

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON, WEST VIRGINIA

JAMES M. ADKINS, Administrator
of the Estate of Ralph E. Adkins,
Deceased, et al,

Plaintiffs,

vs.

MONSANTO COMPANY, a Delaware
Corporation,

Defendant.

No. 81-2098

Deposition of
GIRARD INCENTHON
taken on behalf of the
Plaintiffs.

Reporter: M. Joy Springer

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Defendant.)

No. 81-2098

APPEARANCES:

Messrs. Calwell, McCormick &
Peyton,
by W. Stuart Calwell, Jr., Esq. For Plaintiffs,

Messrs. Bowles, McDavid, Graff &
Love,
by Deborah A. Sink, Esq., For Defendant.

IT IS STIPULATED AND AGREED by and between
counsel for the plaintiffs and counsel for the defendant
that the deposition of GIRARD INGENTHORN may be taken
pursuant to Rule 26 (a) of the Federal Rules of Civil
Procedure, on July 11, 1983, at the Radisson Hotel, Room
215, 9th Street and Convention Plaza, St. Louis, Missouri,
before M. JOY SPRINGER, a Notary Public within and for
the County of Madison, State of Illinois; that the

1 issuance of notice and dedimus is waived, and that this
2 deposition may be taken with the same force and effect
3 as if all Federal rules and statutory requirements had
4 been complied with.

5 IT IS FURTHER STIPULATED AND AGREED that any
6 and all objections to all or any part of this deposition,
7 except objections as to form of the questions asked or
8 answers given, are hereby reserved and may be raised
9 on the trial of this cause; and that the signature of
10 the deponent is not waived.

11 * * * * *

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17 GIRARD INGENTHON

18 produced, sworn and examined on behalf of the plaintiffs,
19 deposes and says as follows:

20 EXAMINATION

21 BY MR. CALWELL:

22 (Whereupon the reporter marked Plain-
23 tiffs Deposition Exhibit #296 (Monsanto
24 #8326062) consisting of 1 page; Exhibit
25 #297 (Monsanto #232335 and 232336) consist-

1 ing of 2 pages; Exhibit #298 (Monsanto #232333)
2 consisting of 1 page; Exhibit #299 (Monsanto
3 #8326240 and #8326241) consisting of 2 pages;
4 Exhibit #300 (Monsanto #8326242 and #8326243)
5 consisting of 2 pages; Exhibit #301 (Monsanto
6 #8322873 and #8322874) consisting of 2 pages;
7 Exhibit #302 (Monsanto #236182 through
8 #236186) consisting of 5 pages; Exhibit #303
9 (Monsanto #233610 through #233612) consisting
10 of 3 pages, for the purposes of identification.)

11 Q (By Mr. Calwell) Would you state your
12 name, please.

13 A Girard Ingenthron.

14 Q And where do you live, Mr. Ingenthron?

15 A In Creve Coeur, St. Louis County.

16 Q And you're employed by Monsanto Company?

17 A Monsanto Company.

18 Q What do you do for Monsanto?

19 A Public Relations. I'm Director of
20 the News Bureau.

21 Q Could you briefly tell me what your
22 education is.

23 A I have a Degree in Journalism from
24 Marquette University.

25 Q Is that like a B.S. or an A.B.?

1 A A.B.

2 Q Did you have any post-graduate studies?

3 A I went to law school for about 25 hours,
4 night school, while I was working.

5 Q When did you graduate from college?

6 A '62.

7 Q Upon graduation from college where
8 did you go to work?

9 A Couple of small newspapers for about
10 three months each. One in Kansas, one in Milwaukee
11 area and then to the Kansas City Star as a reporter.
12 I spent a couple of years there.

13 Q When did you first go to work for
14 Monsanto?

15 A '67. September, '67.

16 Q Is that the first industrial chemical
17 company you went to work for?

18 A Yes.

19 Q Prior to that you had worked for news-
20 papers?

21 A No. I worked for a P.R. agency for
22 three years before that.

23 Q Where was that?

24 A Kansas City.

25 Q I presume when you went to work for

1 Monsanto in 1967, you went directly into the P.R. end
2 of the business?

3 A Right.

4 Q You're presently Director of the
5 News Bureau?

6 A Right.

7 Q As I vaguely understood, Monsanto's
8 divided up into a number of operating companies or
9 units. Where does the news bureau fit?

10 A It's a corporate staff.

11 Q So your services, then, serve the
12 needs of various operating units, then, I suppose, across
13 the board?

14 A More the corporate level needs, and
15 I also serve as backup for the operating unit people.

16 Q In the organizational scheme of things
17 what is your relationship to Dan Bishop?

18 A Dan is my peer. I handle most outside
19 contacts with the news media except in the area of
20 environmental communications, and Dan handles that. I
21 serve as a backup to him, also.

22 Q Now, how long have you been Director
23 of the News Bureau?

24 A About four years.

25 Q Prior to that what did you do for the

1 company?

2 A Director of Editorial Services
3 immediately prior, which means writing printed pieces,
4 speeches, annual report copy.

5 Q Annual report copy?

6 A (Nods head affirmatively.)

7 Q Was that also a corporate staff level?

8 A Yes.

9 Q Have you always been at the corporate
10 staff?

11 A No. Two jobs prior to that I served
12 for four to five years in the Polymers and Petrochemicals
13 Company.

14 Q And that's an operating --

15 A Operating unit at Monsanto.

16 Q Did you work for any other operating
17 unit of Monsanto?

18 A No.

19 Q Have you always been stationed here
20 in St. Louis?

21 A No. I spent two years in Brussels.

22 Q Is that the Polymers and Petro --

23 A No. That was corporate -- It was
24 international division, but it's a corporate job.

25 Q Except for that two-year period have

1 you always been here in St. Louis?

2 A Yes.

3 Q O.K. I want to hand you what's been
4 marked Plaintiffs' Exhibit #296 (Monsanto #8326062),
5 Mr. Ingenthron, and ask you to take a look at that.

6 A O.K.

7 Q All right. Exhibit 296 is a letter
8 on Monsanto letterhead dated June 3, 1982, over Sarah
9 Collins' signature, and you're shown as a copyee on
10 that document, are you not?

11 A That's correct.

12 Q Do you recall receiving that document?

13 A I don't recall it. I don't recall
14 receiving it.

15 Q Now, Mr. Ingenthron, would you please
16 read Exhibit #296 to the jury.

17 A "As you may know, in the past two
18 weeks, Monsanto has become the primary focus for the
19 plaintiffs' attorney in the Agent Orange class action
20 suit relating to discovery and deposition processes.
21 According to the attorney, he is doing this because
22 Monsanto was one of the two leading suppliers (second
23 behind Dow), its product was apparently one of the most
24 contaminated with dioxin, and the company has an anti-
25 environmental bias. He bases this on a 1962 Monsanto

1 Magazine article on pesticides apparently written in
2 response to Rachel Carson's Silent Spring.

3 Though Dow seems to have taken the brunt of
4 Agent Orange backlash, the latest development in the
5 litigation could raise Monsanto's visibility in the
6 minds of news reporters relating to Agent Orange stories.
7 Another possible 'look for' in this, over and above
8 general media inquiries, comes from an item mentioned
9 in Peter Rahn's column of 5/27/82. He reported that
10 Mike Wallace was in Vietnam preparing a 60 Minutes seg-
11 ment on the effects of Agent Orange.

12 We obviously don't know if Wallace's producers
13 are planning to request interviews from A.O. manufac-
14 turers. If they are, they might have tried to talk with
15 us regardless of lawsuit. However, with the latest de-
16 velopment in the plaintiffs' strategy, it makes the com-
17 pany an even more important subject."

18 Q Now, Mr. Ingenthron, before we go on
19 to the next document, you testified earlier that you
20 were responsible for preparing annual reports or, at
21 least, providing drafts of annual reports for the com-
22 pany, is that right?

23 A In the past.

24 Q When did you first begin doing that?

25 A Oh, perhaps, seven years ago.

1 Q And do you still have that responsi-
2 bility?

3 A No.

4 Q If you could, briefly tell me how
5 it's decided what goes into an annual report.

6 A It's a complex process. The various
7 portions of the book involve decisions and distributions
8 of information of a variety of people in the company.
9 I can go through each section of the book and explain
10 that. The first major section is the Chairman's letter,
11 and the major input to that comes from the Chairman.

12 Q Is there a section in your reports
13 having to do with toxicology or hazardous material
14 that the company may be handling?

15 A Yes, there often is.

16 Q And does that have a specific section
17 that it comes under?

18 A Environmental. It may have a different
19 name.

20 Q And would the information for that
21 particular section of the report, should it be in there,
22 then come from either the Medical Department or the
23 Department of Medical and Environmental Health, something
24 like that?

25 A Right, that's correct.

1 Q And would those requests come to you
2 by way of written memo, or something like that?

3 A Requests or you mean the information?

4 Q Yes.

5 A Yeah, I guess that's correct. I would
6 solicit it from the department and I would respond --

7 Q How would you know to solicit that
8 kind of information?

9 A I was then responsible for assembling
10 the information for the book, so it was part of the
11 routine there.

12 Q Would someone tell you what information
13 you needed to solicit?

14 A I'm not sure I understand what you mean.

15 Q Well, for instance, if you were going
16 to include something in the annual report about a health
17 program or health monitoring program involving, for
18 example, para-amino-biphenyl that was used at one time
19 at the Nitro Plant and for some reason that information
20 was relevant or was to be included in the annual report,
21 how would you know to ask, for example, the Medical
22 Department about that? I don't know anything about PAB
23 was ever put in there, but you see by way of example
24 what I'm talking about?

25 A One of two ways. Either I would,

1 perhaps, suggest specific information be provided or
2 the department would simply provide information and
3 suggest that that be included.

4 Q O.K. So there are instances where
5 you had the authority to make a suggestion as to what
6 should be included?

7 A Sure.

8 Q Do you recall if you ever made a
9 suggestion regarding toxicity of any substance being
10 included in the annual report?

11 A I don't recall ever doing that.

12 Q Do you recall if any annual report
13 during these seven years that you were working with it
14 included some information about toxicity?

15 A I only worked with the book for
16 approximately three or four years, and I don't recall
17 if any of those contained -- You said information about
18 specific toxicity of a chemical?

19 Q Right.

20 A I don't recall that any did.

21 Q Do you recall anything being published
22 in the annual report regarding 2,3,7,8 tetrachloro-
23 dibenzo-para-dioxin?

24 A No.

25 Q Do you ever recall anything appearing

1 in an annual report regarding a chloracne problem at
2 the Nitro Plant?

3 A No.

4 Q Do you prepare press releases as
5 Director of the News Bureau?

6 A Yes, some.

7 Q And in terms of preparing news re-
8 leases, how does that come about? How do you know what
9 to write on?

10 A Again, it depends on the subject.
11 Financial news releases are guided by S.E.C. regulations,
12 so those are clear. I don't generally prepare news
13 releases on environmental questions because that comes
14 under Dan Bishop.

15 Q Even though that may concern the
16 press, the fact is the subject matter would dictate that
17 Dan Bishop would take care of that?

18 A That's right.

19 Q Have you ever prepared any news re-
20 leases pertaining to the chloracne problem at the Nitro
21 Plant?

22 A I don't believe so.

23 Q Did you ever prepare a news release
24 that links chloracne with 2,3,7,8-TCDD?

25 A I don't think so.

1 Q Have you ever prepared any news re-
2 lease pertaining to Raymond Suskind or any studies he
3 may have done on the Nitro work force?

4 A No.

5 Q Would that all come under Dan Bishop?

6 A Yes.

7 Q Who in Monsanto has the authority to
8 put the final approval on the annual report? Is there
9 some person or department that does that?

10 A Chairman.

11 Q The Chairman. Now, I realize that
12 that is ultimately his responsibility, but as a practical
13 matter who really does the review for accuracy and makes
14 the recommendation for the Chairman that the report is
15 in order and therefore should be approved?

16 A That would include several people.
17 It would include an attorney that worked in the financial
18 area. It would include the Comptroller of the company,
19 Vice President of Public Affairs. Each of those people
20 would make recommendations to their own superiors, so
21 their superiors would also be involved. But those three
22 people, I guess.

23 Q And on a particular item that may
24 appear in the annual report, would I be correct in
25 assuming that one of these three people that you have

1 identified would go to the appropriate department or
2 operating unit for clarification or correction?

3 A No. That would generally be done
4 by whoever's doing the writing or production of the
5 annual report, so that person in the Public Relations
6 Department who writes a section on, say, the plastics
7 company would get clearance from the Managing Director
8 of the Plastics operating unit.

9 Q From the Managing Director?

10 A Right.

11 Q So this checking of the work occurs
12 really before it gets to the three people that you have
13 identified for accuracy --

14 A Oh, they see it at various stages.

15 Q And that would be true, too, for
16 any question about the technical aspects or the correct-
17 ness of something that might affect the Medical Depart-
18 ment or DMEH, so you would go directly to that source?

19 A That's right, directly to the DMEH.

20 Q Has this information that you briefly
21 described been the same since you went to work for
22 Monsanto?

23 A I can only speak for the last seven
24 years. I think it's been the same during that period.

25 Q Generally. There probably have been

1 some minor --

2 A Probably the same.

3 Q Now, in connection with Exhibit 296
4 which you have before you, why would you be receiving
5 a copy of that?

6 A For a period of six or eight months
7 during 1982 Dan Bishop was assigned to the Brussels
8 office and I took over his administrative duties.
9 Two people working in Environmental Communications
10 reported to me during his absence. One of them was
11 Sarah Collins, so she carboned me routinely on corres-
12 pondence.

13 Q In connection with the subject matter
14 of Exhibit 296, did you receive any briefing in your
15 company or were you oriented to those matters as you
16 filled in for Dan Bishop?

17 A No particular briefing. I was familiar
18 with the general issue here.

19 Q And would that familiarity have nor-
20 mally or naturally arisen in the course of your regular
21 duties?

22 A Yes.

23 Q What is your mission as Director of
24 News Service?

25 A To make sure that Monsanto is represented

1 in the press in the areas of science, finance, personnel
2 and other aspects accurately.

3 Q Does that charge of duties except out
4 environmental matters?

5 A Yes.

6 Q Does it except out health in the work-
7 place matters?

8 A Generally speaking.

9 Q Since you have been Director of News
10 Service, has that been true?

11 A Yes.

12 Q Those matters would be fairly exclu-
13 sively assigned to your peer, Dan Bishop, is that correct?

14 A Yes.

15 Q Did you take any action with regard
16 to the information transmitted to you by Exhibit 296?

17 A I don't recall any.

18 Q Your copy of 296 would have just been
19 filed in the normal course of events in your office?

20 A That's correct.

21 Q Let me hand you what's been marked
22 Plaintiffs' Exhibit #297 (Monsanto #232335).

23 All right. Mr. Ingenthron, that Ex-
24 hibit 297 is a letter dated November 17, 1981, apparently,
25 over Dan R. Bishop's signature, is that correct?

1 A Correct.

2 Q And it's on Monsanto letterhead?

3 A Right.

4 Q You were shown as a copyee on that
5 document?

6 A Right.

7 Q As far as you know, you received a
8 copy, is that correct?

9 A That's correct.

10 Q Now, I see according to this Dan
11 Bishop is in the country, so, apparently, that's before
12 he left for Brussels?

13 A Right.

14 Q Why would you be receiving a copy
15 of this particular memo?

16 A Because I'm in charge of the news,
17 I try to stay abreast of all issues facing the company,
18 so he carbons me routinely for informational purposes.

19 Q And you, likewise, I guess, would
20 carbon him if you felt it appropriate?

21 A Right.

22 Q For the same reason?

23 A Right.

24 Q In paragraph two of the cover letter,
25 which, apparently, encloses a copy of an article appearing

1 in the Charleston Sunday Gazette-Mail as page 2 of
2 that exhibit, the letter reads, "It's unfortunately
3 very easy to lose sight of real benefits when everyone
4 becomes so hung up on potential risks. This story needs
5 to be told more often, but we obviously aren't the ones
6 to tell it." Do you see where that is?

7 A Yes.

8 Q Do you know what potential risks
9 Dan Bishop is referring to?

10 A I can only speculate.

11 Q What did it mean to you when you read
12 this?

13 A Chloracne. I didn't really think about
14 it.

15 Q In your position as Director of the
16 Monsanto News Service, have you received any briefing
17 about the potential risks of Agent Orange exposure or
18 2,3,7,8-TCDD exposure or anything like that?

19 A To a certain degree I have become
20 familiar with risks associated with exposures.

21 Q And has that been in connection with
22 your job?

23 A Yes.

24 Q And what have you been made aware of?

25 A That there is a potential for chloracne,

1 that three health studies at Nitro have shown that there
2 are no other long-term health effects associated with
3 exposure.

4 Q Do you recall what three health studies
5 you're referring to?

6 A No. I recall one as Dr. Suskind
7 from the University of Cincinnati.

8 Q Do you recall when that study may
9 have been done?

10 A I'm not certain. I think it was com-
11 pleted in '82.

12 Q And as far as you know, it was completed
13 in '82?

14 A I should say reported in '82.

15 Q Do you know if that was a morbidity
16 study?

17 A I'm not certain.

18 Q And do you know how you found out
19 that this study was reported? Was it something you
20 read in the papers or did you have some connection
21 with the release?

22 A No. It's something I read about.

23 Q Your company did not provide you with
24 any kind of a briefing on it?

25 A No.

1 Q And was this something that came
2 under Dan Bishop's authority?

3 A Yes.

4 Q Did you receive any other information
5 from your company about dioxin or Agent Orange or the
6 Nitro work force?

7 A Not that I recall.

8 Q I'd like to hand you what's been
9 marked Plaintiffs' Exhibit #298 (Monsanto #232333).

10 A O.K.

11 Q All right. Mr. Ingenthron, Exhibit
12 298 is on Monsanto letterhead over Dan Bishop's signa-
13 ture, dated September 24, 1981, is it not?

14 A Right.

15 Q And, again, you were shown as receiving
16 a copy of that letter.

17 A Yes.

18 Q As far as you know, did you receive
19 a copy?

20 A I don't recall.

21 Q You have no reason to doubt that you
22 didn't, however?

23 A No.

24 Q And were you provided a copy of this
25 letter by way of just information from Mr. Bishop's

1 office, as far as you know?

2 A That would be the reason, yes.

3 Q That would be the same reason as Ex-
4 hibit 297, then, I presume?

5 A Right.

6 Q If you would, please, read to the
7 jury the body of that exhibit.

8 A "For your information, the following
9 news items appeared on the front page of today's The
10 Wall Street Journal: 'Agent Orange affected more GI's
11 in Vietnam than previously thought. Secretary of
12 Health and Human Services Schweiker said 41 spraying
13 missions of the defoliant, which is now linked to a
14 variety of ailments, were dumped on areas where U. S.
15 troops were. He substantiated claims by veterans'
16 groups of high levels of exposure but couldn't give
17 firm figures.'

18 It is very uncharacteristic of the WSJ to
19 engage in such biased, sloppy reporting, e.g., the use
20 of phrases like 'Agent Orange affected' and 'the de-
21 foliant is now linked to. .'

22 I realize that this 'now linked' language
23 probably came from Schweiker's press conference but
24 it's not clear from this report and no less alarming, in
25 any event.

1 One could conclude that this signals a new
2 administration position on Agent Orange. We are try-
3 ing to obtain a copy of the entire transcript of the
4 press conference. By copy of this memo, I'm asking
5 Mr. Pickard to give us a reading from his perch in
6 Washington."

7 Q I'd like to thank you, Mr. Ingenthron.

8 I'd like to ask you, Mr. Bishop makes
9 reference to some uncharacteristically biased reporting,
10 in his opinion, by the Wall Street Journal. In the
11 course of performing your job did you have any infor-
12 mation at your disposal to allow you to make a judgment
13 about the truth or accuracy of the quote in the Wall
14 Street Journal that appears there in paragraph 1 of
15 Exhibit 298?

16 A I'm not sure I understand what you're
17 asking for.

18 Q Well, apparently, just from reading
19 Mr. Bishop's memo, he's concerned that, apparently,
20 the quoted materials in the Wall Street Journal are
21 biased and, perhaps, sloppily reported. So I'm asking
22 you if from your job if you had any knowledge yourself
23 as to whether the quoted materials appeared to be biased
24 or sloppily reported to you?

25 A Yeah, I would say they make unfair

1 implications.

2 Q O.K. And does it appear to be sloppily
3 reported to you also?

4 A I guess it depends on one's definition
5 of sbppy reporting.

6 Q Yes. Using your definition does it?

7 A I guess you could call it sloppy.

8 Q Now, again, from your perspective,
9 what do you base your conclusion that the quoted materials
10 are sloppily reported or biased unfairly?

11 A As I said, they make implications
12 that a variety of ailments are linked to the defoliant,
13 and that's not proven.

14 Q And in 1981 what would you have based
15 that conclusion on?

16 A Well, my general knowledge of the
17 issue from reading press reports, from information such
18 as this, information copies on the issue.

19 Q So your conclusions or opinions are
20 drawn from press reports and copies of memos that you
21 receive from the Public Relations Department?

22 A Well, as well as other data that I
23 dealt with at the company, that's right.

24 Q What other data would that be?

25 A Let's see, I would have dealt with

1 some of this information in preparation for executives
2 for the annual report.

3 Q And what information was provided
4 for you to do that?

5 A Information from DMEH, dealing with
6 the general issue.

7 Q And did that information, was it
8 like a memoranda and so forth?

9 A Yes.

10 Q Mr. Ingenthron, I'm going to hand
11 you what's been marked Plaintiffs' Deposition Exhibit
12 #303 (Monsanto 233610).

13 A O.K.

14 Q Mr. Ingenthron, Exhibit 303 is on
15 Monsanto letterhead, is it not?

16 A It is.

17 Q And it appears to be a Chlorinated
18 Dibenzo Dioxins Discussion Paper from G. E. Paget to
19 George Roush, dated June 5, 1979, is that correct?

20 A Right.

21 Q Have you ever seen this document before?

22 A I don't believe so.

23 Q Is this the type of briefing document
24 you would have received?

25 A No. The type of document I'm talking

1 about is a very simple, general, perhaps, one paragraph
2 on the issue. The greatest detail I received was from
3 reading press reports, technical literature from such
4 books as C. and E. News, Science magazine and such.

5 Q If you would look on page 1 of that
6 document under paragraph denominated "Causes of Concern."

7 A Right.

8 Q And if you would read paragraph num-
9 bered 1 there to the jury.

10 Q "1. 'Dioxins, the Most Poisonous
11 Substances Known to Man' is now a media cliché and
12 elicits shudders of horror almost equal to 'A Sea of
13 Carcinogens' or 'Love Canal.' We must be sensitive to
14 this public awareness and be prepared with data and a
15 response if 'Monsanto dioxins' reach the public eye
16 as they did in the notorious Sturgeon spill (no matter
17 what the actual facts were in that case)."

18 Q Is the subject matter of paragraph
19 numbered 1 something you would have contended with in
20 your job as Director of News Service?

21 A You mean this subject matter specifically?

22 Q Yes.

23 A No. Many people in the company have
24 opinions on media treatment and express them this way.
25 There's no reason for me to treat this particular

1 paragraph.

2 Q Did you receive any specific charge
3 or direction with reference with how to handle the
4 dioxin issue identified in here as "dioxins, the most
5 poisonous substances known to man"?

6 A No.

7 Q All right. Now, let me hand you
8 what's been marked Plaintiffs' Exhibit #299 (Monsanto
9 #8326240).

10 A O.K.

11 Q All right. Mr. Ingenthron, Exhibit
12 299, likewise, is on Monsanto letterhead, is it not?

13 A Right.

14 Q Is it a May 1, 1979, memorandum over
15 the signature of James E. McKee?

16 A That's right.

17 Q And you're shown as a copyee of that
18 memo?

19 A Right.

20 Q And is there any reason to believe
21 you didn't receive a copy of it?

22 A No reason.

23 Q And, again, let me ask you why you
24 would have received this particular memo?

25 A An informational copy. I was in the

1 same job at that time, I guess.

2 Q In numbered paragraph 3 on page 1 of
3 the exhibit, reference is made to the establishment
4 of a Task Force. Do you know what Task Force is re-
5 ferred there?

6 A Just as it's described. I don't
7 know that it was ever formed.

8 Q Do you know if you ever received
9 copies of any materials that such a Task Force might
10 have generated?

11 A I don't recall any.

12 Q Do you know what the purpose of that
13 Task Force was to have been?

14 A Just as it's described here.

15 Q If you'll look at, I guess, the second
16 unnumbered paragraph, part e, there is some reference
17 made to preparation of positive stories.

18 A Right.

19 Q Do you know what that has reference to?

20 A I sure don't.

21 Q Have you ever been asked to prepare
22 positive stories on this issue involving dioxin or Agent
23 Orange?

24 A No.

25 Q Is that something that you in Public

1 Relations or News Service business at Monsanto, is that
2 a charge that you get with some frequency, to prepare
3 positive stories?

4 A In connection with protection of
5 worker health or environment, yes.

6 Q To prepare positive stories in con-
7 nection with those two issues?

8 A That would be an occasional issue,
9 sure. Not stories so much as company literature, such
10 as a Public Affairs Bulletin.

11 Q All right. I want to hand you what's
12 been marked 'Plaintiffs' Exhibit #300 (Monsanto #8326242),
13 and ask you to take a minute to look that over.

14 A O.K.

15 Q All right. Mr. Ingenthron, Exhibit
16 #300 is a Monsanto memorandum, is it not?

17 A That's right.

18 Q And it's dated June 4, 1979, over
19 Joseph Nolan's signature?

20 A Right.

21 Q And, again, you're shown as a copyee
22 of that document, right?

23 A Right.

24 Q Who is Joseph Nolan, if you know?

25 A Vice President of Public Affairs, Monsanto.

1 Q Is that a corporate staff position?

2 A Yes.

3 Q And what is your relationship in
4 an organizational sense to Joseph Nolan?

5 A I report to the Director of Public
6 Relations who reports to Joseph Nolan.

7 Q He's a superior of yours?

8 A Right.

9 Q You're once removed from Mr. Nolan?

10 A Uh huh (yes).

11 Q Is Mr. Nolan's office in St. Louis?

12 A Yes.

13 Q And, in fact, you all occupy the same
14 office area or location?

15 A No. He's in another building.

16 Q And, again, why would you be getting
17 a copy of this memorandum?

18 A Informational.

19 Q Do you know why this information was
20 being put out by Mr. Nolan?

21 A Not specifically, no.

22 Q If you would, please read that
23 document to the jury.

24 A "Reflecting on our visit to Nitro,
25 I think there is a decisive difference between the

1 agitation against the chemical companies in the Kanawha
2 Valley and demonstrations elsewhere. That critical
3 difference lies in the fact that the Kanawha situation
4 has a lively potential for national exposure.

5 You have an energetic, promotion-savvy
6 self-interest outfit in the West Virginia Citizens
7 Action Group. You have an equally aggressive labor
8 representative from the United Steelworkers of America.
9 These two have already succeeded in flagging the atten-
10 tion of media-conscious Dr. Irving Selikoff in New York,
11 as well as the Associated Press feature staff, and we
12 can expect a good deal more in the months ahead.

13 This is the same 'bypass-the-local-establish-
14 ment-and-go-national' strategy that Saul Alinsky, the
15 self-styled Chicago radical, followed in bringing Eastman
16 Kodak to its knees in the late 1960's in the equal
17 opportunity case in Rochester, New York.

18 From Monsanto's standpoint, there are some
19 strongly negative aspects to the story. Our Nitro
20 plant is fifty years old and, despite the commendable
21 improvements made recently, it is scarcely an advertise-
22 ment for the modern chemical complex.

23 The Agent Orange furor provides just the kind
24 of 'news peg' that media people look for.

25 The PAB experience, with its documented death

1 count from bladder cancer, has an evergreen quality
2 that guarantees continued press attention.

3 The Appalachia setting, rich in tawdry tales
4 of business insensitivity, furnishes a natural backdrop
5 for allegations of corporate indifference to the human
6 condition.

7 The Selikoff-Suskind face-off provides an
8 added fillip for the media. One man skilled in the
9 slashing art of 'talking in headlines'; the other stand-
10 offishly insisting that when he has anything to say
11 he'll do so in the professional journals (presumably
12 long after the media have lost interest in the matter).

13 It is important to distinguish between the
14 two studies. Dr. Suskind's will be rigorously confined
15 to dioxin and the delayed effects (if any) of worker
16 exposure. Dr. Selikoff's will address itself to dioxin,
17 but will be much wider ranging, examining any ill effects
18 workers may have from their experience at Nitro. It
19 is entirely possible we might fare very well in the
20 dioxin study, and not so well in the other one which
21 will be released first.

22 Our counter-thrust has got to be 'Monsanto
23 is concerned. We care.' And we have to prove this in
24 words and deeds.

25 In view of the urgency of the situation, I

1 think it is important for you to allocate virtually all
2 your time and effort to this project during June and
3 July. Then we can take a second look and see where we
4 go from there."

5 Q All right. Thank you, Mr. Ingenthron.

6 Did you receive any briefings from
7 your department regarding the issues raised in Exhibit
8 300?

9 A I don't believe so.

10 Q Did you ever discuss this document
11 with anyone in your department with reference to
12 preparation of news releases or any other action that
13 you might have taken in the course of your business?

14 A Not that I recall.

15 Q Do you have any idea why it's ob-
16 served in paragraph number one that the critical
17 difference lies in the fact the Kanawha situation has
18 a lively potential for national exposure?

19 A Only as he describes it in the memo.

20 Q You have not received any additional
21 instruction as to why the Kanawha situation has a
22 lively potential for national exposure?

23 A No.

24 Q Do you know of any reason why it does?

25 A No.

1 Q In the last paragraph on page 2 of
2 that document, Mr. Nolan observes, "In view of the
3 urgency of the situation, I think it is important for
4 you to allocate virtually all your time and effort
5 to this project during June and July." Were you in-
6 cluded in that directive?

7 A No.

8 Q Do you have any idea what the urgency
9 is that's referred to there?

10 A Just as he describes it.

11 Q What relationship does your department
12 have with Mr. Pierre Wilkins, if any?

13 A He's a former employee of Monsanto
14 who was in the New York office on the Public Relations
15 staff.

16 Q And was he a peer of yours?

17 A Yes.

18 Q Again, a corporate staff?

19 A Right.

20 Q And how did his job differ from yours?

21 A He dealt with New York media directly.
22 He was a liason for St. Louis with the New York news
23 media.

24 Q Essentially he had the same job that
25 you had except that it was primarily concentrated on the

1 New York media?

2 A No. He served more extensively the
3 operating units in that he was liason for those units
4 with the trade press in New York City.

5 Q Did Mr. Wilkins answer to the same
6 superior that you answered to?

7 A As I recall, he did.

8 Q Do you know why he left the company?

9 A My understanding of the situation
10 was that he was offered a transfer to St. Louis and
11 chose to leave the company rather than leave New York.

12 Q Let me hand you what's been marked
13 Plaintiffs' Exhibit #301 (Monsanto #8322873), and ask
14 you to take a look at that, if you would, please.

15 A O.K.

16 Q All right. Mr. Ingenthron, again,
17 Exhibit 301 is on Monsanto letterhead, is it not?

18 A Right.

19 Q And it appears to be a memorandum
20 prepared by Pierre Wilkins, who at that time was an
21 employee of Monsanto, dated May 9, 1979, is that correct?

22 A Right.

23 Q And you were shown as a copyee for
24 this memo?

25 A Right.

1 Q And, again, there's no reason to
2 believe you didn't get a copy of it at the time?

3 A That's correct.

4 Q If you would read paragraphs 1 and
5 2, please, to the jury.

6 Q "The interview of Royce Scott and
7 Owen Dolin by AP reporter Jane White covered the history
8 of the 2,4,5-T incident in 1949, resultant health
9 effects, the Suskind and the Selikoff studies and a
10 review of current environmental, health and safety
11 programs at Nitro.

12 Prior to the reporter's arrival, the three
13 of us had the opportunity to go through anticipated
14 questions and responses, an exercise that proved par-
15 ticularly valuable."

16 Q Thank you, Mr. Ingenthron.

17 In paragraph 2 reference is made to
18 an opportunity to go through anticipated questions and
19 responses. Is a part of your job to prepare questions
20 and answers and the like in similar circumstances?

21 A Not so much the answers. To prepare
22 executives for the style of questioning, yes.

23 Q So a part of your job is to be aware
24 of, perhaps, an inquiring reporter's technique or style?

25 A Right.

1 Q And do you maintain files on various
2 reporters?
3 A No.
4 Q How do you become familiar with their --
5 A I was a reporter.
6 Q All right. So what you're saying is
7 this is general observations rather than personal ob-
8 servations about any reporter?
9 A Right.
10 Q So part of your job is simply to
11 prepare executives to question and answer format?
12 A Right.
13 Q Who prepares the answers to the questions
14 that are prepared?
15 A Whoever's being interviewed.
16 Q And are those written out?
17 A Not generally, no.
18 Q Have you prepared written questions
19 with prepared responses for people to review in the past?
20 A Written responses?
21 Q Yes, sir.
22 A Not for an interview, not that I can
23 recall.
24 Q O.K. In your job as News Director
25 and the seven years you have been with Monsanto dealing

1 been there have you had occasion for any reason to pub-
2 lish workers' complaints about what they think's wrong
3 with them?

4 A No.

5 Q It's always been pretty much Monsanto's
6 side?

7 A I haven't really dealt with the issue
8 much.

9 Q O.K. I want to hand you what's been
10 marked Exhibit #302 (Monsanto #236182), and ask you to
11 just take a glance at it. I suspect from your earlier
12 testimony that this was something that was probably
13 under Dan R. Bishop's job?

14 A O.K.

15 Q All right. Mr. Ingenthron, Exhibit
16 302 is a memorandum from Dan R. Bishop, is it not?

17 A Right.

18 Q Dated February 16, 1979, and it appears
19 to enclose a couple of drafts of news releases or pro-
20 posed news releases, does it not?

21 A Right.

22 Q You were shown as a copyee or carbonee.
23 Again, is this just another informational distribution
24 to you?

25 A Correct.

1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF MADISON)
4

5 I, M. JOY SPRINGER, a Notary Public, duly
6 commissioned and qualified in and for the County of
7 Madison, State of Illinois, do hereby certify that
8 pursuant to notice came before me on the 8th day of
9 July, 1983, at the Radisson Hotel, Room 215, 9th
10 Street and Convention Plaza, St. Louis, Missouri,
11 CIRIEL M. AMERON, who was by me duly sworn to tes-
12 tify to the truth and nothing but the truth of his
13 knowledge touching and concerning the matters in
14 controversy in this case; that he was thereupon
15 carefully examined upon oath, and after examination
16 conducted in writing under my supervision, that the
17 deposition is a true record of the testimony given
18 by the witness; and signature of the witness was
19 not waived.

20 I FURTHER CERTIFY that I am neither attorney
21 nor counsel for nor related to nor employed by any
22 of the parties to the action in which this deposition
23 is taken; and further, that I am not a relative or
24 employee of any attorney or counsel employed by the
25 parties hereto, or financially interested in the
action.



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IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my notarial seal on this _____
day of July, 1983.

Notary Public within and for the
County of Madison, State of Illinois.



1 Q If you'll look at the first news
2 release on page 1 of the first release, there is some
3 underlined material there.

4 A Right.

5 Q Did your department have any respon-
6 sibility for reporting the issues raised there?

7 A My section, no.

8 Q In other words, the long-term health
9 effects relating to a toxic impurity in the chemical
10 trichlorophenol was something that was under Dan Bishop
11 and not you, is that correct?

12 A Right.

13 Q And on page 1 of that first news re-
14 lease reference is made in the numbered paragraph 1
15 there about a program which, apparently, is a health
16 program of sorts?

17 A Uh huh (yes).

18 Q Do you have any knowledge about that?

19 A No, I don't.

20 Q Do you know what's being referred to
21 there?

22 A Only as I read it.

23 Q And, again, that's something your
24 department would not have had responsibility for, is
25 that correct?

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A That's correct.

MR. CALWELL: All right. Thank you,
Mr. Ingenthron.

Girard Ingenthron

1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF MADISON)

4 I, M. JOY SPRINGER, a Notary Public, duly
5 commissioned and qualified in and for the County of
6 Madison, State of Illinois, do hereby certify that
7 pursuant to notice came before me on the 8th day of
8 July, 1983, at the Radisson Hotel, Room 215, 9th
9 street and Convention Plaza, St. Louis, Missouri,
10 GIRAUD INCANTHERON, who was by me duly sworn to tes-
11 tify to the truth and nothing but the truth of his
12 knowledge touching and concerning the matters in
13 controversy in this case; that he was thereupon
14 carefully examined upon oath, and his examination
15 reduced to writing under my supervision; that the
16 deposition is a true record of the testimony given
17 by the witness; and signature of the witness was
18 not waived.

19 I FURTHER CERTIFY that I am neither attorney
20 nor counsel for nor related to nor employed by and
21 of the parties to the action in which this deposition
22 is taken; and further, that I am not a relative or
23 employee of any attorney or counsel employed by the
24 parties hereto, or financially interested in the
25 action.

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IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my notarial seal on this _____
day of July, 1983.

Notary Public within and for the
County of Madison, State of Illinois.

COBURN, CROFT & PUTZELL

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DIANA J. HARTER

DEAN L. FRANKLIN

KETRINA G. BAKEWELL

RICHMOND C. COBURN
THOMAS L. CROFT (1913-1980)
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GERALD J. ZAFFT
JOHN R. MUSGRAVE
KENNETH R. HEINEMAN*
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J. WILLIAM NEWBOLD
THOMAS E. DOUGLASS
JAMES L. FOGLE*
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GUY A. SCHMITZ

OF COUNSEL

EDWIN J. PUTZELL, JR.

* ILLINOIS AND MISSOURI

December 22, 1983

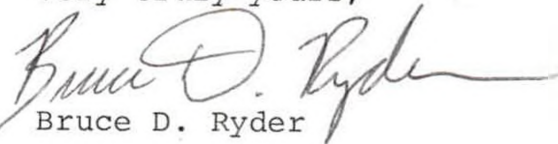
Mr. Rex Carr
Cohn, Carr, Korein, Kunin,
Schlichter & Brennan
412 Missouri Avenue
E. St. Louis, Illinois 62201

Re: Kemner, et al. vs. Monsanto Company, et al.

Dear Rex:

Enclosed please find, per your request to Mr. Heineman,
copies of the depositions of Monsanto executives which were
taken in the Adkins vs. Monsanto litigation.

Very truly yours,


Bruce D. Ryder

BDR/sm
enclosure