

7/3 C. Cunningham - recorded Tumor 10/1/85
E. L. L.
COK w/o
BAKER & BOTTS
ONE SHELL PLAZA
HOUSTON, TEXAS 77002
TELEPHONE (713) 229-1234
TELECOPIER (713) 229-1730
TELEX 76-2779

RECEIVED

AUG 27

P. F. DA

Brain
Tumors

1701 PENNSYLVANIA AVE., N.W.
WASHINGTON, D. C. 20006

1410 UNITED BANK TOWER
400 WEST FIFTEENTH ST
AUSTIN, TEXAS 78701

D-25,854
Dorothy Bell, et al. v.
Dow Chemical Co., et al.

August 22, 1985

D-25,871
Thelma O. Kingsbury, et al.
v. Dow Chemical Co., et al.

Have
these been
appealed

Mr. Peter F. Davey
Union Carbide Corporation
Old Ridgebury Road
Danbury, CT 06817

Dear Peter:

As I advised you earlier, I had filed and moved the Court to grant summary judgments in these two cases based upon the testimony of the treating physicians that there was no medical causation between work place exposure and the brain tumors developed by the decedents which led to their death. Due to lack of response by the plaintiffs' attorney, the Court has granted the motions for summary judgment. I am enclosing a copy of the order dismissing these two cases. Bear in mind the plaintiffs have thirty days to ask the Court to reinstate the case by granting a new trial. If the plaintiffs fail to do so by September 12, the orders will become final. We will let you know if there is any change in the status of the cases, but until then it now appears quite promising that these cases have been dismissed and thus concluded without payment of any settlement money by Union Carbide and without the necessity of trial.

Sincerely yours,


Walter Conrad

FWC:94
cc: Dr. David H. Glenn
Ms. Noreen Pritchett
(Claim No. 710 CM 310207 XOD)

PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"

UCC
059407

7/9/84 -

To City B.T. D. Bell v UCC

- 1 who decided to build plant
- 2 who consulted on original design / evaluation + identify documents
- 3 consultants on industrial hygiene standards in orig design
- 4 governmental warnings, citations, investigations
- 5 inspections for health + safety stds
- 6 suppliers of VC
- 7 individuals at suppliers
- 8 did UCC purchase VC - what year; suppliers, uses, quantity
- 9 who is responding who dealt
others dealing / purchasing VC
- 10 (a) industrial hygiene
(b) plant safety officer
(c) product safety manager
(d) govt liaison
- 11 Answers
- 12 Protective actions
- 13 ownership interests
- 14 properly named, incorp, name address PPB
- 15 Managerial Organization
- 16 Foreman for TT
- 17 Expert Witnesses
- 18 protective items
- 19 Complaints re: VC
- 20 Documents re: potential health hazards of VC
- 21 Record on warnings on VC received by UCC
- 22 Writings on hazards of VC
- 23 Documents on UCC Rules re: safety + VC
- 24 VC Worker Comp claims
- 25 Insurance - name, amount, date
- 26 Identify discoverable people
- 27 Documents (a) safety + hazards of VC (b) sent to UCC (c) MSDS sent to UCC
(d) internal memoranda (e) complaints inquiries (f)
(g) Personnel File

PRIVILEGED AND
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ORDER"

UCC
059722

7/16/84

Info from Peri Yalcinkaya

STOP

unsafe activity

- OSHA

- outside audit

- Corporate Safety

- Divisional audits (SHARE)

in house - Unit Safety + Health Audit (yrlly)

- Non-process safety review

↑ ~~in plant~~

intra-plant

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UCC
059723