

March 7, 1930

Mr. E. W. Webb,
Ethyl Gasoline Corp.,
25 Broadway,
New York City.

Dear Mr. Webb:

An answer to Mr. Stryker's letter of March 1 is somewhat difficult to give since I have no means of determining what is claimed by the plaintiff. It is my understanding from such information as is available that Evans had no exposure to tetraethyl lead or Ethyl Gasoline since 1926. At least I have seen no evidence that he has had an exposure which could be regarded as significant. It could hardly be claimed that his previous exposure would make him susceptible to lead to such a degree that an entirely insignificant exposure would injure him. On the other hand, he could claim that his injury from his previous exposure would make itself apparent either continuously since the exposure, or, as a recurrence after a period of improvement. I know nothing about the legal end of the matter, but I can conceive of a situation in which illness might develop from an exposure which had occurred years previously. In this instance the question would arise as to whether the statute of limitations would apply to the time of exposure or the time of development of the injury. In any case it seems to me quite clear that any injury that the plaintiff might claim originated as result of his exposure prior to 1926. I do not believe that there would be any adequate basis for claim of injury having resulted from exposure since that time. I would find it necessary, however, to reserve a judgment on this until the nature of the claim and the nature of the claimant's exposure should be made clear.

Very truly yours,

RAK:EJ

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