

126

1 Sayers

2 Union Carbide's asbestos was all curved, didn't

3 you?

4 A. Not all curved. There were curved

5 fibers contained therein.

6 Q. And you knew there were straight fibers?

7 A. Oh, yes.

8 Q. So when you told this jury that you were

9 reassured and you didn't think Union Carbide was as

10 dangerous because it had curved fibers that

11 wouldn't flow so well through the system, did you

12 fail to tell the whole truth and tell them about

13 the straight fibers?

14 MR. WILL: Objection to form. He never

15 testified to that, that he felt reassured.

16 A. I knew the chrysotile asbestos that

17 Dr. Timbrell was talking about was not curving

18 asbestos.

19 Q. Did you go tell all of the people buying

20 your asbestos that you didn't have the safe curved

21 kind in your opinion, y'all had this spear kind,

22 straight kind?

23 A. I don't think that really entered into

24 the discussion in those days.

25 Q. Did you put a call report in that says,

127

1 Sayers

2 hey, it looks like the curved kind may not be as

3 dangerous as our straight kind?

4 A. I can't remember the content of the call

5 report. I would think it was unlikely.

6 Q. Well, sir, don't you think you owed your

7 customers the truth?

8 A. That's what I was seeking for.

9 Q. Don't you think you should have told

10 your customers that y'all think this straight kind

11 that y'all are showing pictures of is more

12 dangerous than the other kinds they could be

13 buying?

14 A. The geometry at the time that I was

15 involved with the asbestos really never came up

16 with regards to Calidria.

17 Q. I'm going to show you a document that's

18 marked PW 462. It's a Mellon Institute special

19 report.

20 Have you ever seen that before, sir?

21 A. No, I haven't.

22 Q. When Union Carbide asked you to do a

23 review of the literature, did they give you their

24 own literature that's shown there in that exhibit,

25 PW 462?

128

1 Sayers

2 MR. WILL: Objection to form, assumes a

3 fact not in evidence.

4 A. No.

5 Q. When Union Carbide asked you to do this

6 Exhibit Number 1, you were supposed to review the

7 literature, weren't you?

8 MR. WILL: Objection to the form of the

9 question, assumes a fact not in evidence.

10 A. It was an assembly of the cogent

11 literature that I could find at the time.

12 Q. Well, sir, did Union Carbide ever

13 provide you with this confidential report from the

14 Mellon Institute?

15 MR. WILL: Asked and answered,

16 objection.

17 A. I don't think that's relevant to the

18 report itself. I was compiling information that

19 was available in the public domain.

20 Q. Sir, did you know that this report

21 tested Union Carbide's asbestos and compared it to

22 other chrysotile asbestos?

23 A. No, I did not.

24 Q. Did you know about this report that

25 showed Union Carbide's to cause more significant

129

1 Sayers

2 problems than the other types of chrysotile

3 asbestos?

4 A. No, I did not.

5 Q. You asked me before was I sure of the

6 date of that report.

7 Sir, what is the date on that report in

8 the top right-hand corner?

9 A. It seems to be the 8th of July '66.

10 Q. Is that before or after your report?

11 A. After.

12 Q. Excuse me, sir, what time was your

13 report?

14 A. Sorry. Was that '66?

15 Q. Yes, sir.

16 A. That was before.

17 Q. So Union Carbide had test results

18 showing Calidria to be more dangerous almost a year

19 before you did your report; isn't that true?

20 MR. WILL: Object to the form of the

21 question.

22 A. It would appear so, yes.

23 Q. And Union Carbide never told you that,

24 did they?

25 A. Not to the best of my recollection.