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5199

PLAINTIFF'S EXHIBIT 5199-0

April 13, 1970

PRODUCED S/C/M/Ms

Mr. Donald E. Cummings, Assistant Director,
The Saranac Laboratory for the Study of Tuberculosis,
7 Church Street,
Saranac Lake, N.Y.

Dear Don:

I found your letter of April 8 on my return from Pittsburgh. I am very much afraid that I have not much of comfort to you. I talked it over with Sayers and he feels very strongly that if you and the Saranac Laboratory are going to stay in the consulting business with respect to the mining industry, it will not be possible for you to publish those papers, at least at the present time. I myself somewhat reluctantly feel inclined to agree with him.

The mining companies in Michigan, with whom you have been in contact, have interests in the Fisher District. If these papers are published against the wishes of the Tri-State Association, you will undoubtedly promptly feel the repercussion elsewhere. As I said before, I feel the whole situation is unfortunate but it is one of those things that can not be helped. I think it is important that the Saranac Laboratory establish and maintain contact with industrial firms because it is going to be increasingly necessary for industry to have available a thoroughly scientific and impersonal establishment with which it can do business. At the same time, we must recognize that the present disturbed condition of affairs, with the extraordinary multiplicity of damage suits for asbestosis is not only very disturbing but necessitates that all of us who are in contact with industrial firms proceed with a great deal of caution. I understand that Chester lawyers are beginning to stir things up in Fisher and Bloni, which makes the situation with respect to the Tri-State Association still more difficult. On the other hand, I feel fairly certain that when the industrial situation starts to clear up, you will be able to bring your reports up to date and have them published. In that respect, as I pointed out, you are in the same position as we are with the investigations we have made in the asbestos industry.

With best regards.

Sincerely yours,

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A. J. Lanza, M.D.

5200

PLAINTIFF'S EXHIBIT 5200-C

THE SARANAC LABORATORY FOR THE STUDY OF TUBERCULOSIS
OF
THE EDWARD L. TRUDEAU FOUNDATION

SARANAC LAKE, N.Y.

[illegible]

Dr. [illegible]
Metropolitan Life Insurance Company
New York City

Dear Tony:

As you may see from the enclosed letter to Dr. Knight, the fat seems to be in the fire. I am extremely sorry that it has happened and trust that you will not feel that we have played the game unfairly. As I had my suspicions previous to the Chicago meeting that there would be any objection to bringing this material before the public you may be sure that it would not have happened.

I reread your and Dr. Sayer's letter to Don written very shortly before we went to Chicago and in neither could I find any reason for believing that the Picher data should not be published. You did mention the fact that you had an agreement with the Tri-State people not to print anything without their authorization, but I inferred and Don inferred that this was a matter of form which would in no sense affect the ultimate treatment. As I told Dr. Knight the only [illegible] that I can see from this reference is the fact that it emphasizes by repetition the state of affairs in Picher for the Heriwether paper has already given the lure to everyone interested.

I very much regret that the Wisconsin Board could not be persuaded to delete this evidence from the minutes of their proceedings. I was greatly surprised when the report came yesterday to learn that they had not [illegible] so. I sincerely hope that we have not been responsible for adding to the difficulties of the Wet and everyone else in Missouri and Oklahoma. Forgive us if you can.

PRODUCED S/C/M/Ms

Sincerely yours,

LEROY U. GARDNER, M.D.
DIRECTOR

LUG:CG
Enclosure

MAY 11 '92 09:54AM BROWN TERRELL HOGAN P.3/4

5201

DR. KNIGHT
MEDICAL DIRECTOR

On April [illegible], Dr. Gardner and Mr. Cummings [illegible] with Sarnuse Laboratory came to the Home Office for a conference with Dr. Sayers, Dr. McConnell, you and myself. A very thorough discussion was had of all the various mutual interests exemplified by the pieces of research being carried on at Sarnuse and at the Bureau of Mines Laboratories in Pittsburgh. In view of the very unusual condition of affairs obtaining in various parts of the country, with respect to law suits for occupational diseases and particularly the unsatisfactory condition in the Fisher, Oklahoma [illegible], it was agreed by all present that certain reports dealing with studies made in Fisher should not be published at this time but that publication should be deferred until a more reasonable time.

I enclose the expense accounts of Dr. Gardner and Mr. Cummings in connection with this trip.

May 8, 1935

A. J. Lanza, M.D.
Assistant Medical Director

PRODUCED S/C/M/Ms

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PLAINTIFF'S EXHIBIT
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