

1 A It's an unusual request because I didn't know
2 you could make such a request. You're asking if I've
3 been deposed 50 times and been to trial 10 times you
4 want all those transcripts?

5 Q If you have them. If they are in your
6 possession that's what we're asking.

7 A Okay. Whatever the court and you guys have
8 agreed I'll do whatever makes sense. But I didn't
9 bring them today.

10 MR. RUCKDESCHEL: I understand. And Judge
11 Kline, I don't know whether this is a time where we
12 might need your intervention, Counsel, will you provide
13 copies of the transcripts, videotapes and other prior
14 testimony in asbestos cases that are in
15 Dr. Paustenbach's possession? If so, then we don't need
16 Your Honor's intervention, but...

17 MR. LANKFORD: Well, I think that what
18 Dr. Paustenbach stated regarding it being an unusual
19 request and something that I think the inference
20 essentially is not proper, it is accurate. You're
21 asking the parties to provide to you the, all prior
22 testimony of their expert in other matters.

23 It's burdensome, it's not something that the
24 expert is relying on in this case for his opinions, and
25 therefore it's not something which the expert should