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G-45,618

October 18, 1990

Via Facsimile

Mr. Gordon E. Davenport, Jr.
1600 East Highway 6
First National Bank Building
Suite 400
Alvin, Texas 77511

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OCT 24 1990

G. J. TRIPLETT

Re: No. 87-CV-488; Ierlean Clay vs. Union Carbide Corporation; In the District
Court of Galveston County, 122nd Judicial District

Dear Gordon:

I have enclosed a proposed Rule 11 Agreement. In the event that this agreement meets with your approval, I will not call Mr. Theodore Torkelson as an expert witness. Mr. Torkelson generally will testify as to the knowledge in the medical and scientific literature of the hazards of exposure to vinyl chloride. Mr. Torkelson's opinions in this regard are generally the same as those expressed by Dr. Legator in this case as well as in the following cases in which Dr. Legator has given expert opinions:

Joseph Edward Powell, et al vs. Pulte, et al;
No. 84-75865; In the District Court of Harris
County, Texas; 151st Judicial District;

Kevin Jones, et ux, et al vs. Farm & Home
Savings Association, et al; No. 85-17210; In the
District Court of Harris County, Texas; 189th
Judicial District;

James L. Slaughter, et ux, et al vs. Monsanto
Company; No. 85-17210-C; In the District Court
of Harris County, Texas; 151st Judicial District;
and

10/25/90 - c: E. D. DeLoughy
R. A. Deckert - Kemper (Long Grove)
L0867/1397/04LV01

Louise Tauber - Kemper (Houston)
N. R. Pittillo

f: G. J. Triplett

UCC 070703

Mr. Davenport

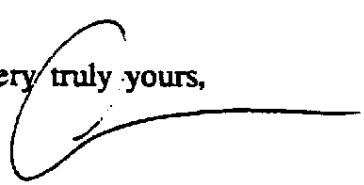
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Mike Fenimore, et al vs. Farm & Home
Savings, et al; No. 86-48352; In the District
Court of Harris County, Texas; 151st Judicial
District.

These additional depositions are available for your review to confirm Dr. Legator's prior testimony in which he has repeatedly stated the knowledge of the hazards of exposure to vinyl chloride first came to the attention of the medical and scientific community in the early to mid-1970's.

Very truly yours,


Andrew C. Schirrmeister III

ACS:1397
Enclosure

L0867/1397/04LV01

UCC 070704

X

Mr. Davenport

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October 18, 1990

bcc: Ms. Lee Rosenthal
Ms. Linda Jackson
Ms. Nila Pittillo
Mr. G. J. Triplett

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UCC 070705