

KELLEY DRYE & WARREN

101 PARK AVENUE

NEW YORK, N.Y. 10178

(212) 808-7800

CABLE "LAWYERLY"

TELEX 12369

TELECOPIER (212) 808-7898

(212) 808-7899

WRITER'S DIRECT LINE

(212) 808-7711

624 SOUTH GRAND AVENUE
LOS ANGELES, CA. 90017
(213) 689-1300

50 CALIFORNIA STREET
SAN FRANCISCO, CA. 94111
(415) 989-3530

ONE LANDMARK SQUARE
STAMFORD, CT. 06901
(203) 324-1400
TELECOPIER (203) 327-2869

30 MAIN STREET
DANBURY, CT. 06810
(203) 743-7810

1333 NEW HAMPSHIRE AVE., N.W.
WASHINGTON, D.C. 20038
(202) 463-8333
TELECOPIER (202) 463-8338

100 NORTH BISCAYNE BLVD.
MIAMI, FL. 33132
(305) 372-0030
TELECOPIER (305) 358-5188

175 SOUTH STREET
MORRISTOWN, N.J. 07960

HASHIDATE & SOGI
IMPERIAL TOWER
1-1, UCHISAIWAICHO
1-CHOME, CHIYODA-KU
TOKYO 100, JAPAN

TAGGART D. ADAMS
TRACY B. AMBLER
DAVID E. BARRY
NED H. BASSEN
ROBERT D. BICKFORD, JR.
WILLIAM C. BLIND
LEONARD A. BLUE
RICHARD W. BRADY
PAUL R. BRENNER
PAUL L. BRESSAN
RICHARD G. BRODRICK
JOHN M. CALLAGY
DAVID R. CHIPMAN
BRIAN CHRISTALDI
RICHARD J. CONCANNON
JEFFREY S. COOK
JOHN J. COSTELLO
SAMUEL S. CROSS
ROBERT E. CROTTY
EUGENE T. D'ABLEMONT
PAUL F. DOYLE
W. CHRISTIAN DREWES
ROBERT EHRENBARD
B. HARRISON FRANKEL
JOHN A. GARRATY, JR.
JOHN F. GIBBONS
PAUL C. GUTH
ROBERT L. HAIG
BEN I. HARAGUCHI

KENJI HASHIDATE*
WILLIAM C. HECK
MARTIN D. HEYERT
BUD GEO. HOLMAN
J. QUINCY HUNSICKER, 3RD
MICHAEL S. INSEL
WILLIAM A. KROHLEY
JOHN J. LYNAGH
GEORGE J. MARCHESI
LELAND J. MARKLEY
JUN MORI*
JOSEPH S. MUTO*
FREDERIC S. NATHAN
CHARLES OECHELER
HENRY Y. OTA*
THEODORE PEARSON
ALTON E. PETERS
EDWARD ROBERTS, III
TERRANCE W. SCHWAB
FREDERICK T. SHEA
JOHN W. SIMPSON*
FRANCIS Y. SOGI
HOWARD S. TUTHILL III
DAVID L. VAUGHAN
ALBERT J. WALKER
CHAUNCEY L. WALKER
LOUIS B. WARREN
SHIGERU WATANABE*
E. LISK WYCKOFF, JR.
HARVEY FOLKS ZIMAND

WALTER E. BEER, JR.
WILLIAM C. BURT*
JOSEPH W. DRAKE, JR.
THOMAS B. GILCHRIST, JR.
NEIL T. PROTO*
ALFRED W. ROBERTS
GEORGE SIEGEL
COUNSEL

*NOT ADMITTED IN NEW YORK

BY VAN AT 11 WEST 42ND STREET

Alan M. Robinson, Esq.
Law Department - 3259
Union Carbide Corporation
Old Ridgebury Road
Danbury, CT 06810

Re: Sireci v. Union Carbide, et al.

Dear Alan:

As you know we are awaiting a decision regarding our motion to strike plaintiff's interrogatories in this action. We are also waiting for Kalex to formally appear so that we can obtain discovery with respect to our statute of limitations defense. While we still wish to pursue the limitations defense, there remains a good chance that we may ultimately be required to defend this action on the merits.

Given this possibility, John Callagy and I believe it would be prudent to develop our defense with respect to the merits of this action at this time. Toward this end, we must be prepared to come forward with evidence as to the issues of causation, proximate causation and adequacy of the warnings among others.

PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"

UCC 087235

LAW DEPARTMENT

OCT 4 1984

A. M. RUBINSON

KELLEY DRYE & WARREN

Alan M. Robinson, Esq.

-2-

October 3, 1984

- It would be extremely useful for us at this point to continue to review Union Carbide's own records to fix precisely what products containing PVC were supplied to Kalex and its predecessors. This information should include the quantity and frequency of each product shipped to Kalex and information pertaining to the prescribed or recommended usage. We would also be interested in obtaining any product literature, information, cautions or warnings which accompanied the shipment of each product.
- ①
 - ②

We should also be put in contact with those individuals at Union Carbide who have a technical understanding of PVC's and their potential for harm if used without the proper precautions.

We have obtained a number of medical authorizations entitling us to obtain the records of each of Mr. Sireci's treating physicians. We have forwarded these authorizations to the appropriate individuals and are awaiting their response. Once this information has been received, we should have it reviewed by a competent medical expert in order to determine the precise nature of the illness which Mr. Sireci contracted.

Ideally, our expert should have expertise in epidemiology so that he will be able to determine whether or not this particular form of cancer could have been caused by exposure to PVC. An epidemiologist would also be able to review Mr. Sireci's prior medical history to determine whether anything else could have caused or contributed to his illness and death.

I have used a number of physicians and toxicologists in the past on other types of toxic substance exposure cases. I am confident that we could locate and retain an appropriate expert witness, however we would appreciate any input you may have with respect to this matter.

Best regards.

Sincerely your,

James V. O'Gara

JVO'G/rg

PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"

UCC 087236

Handwritten notes:
HMK says
look for
Wheeler
for advice
Chaitles
who has
PVC
experience