

Exhibit C (SCF-ALLF-00395). See also Exhibit D (SCF-ABEX-0220) (2/1/37 letter from Blume of Abex to Sumner Simpson of Raybestos-Manhattan).

4. Abex and the others thereafter obtained the right to review and edit the Gardner study (which was actually completed by Dr. Vorwald). *See Exhibit E (SCF-ALLF-01007) (7/22/47 memorandum stating that the sponsors of the study would review same to determine if results “will be helpful to us in our problems”); Exhibit F (SC-ALLF-01120) (3/3/49 letter from V. Brown forwarding draft copy of Gardener study to sponsors).*

5. A meeting of Abex and the others was scheduled for November 11, 1948 to discuss the Gardener study and Abex, having reviewed the report, gave assurances that “the information contained therein will be treated as confidential.” *See Exhibit G (SC-ALLF-01065).* After this meeting, Abex and the others exercised their ‘editorial discretion’ to delete unwanted references to cancer being related to exposure to asbestos. *See Exhibit H (SC-ALLF-01075) (11/12/48 letter from V. Brown to W.T. Kelly, Abex Executive Vice-President, advising that all references to “cancer” and “tumors” in Dr. Gardner’s report would be deleted) Upon receipt of the November 12th letter, Kelly wrote back to Brown that since he was in possession of “the only stray copy of the tentative report I am asking Dr. Hamlin to return it directly to you.” Exhibit I (SC-ALLF-01080) (11/16/48 letter from Kelly acknowledging receipt).*

6. The final version of the Gardner study contained no references to cancer and was regarded by the sponsors as “generally favorable.” *See Ex. F; Exhibit J (SC-ALLF-01125 and SC-FA-4020) (3/8/49 letter from Kelly of Abex and Experimental Studies of Asbestosis, Vorwald).*

7. Philip E. Enterline, an expert in the field of biostatistics who reviewed the unedited Gardner study and the Vorwald report of that study, has concluded that Gardner’s original study