature
24 on it, talking about the Selikoff Study.

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A Yes, sir.

Q Don't you recall that, sir?

A Yes, sir.

Q And he did participate in it, did he not, sir?

A I don't think he participated in the examination at all.

Q Doctor, I didn't ask you about the examination. We're talking about the study. You said he didn't participate in the study.

A He was there and got it started.

Q And as a matter of fact, he is given -- he's one of the authors of this study, isn't he, sir?

A Yes, sir.

Q So why would you tell us he didn't participate when it's on the face of it when he did?

A Because I didn't think he participated in it.

Q Doctor, you had all the documents. I've seen dozens of documents, press releases, everthing else, where you are referring to the Selikoff Study. It was never even called the Moses Study until it got published. You know that, don't you, sir?

A Yes, sir. Yes, sir.

Q Why do you tell us then that you don't think he even participated when you had all these documents in

1 your files that refer to it as the Selikoff Study? I
2 don't comprehend that, Doctor. I don't understand your
3 reasoning.

4 A I didn't think he participated once the study
5 got started. He was responsible -- the Union came to him
6 and asked him if he would do the study, and he agreed to
7 do it. So he got the study started and let Moses do the
8 work then.

9 Q And he participated throughout writing the
10 document and everything else, didn't he, Doctor?

11 A I don't know.

12 Q Doctor, is he listed as an author of it?

13 A Yes, sir.

14 Q All that aside, Doctor, it's really got nothing
15 to do with the question I want to ask you. But this
16 study that has come out here --

17 A Yes, sir.

18 Q -- and that Mr. Heineman asked you about, it
19 does show, does it not, that there can be possible changes
20 in enzymes that can persist for at least ten years after
21 the exposure to the TCDD?

22 A Yes, sir.

23 Q Now that's an important finding, a very impor-
24 tant finding in this study, isn't it, sir?

1 A Yes, sir.

2 Q Because enzymes are very important in how our
3 body operates.

4 A Yes, sir.

5 Q And Dr. Moses-Selikoff found that for as long --
6 and that was -- they were still finding these enzymes
7 abnormalities ten years after the exposure to TCDD,
8 weren't they, sir?

9 A Yes, sir.

10 Q And, Doctor, there was an additional thing that
11 they did, they put a table out on cancer deaths, didn't
12 they, sir?

13 A Yes, sir.

14 Q Now how many -- now to put this in frame of
15 reference, they did not have access to the records at
16 Monsanto, did they, sir, when they made their study?

17 A No, I don't think so.

18 Q Well, you testified here earlier, Doctor, if
19 I can refresh your memory that Monsanto did not cooperate
20 with them, and did not give them any of the Monsanto
21 records. Do you recall that, sir?

22 A We didn't cooperate completely with him. So
23 I am not sure what they meant.

24 Q You didn't cooperate with him at all. You

1 didn't cooperate with him in any way, did you, sir? You
2 were antagonistic to this study, weren't you, sir?

3 A Yes, sir.

4 Q Yes. Now, Doctor, notwithstanding your
5 antagonism to this study, they were, in fact, able to do
6 a cancer death study, weren't they, sir?

7 A Not a death study.

8 Q Oh, I'm sorry. They were able to do a cancer
9 study. They did not do a mortality study.

10 A Yes, sir.

11 Q They were able to do a cancer study?

12 A Yes, sir.

13 Q And, Doctor, they published the table on what
14 they found so far as cancer was concerned, didn't they?

15 A Yes, sir.

16 Q And it's in this report, isn't it?

17 A Yes, sir.

18 Q Would you mark this an exhibit?
19

20 (Plaintiff's Exhibit 1525 was marked
21 for identification by the court reporter.)
22

23 Q (By Mr. Carr) Handing you now what's been
24 marked Plaintiff's Exhibit 1525, I'll ask you if that is

1 Page 172 of the Moses Study?

2 A Yes, sir.

3 MR. CARR: I offer that page into evidence, if
4 it please the Court.

5 MR. HEINEMAN: Your Honor, excuse me. Has 908
6 been admitted in total?

7 THE COURT: Let me check.

8 MR. CARR: I think it has been by agreement of
9 both parties.

10 MR. HEINEMAN: I thought I recalled that, but
11 I wasn't sure.

12 THE COURT: Right, it has been.

13 MR. HEINEMAN: All right.

14 THE COURT: Do you have any objection to this?

15 MR. HEINEMAN: To this page? No, your Honor.

16 THE COURT: Thank you.

17 MR. HEINEMAN: What's the number on it?

18 THE COURT: 1525.

19 MR. HEINEMAN: Thank you.

20 THE COURT: You're welcome. It's admitted by
21 agreement.

22 Q (By Mr. Carr) Doctor, how many cancers does it
23 report?

24 A Fifteen.

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Q Doctor --

A I can't make out this. Let's see.

Q Doctor, you've read this article.

A Yes, sir.

Q And you've had it on your desk for over a year,
a year. It reports on 30 cancers, doesn't it, sir?

A It reports on 30 cancers.

Q Sir?

A Two rows. There's 30 cancers.

Q Yes, indeed, Doctor. And, Doctor, do you see
the Table there that he reported on people that had more
than one cancer.

A Yes, sir.

Q And you can see the Subject Number 25, one
subject had both leukemia and prostate cancer, didn't he,
sir?

A Yes, sir.

Q Does that ring a bell with you, sir?

A Yes, sir.

Q Do you recall that Suskind did not report on
the leukemia and prostate cancer, did he, sir?

A No, sir.

Q And Suskind had the access to all this infor-
mation and it was reported to him on the leukemia and

1 prostate cancer, did he, sir?

2 A No, sir.

3 Q And Suskind had the access to all this infor-
4 mation and it was reported to him on the leukemia and
5 the prostate, wasn't it, sir?

6 A Yes, sir.

7 Q And, Doctor, it was easy for Moses to identify
8 the ones with multiple cancers, wasn't it, sir?

9 A Yes, sir.

10 Q But Dr. Suskind omitted those multiple cancers,
11 didn't he, sir?

12 A It's a different way of reporting.

13 Q Could you answer my question, Doctor.

14 A Yes, sir.

15 Q Now, Doctor, Moses points out clearly and
16 concisely in this article that there's no such thing as
17 an unexposed worker in that plant, doesn't she?

18 A No, sir.

19 Q Turn to Page 170 of the article, Doctor. She
20 puts it in italics, doesn't she? "It is recognized that
21 those without chloracne, but with appropriate work-exposure
22 history, might also have had TCDD exposure and were not
23 therefore "unexposed controls."

24 A Yes, sir.

1 Q So she points that out, doesn't she, sir?

2 A Yes, sir. But I think she says there's a
3 no-exposed group in that plant.

4 Q I'm sorry?

5 A She also says there's a no-exposed group in
6 that population.

7 Q No. What she shows is that there's a no-
8 chloracne group, and she has even -- well, I take that
9 back. She has a table there, the table that you denied
10 the validity of, there were people that had no exposure
11 according to that table, and yet three percent of those
12 people had chloracne, didn't they, sir?

13 A Yes, sir.

14 Q And you equate chloracne with exposure, don't
15 you, sir?

16 A Yes, sir.

17 Q So in all of those groups in the people that
18 as far as they know they were never exposed all the way
19 down to the heavy exposure, exposure, there's chloracne
20 in everybody, isn't there?

21 A Yes, sir.

22 Q And that indicates that, in fact, these people
23 with no exposure, according to your theory, they had
24 enough -- they had a heavy dose of exposure, enough to

1 cause chloracne, didn't they, sir?

2 A No, sir.

3 Q Oh, no? Doctor, chloracne is caused by
4 exposure to dioxin, isn't it, sir?

5 A Yes, sir.

6 Q Sir?

7 A Yes, sir.

8 Q And three percent of these people had chlor-
9 acne, didn't they, sir?

10 A Yes, sir.

11 Q When they said they had no exposure.

12 A Yes, sir.

13 Q And they had to have, in fact, a heavy exposure
14 to cause chloracne, didn't they, sir?

15 A Yes, sir.

16 Q So they had a heavy exposure --

17 A Yes, sir.

18 Q -- to it. Now where did they get that, Doctor?
19 To their knowledge they had no exposure at all, to
20 2,3,7,8 TCDD.

21 A Yes, sir.

22 Q Where did they get it?

23 A She said they had no recall. Their recall
24 was bad.

1 Q Where does she say that, Doctor?

2 A Where she classifies them.

3 Q Where does she say the recall is bad? Where
4 does she say their recall was bad?

5 A Where she classifies that chart.

6 MR. HEINEMAN: I'm sure it's on Page 171,
7 Doctor.

8 THE WITNESS: It says that if the latter figures
9 used to request --

10 Q (By Mr. Carr) Where? Would you point it out to
11 me, Doctor?

12 A Yes, sir. On Page 171.

13 Q And what place?

14 A In the first, second, third -- fourth paragraph
15 in the middle of it. It says, "If the latter figure is
16 used to question the sensitivity of chloracne as an
17 exposure indicator, the 36 percent prevalence of chloracne
18 among those classified as having minimal exposure under-
19 lines the limitations of reliance on recall in assessment
20 of exposure." You can't use their recall as a basis
21 for saying they're exposed or not exposed.

22 Q Well, Doctor, what it means is you can't
23 use the chloracne as the evidence of amount of exposure.
24 The whole thrust of the table is you can be working right

1 next to one another. That's the reason you wouldn't
2 agree that 24 percent of the people could have heavy
3 exposure and yet not get chloracne. The whole thrust
4 of it, Doctor, is that you can get chloracne with very
5 little exposure, and you can not get chloracne with very
6 heavy exposure.

7 A No, sir.

8 Q You don't agree that that table shows that?

9 A No, sir. That's what it says just the opposite.
10 They start out by saying it can also be seen that 36 of
11 those classified not -- not defined as being exposed, as
12 having minimal exposure, had a history of chloracne. What
13 they're saying is you can't tell by history how much
14 exposure they've had. And you have to use -- the reason
15 they went to using chloracne as a measure of exposure
16 because they couldn't measure what their exposure was.

17 Q Now, Doctor, isn't the other thing more likely,
18 and haven't we seen it demonstrated? We know in the
19 case of the three scientists that these people had the
20 same exposure.

21 A No, sir.

22 Q We don't know that?

23 A No, sir. There's no way you can tell --

24 Q Where in do you get from the article they had

1 different exposure?

2 A Because that's the most logical explanation
3 for the difference.

4 Q Doctor, what you're doing again is you're
5 making a deduction from everything goes back to your thesis
6 of chloracne. So all of these people, where the 24
7 percent say they had a heavy exposure, and didn't get
8 chloracne, you're saying they've got bad memory?

9 A No, sir.

10 Q Where these 49 percent had moderate exposure
11 and didn't get chloracne, you say they got bad memory?

12 A No, sir. No, sir. No, sir.

13 Q Then you're saying they had no exposure then.

14 A Yes, sir.

15 Q They said they had a moderate exposure.

16 A Yes, sir.

17 Q So they're either lying or they've got a bad
18 memory, one of the two.

19 A No, sir.

20 Q Well, which is it, Doctor?

21 A They can also have a different -- two men
22 doing the same jobs can have a difference of exposure
23 in multiples of difference and levels of exposure, doing
24 the same job. And one man who is assigned to the plant,

1 and he has to go out and take samples, and the other man
2 sits in the control room all the time, or another man has
3 to go up and clean up a spill --

4 Q Doctor, they're not doing the same job then, are
5 they, sir? They're doing different jobs. They have
6 different job assignments, don't they, sir?

7 A Yes, sir.

8 Q If they're doing those things.

9 A Yes, sir, but --

10 Q If two men were working in the bagging depart-
11 ment, they have the same exposure, don't they, sir?

12 A If they both bag. But if they don't both bag,
13 they don't have the same.

14 Q Doctor, what you're saying is these men either
15 are not intelligent human beings and can't recognize if
16 they're being exposed, or not being exposed, and you're
17 saying that as far as the scientists are concerned,
18 these scientists are concerned, these scientists are not
19 intelligent human beings, they don't know that they had
20 exposure. You're saying that all of these people here
21 just simply don't know the score and you do.

22 A No, sir. All I'm saying is that those work
23 all the time.

24 Q Doctor, you're saying it works all the time,

1 only because of your thesis that chloracne is a result
2 of heavy exposure and automatically if you've got a heavy
3 exposure you're going to get chloracne. That's the only
4 reason you say it works everytime. It's not based on any-
5 thing except that, isn't that correct?

6 A It's based on all --

7 Q Doctor, what else is it based upon?

8 MR. HEINEMAN: Objection. He cut him off and
9 won't let him answer.. He asked him a question and then he
10 won't let him answer it. He cuts him off.

11 THE COURT: Doctor, you may answer the question.

12 THE WITNESS: Pardon?

13 THE COURT: Answer the question.

14 THE WITNESS: There have been at least ten
15 episodes of accidental exposure in the workplace as well
16 as chronic exposure in the workplace in which it's been
17 demonstrated that people who will be exposed to this
18 material, if the exposure goes up, their chloracne goes
19 up. Now -- and if the exposure is high enough, as in
20 the case of our episode in 1949, those who get chloracne,
21 some of those who have chloracne, and only those who've
22 got bad chloracne do they get other effects.

23 Q (By Mr. Carr) Now, Doctor, you're changing
24 the subject again. But what you said was that when those

1 people have chloracne, and get more exposure, they get
2 more chlorance. Doctor, all that proves is is that
3 if you are susceptible to chloracne, if you are one of
4 those persons that get chloracne, when you're exposed to
5 more dioxin, you get more chloracne.

6 A No, sir.

7 Q Doctor, where in have you ever seen a study
8 that has shown that everybody that was exposed to dioxin
9 got chloracne?

10 A No, sir, I don't know that.

11 Q Yes. Now, Doctor, the findings of Moses-
12 Selikoff Study which relates to exposure, you know that
13 the exposure for all of your people that have these
14 cancers, you know that one way or another all of the
15 people were exposed to dioxin. You know that, don't you,
16 sir? Simply because they worked in that plant.

17 A No, sir.

18 Q Doctor, do you recall in 1982 people in
19 Czechoslovakia wanting some information from Monsanto
20 in which they wanted to know a history about the 2,4,5-T
21 production, where it was produced in the plant? Well,
22 you probably don't. Mark this as an exhibit.
23
24

1 (Plaintiff's Exhibit 1526 was marked
2 for identification by the court reporter.)
3

4 Q (By Mr. Carr) Doctor, I'll hand you what's
5 been marked Plaintiff's Exhibit 1526, and ask you if you
6 recognize that as a carbon of the letter written by Dr.
7 Gaffey, with copies to Ford and Dr. Suskind?

8 A Yes, sir.

9 MR. CARR: I offer this exhibit into evidence,
10 if it please the court.

11 THE COURT: Any objection?

12 MR. HEINEMAN: I'm reading it, your Honor.
13 We don't have any objection, Judge.

14 THE COURT: All right. Admitted without
15 objection.

16 Q (By Mr. Carr) Doctor, I want to hand you another
17 exhibit that I want to use with that one. Would you mark
18 this as an exhibit also.
19

20 (Plaintiff's Exhibit 1527 was marked
21 for identification by the court reporter.)
22

23 Q (By Mr. Carr) Doctor, I hand you what's been
24 marked Plaintiff's Exhibit 1527, and ask you if you

1 recognize that as work that was required to do after
2 the EPA found dioxin in the Nitro Plant in 1984.

3 A Yes, sir. Yes, sir.

4 Q Doctor -- I offer 1527, your Honor, into
5 evidence.

6 THE COURT: Any objection to that?

7 MR. HEINEMAN: Well, your Honor, it's a
8 proposed response. Does it say the EPA demanded anything?
9 It doesn't say this was actually sent to the EPA. I
10 object to it for lack of foundation.

11 MR. CARR: I'm not offering it for the
12 purpose of showing any EPA, I'm offering it to show where
13 the contaminated soil was according to Monsanto, and for
14 the map of the charter plant that's attached thereto, and
15 illustrate to the jury just where this TCDD was, and
16 where the work went on.

17 MR. HEINEMAN: Well, your Honor, Mr. Carr has
18 now said three times in a question that the EPA ordered
19 this to be done. I haven't seen a document yet that he's
20 presented that establishes that. So I object to this on
21 lack of foundation.

22 MR. CARR: Well, let me withdraw the words
23 "order," and put it in the framework of request.

24 THE COURT: It's admitted over objection. You 143

1 may proceed.

2 MR. HEINEMAN: May I ask what's being passed
3 to the jury, your Honor.

4 MR. CARR: The last page, Counsel. It should
5 be marked 1527-A.

6
7 (Plaintiff's Exhibits 1527-A and 1527-B were
8 marked for identification by the court
9 reporter.)

10
11 Q (By Mr. Carr) Doctor, do you recognize 1527-A
12 as the last page of 1527?

13 A Yes, sir.

14 Q And Do you recognize 1527-B as a blow-up of
15 1527-A?

16 A Yes, sir.

17 MR. CARR: I offer these two exhibits, if it
18 please the Court.

19 THE COURT: I'll incorporate your prior
20 objections. They're admitted over objection.

21 MR. HEINEMAN: Thank you, your Honor. What
22 about B now? I'm sorry. That's a blow-up of A?

23 MR. CARR: A blow-up of A.

24 Q (By Mr. Carr) Now, Doctor, by reading these

1 two documents together, we can find out just where the
2 2,4,5-trichlorophenol acetic acid was produced at the
3 Nitro Plant, can we not, sir?

4 A I don't know that. But you may be right.

5 Q Well, if you'll look at the 1526, the third
6 page of it, it says "Details of 2,4,5-trichlorophenoxy-
7 acetic acid Production at the Nitro Plant." Do you see
8 that, sir?

9 A Yes, sir.

10 Q And it says, first of all, that when it was
11 started it was actually started to introduce in 1946,
12 wasn't it, sir?

13 A On an experimental basis, yes, sir.

14 Q To see whether or not you could do it, see
15 whether or not it would be worthwhile to do it?

16 A I'm sure that's right.

17 Q In 1946 is when it was started. And you
18 started plant production in October of 1948.

19 A Yes, sir.

20 Q Now, Doctor, it started out the pilot plant
21 at Building 32. Now where is Building 32, sir?

22 A I can't read it on mine. Some are kind of
23 smeared.

24 Q Well, I'll concede I can't read it either. So 145

1 we'll have to forget about Building 32. They started
2 it in B-41. We know where B-41 is, don't we, sir?

3 A Yes, sir.

4 Q I'll put a circle around it right here; correct,
5 sir?

6 A Yes, sir.

7 Q That's B-41. And then they transferred it by
8 pipeline to B-34. And B-34 is -- I had it a moment ago --
9 it's right here below it, isn't it, sir?

10 A Yes, sir.

11 Q And from there it went to B-46.

12 A I think --

13 Q B-46 is right here, is it not, sir?

14 A Yes, sir. I think that's a 4.

15 Q And from there it went to drier trays in B-21,
16 and I had 21 located once upon a time, I thought. But I
17 don't see it now. But I do see it went to Building 16
18 and B-79. B-79 we see as way up here. Don't we, sir?
19 Do you see that, sir?

20 A Yes, sir.

21 Q And then it was taken over to B -- back to
22 B-34, which we previously identified as down here.
23 Correct, sir?

24 A Yes, sir.

1 Q So there is two buildings, three buildings
2 we can't find. B-21, B-46, and B-16; isn't that right,
3 sir?

4 A I think that's right.

5 MR. HEINEMAN: I thought we found 46.

6 MR. CARR: Yes, we do have. I've missed it.

7 Q (By Mr. Carr) Now these are all streets
8 between these various places, aren't they, sir?

9 A Yes, sir.

10 Q And how did they get the material from B-34
11 to B-79? By truck, or automobile, or railroad? These
12 are railroad lines here, are they not, sir?

13 A Yes, sir. They wouldn't use rail line for that.

14 Q I don't think they would either. Well, Doctor,
15 the chart also shows the areas where they found dioxin
16 contamination in 1983.

17 A Yes, sir.

18 Q Sir?

19 A Yes, sir.

20 Q And if you recall, I referred earlier to the
21 section of the rear fence in the south part of the plant.

22 A Yes, sir.

23 Q Let's see. We've got some more buildings to
24 find, first of all. We've got B-51 to find, and B-30 --

1 we found B-34, B-92. Oh, I got the Building 16 that I
2 missed before. That's right here as well. Isn't it, sir?

3 A It looks like a 14 to me.

4 Q It looks like a 16 on mine. Oh, I got 91 too.
5 Or was it 92 that I'm looking for?

6 A 92.

7 Q I'm looking for 92. 91 is here. Doctor, what
8 this chart shows, even without locating these other
9 buildings, is that there was an area of contamination
10 requiring these areas to be paved, some areas to be
11 covered with crushed limestone, some areas to be excavated.

12 A Yes, sir. I'm not sure it was required. But
13 it was initiated. But that's what was planned to do
14 anyway.

15 Q And the area that had to be excavated is right
16 down there at the south area. Do you see that, sir?

17 A Yes, sir.

18 Q It would be right here, would it not?

19 A Yes, sir.

20 Q And this other area here is to be either paved
21 or covered with crushed limestone, all the vacant places
22 between those buildings; isn't that correct, sir?

23 A Yes, sir. Most of that was limestone originally.

24 Q It may have been. But it got contaminated, so 148

1 they needed to cover the limestone that was there because
2 it says area to be covered with crushed limestone,
3 doesn't it, Doctor?

4 A Yes, sir.

5 Q Now, Doctor, the areas where this work is to
6 be done, is all outside, is it not, sir?

7 A Yes, sir.

8 Q And that would indicate, would it not, sir,
9 that dioxin was found in those areas?

10 A Yes, sir.

11 Q And, Doctor, you know that dioxin was found in
12 Building 79 from the wipe samples, you know that, don't
13 you?

14 A Yes, sir.

15 Q And Building 79 is still being used, isn't it,
16 sir?

17 A Yes, sir, I think so.

18 Q What are they doing in 79?

19 A I don't recall.

20 Q I don't intent to make all of the report an
21 exhibit. I'm going to make a part of the Building 79
22 report an exhibit. Counsel can see the entire amount if
23 he wants, the entire file.
24

1 (Plaintiff's Exhibit 1528 was marked
2 for identification by the court reporter.)

3 Q (By Mr. Carr) Handing you now Exhibit 1528,
4 and ask you if you recognize that as the analysis of wipe
5 samples, but without the nanograms. Counsel, let me show
6 you the entire exhibit, if you want the nanograms.
7 That's here. It's everything up to the nanograms. I
8 offer this exhibit, your Honor.

9 THE COURT: Any objection to 1528?

10 MR. HEINEMAN: Your Honor, may Counsel
11 approach the bench for a moment?

12 THE COURT: Sure.

13 (The following proceedings were had at the bench
14 out of the hearing of the jury:)

15 MR. HEINEMAN: Long ago in this case we approach-
16 ed this subject of the relevancy of the Nitro incident,
17 the Nitro people, the 2,4,5-T, and all of that, and its
18 relevancy in the case. We objected to it at that time.

19 THE COURT: Oh, sure, a long time ago.

20 MR. HEINEMAN: And the Court overruled.

21 THE COURT: Right.

22 MR. HEINEMAN: I assume that I don't have to
23 keep making that objection.

24 THE COURT: Oh, no. It was made as a continuing

1 objection.

2 MR. HEINEMAN: We have an objection to every-
3 thing related to Nitro.

4 THE COURT: I believe it was. That's my
5 knowledge.

6 MR. CARR: That's fine with me.

7 THE COURT: I've been treating it as such.

8 MR. HEINEMAN: Fine. I just assumed that I
9 didn't have to keep making that same objection.

10 THE COURT: Not at all.

11 MR. HEINEMAN: With respect to everything
12 relating to Nitro.

13 THE COURT: No, not at all.

14 MR. HEINEMAN: Thank you.

15 (The following proceedings were had in the
16 presence and hearing of the jury:)

17 THE COURT: Do you have any objection to 1528?

18 MR. HEINEMAN: No other objection, your Honor.

19 THE COURT: Fine. It's admitted.

20 Q (By Mr. Carr) Doctor, if you'll turn to Table
21 1-A, which is the page that has number C11280 in the
22 right-hand corner.

23 A Yes, sir.

24 Q You'll see that they took sweepings from the 151

1 dry end of the east door from a screen.

2 A Yes, sir.

3 Q From a screen boxtop, and the base of the
4 stairs, and the middle section of the south door, middle
5 section of the northwest corner in the dust collector,
6 from a stacker, from all kinds of places around that
7 building, didn't they, sir?

8 A Does it say which building?

9 Q Building 79-

10 MR. HEINEMAN: Where does it say that?

11 MR. CARR: If you'll look at the bottom of the
12 page numbered C11278, one sample B-79. If you will look
13 at the second to last page of the exhibit that I've given
14 you, you'll see B-79, B-79, all of those things are
15 described as B-79. The analysis requests. Do you see
16 that, Counsel?

17 THE WITNESS: I see it on that page, and on the
18 other page. But I don't see it on Table 1-A.

19 MR. CARR: Do you see the same thing being
20 described there, don't you, Counsel? This all deals with
21 wipe samples in B-79, Building 79.

22 MR. HEINEMAN: Some of them look the same.

23 MR. CARR: They're all the same exhibit. You
24 do see those references to Building 79 in this exhibit,

1 don't you, Dr. Roush? If you'll turn to the analysis
2 request, you see all the 16 samples taken, all referring
3 to Building 79, isn't it, Dr. Roush?

4 A Yes, sir.

5 Q (By Mr. Carr) Now, Doctor, referring to the
6 findings, they find that these various places from these
7 sweepings, 4.68 parts per billion, 15.55 parts per
8 billion, 1.99 parts per billion, 3.87 parts per billion,
9 8.24 parts per billion, 13.56 parts per billion, 12.51
10 parts per billion, 97.74 parts per billion, 6.72 parts per
11 billion, 3.05 parts per billion, and 11.82 parts per
12 billion. Do you not see that, sir?

13 A Yes, sir.

14 MR. HEINEMAN: Which page are you talking
15 about?

16 MR. CARR: Table 1-A, Counsel.

17 MR. HEINEMAN: Where's the 11.82?

18 MR. CARR: On the next page. Table 1-A
19 continues.

20 MR. HEINEMAN: And four non-detected, correct?

21 MR. CARR: I'm interested, Counsel, in showing
22 the TCDD that was there to expose the people in Building
23 79. These sweepings were taken in 1984. Thirteen years --

24 MR. HEINEMAN: You weren't interested in showing

1 the TCDD that was not there.

2 MR. CARR: Of course not, Counsel. What I'm
3 interested in doing is showing that these people were
4 exposed to TCDD, so why would I care about showing where
5 it's not there? I'm proving an affirmative, Counsel, not
6 a negative.

7 THE COURT: Mr. Carr, you may proceed.

8 MR. CARR: Thank you, your Honor.

9 Q (By Mr. Carr) Doctor, you see that all that
10 dioxin detected in the sweepings in all parts of this
11 building, do you not, sir?

12 A Yes, sir.

13 Q Everyplace they look, there's one, two, three,
14 four exceptions, they found dioxin, didn't they, sir?

15 A Yes, sir.

16 Q And whoever was in those buildings from the
17 time they started using it in 1948, or up until 1984 was
18 exposed to the dioxin in that building, were they not, sir?

19 MR. HEINEMAN: Objection, your Honor. It
20 assumes that Building 79 was in existence all that time.
21 I don't think that's been established. I don't know if this
22 witness even knows.

23 THE COURT: Objection is overruled.

24 Q (By Mr. Carr) Isn't that correct, Doctor?

1 A I'm not sure how long Building 79 was there.

2 Q Whatever time it was there, Doctor, the people
3 working in that building up to September 1984 at least
4 were exposed to the dioxin there, weren't they?

5 A Yes, sir.

6 Q Sir?

7 A Yes, sir.

8 Q That wasn't just in the corners, it was all over
9 the building, wasn't it, sir? There were only four places
10 they looked where they didn't find it. They found it
11 everywhere, didn't they, Doctor?

12 A No, sir.

13 Q Everywhere -- well, where didn't they find it?
14 Read the four -- four places where they didn't find it.

15 A They were trying to look and find it.

16 Q Excuse me, Doctor, they took samples from all
17 16 places and they didn't find it in only four of the 16;
18 isn't that correct, sir?

19 A Yes, sir. Yes, sir.

20 Q And the people that were in that -- that were in
21 that building all during the time it was being used to
22 manufacture 2,4,5-T, and thereafter, whatever purpose it
23 might have been put to, were exposed to the TCDD in that
24 building, were they not, sir?

1 A I don't know what you mean by exposed.

2 Q Doctor, you do know what I mean by exposed.
3 You know exactly what I mean by exposed. An opportunity
4 for the dioxin to get on them, be ingested, inhaled, come
5 through their skin, however. You know there was an
6 opportunity for the dioxin to get in them and poison them.
7 That's what I mean by exposed.

8 A There was an opportunity for exposure.

9 MR. CARR: Your Honor, I'm after 4:00, and it
10 is Friday.

11 THE COURT: Okay. Ladies and gentlemen, we'll
12 break for the day at this point in time. We'll resume
13 again at 9:00 Monday. I would remind you, since this is
14 an over night break, besides your regular admonishments,
15 that you're not to read, listen to, or watch anything
16 about this case in particular, or the subject matter in
17 general in any of the media. Thank you for your attention
18 and cooperation and patience this week. We'll see you
19 Monday.

20 Court is adjourned. Have a good weekend.

21 (Court adjourned.)
22
23
24

1 STATE OF ILLINOIS)
2 TWENTIETH JUDICIAL CIRCUIT) SS.
3 COUNTY OF ST. CLAIR)
4

5 I, Kathleen Watson Brunsmann, one of the
6 Official Court Reporters, do hereby certify that the
7 foregoing transcript is a true and correct copy of said
8 proceedings.
9

10 DATED: August 2, 1985.
11

12 Kathleen Watson Brunsmann
13 Kathleen Watson Brunsmann, CSR, RPR
14 Official Court Reporter
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1 STATE OF ILLINOIS

2 TWENTIETH JUDICIAL CIRCUIT

SS.

3 COUNTY OF ST. CLAIR

4
5 I, RICHARD P. GOLDENHERSH, Circuit Judge, do hereby
6 certify that the foregoing transcript is a true and correct
7 copy of said transcript.
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10 DATED: _____

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13 _____
14 RICHARD P. GOLDENHERSH, CIRCUIT JUDGE