

00001

IN THE CIRCUIT COURT
 TWENTY-SECOND JUDICIAL CIRCUIT
 STATE OF MISSOURI
 (City of St. Louis)

* * * * *

IN RE: ALL ASBESTOS LITIGATION
 FILED BY THE SIMMONS FIRM, LLC,

Plaintiffs

VS.

A. P. GREEN REFRACTORIES, et al,

Defendants

* * * * *

99 AS SIM

DEPOSITION OF: BLAIR INGALLS

BEFORE: Lisa Fitzgerald, Notary Public, at the offices
 of Sheraton Four Points, Bangor Airport, 308 Godfrey
 Boulevard, Bangor, Maine, on Tuesday, February 12, 2002,
 beginning at 10:10 a.m.

DON THOMPSON & ASSOCIATES
 Court Reporting

DUPLICATE
 FILE COPY

000002

DEPONENT: BLAIR INGALLS

EXAMINATION	PAGE
By Mr. Kohlburn:	2, 73 83
By Mr. Knopf:	56
By Mr. Hebrank:	57, 83
By Mr. Busch:	57, 66
By Mr. Kernell:	59
By Mr. Butsch:	63
By Ms. Kidd:	67

Dep. St. VC

14 A. It went through a dye as it went into the drier
15 operation and like making spaghetti or round hamburger
16 type things. It's a dye with a lot of holes in it and
17 the holes dictated the size of the pellet.
18 Q. Now, you mentioned that there were a number of
19 applications for the asbestos with regard to the paper
20 industry. I think you mentioned bond paper, wax
21 paper, tissue, towels. Among those various
22 applications what was the most prevalent application?
23 A. Probably as a retention aid for titanium dioxide.
24 Q. Would that be in the bond paper?
25 A. That type, offset, et cetera. Anywhere where you were

00065

1 looking for opacity and brightness.
2 Q. And you mentioned bond paper and offset paper?
3 A. Hm-hmm.
4 Q. What is offset paper?
5 A. It has to do with the type of printing application.
6 It might be offset printing typically. Different ways
7 obviously of printing on paper. Offset is one of
8 those. It's like your newsprint for instance.
9 Q. So newsprint would be a variety of offset printing?
10 A. We had limited applications I believe in newsprint
11 because newsprint doesn't use fillers for all
12 practical purposes outside of clay. It's a very cheap
13 and show-through is not a problem. As most of us know
14 you can see print on the outside of the paper.
15 Q. With regard to the use or the application of calidria
16 asbestos in tissue or towels, are you aware of whether
17 or not any company put a product on the market, a
18 tissue or a towel product, that contained asbestos?
19 A. No, I'm not aware.
20 Q. So as far as you know it may have been used in test
21 runs and may have been limited on test runs only; is
22 that correct?
23 MR. KOHLBURN: I'm going to object to form.
24 MR. BUTSCH: You can answer the question, sir.
25 A. To the best of my knowledge I can't really say whether

00066

1 it was, no.
2 MR. BUTSCH: Thank you. I have no further
3 questions.
4 MR. BUSCH: I have a couple of follow-ups.
5 EXAMINATION
6 BY MR. BUSCH:
7 Q. You mentioned that you may have had some contact with
8 Weyerhaeuser with regard to one or two mill trials.
9 Would that have been generally having knowledge of
10 them or actively participating?
11 A. It could be either. You're going back 35 years or
12 better.
13 Q. Do you have a memory with regard to Weyerhaeuser
14 whether it was one or the other?
15 A. The question would be whether I had a memory at this
16 point in time.
17 Q. Do you know when the one or two trials took place?
18 A. It would be somewhere more likely in the late '60s,
19 early '70s to mid-'70s.
20 Q. Do you remember where the trials took place?
21 A. No, sir.
22 Q. And do you have any memory as you sit here today of
23 actually physically having been next to a machine when
24 calidria was put into it at a Weyerhaeuser facility?

Joined by All Defendants:	2
By Mr. Will:	14
By Mr. Kohlburn:	61, 65

000004

APPEARANCES

For the Plaintiffs:

William A. Kohlburn, Esq.
The Simmons Firm, LLC
301 Evans Avenue
PO Box 559
Wood River, IL 62095
618-251-2222
Fax: 618-251-2251

For the Defendants:

Stephen D. Busch, Esq.
McGuire Woods LLP
One James Center
901 East Cary Street
Richmond, VA 23219-4030
804-775-1000
Fax: 804-775-1061
(Weyerhaeuser Co.)

Todd S. Holbrook, Esq.
Bernstein, Shur, Sawyer &
Nelson
100 Middle Street
PO Box 9729
Portland, ME 04104-5029
207-774-1200
Fax: 207-228-7300
(Owens-Illinois)

David T. Butsch, Esq.
Green, Schaaf & Jacobson, PC
Suite 700, Pierre LaCade Center
7733 Forsyth Boulevard
St. Louis (Clayton), MO 63105
314-862-6800
Fax: 314-862-1606
(Kimberly-Clark Corporation)
(Scott Paper Company)

Michael J. Kanute, Esq.
Holland & Knight LLP
55 West Monroe Street,
Suite 800
Chicago, IL 60603
312-263-3600
Fax: 312-578-6666
(International Paper)
(Champion Paper)
(Hammermill Paper Co.)

Jeffrey S. Hebrank, Esq.
Burroughs, Hepler, Broom,
MacDonald, Hebrank & True
103 West Vandalia Street,
Suite 300
Edwardsville, IL 62025
618-656-0184
Fax: 618-656-1364
(Georgia-Pacific)
(Marcal Paper)

Thomas J. Kernell, Esq.
Roberts, Perryman,
Bomkamp & Meives, PC
One Mercantile Center,
Suite 2300
St. Louis, MO 63101
314-421-1850
Fax:
(Boise Cascade)

000005

(Appearances, continued)

Anita M. Kidd, Esq.
 Armstrong, Teasdale,
 Schlafly & Davis
 One Metropolitan Square
 St. Louis, MO 63102-2740
 314-621-5070
 Fax: 314-621-5065
 (WestVaco)

Mark I. Tivin, Esq.
 O'Connell & O'Sullivan, PC
 Elgin/Barrington
 217 North McLean Boulevard,
 Suite 2C
 Elgin, IL 60123
 847-741-4603
 Fax: 847-741-4692
 (John Crane)

A. Randall Knopf, Esq.
 Holtkamp, Liese, Childress &
 Schultz, PC
 Suite 400 Pennsylvania Building
 217 North 10th Street
 St. Louis, MO 63101
 314-621-7773
 Fax: 314-231-4384
 (Technical Products Company, Inc.)

Trevor J. Will, Esq.
 Foley & Lardner
 777 East Wisconsin Avenue,
 Suite 3800
 Milwaukee, WI 53202-5367
 414-297-5536
 Fax: 414-297-4900
 (Union Carbide Corporation)

Kent Plother, Esq.
 Foley & Lardner
 777 East Wisconsin Avenue,
 Suite 3800
 Milwaukee, WI 53202-5367
 414-297-5536
 Fax: 414-297-4900
 (Union Carbide)

Kurtis B. Reeg, Esq.
 Kohn, Shands, Elbert,
 Gianoulakis & Giljum, LLP
 One Firststar Plaza, Suite 2410
 St. Louis, MO 63101
 314-241-3963
 Fax: 314-206-5215
 (Bowater Incorporated)
 (Bowater America, Inc.)

Reporter's Note: Read and sign was sent to Mr. Will for forwarding to witness.

000001

1 (This deposition was taken before Lisa Fitzgerald,
 2 Notary Public, at the Sheraton Four Points, Bangor
 3 Airport, 308 Godfrey Boulevard, Bangor, Maine, on
 4 Tuesday, February 12, 2002, beginning at 10:10 a.m.)
 5 * * * * *

6 (The deponent was administered the oath by the
 7 Notary Public.)
 8 * * * * *

9 MR. PLOTHER: For the record we're here for the
 10 deposition of Blair Ingalls which notices have been
 11 sent out by Mr. Kohlburn's office. One of them has
 12 been noticed up in Madison County In Re: All Simmons
 13 litigation under 99 AS SIM which is the law number.

14 The second notice was sent out in the State of
 15 Missouri which is captioned In Re: All asbestos
 16 litigation filed by Simmons Firm vs. A. P. Green.
 17 There's no law number designatio.. as far as the State
 18 of Missouri, and to that extent I don't believe that
 19 the court in the City of Missouri -- City of St. Louis
 20 recognizes In Re: All type of notice; there's no law
 21 number attached to it, I believe it is a defacto
 22 notice and to that extent then we're objecting to this
 23 deposition being taken under any rules of civil
 24 procedure in Missouri.
 25 From that point, we are going to conduct this

000002

1 deposition under the Illinois Civil Procedure Rules
 2 for Madison County and that a notice has been properly
 3 noticed there.
 4 MR. REEG: Bowater joins in the objections.
 5 MR. HEBRANK: As do all defendants.
 6 * * * * *
 7 BLAIR INGALLS, called, after having been duly sworn, on his
 8 oath deposes and says as follows:
 9 EXAMINATION
 10 BY MR. KOHLBURN:
 11 Q. Good morning, Mr. Ingalls.
 12 A. Good morning.
 13 Q. My name is Bill Kohlburn. I represent the plaintiffs
 14 in this litigation. I'm going to be taking your
 15 deposition today.
 16 To begin with when we sent out the Notice for the
 17 Deposition here today we attached a request for
 18 documents and I clarified with the attorneys for Union
 19 Carbide that what we were asking for were not things
 20 that Union Carbide had but anything that you may have
 21 had, personal files, paperwork that you may have kept
 22 from your work. And I've been informed that you did
 23 not have anything of that nature; is that correct?
 24 A. That's correct.
 25 Q. So you don't have any documents that you brought here

000003

1 today?
 2 A. No.
 3 Q. Have you ever had your deposition taken before?
 4 A. I have not.
 5 Q. Let me cover a couple of sort of ground rules here.
 6 The first thing is if you try and wait and let me
 7 finish any question that I ask before you answer it;
 8 it's very hard for her to take down two of us talking
 9 at the same time.
 10 The other thing is if you try to give a verbal
 11 response. She can't take down nodding of the head,
 12 shaking of the head, and, please, don't be offended if
 13 I remind you if you shake your head I may say, Does
 14 that mean yes or something like that.
 15 The other thing too is that I know with the
 16 deposition we're doing today we're going back quite a
 17 few years. We're going to be talking about things in
 18 the '60s and '70s. Those of us who do asbestos
 19 litigation, that's kind of the nature of the beast so
 20 we understand that you may have to think.
 21 What's your date of birth?
 22 A. May 30, 1938.
 23 Q. And if you'll spare me the math, how old are you
 24 today?

25 A. 63.

000004

1 Q. And what's your current address?

2 A. PO Box 68, Franklin, Maine.

3 Q. And are you currently employed in any capacity?

4 A. Yes, I work for a company called Chopra-lee
5 Incorporated. C-h-o-p-r-a, dash, l-e-e.

6 Q. And how long have you been with them?

7 A. Going on I think ten or 11 years.

8 Q. And what kind of business is Chopra-lee?

9 A. They're an analytical business. They have analytical
10 facilities. They run tests for environmental
11 consulting among other things.

12 Q. And do you currently have any kind of contractual
13 relationship or work relationship with Union Carbide
14 of any kind?

15 A. Presently, no.

16 Q. Where and when did you graduate from high school?

17 A. That would be Machias High in 1957.

18 Q. And Machias High is located where?

19 A. In Machias, Maine.

20 Q. After high school did you continue with your
21 education?

22 A. Yes.

23 Q. And where did you go?

24 A. University of Maine.

25 Q. And where -- when did you obtain a degree?

000005

1 A. I graduated in 1963 with a BS in chemical engineering.

2 Q. Did you do any post-graduate work?

3 A. Some. I did not get a master's degree but I did take
4 institute -- summer institute-type of training,
5 et cetera.

6 Q. Have you ever served in the military?

7 A. Yes.

8 Q. Okay. Could you give me the particulars of your
9 military service?

10 A. I served two years roughly '58 to '60. Actually,
11 that's incorrect. I think '59 to '61 in that order.
12 It was in the middle of my college career and I served
13 mostly overseas in the US Army.

14 Q. When you went to the University of Maine, you got a BS
15 in engineering. Did you have any area of
16 specialization or anything of that nature?

17 A. Well, the University of Maine chemical department is
18 highly tied into the pulp and paper industry and was
19 supported by that in many regards so I did do -- I
20 actually worked in their research group as an
21 undergraduate student to pay part of my way through
22 college doing that.

23 Q. When you graduated from the University of Maine what
24 was your first employment?

25 A. With Union Carbide Corporation.

000006

1 Q. And what was your start day with Union Carbide,
2 roughly?

3 A. I think it was in May of 1963.

4 Q. And if we could just go through your employment with
5 Union Carbide. When you started with them what was
6 your position?

7 A. I started as an entry engineer in their Sterling
8 Forest facility in New York which was part of the
9 nuclear division at that time.

10 Q. And how long were you at that facility?
 11 A. Approximately two years.
 12 Q. And after two years of Sterling Forest where did you
 13 go?
 14 A. They transferred me and part of the group to the
 15 Niagara Falls to the metals division at that time.
 16 Q. And how long are were you at the Niagara facility?
 17 A. For roughly the rest of my career with Union Carbide
 18 which encompassed some 23 years.
 19 Q. And at some point you left Union Carbide. Can you
 20 give me the year that you left?
 21 A. I think it was right around 1985.
 22 Q. Let's go back to the two years at Sterling Forest.
 23 Who was your supervisor when you were with Sterling
 24 Forest?
 25 A. My immediate superior was Robert Woolery.

000007

1 Q. And you mentioned that they transferred the group.
 2 Would that have included Mr. Woolery too?
 3 A. At that time, yes.
 4 Q. And do you know at that time who Mr. Woolery's
 5 supervisor would have been?
 6 A. A gentleman by the name of Hal Reichard.
 7 Q. Do you know, is Mr. Woolery alive today?
 8 A. No, he died about three or four years ago.
 9 Q. During your 23 years at Niagara if you could take me
 10 through any changes in your position during that time.
 11 A. Yes.
 12 Q. You started out -- were you still an entry level
 13 engineer when you went to Niagara?
 14 A. At that time, yes, I recall development engineer and
 15 later at Niagara Falls I went through several
 16 positions from laboratory supervisor to Scientist
 17 Grade I, Scientist Grade 2-type of positions.
 18 Q. Did your job duties ever include marketing or sales
 19 functions?
 20 A. I was in sales for roughly somewhere four and half,
 21 five and a half years.
 22 MS. KIDD: Could you repeat that.
 23 A. I'm sorry, I said I was in sales roughly four and a
 24 half, five years.
 25 BY MR. KOHLBURN

000008

1 Q. And can you recall approximately what years those
 2 were?
 3 A. I'm sorry?
 4 Q. What years those were.
 5 A. We're going back a ways; I would be guessing but it's
 6 in the order of late '60s to early '70s framework of
 7 time, as I recall.
 8 Q. And that's what we want. We want you to do the best
 9 you can when it comes to remembering things like that.
 10 What sort of sales responsibilities did you have
 11 during that time?
 12 A. I essentially was the regional manager for the eastern
 13 United States and Canada.
 14 Q. And what sort of product were you selling?
 15 A. Asbestos-based materials.
 16 Q. When you say the eastern United States, can you give
 17 me an idea of what that encompassed, how far east, how
 18 far south?
 19 A. We didn't have at that time very definitive guidelines
 20 but more or less east of the Mississippi.

21 Q. Did your duties at any time ever include conducting
22 dust counts or hygiene surveys of any kind?

23 A. Yes.

24 Q. When was that included in your duties?

25 A. Again we're getting into late '60s, early '70s for it
000009

1 and for a number of years thereafter.

2 Q. And what was the nature of your involvement with dust
3 counts and hygiene surveys; is it something you did
4 for customers, in-house at Union Carbide?

5 A. Both actually.

6 Q. Did you personally conduct dust counts or supervise
7 them?

8 A. Early on I actually performed dust counts as we were
9 developing the how-to's and how we set them up and
10 trained people to do so, but later on I had
11 technicians that did it on a regular basis and I was a
12 supervisor of that particular element.

13 Q. Can you recall any specific locations at which you
14 conducted these dust counts?

15 A. We're going back 35 years. We ran a lot of dust
16 counts. To put names to them would be really
17 difficult.

18 Q. And even if you cannot remember each and every one of
19 them, some that you can remember, some locations?

20 A. Of course we did it in-house at our own facilities.
21 To be honest I can't really say with any confidence of
22 the exact clients because I was in a lot of different
23 companies that I didn't run necessary dust counts at,
24 so I can't remember if I ran dust counts or if I was
25 there for another purpose. That was my problem.

000010

1 Q. And we'll go through some names here in a bit.

2 The dust counts that you did in-house with Union
3 Carbide, were those done in an experimental capacity
4 or were they done in areas where there was actual
5 production taking place?

6 A. They were done under both circumstances in some cases.

7 Q. The ones that you did in an experimental capacity,
8 what was the nature and the purpose of those dust
9 counts?

10 A. We did cooperative studies with NYOSH and OSHA and in
11 some instances with other companies and also from a
12 research stand in-house and we also, of course,
13 monitored our own facilities or production facilities.

14 Q. The experimental ones, can you recall the nature of
15 the operations that were being conducted that you were
16 doing dust counts for?

17 A. With cooperative programs?

18 Q. Yes.

19 A. Like Wyoming OSHA with regards to oil well drilling
20 facilities. We helped assist in training of the
21 Wyoming State OSHA people for field monitoring
22 capabilities.

23 Q. Did any of these dust counts involve or relate to
24 papermaking?

25 A. Yes, we did monitoring in papermills, if you will.

000011

1 Q. Can you recall any papermills that you were involved
2 in with doing dust counts?

3 A. I can't give specific names of companies that we went
4 in and ran a test. We ran a considerable number of
5 tests, but I was in papermills all over the Europe and

6 the United States for a whole sundry of different
7 reasons and we're going back 40 years.

8 I can't really say I ran an air monitoring test
9 in a specific location; I may or may not have. At
10 this point my memory is just not that good.

11 Q. The experimental or in-house ones, not ones that you
12 did for customers, did any of those involve a
13 papermaking process?

14 A. I'm sorry?

15 Q. Any in-house ones or experimental ones as opposed to
16 for customers, did any of those involve a papermaking
17 process?

18 A. No.

19 Q. I'm going to hand you Deposition Exhibit No. 1 and ask
20 you if you recognize this.

21 A. Yes.

22 Q. And could you tell us what this is?

23 A. I'm sorry?

24 Q. Could you tell me what this is?

25 A. It's obviously a publication. Is that what you're

000012

1 asking?

2 Q. Yes; is this an article that you wrote while you were
3 employed by Union Carbide?

4 A. Yes, in cooperation with Mr. Klass.

5 Q. To start with could you describe the parameters of
6 your collaboration with Mr. Klass, sort of who did
7 what part of the article?

8 A. Primarily I provided the technical basis for the
9 article or what technical aspects that were there.

10 Mr. Klass was out of New York and he actually did most
11 of the composition if you will.

12 Q. That's what I suspect. If we flip over here to, I
13 believe, Page 5, down here at the bottom there's an
14 area where you discuss retention improved 28 percent;
15 do you see that?

16 A. Hm-hmm. Sorry, yes.

17 Q. And what it states there is that in one production run
18 on 50-pound offset paper, asbestos was used to improve
19 the retention of the furnished components and it
20 refers to a trial that lasted for seven hours.

21 was that trial conducted in-house by Union

22 Carbide or did that involve an outside company?

23 A. When you say in-house you meant on equipment in-house
24 at Union Carbide?

25 Q. Yes, at Union Carbide or was this something done

000013

1 outside of Union Carbide?

2 A. It was done at a papermill.

3 Q. Can you recall which papermill this involved?

4 A. No, sir, I cannot.

5 Q. If we go up above that we have a paragraph that says,
6 "In addition, mills making tissues and towels have
7 added asbestos to improve softness." Can you recall
8 which mills added asbestos to tissues or towels to
9 improve softness?

10 A. No.

11 Q. As you sit here today is there anyone that you can
12 think of who might have knowledge or information as to
13 which papermills used asbestos as an additive in
14 tissues or towels?

15 A. You're asking me if I know someone?

16 Q. Yes.

17 A. Harrison Rhodes possibly; John Skvarla.

18 ATTORNEY: Could you repeat that, please.

19 A. I'm sorry, John Skvarla.

20 Q. Could you spell that name, please.

21 A. No, I can't; I'm sorry.

22 ATTORNEY: The first one was Rhodes?

23 A. Rhodes, R-h-o-d-e-s.

24 BY MR. KOHLBURN:

25 Q. Is Skvarla with an S?

000014

1 A. Yes, S-k-. Aside from that anyone else is since
2 deceased.

3 Q. Mr. Skvarla, do you know where he lives now?

4 A. No, not really.

5 Q. When's the last time you saw Mr. Skvarla?

6 A. Probably ten or 15 years.

7 Q. Do you recall the circumstances?

8 A. It was an -- it was just a get together with friends
9 who happened to be in the area.

10 Q. Going back to your article here, we have another
11 reference on Page 5 to what appears to be a different
12 trial involving save-all recoveries. Can you recall
13 what papermill was involved in that trial?

14 A. No.

15 Q. Let me switch gears here and we'll try to go through
16 this with some company names here.

17 Did you personally have any dealings with a
18 company called Lonview Fibre?

19 A. No, not that I'm aware of.

20 Q. Do you have any knowledge, information, or
21 understanding as to the type of product that Lonview
22 Fibre made incorporating asbestos?

23 MR. WILL: Objection to the form of the question.

24 Just assumes that they made a product that has
25 asbestos in it.

000015

1 MR. KOHLBURN: You can go ahead and answer.

2 A. I don't recall anything with regards to that company.

3 BY MR. KOHLBURN:

4 Q. Do you know the name of anyone affiliated with Union
5 Carbide from that time period who might have knowledge
6 or information concerning Lonview Fibre or any
7 possible use by Lonview Fibre of asbestos as a product
8 additive?

9 A. No.

10 Q. Did you have any personal direct dealings with Boise
11 Cascade or any representative of Boise Cascade?

12 A. I believe I did at one point in time. It's hard to
13 recall what the nature of it was.

14 Q. If you can, tell me whatever you can recall about your
15 dealings with Boise Cascade.

16 A. Only in the sense that I do know I had some dealings
17 with them. I would like to qualify something.

18 Q. Sure.

19 A. In the course of my early career I visited probably
20 without exception 75 percent of the paper companies in
21 the United States and half of those in Europe. It all
22 runs together. It did then, it does now. So it's
23 very difficult when you said what I did in a
24 particular company even though I may have been there
25 or known the company. Just so you understand.

000016

1 Q. And I understand that and I understand that it's going

2 to be difficult for you to lay everything out in
3 complete perfect detail, and all I want to know is
4 what you can remember.

5 Can you recall the names of any representatives,
6 agents, employees of Boise Cascade that you might have
7 had dealings with?

8 A. No, I had very little dealings with them as I recall.
9 I can't remember anybody.

10 Q. Do you have any knowledge, information, or
11 understanding as to any product that Boise Cascade
12 made that may have incorporated asbestos as an
13 additive?

14 A. No.

15 Q. As you sit here today is there anyone affiliated with
16 Union Carbide from that time period that you can think
17 of who may have knowledge or information concerning
18 Boise Cascade's possible use of asbestos as an
19 additive, product additive?

20 A. Fred Smith, Edward Claber, John Skvarla, possibly Norm
21 Setter.

22 Q. What about Mr. Clay and Mr. Smith?

23 A. Claber.

24 Q. Do you know where Mr. Claber is currently residing?

25 A. I believe in California. I don't have an address.

00017

1 Q. I know Mr. Setter is in the hospital right now?

2 A. I'm sorry?

3 Q. I know Mr. Setter's in the hospital right now. What
4 about Mr. Smith? Do you know where he is located now?

5 A. Niagara Falls, New York.

6 Q. Is he still working for Union Carbide?

7 A. No.

8 Q. Did you have any personal contact or dealings with
9 Bowater?

10 A. Not that I can remember.

11 Q. Do you have any knowledge or information or
12 understanding as to any products that Bowater might
13 have made that may have incorporated asbestos as an
14 additive?

15 A. No.

16 Q. Other than people that you already told us about is
17 there anyone that you know of that was affiliated with
18 Union Carbide who might have knowledge or information
19 about Bowater and their possible use of asbestos as a
20 product additive?

21 A. No.

22 Q. Did you ever have any personal dealings with a company
23 located in Joliet, Illinois called Prairie State
24 Paper?

25 A. Not that I can recall, no.

00018

1 Q. Do you have any knowledge, information, or
2 understanding as to any products that Prairie State
3 Paper made that might have incorporated asbestos as an
4 additive?

5 A. No.

6 Q. Are you familiar with Prairie State Paper?

7 A. Not really, no.

8 Q. Do you know anyone at Union Carbide who might have any
9 knowledge or information concerning Prairie State
10 Paper including whether they still exist?

11 A. Aside from those mentioned, previous names mentioned,
12 perhaps John Myers, M-y-e-r-s.

13 Q. On this one, of the names you previously mentioned, is
14 there anyone in particular who might know about
15 Prairie State or --?

16 A. No, not really that I'm aware of.

17 Q. Did you have any direct dealings with Kimberly-Clark?

18 A. I believe I called on them in the capacity of sales at
19 a point in time.

20 Q. Can you recall approximately when that was?

21 A. Not really.

22 Q. Can you recall where that was?

23 A. No.

24 Q. Can you recall the names of any representatives or
25 employees of Kimberly-Clark with whom you dealt?

000019

1 A. No.

2 Q. Do you have any knowledge, information, or
3 understanding as to any product that Kimberly-Clark
4 might have made that incorporated asbestos as an
5 additive?

6 A. No, not really.

7 Q. Other than people you've already mentioned to us, is
8 there anyone that was affiliated with Union Carbide
9 who may have knowledge or information concerning
10 Kimberly-Clark -- in particular any possible use of
11 asbestos as a product added by Kimberly-Clark?

12 A. Not aside from those I already mentioned, no.

13 Q. Did you have any direct dealings with St. Regis paper?

14 A. Yes.

15 Q. Can you tell me the nature of those dealings as best
16 you can recall?

17 A. The best I recall I think it had to do with retention
18 properties for the purpose of improving retention of
19 titanium dioxide I think in bond-like paper. I can't
20 be positive of that but I believe it was at least one
21 of the incidents.

22 Q. Did you ever visit any St. Regis facilities?

23 A. I did.

24 Q. Can you recall the location or locations?

25 A. I can't.

000020

1 Q. Can you recall the names of any of the representatives
2 or employees with St. Regis Paper with whom you may
3 have dealt?

4 A. No.

5 Q. Do you have any knowledge, information, or
6 understanding as to St. Regis' possible use of
7 asbestos as a product additive?

8 A. No.

9 Q. Just to clarify, you mentioned that you dealt with
10 St. Regis in terms of titanium dioxide retention
11 issue. Did those dealings in any way involve using
12 asbestos to improve titanium dioxide retention?

13 A. Yes.

14 Q. Can you describe how asbestos fit into that picture?

15 A. At that time we had a product called high-purity
16 asbestos which was one of the applicational uses,
17 marketing uses for it, was as a retention aid for
18 pigments such as titanium dioxide that were used in
19 the papermaking process and it assisted retaining the
20 titanium dioxide in the paper.

21 It also tended to improve its life scattering
22 coefficients by virtue of keeping the titanium
23 particles in a nonconforming contact state if you

24 will.
 25 So the actual end product properties of the
 000021
 1 high-purity asbestos was, in this particular process,
 2 was to retain the titanium in the paper which was a
 3 cost savings to the papermaker and the other was to
 4 improve enhance the properties -- the optical
 5 properties -- of the titanium dioxide which was
 6 opacity and brightness.
 7 Q. You ask a man a technical question and he goes to town
 8 on it.
 9 Do you have any recollection as to whether
 10 St. Regis ever utilized asbestos for that purpose?
 11 A. I believe so but I can't be positive. That's long
 12 ago.
 13 Q. Just to clarify, your recollection is that the profit
 14 issue was bond paper?
 15 A. I believe typically that type of application usually
 16 was in the more quality bonds because those are ones
 17 that used the titanium dioxide.
 18 Q. And bond paper -- just to make sure I understand what
 19 you're talking about -- that's just --
 20 A. Good writing paper.
 21 Q. Good writing paper. Okay. Did you ever have any
 22 direct dealings with a company called Wood Conversion?
 23 A. Not to my knowledge.
 24 Q. Do you have any knowledge, information, or
 25 understanding as to any possible uses by wood

000022
 1 Conversion Company of asbestos as a possible product
 2 additive?
 3 A. No.
 4 Q. Other than the people you've already told us about do
 5 you know of anyone at -- from Union Carbide during
 6 that time period -- that might have knowledge or
 7 information concerning Wood Conversion or a possible
 8 use of asbestos as a product additive?
 9 A. No.
 10 Q. And I'm not going to go through every single paper
 11 company but I'm going to hit the big ones.
 12 Did you ever have any personal dealings, direct
 13 dealings, with International Paper?
 14 A. Yes.
 15 Q. Can you describe the nature of those dealings.
 16 A. I don't mean to sound senile, but, no, it's too many
 17 years and too many companies; they all run together
 18 right now.
 19 Q. Do you have any recollection of visiting any
 20 International Paper facilities?
 21 A. I know I did. I'm not sure -- I know I can't tell you
 22 where with any confidence.
 23 Q. As you sit here today do you have any knowledge,
 24 information, or understanding as to possible uses by
 25 International Paper of asbestos as a product additive?

000023
 1 A. No.
 2 Q. In a broader more general sense can you recall the
 3 types of products being made by International Paper
 4 that you were involved with?
 5 A. IP was a very large company and encompassed a
 6 considerable breadth of product issues so it could
 7 have been any one of those product lines.
 8 Q. Can you remember any particular product lines that you

9 had dealings with them about? It doesn't have to
10 be --

11 A. No, again, it's so many years and so many companies
12 that it's hard to sort out which ones I actually did
13 or which plants I was in. For one thing, IP had
14 plants all over the country. I was in some of them;
15 some of them I wasn't.

16 Q. Can you recall the names of any employer, agent of
17 International Paper, with whom you dealt?

18 A. No.

19 Q. Or let me rephrase that a little bit.

20 Can you recall the names, whether or not you
21 dealt with them or not, of anyone at International
22 Paper?

23 A. No.

24 Q. Other than the people you've already mentioned is
25 there anyone else from Union Carbide who might have

000024

1 any knowledge or information concerning International
2 Paper and its possible use of asbestos as a product
3 additive?

4 A. Not aside from those I already mentioned.

5 Q. Did you ever have any direct dealings with a company
6 called Marathon Paper located in Wisconsin?

7 A. No.

8 Q. Do you know if there was a paper company by the name
9 of Marathon?

10 A. No.

11 Q. I was a little unclear as to whether they were a paper
12 company or not.

13 Did you ever have any direct dealings with
14 Weyerhaeuser?

15 A. Yes.

16 Q. Can you describe the nature of those dealings as best
17 you can recall.

18 A. I think they had a plant in Pennsylvania.

19 Q. Can you recall where in Pennsylvania?

20 A. No.

21 Q. Can you recall what type of product was made at that
22 plant?

23 A. No. By virtue of the market that we were involved
24 with at that time of that type of company, it was
25 usually retention-type applications so that would be

000025

1 in the better quality bond papers. But that would be
2 as far as I could comfortably answer that question I
3 guess.

4 Q. Can you recall whether or not you personally dealt
5 with them or not, can you recall the names of any
6 employees or agents of Weyerhaeuser from that time
7 frame?

8 A. No.

9 Q. Do you have any knowledge, information, or
10 understanding as to any possible uses by Weyerhaeuser
11 of asbestos as a product additive?

12 A. No.

13 Q. Did you ever have any dealings with Nicolet Paper in
14 Wisconsin?

15 A. Not that I can recall, no.

16 Q. Can you recall the names of anyone affiliated with
17 Nicolet Paper?

18 A. The company itself you mean?

19 Q. The company itself.

20 A. No.
 21 Q. Do you have any knowledge, information, or
 22 understanding as to the possible use by Nicolet Paper
 23 of asbestos as a product additive?
 24 A. No.
 25 Q. Other than the names you've already given us, is there

000026

1 anyone from Union Carbide who may have knowledge or
 2 information about Nicolet Paper?
 3 A. Possibly Jack Walsh.
 4 Q. Could you spell that last name.
 5 A. I think it's w-a-l-s-h, Walsh.
 6 Q. And do you know where Mr. Walsh is currently living or
 7 located?
 8 A. I know where he's living, I'm not quite sure where
 9 he's located. I think somewhere in the south.
 10 Q. Did you ever have any direct dealings with Grace
 11 Harbor Paper?
 12 A. No.
 13 Q. Do you know the names of any employee or agent of
 14 Grace Harbor Paper?
 15 A. No.
 16 Q. Do you have any knowledge, information, or
 17 understanding as to the possible use by Grace Harbor
 18 Paper of asbestos as a product additive?
 19 A. No.
 20 Q. Other than the names you've already mentioned, is
 21 there anyone from Union Carbide who may have any
 22 knowledge or information concerning Grace Harbor
 23 Paper?
 24 A. No.
 25 Q. Did you ever have any direct dealings with Hammermill

000027

1 Paper?
 2 A. Yes.
 3 Q. Can you recall the nature of those dealings?
 4 A. Again, it had to do with, as I recall, titanium
 5 dioxide retention and bond-type papers.
 6 Q. And did you visit any Hammermill Paper facilities or
 7 locations?
 8 A. Yes.
 9 Q. Can you recall where?
 10 A. I think it was in Pennsylvania but I can't -- New York
 11 possibly.
 12 Q. Okay. Do you know a particular city in Pennsylvania
 13 or New York?
 14 A. No.
 15 Q. Can you recall a particular time period?
 16 A. 19- -- 1967 to 1970, maybe, somewhere in that range.
 17 Q. Can you recall the names, whether or not you dealt
 18 with them personally, of any employee or agent of
 19 Hammermill Paper?
 20 A. I did because three of the associates were murdered by
 21 one of the employees walked in with a gun and killed
 22 him and that's why I remember that particular company.
 23 I was trying to remember the name of the mill
 24 director. He was killed.
 25 Q. That's all right. Alive people are of more interest

000028

1 to me anyway. I won't act on that capacity, and I
 2 think we'll skip going to the prison to interview that
 3 person.
 4 Other than the people you've already mentioned to

me, is there anyone from Union Carbide who might have any knowledge or information about Hammermill Paper?

A. No.

Q. Do you have any knowledge, information, or understanding as to Hammermill Paper's possible use of asbestos as a product additive?

A. I believe it used it in some of their bond-type and offset-type papers I believe.

Q. Would you have any knowledge, information, or understanding as to the particular product more than you've already mentioned?

A. No.

Q. Do you have any knowledge or information as to what years that may have encompassed?

A. Somewhere probably --

MR. WILL: Can you clarify that question. That "that" encompassed

BY MR. KOHLBURN:

Q. Hammermill's possible incorporation of asbestos as a product additive. Can you recall what year they may have done that?

000029

A. Probably in the early '70s.

Q. Did you ever have any direct dealings with Georgia-Pacific?

A. Yes.

Q. Can you describe the nature of those dealings?

A. Most of the capacity in sales and also is from technical service standpoints.

Q. What sort of dealings did you have with Georgia-Pacific involving sales?

A. I called on the company to -- in the capacity representing Union Carbide selling calidria products.

Q. Can you recall the time frame during which you called on Georgia-Pacific as a representative of Union Carbide selling calidria products?

A. That was probably in the time frame, and again I'm fuzzy on it, but it's in the late '60s, early '70s.

Q. What about the technical services aspects of dealing with Georgia-Pacific; can you describe those for me?

A. The products were additive to the papermaking process. Anything that was added to the process had the potential to interact negatively or positively with the other components of the papermaking system.

So it required a fair amount of technical knowledge with regards to one introducing a product to that particular industry. It had to be substantiated

000030

and one it would not adversely affect the paper or ingredients in the papers that might have certain qualities, and then so essentially normally I was talking to research directors or superintendents of technology with regards to the product.

Q. Can you recall the names of any of those people?

A. Not in the paper industry, no.

Q. And I'm talking about Georgia-Pacific.

A. Yes.

Q. Did you ever visit any Georgia-Pacific facility?

A. Yes.

Q. Can you recall which facilities?

A. I visited facilities, I can't remember which state at this point in time.

Q. Can you recall what area of the country?

16 A. Eastern United States.
 17 Q. Do you have any knowledge, information, or
 18 understanding as to Georgia-Pacific's possible use of
 19 asbestos as a product additive?
 20 A. The use?
 21 Q. Yes.
 22 A. Would be in writing papers, bonds, et cetera.
 23 Q. Did you ever have any dealings with Champion Paper?
 24 A. Yes.
 25 Q. Can you describe the nature of those dealings?
 00031
 1 A. Again, in a sales capacity and probably in a technical
 2 capacity.
 3 Q. Can you recall any particular locations of Champion
 4 Paper facilities that you may have visited?
 5 A. No.
 6 Q. Can you recall the names of any agents or employees of
 7 Champion Paper?
 8 A. No.
 9 Q. Do you have any knowledge, information, or
 10 understanding as to Champion Paper's possible use of
 11 asbestos as a product additive?
 12 A. I believe they were used in, again, bond-, offset-type
 13 of paper products for retention aid primarily. Beyond
 14 that I'm not sure.
 15 Q. Other than the folks you've already mentioned to us is
 16 there anyone from Union Carbide who might have
 17 knowledge or information regarding Champion Paper?
 18 A. No.
 19 Q. I think I forgot to ask this on the last one.
 20 Other than the people you've already mentioned,
 21 is there anyone who may have knowledge or information
 22 regarding Georgia-Pacific?
 23 A. No.
 24 Q. Did you ever have any dealings with Brown Company?
 25 A. Not that I can recall.
 00032
 1 Q. Do you have any knowledge, information, or
 2 understanding as to the Brown Company's possible use
 3 of asbestos as a product additive?
 4 A. No.
 5 Q. Do you know the names of any employees or agents of
 6 the Brown Company?
 7 A. No.
 8 Q. Other than the names you've already given us, do you
 9 know of anyone affiliated with Union Carbide who might
 10 have any knowledge or information concerning Brown
 11 Company?
 12 A. One of the names that has come to mind is Fred
 13 Thompson.
 14 Q. And do you know where Mr. Thompson is living right
 15 now?
 16 A. I believe in Niagara Frontier some place, New York.
 17 Q. And I just want to clarify, is Mr. Thompson someone
 18 who you've just remembered who would have some general
 19 knowledge about papermaking as opposed to particularly
 20 about Brown?
 21 A. I just recalled his name that he was involved in both
 22 the research and some of the marketing aspects at some
 23 point of time with the asbestos group.
 24 Q. Did you ever have any dealings with Hudson Pulp and
 25 Paper?

00033

1 A. Not that I can recall, no.
 2 Q. Do you have any knowledge, information, or
 3 understanding as to the possible use by Hudson Pulp
 4 and Paper of asbestos as a product additive?
 5 A. No.
 6 Q. Can you recall the names of any employees or agents of
 7 Hudson Pulp and Paper?
 8 A. No.
 9 Q. Other than the names that you've already provided is
 10 there anyone else you can think of from Union Carbide
 11 who may have knowledge or information about Hudson
 12 Pulp and Paper?
 13 A. No.
 14 Q. Did you ever have any dealings with Howard Papermills?
 15 A. Sounds familiar but that's about the most I can say.
 16 Q. I believe that they have had a location in Ohio if
 17 that helps you?
 18 A. Not really. Just the name is familiar.
 19 Q. Can you recall the names of any employee or agent of
 20 Howard Papermills?
 21 A. No.
 22 Q. Do you have any knowledge, information, or
 23 understanding as to Howard Papermill's possible use of
 24 asbestos as a product additive?
 25 A. No.

000034

1 Q. Did you ever have any dealings with Scott Paper?
 2 A. Yes.
 3 Q. Can you describe the nature of those dealings?
 4 A. I'm not sure but I think it had to do with tissue
 5 applications.
 6 Q. Can you recall the names of anyone with Scott with
 7 whom you may have dealt, an agent or employee with
 8 Scott?
 9 A. No.
 10 Q. Can you recall any particular location that you may
 11 have visited?
 12 A. No.
 13 Q. Other than a general recollection that involved tissue
 14 applications, is there anything else you can remember
 15 about your dealings with Scott?
 16 A. No.
 17 Q. Do you have any knowledge, information, or
 18 understanding as to the possible use by Scott Paper of
 19 asbestos as a product additive?
 20 A. No.
 21 Q. Did you ever have any dealings with West Virginia Pulp
 22 and Paper or westVaco?
 23 A. Not that I recall.
 24 Q. Can you recall the names of any agent or employee of
 25 West Virginia Pulp and Paper or westVaco?

000035

1 A. No.
 2 Q. Do you have any knowledge, information, or
 3 understanding as to the possible use by West Virginia
 4 Pulp and Paper or westVaco of asbestos as a product
 5 additive?
 6 A. No.
 7 Q. Did you ever have any dealings with Marcal Paper?
 8 A. I seem to recall that I did but I don't know the
 9 details.
 10 Q. I believe they had a New Jersey location if that helps
 11 you at all.

12 A. Yes, I think they did.
 13 Q. Can you recall the names of anyone from Marcal Paper,
 14 officer, agent, employee?
 15 A. No.
 16 Q. Can you recall what types of products were the subject
 17 of your dealings with Marcal Paper?
 18 A. No.
 19 Q. Do you have any knowledge, information, or
 20 understanding as to the possible use by Marcal Papers
 21 of asbestos as a product additive?
 22 A. No.
 23 Q. Did you ever have any dealings with Strathmore Paper?
 24 A. Not that I recall.
 25 Q. Do you know the names of employees or agents of

00036

1 Strathmore Paper?
 2 A. No.
 3 Q. Do you have any knowledge, information, or
 4 understanding as to Strathmore Paper's possible use of
 5 asbestos as a product additive?
 6 A. No.
 7 Q. Did you ever have any dealings with Fort Howard Paper?
 8 A. The name sounds familiar.
 9 Q. Can you recall the names of any agent or employee of
 10 Howard Paper?
 11 A. No.
 12 Q. Do you have any knowledge, information, or
 13 understanding as to Fort Howard Paper's possible use
 14 of asbestos as a product additive?
 15 A. No.
 16 Q. We've run through a few more companies here and I've
 17 spared asking this question every time. Have the
 18 names of any Union Carbide affiliated personnel, any
 19 other names come to mind of people who may have
 20 knowledge or information about any of these companies?
 21 A. None that I'm aware of that are living.
 22 Q. Did you ever have any dealings with James River?
 23 A. No, not that I recall.
 24 Q. Did you ever have any dealings with Ft. James?
 25 A. Not that I recall.

00037

1 Q. Okay. Now that we've gone through the list of
 2 companies by name, other than the ones that I've asked
 3 you about since we've gone through this a little bit,
 4 do you recall any other particular companies that you
 5 dealt with in connection with the marketing of
 6 calidria asbestos as a possible additive in a
 7 papermaking application?
 8 A. Aside from those that we have discussed; is that
 9 correct?
 10 Q. Right. In addition to any I've asked you about by
 11 name.
 12 A. St. Regis Paper Company.
 13 Q. We mentioned that. They were one I asked you about.
 14 A. No.
 15 Q. For the most part you had recollections that involved
 16 bond-type papers? As you sit here today do you have
 17 any recollections of particular companies or
 18 applications for -- strike that.
 19 As you sit here today do you have any
 20 recollections of companies that may have used asbestos
 21 as a product additive other than in bond paper?
 22 A. Within the paper industry?

23 Q. within the paper industry.
 24 A. It was used in other applications besides bond if
 25 that's what you're asking.

00038

1 Q. what were those other applications?
 2 A. They were using glassines to some extent.
 3 Q. what is glassine?
 4 A. It's really a wax paper-type of product.
 5 Q. And what was the purpose of incorporating asbestos
 6 from a technical standpoint?
 7 A. Retention to some extent and it had a refractive
 8 index. It's similar to that of cellulose. It did not
 9 effect -- adversely effect -- the show-through
 10 properties of glassine which essentially has a
 11 translucency to it.
 12 Q. what elements or additives would, if you'll forgive me
 13 if I'm incorrect on this, you've talked about
 14 retention and I know that in bond paper it's retention
 15 related to the titanium dioxide. In a glassine
 16 application, what sort of additives or elements would
 17 the retention relate to?
 18 A. I'm not sure I'm correct on that. In the glassine I
 19 also think there were some strength properties that
 20 were involved there. I was not that directly involved
 21 with the glassine applications. But it was an
 22 application at some point in time.
 23 Q. Can you recall any particular companies or customers
 24 that might have used asbestos as a product additive in
 25 the glassine area?

00039

1 A. No.
 2 Q. Other than glassine and bond, were there other
 3 applications?
 4 A. Tissue paper which was mentioned, towels, corrugated
 5 cardboard.
 6 Q. Okay. Let's take them one at a time. What would be
 7 the purpose of using asbestos as a possible additive
 8 in tissue?
 9 A. Softness.
 10 Q. Anything else?
 11 A. No, essentially that was the purpose of it.
 12 Q. And after having approached this from a couple of
 13 different ways now do you have any additional
 14 recollection as to any company that may have used
 15 asbestos as an application in the making of tissue
 16 papers?
 17 A. No, my association with tissue was more technical than
 18 it was marketing.
 19 Q. And for the towel application, for what purpose might
 20 asbestos be used as an additive in a towel paper
 21 product?
 22 A. Again, it was a softness issue and I believe wet
 23 strength was a factor. I wasn't too much involved in
 24 that end.
 25 Q. when we say towels, are we talking about --

00040

1 A. Paper towels.
 2 Q. Paper towels that come on a roll?
 3 A. Essentially, yeah.
 4 Q. Can you recall any particular company that may have
 5 used asbestos as an additive in making paper towels?
 6 A. No.
 7 Q. And then you mentioned another application. We have

8 bond, glassine, tissues, towels?
9 A. Corrugated cardboard I think I said.
10 Q. Corrugated cardboard. And what would be the purpose
11 of using asbestos as an additive in corrugated
12 cardboard?
13 A. I'm not actually sure on that. In fact, I wasn't
14 involved in it for all practical purposes. But I
15 believe it had to do somewhat more with the process
16 than it did actually the paper itself.
17 Q. Can you recall any particular company that may have
18 used asbestos as an additive in corrugated cardboard?
19 A. No.
20 Q. Any other applications, possible applications, of
21 asbestos as an additive in a papermaking type of
22 process?
23 A. No.
24 (Whereupon, there was a break in the deposition.)
25 (Deposition Exhibit No. 1, Paper Trade Journal,
000041 February 14, 1966, was marked by the reporter.)
2 BY MR. KOHLBURN:
3 Q. Mr. Ingalls, I've got some names here that I pulled
4 out of various documents I've reviewed and I just want
5 to run through them with you and ask you if you know
6 if they're around, living or dead, location, and the
7 first one here is A. W. Naumann. N-a-u-m-a-n-n.
8 A. A. W.
9 Q. A. W. Naumann.
10 A. I'm not really sure where he is or whether he's alive
11 at this point in time.
12 Q. I've already talked about Mr. Woolery. L. C. Jenness.
13 I believe he was affiliated with the University of
14 Maine.
15 A. Chemical engineering department, yes.
16 Q. Do you know if he's still living?
17 A. No, he's been deceased for some time now.
18 Q. A. J. Chase, also University of Maine?
19 A. Andrew Chase. I'm not sure whether he's alive or not.
20 Q. G. L. Dickson. I think it may be Gordon.
21 A. Gordon Dickson's been dead for ten or 15 years.
22 Q. Dr. S. Chwastiak?
23 A. Chwastiak. Yes, residing somewhere I think in the
24 Midwest.
25 Q. Okay.
000042
1 A. Stephen Chwastiak.
2 Q. Do you recall the last time you had any contact with
3 him?
4 A. I think I talked to him about three or four years ago.
5 He was a research scientist.
6 Q. Do you know if he's still employed?
7 A. I have no idea.
8 Q. Other than Midwest do you have any more specific
9 recollection of where he may be located?
10 A. No.
11 Q. N. R. Eldred?
12 A. No.
13 Q. No, you don't know?
14 A. No, I don't know.
15 Q. E. A. Montagna?
16 A. How do you spell that?
17 Q. M-o-n-t-a-g-n-a.
18 A. No.

19 Q. Like Joe Montana with the G shoved in there.
20 A. No, I don't.
21 Q. R. E. Leach?
22 A. No.
23 Q. F. W. Stone?
24 A. No.
25 Q. Harold Reichard. I believe he was at Sterling Forest.

00043

1 A. Richard or Reichard.
2 Q. Could be pronounced Reichard. It's spelled like
3 Richard.
4 A. I know a Reichard, yes. Deceased.
5 Q. Okay. Do you know if Mr. Klass --
6 A. No.
7 Q. -- your co-author is still around?
8 A. Oh, Klass, no. No, I don't.
9 Q. George Scriba?
10 A. No.
11 Q. Bud Pufahl?
12 A. Bud?
13 Q. I've seen reference to him as Bud. His first initial
14 is A. It's P-u-f-a-h-l.
15 A. I don't know whether he's living.
16 Q. F. D. Dexter?
17 A. Again, I don't know his whereabouts.
18 Q. D. Varoli?
19 A. No.
20 Q. Don't know?
21 A. Don't know.
22 Q. J. Clayton Stephenson?
23 A. No, I don't know.
24 Q. G. B. Kelly?
25 A. No.

00044

1 Q. G. W. Buttrick?
2 A. No.
3 Q. B. K. Barton?
4 A. I believe he's deceased but I'm not sure.
5 Q. Did you ever have any dealings with American Can?
6 A. Only indirectly with, I think, laboratory work.
7 Q. Can you recall what the nature of those dealings were?
8 A. I think it had to do with synthetic paper but I'm not
9 sure.
10 Q. What is synthetic paper?
11 A. Noncellulostic type made out of plastic.
12 Q. Did you ever visit any American Can facilities?
13 A. Not that I can recall.
14 Q. What about Walter Young?
15 A. No, I don't know his whereabouts.
16 Q. John Riddle?
17 A. I believe he's deceased but I'm not sure.
18 Q. Wayne Carrot?
19 A. Again, I'm not sure whether or not he's alive.
20 Q. Did you ever have any dealings with University of
21 Western Michigan?
22 A. Not that I can recall directly, no.
23 Q. Are you at all familiar with a Dr. Robert Dheim,
24 D-h-e-i-m?
25 A. Spell that again.

00045

1 Q. D-h-e-i-m.
2 A. No.
3 Q. What about the name of a gentleman by the name of

4 walter wolfe?

5 A. There was a gentleman wolfe that contacted me at one
6 point in time regarding some litigation on the west
7 Coast having to do with a publication that Dr. Rhodes
8 and I put together. Whether it's the same wolfe I'm
9 not sure.

10 Q. If it helps your recollection the Mr. wolfe that I'm
11 asking about may have been associated with a company
12 by the name of Canadian Refractories Limited.

13 A. Not the same wolfe then.
14 (Deposition Exhibit No. 2, Union Carbide
15 High-Purity Asbestos: A Unique Fibrous Softening
16 Agent and Retention Aid for Tissues and Towels, was
17 marked by the reporter.)

18 BY MR. KOHLBURN:

19 Q. "Union Carbide High-Purity Asbestos: A Unique Fibrous
20 Softening Agent and Retention Aid for Tissues and
21 Towels." Have you ever seen this document before to
22 your knowledge? I think it's got a stamp 17057. I
23 have no idea what their system for stamping these was.

24 A. Not that I can recollect.

25 Q. If you just quickly look there on the second page it

000046

1 refers to a mill trial. Do you have any knowledge or
2 information as to the company involved in the mill
3 trial reflected in this document?

4 A. No.

5 Q. I'm going to hand you what will be marked as No. 3.
6 (Deposition Exhibit No. 3, Union Carbide
7 High-Purity Asbestos: A New White Fibrous Filler and
8 Retention Aid for Printing Papers, was marked by the
9 reporter.)

10 BY MR. KOHLBURN:

11 Q. And this one is entitled, "Union Carbide High-Purity
12 Asbestos: A New White Fibrous Filler and Retention
13 Aid for Printing Papers." And have you ever seen this
14 document before?

15 A. I chance to dare that I have although I don't recall
16 when.

17 Q. If you would look on the second page there this
18 reflects a mill trial or a trial run of some type. Do
19 you have any knowledge or information as to any
20 company outside of Union Carbide that may have been
21 involved in this trial run?

22 A. No.

23 (Deposition Exhibit No. 4, Union Carbide
24 High-Purity Asbestos: A New Fibrous Filler and
25 Retention Aid for Paperboard, was marked by the

000047

1 reporter.)

2 BY MR. KOHLBURN:

3 Q. Can you recall ever having seen this document before?
4 This one is entitled, "Union Carbide High-Purity
5 Asbestos: A New Fibrous Filler and Retention Aid for
6 Paperboard."

7 A. No.

8 Q. Second page of this also refers to a trial run of some
9 kind, whether it was a mill trial or an in-house
10 trial. Do you have any knowledge or information of
11 any company outside of Union Carbide that may have
12 been involved in this trial run?

13 A. No.

14 Q. Okay.

15 (Deposition Exhibit No. 5, Union Carbide
16 Asbestos, Product Information Bulletin, The Use of
17 High-Purity Asbestos in Paper, was marked by the
18 reporter.)

19 BY MR. KOHLBURN:

20 Q. Have you ever seen this document before?

21 MR. KERNELL: What's the name of it, Bill.

22 MR. KOHLBURN: This one is, The Use of
23 High-Purity Asbestos in Paper.

24 A. It looks familiar.

25 BY MR. KOHLBURN:

00048

1 Q. Okay. If you look at the second page there, it refers
2 to three separate trials. The first one refers to
3 Company A. Do you have any knowledge, information, or
4 understanding as to the identity of Company A
5 referenced in this document?

6 A. No.

7 Q. Do you have any knowledge, information, or
8 understanding as to the identity of Company B as
9 referenced in this document?

10 A. No.

11 Q. Do you have any knowledge, information, or
12 understanding as to the identity of Company C as
13 referenced in this document?

14 A. No.

15 Q. Is there anyone in particular who might have knowledge
16 or information as to the identities of the companies
17 referenced as A, B, and C in this document?

18 A. Not outside of the people already mentioned.

19 Q. Of the people mentioned is there anyone in particular
20 who might know this, the identities of these
21 companies?

22 A. Edward Claber. Fred Smith possibly.

23 (Deposition Exhibit No. 6, Calidria "High-Purity"
24 Asbestos for Porosity Control, Pinhole Reduction, and
25 Improvement in Two-Sidedness, was marked by the

00049

1 reporter.)

2 BY MR. KOHLBURN:

3 Q. Have you ever seen this document before. This is
4 called "Calidria "High-Purity" Asbestos for Porosity
5 Control, Pinhole Reduction, and Improvement in
6 Two-Sidedness."

7 MR. KERNELL: 7596?

8 MR. KOHLBURN: Yes.

9 A. I recognize some of the data, but not the specifics of
10 what company was involved.

11 BY MR. KOHLBURN:

12 Q. And just for the record if you look at Page No. 3 it
13 refers to some trial runs of some kind. Do you have
14 any knowledge or information as to a company outside
15 of Union Carbide involved in this?

16 A. No.

17 Q. And I know you told me that but I have to make a
18 record.

19 On to the next one. This one is entitled,

20 "Asbestos "T" Replaces --

21 MR. KOHLBURN: She's going to mark that for you.

22 (Deposition Exhibit No. 7, Asbestos "T" Replaces
23 Titanium Dioxide on Pound-for-Pound Basis, Reducing
24 Furnish Costs: Opacity and Brightness Maintained, was
25 marked by the reporter.)

000050

1 BY MR. KOHLBURN:
2 Q. -- Titanium Dioxide on Pond-for-Pound Basis, Reducing
3 Furnish Costs: Opacity and Brightness Maintained."
4 Product information bulletin.
5 Have you ever seen this document before?
6 A. I'm not sure whether I have or not.
7 Q. If you look on the first page it references Mill Data
8 No. 1 having to do with 50-pound offset. Do you have
9 any knowledge or information as to what mill or what
10 company may have been involved in that reference?
11 A. No.
12 Q. If you flip to the next page we have Mill Data No. 2,
13 25-pound white gift wrap. Do you have any knowledge,
14 information, or understanding as to the particular
15 mill or company referenced there?
16 A. No.
17 Q. If you look down, Mill Data No. 3, 25-pound book
18 paper; do you have any knowledge, information, or
19 understanding as to the mill or company referenced
20 there?
21 A. No.
22 Q. Is there anyone in particular who might know the
23 identities of the companies referenced in this
24 document?
25 A. A name comes to mind. Klass.

000051

1 Q. Is that a first name or the last name?
2 A. The gentleman that wrote -- no, the last.
3 Q. Oh, your co-author may know the identities of these.
4 Okay.
5 One or two others I want to hand you here to see
6 if it helps you.
7 MR. KOHLBURN: Let me give you -- mark this as
8 No. 8, please.
9 (Deposition Exhibit No. 8, Memorandum of
10 September 9, 1966, was marked by the reporter.)
11 BY MR. KOHLBURN:
12 Q. That was 8.
13 This is a one, two, three, four, five, six,
14 seven, eight, nine, ten-page collection of documents?
15 MR. WILL: Is there any bate stamp numbers on
16 these?
17 MR. KOHLBURN: Not that I can see.
18 BY MR. KOHLBURN:
19 Q. The top document is a memorandum dated September 9th,
20 1966. It is a two-page memo from, I believe,
21 Mr. Pufahl?
22 A. Pufahl.
23 Q. Pufahl. And the subject is asbestos toxicology. And
24 it was produced to us by Union Carbide in this
25 fashion, that's why they're put together like this.

000052

1 MR. KERNELL: Exhibit 8?
2 MR. KOHLBURN: It's going to be Exhibit 8.
3 BY MR. KOHLBURN:
4 Q. Do you recall ever having seen this document before?
5 A. No.
6 Q. Would you flip to the last page.
7 A. Are you talking about the distribution?
8 Q. Yes, the distribution page. Under Niagara Falls about
9 midway down.
10 A. Hm-hmm.

11 Q. That's your name identified there but as you sit here
12 today you can't recall ever having seen this document?

13 A. No, not right off the top of my head.

14 Q. During the course of your employment with Union
15 Carbide did you ever receive any notice, information,
16 or the like concerning the potential health hazards of
17 exposure to asbestos?

18 A. From whom?

19 Q. From anyone.

20 A. In various formats, yes.

21 Q. Can you recall any of those formats?

22 A. Usually in a letter or interoffice memorandums, what
23 have you.

24 Q. Can you recall the authors of any of those letters or
25 memorandum?

000053

1 A. I believe Dr. Rhodes -- Harrison Rhodes -- Robert
2 Woolery. Robert Klautsbaum, Bud Pufahl, John Myers,
3 and possibly others.

4 Q. Can you recall the content -- and I don't mean
5 word-for-word -- in a general sense can you recall the
6 content of any of these memoranda or letters?

7 A. Usually dealing with the current information as it
8 were, government and otherwise, epidemiologically, et
9 cetera, with regards to potential hazards of asbestos
10 and what was currently accepted -- accepted or
11 planned, future plan; that is, the statues that were
12 involved in the control of asbestos. These are
13 emission standpoints, what have you.

14 Q. What is the earliest time you can recall having
15 received any notice or correspondence of this type?

16 A. It was in the early '60s.

17 Q. Can you recall the author of the early one or ones
18 that you received in the early '60s.

19 A. Ian Sayers of the U. K.

20 Q. When you say United Kingdom, was he affiliated --

21 A. Great Britain.

22 Q. -- with a particular company?

23 A. Union Carbide Corporation.

24 Q. Ian Sayers, Union Carbide, U. K.

25 Can you recall the content on the basic gist of

000054

1 the correspondence from Mr. Sayers?

2 A. As I recall it concerned current governmental and
3 epidemiological information of the time pertaining to
4 asbestos in general.

5 Q. During the course of your employment with Union
6 Carbide and in the course of your dealings with
7 customers of Union Carbide, did you personally ever
8 convey any type of notice or information to a customer
9 of Union Carbide concerning potential health hazards
10 associated with asbestos exposure?

11 A. Yes.

12 Q. Can you recall any of those occasions?

13 A. No. Specifically, no.

14 Q. In a more general sense can you describe the occasions
15 of whether it be by year, by customer, by content,
16 anything you recall about you personally conveying any
17 kind of information regarding potential health hazards
18 of asbestos?

19 A. Not in a specific company or person but the question
20 might arise either directly or indirectly, formally or
21 informally, and we would address it to the best of our

22 knowledge and capabilities at the time as to what was
23 the regulatory situation regarding the handling or the
24 use of the product or the toxicology that was
25 associated with it.

000055

1 Q. During your career were you ever personally present at
2 any type of in-house trial or mill trial where
3 asbestos was used as an additive in papermaking?

4 A. Yes.

5 Q. Did you personally take any precautions to prevent or
6 reduce your own possible exposure to asbestos such as
7 wearing a mask or a respirator or anything like that?

8 A. The applications where pelletized material was used, a
9 wet processing piece of equipment was used to render
10 the pellets into a suitable slurry form. And we, the
11 technicians, at times would bag the material into this
12 machine during the trial runs and we wore a paper-type
13 respirator -- or not a respirator but a mask if you
14 will.

15 Q. Right. When you say a paper-type respirator, you're
16 referring to a paper mask?

17 A. Not a respirator but the mask, excuse me.

18 Q. I think I'm just about done.

19 Did there come a point in time when Union Carbide
20 ceased marketing asbestos for papermaking
21 applications?

22 A. There was a point in time where they went out of
23 business.

24 Q. Prior to the time that Union Carbide stopped marketing
25 asbestos in general was there a point in time where

000056

1 they stopped marketing it to the paper industry?

2 A. I really don't have the background to answer that
3 question.

4 Q. I just want to know what you can recall.

5 MR. KOHLBURN: I believe that's all I have right
6 now. We'll let some of these other folks ask you some
7 questions.

8 EXAMINATION

9 BY MR. KNOFF:

10 Q. Mr. Ingalls, my name is Randy Knopf and I represent a
11 company called Technical Products Company, Inc. Are
12 you familiar with that company at all? They're out of
13 St. Louis.

14 A. No.

15 Q. They are basically a distributor of architectural
16 products. So let me ask you, during the course of
17 your employment with Union Carbide did you ever deal
18 with any architectural-type products, lighting,
19 railings, anything of that nature?

20 A. Railings you say?

21 Q. Yeah. Railings for walkways, lighting; that's the
22 type of product my company distributes.

23 A. Not that I'm aware of.

24 Q. You wouldn't have any idea whether or not Union
25 Carbide used asbestos in any types of product like

000057

1 that?

2 A. I can't conceive how it would be used.

3 Q. Do you know of any Union Carbide -- just with your
4 specific knowledge -- any Union Carbide distributors
5 in the St. Louis area?

6 A. No.

7 MR. KNOFF: I don't have any further questions.

8 EXAMINATION

9 BY MR. HEBRANK:

10 Q. One clarification on your qualifications. Jeff
11 Hebrank.

12 When you say you were in sales in the late '60s,
13 early '70s, sales of what?

14 A. Sales of asbestos-related products directed mostly
15 towards the paper industry.

16 EXAMINATION

17 BY MR. BUSCH:

18 Q. Mr. Ingalls, my name is Steve Busch and I represent
19 Weyerhaeuser Company and I have just a couple of
20 questions for you.

21 I want to be sure I understood your previous
22 testimony correctly, and do I understand that you have
23 no knowledge that Weyerhaeuser Company ever produced an
24 asbestos-containing product?

25 A. That's correct.

000058

1 Q. And do I then correctly assume from your earlier
2 testimony that your contact, that is to say the
3 dealings that you mentioned with Weyerhaeuser, had to
4 do with efforts in your role for Union Carbide as a
5 salesman to introduce the calidria asbestos in terms
6 of its properties for them to consider?

7 A. That and possibly in a technical/service capacity.

8 Q. When you say possibly in a technical/service capacity,
9 I take it you have no memory of any specific technical
10 work that you would do for Weyerhaeuser; is that
11 correct?

12 A. Only in the capacity that there may have been a mill
13 trial or two involved at some point in time.

14 Q. Now, Weyerhaeuser has a papermaking facility in
15 Plymouth, North Carolina, and when you mentioned
16 Pennsylvania in your earlier testimony is it possible
17 that you confused Pennsylvania with North Carolina?

18 A. No, I do not believe I was ever in North Carolina. In
19 fact, I may be in error in regards to Pennsylvania but
20 that's what I recall it was Pennsylvania.

21 Q. Do you remember any particular location or town in
22 Pennsylvania?

23 A. No, I don't.

24 MR. BUSCH: Thank you, sir.

000059

1 EXAMINATION

2 BY MR. KERNELL:

3 Q. Sir, my name is Tom Kernell. I represent Boise
4 Cascade. Just a couple of clarifications.
5 You mentioned that you had some dealings with
6 Boise Cascade at some point?

7 A. Yes.

8 Q. Did any of those dealings ever have anything to do
9 with asbestos?

10 A. Yes.

11 Q. In what way?

12 A. I believe we did -- Boise investigated our products
13 and myself was involved to some extent with the
14 development of trial data, if you will, for the
15 company. And that's about the extent that I can
16 remember.

17 Q. I'm sorry. I didn't understand.

18 A. Involved with mill trials, that was potentially a
19 situation, as I recall.

20 Q. And you had personal involvement with that
21 investigation by Boise Cascade?

22 A. I don't think it was personal. I may have had
23 technicians who were involved in running it and the
24 reduction of data and that sort of thing.

25 Q. Now, were these trials taking place at Boise's
000060 facilities?

1 A. I believe so.

2 Q. Do you know what Boise facilities?

3 A. No.

4 Q. Do you know what year that was?

5 A. No.

6 Q. Do you know any of the Boise Cascade employees that
7 would have been involved in those?

8 A. No, sir.

9 Q. Do you know whether Boise's involvement ever got past
10 the investigation stage?

11 A. I could not say for sure, no.

12 Q. Do you know what year that was?

13 A. No, sir.

14 Q. Now, for a period of time you were involved in the
15 sales of asbestos products to the paper industry;
16 correct?

17 A. Correct.

18 Q. Who were your main competitors?

19 A. Basically there was, I believe, a high-sell product --
20 I'm sorry, I'm confusing applications.

21 We were in competition with -- there was the
22 organic retention aids. There was also some clay
23 applications that we sort of competed with.

24 And then there were aspects about the material
25

000061

1 that were unique to the industry as far as what it
2 would do, optical extender. Its particular retention
3 properties and absorption light scattering properties.

4 Q. Were there any other asbestos companies that were
5 competitors of yours who were marketing asbestos
6 products to the paper industry at the same time?

7 A. John Smamal and Phillip Carry were, I think, as I
8 recall, looked to us as sort of discovery company in
9 terms of that particular market and they did enter the
10 market, I think, in or around the about the same time
11 that we did with regards to some of their asbestos
12 floats as it's referred to.

13 I don't think they were all that successful in
14 that industry because of differences in the material.

15 Q. In general was asbestos ever successfully used in the
16 paper industry?

17 MR. KOHLBURN: I'm going to object to the form.

18 I think successful is vague.

19 A. Successful in what regards?

20 BY MR. KERNELL:

21 Q. Well, in much of the information we see here -- that
22 we've talked about this morning -- there were
23 technical discussions of the use of asbestos in the
24 papermaking process, correct, and there were many
25 trials discussed.

000062

1 Did the paper industry ever generally use
2 asbestos in the production phase?

3 A. Yes.
 4 Q. Do you have any information as to why asbestos was at
 5 some point no longer used in the paper industry?
 6 A. I think it was a combination of factors.
 7 Q. And what factors were those?
 8 A. The advent of knowledge with regards to its potential
 9 toxicity, the potential concerns with asbestos in
 10 general, and also the marketing strategies of Union
 11 Carbide Corporation with regards to the potential for
 12 the business at large.
 13 Q. The marketing potential by Union Carbide? I don't
 14 understand that aspect.
 15 A. The business was a small business comparable to the
 16 type of businesses that Union Carbide had at the time
 17 and certain cutoff point in terms of volume and how
 18 profitable it was, it just didn't fit into the
 19 physical financial aspects of a corporation of that
 20 magnitude.
 21 Q. Were there technical problems with the use of asbestos
 22 that also factored into that?
 23 A. In some instances, yes.
 24 Q. And what were some of the technical aspects of the use
 25 of asbestos that were causing problems?

000063

1 A. Asbestos -- our product had a problem, in some
 2 instances a conflict with optical brightening agents
 3 for us in dyes. It tended to be a UV absorber which
 4 is not good and it would inhibit the effect of the
 5 fluorescent dyes.
 6 Q. And what type of paper was that a problem?
 7 A. Usually in high quality. The dyes would be used to
 8 extend the whiteness in the blue range. The dye tends
 9 to assume in the blue range it's whiter and that's why
 10 the dye was used in fluorescents for artificial
 11 whiteness.
 12 Q. Was that in the bond paper?
 13 A. Used in bonds and I think some other type of grades.
 14 Q. Did you ever visit any Boise Cascade facilities?
 15 A. I can't recall whether I did or not.
 16 Q. You don't recall any particular ones you visited?
 17 A. No.
 18 MR. KERNELL: Sir, that's all the questions I
 19 have at this point.
 20 MR. BUTSCH: I have a few questions for you.
 21 EXAMINATION
 22 BY MR. BUTSCH:
 23 Q. You mentioned that this calidria asbestos was sold to
 24 paper companies in a pelletized form; is that right?
 25 A. Not always; but it was, yes.

000064

1 Q. Can you describe for me what you mean by a pelletized
 2 form?
 3 A. The product as it was produced was a powdery-type of
 4 material coming out of the plant process, and some of
 5 the products were ultimately pelletized. As you form
 6 pellets roughly half inch, perhaps, long by a quarter
 7 of an inch in diameter or a little smaller for the
 8 purposes of ease of handling and reduced dust
 9 generation.
 10 Q. So Union Carbide would compress the asbestos into
 11 these pellets; is that correct?
 12 A. As an extrusion process as opposed to compression.
 13 Q. What's extrusion?

14 A. It went through a dye as it went into the drier
15 operation and like making spaghetti or round hamburger
16 type things. It's a dye with a lot of holes in it and
17 the holes dictated the size of the pellet.
18 Q. Now, you mentioned that there were a number of
19 applications for the asbestos with regard to the paper
20 industry. I think you mentioned bond paper, wax
21 paper, tissue, towels. Among those various
22 applications what was the most prevalent application?
23 A. Probably as a retention aid for titanium dioxide.
24 Q. Would that be in the bond paper?
25 A. That type, offset, et cetera. Anywhere where you were

00065

1 looking for opacity and brightness.
2 Q. And you mentioned bond paper and offset paper?
3 A. Hm-hmm.
4 Q. What is offset paper?
5 A. It has to do with the type of printing application.
6 It might be offset printing typically. Different ways
7 obviously of printing on paper. Offset is one of
8 those. It's like your newsprint for instance.
9 Q. So newsprint would be a variety of offset printing?
10 A. We had limited applications I believe in newsprint
11 because newsprint doesn't use fillers for all
12 practical purposes outside of clay. It's a very cheap
13 and show-through is not a problem. As most of us know
14 you can see print on the outside of the paper.
15 Q. With regard to the use or the application of calidria
16 asbestos in tissue or towels, are you aware of whether
17 or not any company put a product on the market, a
18 tissue or a towel product, that contained asbestos?
19 A. No, I'm not aware.
20 Q. So as far as you know it may have been used in test
21 runs and may have been limited on test runs only; is
22 that correct?
23 MR. KOHLBURN: I'm going to object to form.
24 MR. BUTSCH: You can answer the question, sir.
25 A. To the best of my knowledge I can't really say whether

00066

1 it was, no.
2 MR. BUTSCH: Thank you. I have no further
3 questions.
4 MR. BUSCH: I have a couple of follow-ups.
5 EXAMINATION
6 BY MR. BUSCH:
7 Q. You mentioned that you may have had some contact with
8 Weyerhaeuser with regard to one or two mill trials.
9 Would that have been generally having knowledge of
10 them or actively participating?
11 A. It could be either. You're going back 35 years or
12 better.
13 Q. Do you have a memory with regard to Weyerhaeuser
14 whether it was one or the other?
15 A. The question would be whether I had a memory at this
16 point in time.
17 Q. Do you know when the one or two trials took place?
18 A. It would be somewhere more likely in the late '60s,
19 early '70s to mid-'70s.
20 Q. Do you remember where the trials took place?
21 A. No, sir.
22 Q. And do you have any memory as you sit here today of
23 actually physically having been next to a machine when
24 calidria was put into it at a Weyerhaeuser facility?

25 A. No, sir I don't.

000067

1 EXAMINATION

2 B' MS. KIDD:

3 Q. My name is Anita Kidd.

4 Is calidria the only asbestos-containing product
5 that you sold to the paper industry; is it only
6 entitled calidria?

7 A. We had several different grades of the calidria
8 product. Like T-135 was the titanium blend with
9 asbestos and we had high-purity open or high-purity
10 pellets.

11 Those essentially were the two products that went
12 into the papermaking process were the high-purity was
13 a product name and titanium -- T-135.

14 Q. But they all fell under the general name calidria so
15 it would calidria high-purity and calidria T-135?

16 A. Yes.

17 Q. Now, we had briefly spoken about the technical
18 problems of the use of asbestos in the paper industry.
19 You mentioned the fact that there was a conflict with
20 the gluing dye in the bond paper?

21 A. Yes.

22 Q. Was there any issue with the use of asbestos in wax
23 paper, any technical difficulties?

24 A. It depended on the system. A specific type of paper
25 product within the glassine group, yes, you could have

000068

1 it. Many additives go into the paper system.

2 Different formulations reacted differently.

3 Q. So there could have been and as you recall -- did you
4 actually deal with the wax paper or was it mostly with
5 the bond?

6 A. Mostly with the bond.

7 Q. To your knowledge, sir, were there technical
8 difficulties with the tissue industry with the
9 addition of asbestos?

10 A. Yes, I think there was.

11 Q. And with the towel, paper towels?

12 A. I really can't recall with the towels.

13 Q. And how about with the corrugated cardboard?

14 A. I really didn't have any direct contact at all with
15 that particular application so I really can't speak on
16 that.

17 MS. KIDD: Thank you.

18 EXAMINATION

19 BY MR. KANUTE:

20 Q. I have just a few questions, Mr. Ingalls. My name is
21 Michael Kanute and I represent International Paper.

22 You mentioned St. Regis earlier today, some
23 recollection using high-purity asbestos. You
24 described it as good writing paper; is that correct?

25 A. That's probably stationery.

000069

1 Q. Were you referring to a type of bond paper?

2 A. More than likely, yes. The range of paper products
3 varied all over the place. Putting them in which
4 particular grade that they were using at the time I
5 couldn't say for sure.

6 Q. Do you have a specific recollection of any particular
7 product line or application that St. Regis was using?

8 A. No, it was my recollection it was for the purpose
9 of -- as a retention aid. It's probably the most

10 specific I could be on it.
11 Q. You don't have any recollection as to the volume of
12 paper produced?
13 A. No, sir.
14 Q. In fact, is it your recollection that good writing
15 paper as you describe it is a very small percentage of
16 the product line that St. Regis made back in the '60s
17 early '70s?
18 A. I don't know but that could certainly be true.
19 Q. And the calidria that was obtained as an additive to
20 your recollection was contained in some bond papers
21 back in the period to your recollection that the
22 content was a small percentage as compared to the
23 other materials that go into paper?
24 A. I'm not quite sure how to answer that. When you
25 say -- compared to what? It's mostly comprised of
000070 cellulose.
2 Q. There was a document marked as an exhibit today that
3 showed that the content of calidria may have been used
4 in some of the runs and were less than 5 percent; is
5 that your recollection?
6 A. Yes, that would be correct. Typically they did run
7 usually in the order of less than 5 percent.
8 Q. And is your recollection that the pelletized form of
9 calidria -- you mentioned dust -- is it true that
10 Union Carbide marketed that product as being
11 essentially dust-free?
12 A. I don't recall that, no.
13 Q. Were your dealings with St. Regis Paper throughout the
14 course of your career at Union Carbide or were they
15 limited to a particular period of time?
16 A. My experience with the paper industry was very early
17 in my career with Union Carbide.
18 Q. Very early meaning late 1960s?
19 A. Late '60s, early '70s.
20 Q. I believe you mentioned some recollection of
21 Hammermill Paper used in calidria some bond-type
22 papers; is that correct?
23 A. Yes.
24 Q. Again, do you have any further recollection of the
25 grade of calidria that was used?
000071
1 A. In all likelihood it was high-purity or T-135.
2 Q. Do you have any recollection of any particular product
3 that Hammermill might have made -- or product lines --
4 by that name?
5 A. No.
6 Q. Do you have any recollection of volumes of paper --
7 bond-type paper -- produced by Hammermill during that
8 period?
9 A. No.
10 Q. Same thing with Champion Paper Company. Do you have
11 any information as to the grade of calidria that
12 Champion may or may not have used at any point time in
13 the 1960s or '70s?
14 A. No.
15 Q. Back at this period of time -- strike that.
16 In your sales function was it part of your job to
17 introduce and market the calidria in its various
18 grades to the paper industry?
19 A. Yes, in part.
20 Q. In your representations on behalf of Union Carbide did

21 you represent that calidria was a safe product back in
 22 that time period?
 23 A. I'm sorry?
 24 Q. Did you represent that calidria was a safe product
 25 back in that period of time?

00072

1 A. Did we represent it as a safe product?
 2 Q. Did you represent that it was a safe product?
 3 A. In what capacity? How would we do that? I'm not
 4 quite sure how to answer your question.
 5 Q. Let me ask this: Other than the titanium dioxide
 6 retention, there were other benefits to calidria that
 7 were, that you made the paper companies aware of;
 8 correct?
 9 A. Yes.
 10 Q. Was reducing pollution one of the benefits of using
 11 calidria in the papermaking process?
 12 A. It was on occasion an added bonus in that it reduced
 13 effluence in some applications and it also enhanced
 14 the recovery process particularly where the fines and
 15 recycled streams from the papermaking process, not
 16 always but in some instances was advantageous, yes.
 17 Q. Let me ask you with regard to Hammermill Paper back in
 18 the 1960s as early 1970s. Did you have familiarity
 19 with the array of products that were offered by
 20 Hammermill Paper?
 21 A. Not that I can recall at this point in time.
 22 Q. Do you any specific knowledge as to the percent of its
 23 product line that was represented by bond-type papers
 24 back in the 1960s and 1970s?
 25 A. No.

00073

1 Q. Same question with regards to Champion Paper
 2 Company --
 3 A. No.
 4 Q. -- do you have any information?
 5 MR. KANUTE: Okay. That's all I have. Thank you
 6 sir.
 7 FURTHER EXAMINATION
 8 BY MR. KOHLBURN:
 9 Q. I have a couple more here.
 10 Was there any particular grade or type of
 11 calidria that from a technical standpoint would have
 12 been associated with tissue papermaking to the extent
 13 it was used as an additive?
 14 A. Could you --
 15 Q. If someone was going to put calidria in tissue paper,
 16 is there a particular grade or type they would have
 17 used?
 18 A. Grade of tissue paper?
 19 Q. No, of calidria. Would they have used the high-purity
 20 or is there a particular grade they would have used
 21 for tissue making?
 22 A. It would have been the high-purity grade.
 23 Q. Were you ever involved in any kind of a test or
 24 studies to determine the friability of asbestos in a
 25 finished paper product?

00074

1 A. Friability, in what regards?
 2 Q. You make bond paper that contains calidria. Were you
 3 ever involved in any kind of study to determine the
 4 extent to which that finished product may have given
 5 off asbestos particles or dust?

6 A. No.

7 Q. And not limited to just bond paper, talking about any
8 type of finished paper product, were you ever involved
9 in any kind of test or study to determine the
10 friability or the exposure potentials associated with
11 finished paper products?

12 A. Not that I'm aware of.

13 Q. Are you aware of any of those being conducted by
14 anyone at Union Carbide?

15 A. Not that I'm aware.

16 Q. Are you aware of a study of that nature being
17 conducted by anyone outside of Union Carbide?

18 A. Not that I'm aware of.

19 MR. KOHLBURN: Thank you, that's all I've got.

20 EXAMINATION

21 BY MR. REEG:

22 Q. Sir, I'm Kurt Reeg. I represent Bowater.

23 Let me ask you this: were you ever involved in

24 any trial runs at Union Carbide where you used

25 non-pelletized asbestos in a papermaking application?

000075

1 A. Within Union Carbide?

2 Q. Yes, sir.

3 A. We had our own papermaking laboratory where we made
4 hand sheets to evaluate the effectiveness or the lack
5 thereof of products and the various applications.

6 Q. So in that capacity did you sometimes use pelletized
7 asbestos and sometimes use non-pelletized asbestos?

8 A. Yes.

9 Q. In your experience in your tests at Union Carbide when
10 you poured pelletized asbestos into the machine into a
11 wet slurry mix, was the pelletized asbestos less dusty
12 than the non-pelletized asbestos when you poured it?

13 A. From a visual observation certainly but there wasn't
14 any way -- at that point in time it was my observation
15 it was safe; you could make that call, let's put it
16 that way.

17 Q. So visibly to the naked eye you did not see any
18 difference?

19 A. No, it was -- pelletized material was visibly less
20 dusty.

21 Q. Did you ever conduct any kind of dust counts or
22 lab-type testing on the differences when you used
23 pelletized versus non-pelletized?

24 A. We did it on laboratory scale and in a designed plenum
25 chamber.

000076

1 Q. Do you know what happened to those test results?

2 A. I have no idea.

3 Q. Was there a written report or any written kind of --

4 A. Yes.

5 Q. -- results from those tests?

6 A. Yes.

7 Q. Do you recall ever sharing the results of those tests
8 with any paper companies?

9 A. No, I can't recall.

10 Q. Did you, yourself, personally ever share those results
11 with any paper company?

12 A. I may have.

13 Q. Do you recall any specific companies with whom you
14 shared those results?

15 A. No.

16 Q. Do you know if Union Carbide, your employer at the

17 time, shared those results with any paper companies?
 18 A. No, I don't.
 19 Q. What would you call those tests or the test results --
 20 if we were looking for them what would we be asking
 21 for?
 22 A. We refer to them as air plenum tests.
 23 Q. Did you ever communicate, yourself, to any paper
 24 companies that when they were using any of Union
 25 Carbide's calidria asbestos in any applications that

000077

1 they should utilize paper masks or respirators?
 2 A. Not that I recall.
 3 Q. Do you know if Union Carbide made any recommendations
 4 in that regard to any paper companies?
 5 A. Again, not that I can recall.
 6 MR. REEG: Thank you, sir. No more questions.
 7 MR. WILL: I have a few for you, Mr. Ingalls.

8 EXAMINATION

9 BY MR. WILL:

10 Q. I want to start with the last topic that was raised
 11 which was communication with customers. And in terms
 12 of -- would you describe for me, please, what was
 13 Union Carbide's attitude in terms of sharing with
 14 customers test data that it had.

15 A. It was very open. There was no restrictions that I
 16 was aware of corporate-wise or otherwise or my
 17 immediate superiors with regard to the release of
 18 information as long as we felt that it was accurate
 19 with regard to the government statutes or
 20 epidemiological studies or any information that we had
 21 available at the time publicly.

22 Q. You said that you weren't sure you could recall
 23 whether there had been any recommendations made to
 24 paper companies about the use of masks. Should that
 25 be interpreted as you testifying that no such

000078

1 instructions or recommendations were ever made?

2 A. No.

3 Q. You're just saying that sitting here today you can't
 4 recall one way or the other?

5 A. That's correct.

6 Q. Before you testified today have you had a chance to go
 7 back and look at documents from Union Carbide that had
 8 your name on them? Is that something you spent any
 9 time doing before being deposed today?

10 A. The documents really aren't available to go back.

11 Q. So if you went back and had a chance to look at those
 12 documents that might refresh your memory about
 13 particular communications you could have with
 14 customers?

15 A. Correct.

16 Q. During the time you were at Union Carbide were you
 17 ever instructed to withhold information about health
 18 and asbestos from potential customers?

19 A. No.

20 Q. And was some of the information that Union Carbide had
 21 available for dissemination to customers information
 22 about approved masks and respirators and breathing
 23 protection?

24 A. My recollection is that we made available the
 25 references and information on federal statutes, OSHA,

000079

1 et cetera, that would fall into that category of use.

2 we did not try to elaborate on what was already law.
 3 Q. So federal law, for example, approved particular
 4 respirators?
 5 A. We would recommend those and give them references or
 6 copies of the OSHA regs at the time if they were
 7 available.
 8 Q. I want to touch on one other thing. You said that you
 9 sold various calidria products to the paper industry
 10 and others; correct?
 11 A. Yes.
 12 Q. Now, all of those products were asbestos fiber; is
 13 that right?
 14 A. We did have products that also included things like
 15 the titanium dioxide grade.
 16 Q. But what you were selling was basically asbestos
 17 fiber?
 18 A. Correct.
 19 Q. And some of the types of fiber had titanium dioxide or
 20 another material added?
 21 A. Yes.
 22 Q. All of the asbestos fiber came from the same mine in
 23 California; is that correct?
 24 A. Yes, the Coalinga.
 25 Q. And all of it was fabricated -- or processed I should

000080

1 say -- in the same mill in King City, California?
 2 A. Yes.
 3 Q. And that fiber from California was the only asbestos
 4 product that you were involved in selling to
 5 customers; is that correct?
 6 A. That is correct.
 7 Q. You were asked a number of questions about mill
 8 trials. Did every mill trial result in the owner
 9 becoming a customer?
 10 A. No.
 11 Q. In terms of the paper industry and the mill trials
 12 that you participated in, do you have a sense as to
 13 whether most mill trials turned into long-term
 14 customers, or whether you had a low percentage of
 15 success, or can't you say one way or the other?
 16 A. It was probably a 50/50 situation.
 17 Q. In terms of whether specific papermills became
 18 customers and actually used calidria, I take it you
 19 don't have much of a recollection of that one way or
 20 the other sitting here today?
 21 A. That's correct.
 22 Q. Would you recommend looking at the actual purchase
 23 records, sales records of Union Carbide and those
 24 paper companies to make that determination?
 25 A. Yes.

000081

1 Q. And your testimony here shouldn't be interpreted as
 2 saying they did or they didn't one way or the other;
 3 is that correct?
 4 A. They did?
 5 Q. That the paper companies necessarily did or
 6 necessarily didn't put out finished products for
 7 consumers with calidria?
 8 A. That's correct.
 9 Q. What you want to do is have somebody look at the
 10 actual sales and purchase records to make that
 11 determination?
 12 A. That's correct.

13 Q. I want to ask you about Exhibit 8 for a moment here
 14 which is this collection of ten documents and it ends
 15 with a -- ten pages rather -- that ends with a
 16 distribution list.

17 Some of these documents are dated from 1963; is
 18 that correct?

19 A. Yes, I believe so.

20 Q. And looking at the distribution list here there is
 21 a -- strike that. Let me ask you a different
 22 question.

23 Just looking at this information generally seems
 24 to relate to asbestos and various health aspects of it
 25 or potential health aspects of it; is that correct?

00082

1 A. Yes.

2 Q. Is that the kind of thing that you received from time
 3 to time while you were employed at Union Carbide?

4 A. Yes, it was that and another format as well; yes.

5 Q. Now, you don't have any specific recollection of
 6 receiving the documents that are in Exhibit 8; is that
 7 correct?

8 A. No. Obviously I was on the distribution and I in all
 9 likelihood read it.

10 Q. You don't even know that these actually came in this
 11 format do you?

12 A. That's true.

13 Q. But assuming that they did, you would -- that they
 14 actually were put together and distributed, then you
 15 believe you would have received it about that time?

16 A. Yes.

17 Q. And was this the kind of information that you could
 18 share with customers as questions came up?

19 A. By and large, yes.

20 MR. KOHLBURN: Just for the record so that we're
 21 clear on it, that is the format in which Union Carbide
 22 produced it to the plaintiffs.

23 MR. WILL: That's where you got it out of the
 24 file. I just note on it that you got the first page
 25 it has the King City received stamp; the distribution

00083

1 list has a check next to the guy in South Charleston,
 2 so I'm not sure how this was put together.

3 That's all I have.

4 FURTHER EXAMINATION

5 BY MR. KOHLBURN:

6 Q. Mr. Ingalls, how do you know that all of the calidria
 7 came from one mine in California?

8 A. My opinion is based on the fact that I joined the
 9 company in 1963 as a development engineer and was
 10 assigned to work on the calidria asbestos project
 11 program and I had worked for two years before in the
 12 summer as a graduate student at the University of
 13 Maine Pulp and Paper Foundation that was under
 14 contract -- research contract -- Union Carbide to
 15 investigate the applications of asbestos in
 16 papermaking applications.

17 So I was exposed to the very early onset of Union
 18 Carbide's marketing and developing efforts on that
 19 product line and to the best of my knowledge we never
 20 used anything aside from what -- as a product line
 21 that didn't come out of the calidria deposit area.

22 EXAMINATION

23 BY MR. HEBRANK:

24 Q. Mr. Ingalls, if there were calidria sales to a paper
25 company such as Georgia-Pacific, would you know what

000084

1 Georgia-Pacific did with the calidria?

2 A. Only to the extent that we may have known the grade
3 they were using it in or we may have run a trial on
4 that particular grade early on and they approved it
5 for use ultimately, but they may go on to use it in
6 other materials we would not be aware of.

7 Q. As to Georgia-Pacific, for example, if there were
8 calidria sales do you have any knowledge from
9 Georgia-Pacific what they used the calidria for?

10 A. Not that I can recall at this time, no.

11 Q. Did you have any information that Georgia-Pacific used
12 it in any paper products that were ultimately marketed
13 and sold to the public?

14 A. Not that I recall.

15 FURTHER EXAMINATION

16 BY MR. KANUTE:

17 Q. Sir, let me just follow-up on one thing your counsel
18 discussed. You said that Union Carbide made available
19 references to OSHA and other government regulations
20 regarding respirators to customers; right?

21 A. Maybe not as specific as a respirator but we made
22 reference to what was either available or considered
23 to be state of the art with regards to health and
24 safety, which agency it might be at the time.

25 Q. Did you wait for the customer to ask for that

000085

1 information or did you make it a practice to provide
2 that information with every new customer that you sold
3 calidria to?

4 A. It was our policy in general to make them aware of the
5 fact that there were potential toxicological
6 properties associated with the materials and there
7 were precautions to be taken with regards to OSHA
8 protocols or what have you or what was available at
9 the time.

10 Q. Are you telling me that in every instance with a new
11 customer to whom you sold calidria asbestos you
12 provided them this information?

13 A. No.

14 Q. In what specific form was the information provided if
15 you did provide it?

16 A. It could take anything from a written to a verbal.

17 Q. If you provided written materials, what kind of
18 written materials would you give them?

19 A. It might be a copy of the current regulations that
20 would be applicable to a memorandum or what have you
21 that addresses the subject.

22 Q. Do you ever recall providing any customers with these
23 air plenum test results?

24 A. Not that I recall.

25 Q. When you, in your sales capacity, went to a new

000086

1 potential customer, what kind of job function person
2 did you talk to? Would you talk to salespeople?

3 A. Director of research usually.

4 MR. KANUTE: Thank you, sir.

5 EXAMINATION

6 BY MR. REEG:

7 Q. Sir, just a couple of quick follow-ups.

8 As I sit here do you have any specific

9 information as to whether St. Regis actually sold to
10 the public a product, final product, using calidria?
11 A. Not that I can recall at this time, no.
12 Q. Do you have any specific information as to whether
13 Hammermill actually sold to the public a final product
14 that included calidria?
15 A. I'm really confident that they did, but I cannot give
16 you specifics.
17 Q. You don't recall anything about a particular product
18 that Hammermill sold to the public containing
19 calidria?
20 A. No, I don't.
21 Q. And do you have any specific information as you sit
22 here as to whether Champion actually sold to the
23 public a product containing calidria?
24 A. Not that I can recall, no.
25 (Whereupon, the deposition was concluded at 12:39 p.m.)

000001

CERTIFICATE

I, Lisa Fitzgerald, a Notary Public in and for the State of Maine, hereby certify that on February 12, 2002, personally appeared before me Blair Ingalls. The within-named deponent, who was sworn to testify the truth, the whole truth and nothing but the truth, in the cause of action In Re: All Asbestos Litigation Filed by the Simmons Firm, LLC vs. A. P. Green Refractories, et al., now pending in the State of Missouri, Circuit Court, Twenty-Second Judicial Circuit; and that this deposition was stenographically reported by me and later reduced to typewritten form with the aid of computer-aided transcription; and the foregoing is a full and true record of the testimony given by the witness.

I further certify that I am a disinterested person in the event or outcome of the above-named cause of action.

I further certify that the adverse party was duly notified according to law to attend at the taking of said deposition and did attend.

IN WITNESS WHEREOF, I subscribe my hand and affix my seal this February 22, 2002.

LISA FITZGERALD, NOTARY PUBLIC
Court Reporter

My commission expires: May 10, 2004