

"Spoliation"
SEP 23 1985

September 19, 1985

H. W. Dietz

In Cullinan vs. Monsanto, plaintiff has cited several studies which reported enormous risks of VC and PVC exposure. In order to properly defend the case, we would like to obtain copies of these reports. A list, copied from the amended complaint, is attached.

Can your office provide copies of these? Please let me know. If you have any questions, give me a call on X6226.

Thank you for your help.

Gary
Gary A. Jones

klf

Attachment

~~2507~~
6226

20950001

BFG08357

concentrations far below the levels which were observed in the industry for workers.

x e). A 1970 study by P.L. Viola discussed at the Tenth ²³¹ International Cancer Congress, which reported an association between VC exposure and lung cancer.

x ✓ f). A special communication in the Journal of Occupational Medicine in 1974 reporting the death of three PVC workers at a B.F. Goodrich plant due to liver cancer caused by VC exposure.

x ✓ g). A 1974 article published in the Journal of The American Medical Association which linked VC and PVC to cancer of the liver and to other liver diseases, including portal fibrosis, which Paul R. Cullinan suffered from.

x ✓ h). A 1975 article in the Annals of the New York Academy of Sciences reporting respiratory impairment among workers at a PVC plant.

Had been identified in
i). A 1975 study in the Annals of The New York Academy of Sciences associating VC and PVC inhalation with cancers of the lung, liver, brain and skin.

x ✓ j). A 1976 study in the Annals of The New York Academy of Sciences reporting excess deaths from cancers of the lung, liver, lymphatic and central nervous systems among VC and PVC

BFG08358

20951002

injuries caused by PVC and/or VC exposure, these workers, including Paul R. Cullinan, were induced by defendants' fraud and misrepresentation to exacerbate their injuries by continuing to work in positions that exposed them to PVC and/or VC.

40. Upon information and belief, throughout the years that Paul R. Cullinan was employed at Monsanto, each defendant was aware of numerous scientific studies which reported the enormous risks of VC and PVC exposure, including risk of cancer. These studies included:

P. No
a). A 1930 study published in Public Health Reports which reported that VC vapors had caused lung damage and death in animal experiments.

X ✓ b). A 1960 study published in the American Industrial Hygiene Association Journal which reported lung damage and death in animals exposed to VC vapors.

X
Duplicate?
c). A 1961 study performed by defendant Dow which disclosed liver damage and other deleterious effects from VC exposure at levels which were one-fifth of the general industry standard for VC exposure.

X X
d). A 1961 study published in the American Industrial Hygiene Association Journal which reported that laboratory animals had suffered liver and kidney damage when exposed to VC

BFG08359

20950013