

FILE NAME: Chevron (CHV)

DATE: 1998 Dec 3

DOC#: CHV004

DOCUMENT DESCRIPTION: Legal Declaration of Barry Castleman

1 **DECLARATION OF BARRY CASTLEMAN, Sc.D.**

2
3 I, BARRY CASTLEMAN, declare:

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5 1. I am an environmental consultant. I have personal knowledge of the
6 facts referred to herein and if called upon to do so, I could and would competently testify
7 to these facts. I have been designated as an expert witness in the trial of the *Ronald*
8 *Corba*/action and my deposition will be taken next week by *Chevron's attorneys*, on
9 December 8, 1998.

10 2. I anticipate that the opinions I will be asked to render in this case will
11 be similar to those offered previously by me in asbestos litigation. My area of expertise is
12 occupational and environmental health, generally, and the history of knowledge about
13 asbestos in particular. I have testified in over 100 asbestos trials as an expert witness in
14 both state and federal courts throughout the United States over the last ten years.

15 3. My opinion is that it was well known in industrial medicine and indus-
16 trial circles in the 1930's that the inhalation of asbestos dust was associated with asbesto-
17 sis, a lung disease capable of causing disability and death. This information was pub-
18 lished in medical journals, medical texts, other medical publications, engineering maga-
19 zines, safety magazines, trade publications, insurance publications, legal publications, and
20 general encyclopedias.

21 4. Illness among employees of companies using asbestos was also
22 known to companies in the industry through medical examinations, workers compensation
23 claims, confidential research studies, and other sources developed within companies and
24 within the industry.

25 5. The cancer hazard of asbestos exposure received increasing atten-
26 tion in occupational health circles in the 1940's and was established as an additional risk
27 of asbestos work by the end of the 1940's.

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1 6. The victims of asbestosis and cancer in the 1930's and 1940's includ-
2 ed among their numbers users of asbestos insulation products in addition to workers in
3 asbestos mining and manufacturing facilities.

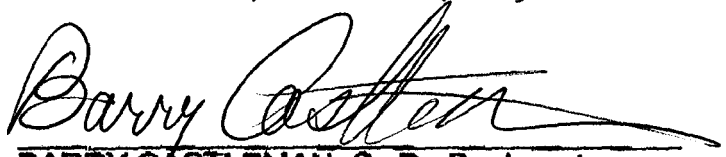
4 7. Companies using asbestos as a raw material should have been aware
5 that asbestos use was a mortal hazard from the 1930's onwards, and should have refor-
6 mulated their products to eliminate asbestos in favor of safer materials and/or applied
7 strong, prominent labels warning product users of the hazards and the means to reduce
8 them during the product use.

9 8. The plaintiff in this case, Ronald Corbal, was exposed to serious
10 occupational disease risks that were known in the industry and that were preventable had
11 Chevron carried out its responsibility. It is my opinion that Chevron was negligent in failing
12 to advise workers exposed to the asbestos fibers in Somastic, and such negligence was a
13 substantial factor in causing Mr. Corbal's mesothelioma.

14 The documentation supporting these opinions consists of published
15 and unpublished source materials cited in my book, *Asbestos: Medical and Legal Aspects*,
16 which is in large part identical to my doctoral thesis, *Asbestosis: An Historical Case Study*
17 *of Corporate Response to an Industrial Health Hazard*.

18
19 I declare under penalty of perjury under the law of the State of California that
20 the foregoing is true and correct.

21 Executed this 3 day of December, 1998, at Baltimore, Maryland.

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23 
24 BARRY CASTLEMAN, Sc.D., Declarant