

Lit 15504;
CO

SIDLEY & AUSTIN
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

875 THIRD AVENUE
NEW YORK, NEW YORK 10022
TELEPHONE 212: 906-2000
TELEX 97-1998
FACSIMILE 212: 906-2021

LONDON
SINGAPORE
TOKYO

CHICAGO
LOS ANGELES
WASHINGTON, D.C.

125th
Anniversary
1866-1991

WRITER'S DIRECT NUMBER

(212) 906-2360

February 14, 1995

VIA FACSIMILE

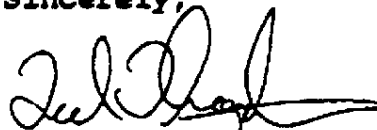
Kenneth Bailey, Esq.
William, Bailey & Wesner, L.L.P.
2615 Calder, Suite 220
Beaumont, Texas 77702

Re: Eirven v. UCC&P

Dear Ken:

In connection with our settlement conversations in Eirven, I did want to bring to your attention the surgical pathology report from Mainland Center Hospital, a copy of which is enclosed. Pathologists at Mainland Center and the Pathology Department at M.D. Anderson concurred in the fact that Mr. Eirven had metastatic adenocarcinoma not a hepatocellular carcinoma. In conversations earlier in this case, I believe there was a mutual recognition of the impact of a metastatic adenocarcinoma diagnosis. Again, I would be happy to discuss this matter with you in further detail.

Sincerely,



Theodore J. Theophilos

TJT/sr
Enclosure

cc: Catherine Baen, Esq.
Reginald Wood, Esq.

UCC 073182

SIDLEY AUSTIN
875 THIRD AVENUE
NEW YORK, NEW YORK 10022
TELEPHONE (212) 906-2000
FAX (212) 906-2021

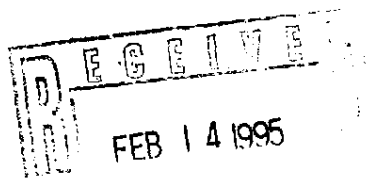
TELECOPY TRANSMISSION FORM

DATE: February 14, 1995TOTAL NO. OF PAGES: 3
(INCLUDING COVER):FROM: Theodore J. Theophilos, Esq.

TRANSMISSION TO:

Name	Company	Telecopy No.:	Confirm. No.:
Catherine Baen, Esq.	Williams, Bailey	(713) 643-6226	(713) 649-6464
Kenneth Bailey, Esq.	William, Bailey	(409) 832-4446	(409) 832-4343
Gregory D. Winfree	Union Carbide	203-794-6269	203-794-2428
Reginald Wood	Drayden, Wyche & Wood	713-960-0010	713-965-0120

MESSAGE:



THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

FOR OPERATOR USE ONLY

TRANSMITTED FROM: FUJITSU DEX 7800 (212) 906-2120

FUJITSU DEX 3700 (212) 906-2822

FUJITSU DEX 3700 (212) 906-2823

RECEIPT CONFIRMED BY: _____

TIME: _____

RECEIPT CONFIRMED WITH: _____

IF YOU DO NOT RECEIVE ALL PAGES CLEARLY, PLEASE CALL
(212) 906-2020 OR (212) 906-2026

PLEASE DELIVER IMMEDIATELY - THANKS.

UCC 073183

JAN 95 11:54

MAINLAND CENTER HOSPITAL
SURGICAL PATHOLOGY CONSULTATION

SRS 0067

2383065
PATHOLOGY NO. 92-216 HOSPITAL NO. 0139526 ROOM NO. 258 DATE 2-4-92
PATIENT: EIRVEN, ROBERT B. AGE 51 SEX M RACE B DOCTOR Piske/Hink
SPEC: Liver biopsy.
HISTOLOGIC DIAGNOSIS: Preop: Cirrhosis. Hepatitis B.

NEEDLE LIVER BIOPSY;
METASTATIC ADENOCARCINOMA (Please see microscopic
description).
JA/jas/2-12-92

GROSS:

The specimen consists of a somewhat fragmented gray-tan and red segment of a needle biopsy of the liver having a total length of 8 mm. and a diameter of 1 mm.

FROZEN SECTION DIAGNOSIS:

AF: Metastatic adenocarcinoma,
compatible with origin from
pancreas.

HLK

The tissue is resubmitted in Cassette AFI for permanent section.
RG/bs/2-5-92

MICROSCOPIC:

Sections reveal needle liver biopsy showing predominantly a malignant neoplasm with glandular differentiation. The glands are lined by tall columnar epithelium with pseudostratification. Individual nuclear pleomorphism and hyperchromatism are noted. Focal areas of necrosis are also seen. The features are compatible with metastatic adenocarcinoma. The primary sites include pancreas, GI tract, lung, etc.

The slides were sent in consultation to MD Anderson Hospital for their opinion and they concurred with the diagnosis of adenocarcinoma.
JA/jae/2-12-92

J. Ahmeduddin
Jameela Ahmeduddin, M.D.
Pathologist

RECEIVED

92-216

UCC 073184