

1 THE SUPERIOR COURT OF CALIFORNIA

2 COUNTY OF SAN FRANCISCO

3 -----
4 ROBERT GRAHN, ET AL., :

5 V. : 922682

6 ABEX CORPORATION, ET AL., :
7 -----

8 G. GRAHN V. ABEX, ET AL. NO. 922678

9 J. PURCELL V. ABEX, ET AL. 925509

10 G. ROSS V. ABEX, ET AL. 889978

11 F. SMOTHERS V. ABEX, ET AL. 863042

12 W. BRIGHT V. ABEX, ET AL. 931047

13 D. JENNINGS V. ABEX, ET AL. 910359

14 L. BANKS V. ABEX, ET AL. 915341

15 A. LECCE V. ABEX, ET AL. 920265

16 E. WALLER V. ABEX, ET AL. 934412

17
18 DEPOSITION OF19
20 **JAMES HAMMOND**

21 VOLUME III

22 May 19, 1992

23
24 2900 Smith, Suite 3149

25 Houston, Texas

NMA
COPY

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Deposition of JAMES HAMMOND, taken on
May 19, 1992, at Nell McCallum & Associates
2900 Smith, Suite 3149, Houston, Texas, commencing
at 3:00 p.m., before Marie Bulfinch, CSR No. 3748
and Notary Public in and for the State of Texas,
pursuant to Subpoena. The witness may read and
sign the deposition before any notary public.

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P R O C E E D I N G S

MR. KAZAN: What I would ask, for convenience sake, if I can have everybody's stipulation that the Professor having been sworn is still under oath, that the appearances have been made and will continue to be made in my portion.

I would, however, ask the reporter to transcribe as a separate mini-volume what we are about to do from here on. You can caption it however you want.

MS. KYLE: We will tell you later. Let's move it.

MR. BISHOP: Steve, are you agreeable to the stipulation that the objection by one is the same by all?

MR. KAZAN: Absolutely.

EXAMINATION

BY MR. KAZAN:

Q. Professor, I am going to ask you a few questions. Do you prefer to be addressed as Professor, Mr., or director or what?

A. Professor, please.

Q. You mentioned that you have a home library. I take it you have kept at your residence

1 some sort of professional library accumulated over
2 the years of your professional practice; is that
3 true?

4 A. I still have a few volumes of textbooks
5 and other articles of that type, more or less hard
6 bound volumes, that I keep --

7 Q. And --

8 A. -- in my bookcase.

9 Q. And you also have some copies of documents
10 that were generated with your employment with the
11 Exxon people over the years?

12 A. Very few, other than those that were
13 produced here and you have copies.

14 Q. Okay. And, sir, did you at any time ever
15 invite or permit representatives of Exxon to come
16 to your home and review the library that -- and
17 papers that you have maintained there?

18 A. I never did.

19 Q. Never did.

20 Have you at any time physically arranged
21 for the transportation or provided for
22 transportation of those materials to Exxon or its
23 attorneys for their review?

24 A. I have given a few copies of small papers
25 and so forth that you have here -- I have at times

1 given them some copies of those reprints that were
2 available to me, yes.

3 Q. Okay. You have noticed, I take it,
4 Professor, that the documents that were produced
5 here yesterday all have these little stickers on
6 the bottom that have E.F.A. numbers on them?

7 A. Yes, I have.

8 Q. Did you place those numbers on your
9 original copies of documents in your own library?

10 A. I did not. But many of those copies came
11 to me from other sources, as I said, that have come
12 back to me as copies sent me courtesy on the parts
13 of lawyers and others.

14 Q. Did all the documents that you accumulated
15 arrive in your hands with these E.F.A. stickers or
16 numbers on them?

17 A. No, they didn't.

18 Q. Did any of them arrive for the first time
19 into your hands with those stickers on them?

20 A. I don't recall that they were on there at
21 that time, any of them.

22 Q. Did you provide your originals to Exxon
23 counsel without stickers; and then when they were
24 returned, there were these E.F.A. stickers on
25 them?

1 A. I believe that they were to be returned to
2 me, yes; but I haven't got the copies of the
3 returned yet.

4 Q. When did you provide them to Exxon?

5 A. The original prints that I had?

6 Q. Yes.

7 A. Which were all, as I said -- there were
8 none of them that were really the original papers,
9 either from the publishers or my own; but they were
10 actually copies that had been made. And that --
11 they had accumulated from me over a period of the
12 last four or five years.

13 Q. So over the last four or five years you
14 physically turned over your own copies of these
15 documents?

16 A. Some of my own copies, yes.

17 Q. To the Exxon counsel?

18 A. To the Exxon counsel.

19 Q. And none of the documents you have ever
20 turned over have yet been returned from Exxon to
21 you; is that correct?

22 A. Yes, some of them have; but they are
23 copies you have, similar to the ones you have
24 there. Yes, they have some returned to me.

25 Q. But some they still retained?

1 A. Some they still have not returned.

2 Q. Now, you told us, if I understood
3 correctly, when you moved to the university, you
4 took reference or research files with you; is that
5 correct?

6 A. I took reports with me and articles that I
7 particularly wanted to use in my teaching
8 operation.

9 Q. And how many -- do you know what a
10 banker's box is? The Beacon -- like the office
11 brought in today, these square cardboard boxes?

12 A. No. No. Mine are measured by the boxes
13 that would go up on shelves of a bookcase, similar
14 to that; and they would be -- I estimated there
15 were 12 or more of those boxes.

16 Q. And these are the kinds of slip cases the
17 journals go in?

18 A. Yes.

19 Q. So they are about 4, 6, 8 inches wide,
20 something like that?

21 A. More like 4 inches wide.

22 Q. And there were how many of those, do you
23 think?

24 A. 12, let's say, 12 to 15.

25 Q. And did you keep these in your university

1 office?

2 A. Yes, I did.

3 Q. And when you left the university, did you
4 leave them in your office or did you have them
5 boxed up and put in storage?

6 A. They were left on my bookcase, top of the
7 bookcase, where they fit in nicely; and I intended
8 to go back and get them, which I went back for them
9 later on, maybe several months after I had moved
10 out, but no one had occupied my office. My boxes
11 were all empty.

12 Q. Now --

13 A. I estimated there were probably 180
14 publications or articles or prints, reprints, in
15 that.

16 Q. Were these all copies of articles
17 published in the regular professional literature;
18 or were some of them, if I can call it, internal
19 corporate documents or reports?

20 A. They were both.

21 Q. Did you report this loss or theft to any
22 of the authorities?

23 A. Yeah, I reported it to the assistant Dean
24 of the school and several of the faculty members.

25 Q. Okay. And was this a written report?

1 A. No. No.

2 Q. Did you ever file any kind of formal
3 police report either with the local authorities or
4 the university police?

5 A. No, I never did.

6 Q. Did you make any claim against any
7 insurance company for the loss of these valuable
8 papers?

9 A. No, I never did.

10 Q. Had you ever discussed the subject of
11 asbestos litigation with any representatives of
12 Exxon before you retired from the university?

13 A. I don't recall that I did, no.

14 Q. Had any representative of Exxon ever
15 visited you to interview you or speak with you in
16 your university office?

17 A. I don't recall.

18 Q. By "representative of Exxon," I refer not
19 only to somebody who actually is employed by Exxon
20 but any of their counsel.

21 A. I never did recall anyone speaking to me
22 in my office.

23 Q. Over the years we went through your CV and
24 the list of lectures or presentations you made, and
25 I think you told us you don't have any of your

1 original notes that you used to give those talks;
2 is that true?

3 A. That's true. And the notes that I had
4 would have been in the boxes that were robbed.

5 Q. All right. Was it part of your practice
6 at Exxon or Humble that when you went on company
7 business and gave a presentation, that you would
8 prepare any kind of trip report or summary
9 memorandum of what had happened and submit it to
10 your superiors?

11 A. No, I did not.

12 Q. Over the years you have had some
13 involvement in asbestos litigation, I take it; is
14 that correct?

15 A. More recently, since I have retired from
16 teaching.

17 Q. All right. When is the first time you
18 ever spoke with a lawyer representing anybody in
19 connection with asbestos disease claims or
20 litigation?

21 A. In 1989.

22 Q. And who was the attorney?

23 A. William Baggett in Lake Charles,
24 Louisiana.

25 Q. And in connection with that, you actually

1 testified as an expert witness at his request?

2 A. I had.

3 Q. And you prepared a report, a written
4 letter report, for Mr. Baggett, did you not?

5 A. I did.

6 Q. Was everything that you put in your report
7 true and correct?

8 A. I believe it was.

9 Q. All right. And was all the testimony --
10 in the case where you worked at the request of
11 Mr. Baggett, as I recall, you gave your deposition
12 in October of 1989?

13 A. I believe that was the month.

14 Q. And then you gave court testimony the
15 following month, November of 1989?

16 A. I think that was the Cold case.

17 Q. Yes. Do you recall both of those
18 testimonial experiences, if I can call it that?

19 A. Fairly well.

20 Q. And you were under oath on both occasions;
21 is that correct?

22 A. I was.

23 Q. I don't mean this to be in any way
24 insulting. So don't take it the wrong way. But,
25 Professor, during the deposition and the Court

1 testimony, was all the testimony that you gave true
2 and correct, to the best of your knowledge?

3 A. At that time it was. I may have
4 exaggerated here or there. Even giving it again, I
5 may not use the same terms and same expressions.

6 Q. But you knew you were under oath, and at
7 the time you did your best to tell the truth as you
8 knew it?

9 A. I did.

10 Q. And have you ever corrected any of that
11 deposition testimony in any formal way by letter to
12 the court reporter?

13 A. I never have, other than for correction
14 and reading over and correcting spelling. And some
15 of the expressions that were used that were not
16 clear, I tried to clarify those.

17 Q. So you did review the transcript and make
18 whatever corrections or changes you felt were
19 necessary to accurately reflect your intended
20 testimony?

21 A. After the deposition.

22 Q. Yes. And you did that; is that correct?

23 A. I did.

24 Q. I don't know that I have seen a copy of
25 that letter. Do you have a copy of that yourself?

1 A. No. I returned that along with the
2 deposition, and I don't believe I have a copy of
3 it.

4 Q. All right. I will presume we can find
5 it.

6 Now, who was the next attorney at whose
7 request you became involved in asbestos
8 litigation?

9 A. David Ledyard, L E D Y A R D.

10 Q. Did he represent Exxon?

11 A. Yes, he did.

12 Q. And what case was that?

13 MR. KAZAN: Counsel, if you want to help
14 him.

15

16 (DISCUSSION BETWEEN THE WITNESS AND HIS
17 COUNSEL)

18

19 A. Williams, yeah. It was Williams.

20 Q. (By Mr. Kazan) You believe that was the
21 Williams case?

22 A. I think so.

23 Q. Have you ever testified in asbestos cases
24 at the request of any other attorneys besides
25 Mr. Ledyard for Exxon and Mr. Baggett for

1 plaintiff?

2 A. I don't recall any other attorneys.

3

4 (DISCUSSION BETWEEN THE WITNESS AND HIS
5 COUNSEL)

6

7 A. I am talking at trial. You wanted
8 deposition?

9 Q. (By Mr. Kazan) And depositions, as well.
10 That was -- Blanks was the lawyer, and that was the
11 Allen case.

12 MR. GROTT: Blanks?

13 THE WITNESS: Blanks, B L A N K S.

14 Q. (By Mr. Kazan) If we include the last two
15 days, have we now covered all your asbestos and
16 deposition and trial experience?

17 A. Those three cases?

18 Q. Yes.

19 A. I think there was only three cases besides
20 this one.

21 Q. All right. Have you ever prepared any
22 written reports or summaries for Exxon or its
23 counsel dealing with asbestos litigation?

24 A. I don't recall.

25 Q. You don't recall any?

1 A. I don't recall any.

2 Q. Have you -- other than yourself writing
3 them, have you dictated reports on tape or to a
4 secretary at the request of Exxon?

5 A. No.

6 Q. Now that we have computers all over the
7 place, I want to ask you: Have you made any other
8 kind of record of your opinions or conclusions or
9 beliefs at the request of Exxon, whether dictating
10 it on a tape, putting it in a computer keyboard, or
11 in any other way making a record of it?

12 A. Not that I can recall.

13 Q. Do you have any recollection of ever
14 having any of your conversations with Exxon or any
15 of its counsel or their representatives recorded in
16 any way while the conversation was going on?

17 A. Not that I can recall.

18 Q. All right. Now, is somebody compensating
19 you for your time yesterday and today devoted to
20 these depositions?

21 A. Yes, they are.

22 Q. And who is that?

23 A. Exxon.

24 Q. And can you tell me, please, at what rate
25 are you being compensated?

1 A. I charge for depositions and court
2 appearances \$400 an hour.

3 Q. And is that sort of door-to-door time, or
4 is it only while the meter is running during the
5 deposition?

6 A. That's deposition time.

7 Q. Okay. And you limit yourself to four
8 hours a day pretty much?

9 A. Five -- sometimes five hours.

10 Q. Now, again, I don't mean to pry; but is
11 that something that you have done for your own
12 comfort because you find that you do better if you
13 limit it to five hours or four hours, or is it on
14 the advice of a physician or other health care
15 provider?

16 A. No. It's my own standards of stress, and
17 I have established that in my own guide.

18 Q. How long ago did you establish these
19 ground rules for depositions, Professor?

20 A. '91, I guess it was. '91.

21 Q. Okay. Now --

22 A. I went too many hours in the Allen case.
23 It was too many hours there.

24 Q. Now, are you under any kind of consulting
25 contract or retainer agreement with Exxon dealing

1 with any litigation matters?

2 A. Only on individual matter. Each time I
3 come in as an independent consultant or expert for
4 them, but no -- no retainer or nothing of that
5 kind.

6 Q. So you don't have an arrangement whereby
7 they pay you so much a month or so much a year?

8 A. No. No such arrangement. Individual
9 case.

10 Q. Now, you are an Exxon retiree?

11 A. I am an annuitant.

12 Q. So you have some pension rights with the
13 company, I take it?

14 A. I have some. Yes, I earned that by the 31
15 years.

16 Q. I have no doubt, sir, that you earned
17 every penny. My question is: Do you know whether
18 that annuity is funded or secured by any insurance
19 obligations outside of Exxon's own net worth and
20 ability to pay?

21 A. It's entirely outside, and it's by various
22 insurance companies that are -- a conglomerate of
23 insurance companies who have that program.

24 Q. So if Exxon went bankrupt tomorrow, that
25 would not affect your annuity?

1 A. No. My annuity is assured as well as can
2 be by the insurance companies.

3 Q. That's assuming some degree of faith in
4 the insurance companies, but we'll put that aside.

5 Over the years that you worked for Exxon,
6 did you have any stock option or stock purchase
7 program?

8 A. I bought stock in the beginning from the
9 first year on; but they would match the amount that
10 I put in there up to a certain amount if I would
11 buy stocks in the company, yes. That was an
12 ongoing program for all the employees.

13 Q. Okay. And this was purchased at the
14 market?

15 A. It was.

16 Q. And over the years, then, you accumulated
17 some amount of Exxon stock?

18 A. I did.

19 Q. Do you still hold that stock?

20 A. No, I don't. I gave that to charity and
21 settled up my trust, and that trust came mature
22 last year. And the total amount of it that I gave
23 to the universities, schools, and other charitable
24 institutions was about a half million dollars.

25 Q. Very nice of you.

1 So you at this point have no financial
2 interest, direct or indirect, in Exxon or its
3 financial condition or its survival; is that
4 correct?

5 A. I think I own 3 or 400 shares, total. I
6 bought most of that in recent years.

7 Q. Okay. I guess I can look up and figure
8 out what it's selling for.

9 A. It's about \$60 a share.

10 Q. And was the first time you were contacted
11 in connection with asbestos litigation by Exxon
12 sometime in 1990 or '91? Do you recall?

13 A. '90, I think would be the right time.

14 Q. Some of the documents that you produced
15 appear to be photocopied and shrunk somewhat in
16 size. Can you tell me whether your originals were
17 of those size print when you first lent them to
18 Exxon?

19 A. I didn't have any way to condense them.
20 And, so, it was done elsewhere on a different
21 machine than mine.

22 Q. Was it done -- was it in that form when
23 you first received them?

24 A. No, it was not.

25 Q. So at some point you had normal-sized

1 copies that you provided to Exxon?

2 A. Well, now, I take that back. There might
3 have been some that was poor copies that was hard
4 to read that might have been too small. In my
5 opinion, they shouldn't -- it should have been
6 inflated after I noticed; but I don't remember how
7 many of those.

8 Q. For example, Professor, 5A, the National
9 Safety Council Transactions of 1933, that is not
10 the full size of the actual transactions that you
11 originally had, is it?

12 A. No. I don't -- no. I didn't remember
13 that size.

14 Q. At one point you had full-sized copies
15 that you provided to Exxon; is that correct?

16 A. I am not sure. I may be guilty of having
17 not -- whatever I had, I gave to them -- to Exxon
18 without any apology.

19 Q. I understand that, Professor. I am just
20 trying to determine -- for example, 5G, which is
21 the Drinker paper, also appears to have been
22 reduced in size.

23 A. Uh-huh.

24 Q. The copy that you had was full size,
25 wasn't it?

1 A. It was the full print, full-sized print.

2 Q. And at some point you had turned that over
3 to Exxon or its counsel; is that correct?

4 A. I did.

5 Q. And you don't have your original at this
6 point in your own possession, do you?

7 A. I don't believe I have. If I do have,
8 it's still of the same size that it was originally;
9 but I don't have a condensed copy.

10 Q. And do you know whether you have a
11 full-sized copy of this in your home?

12 A. No, I do not remember.

13 Q. You do not know, or you don't have it?

14 A. No, I don't know that I have it. I have
15 just -- would have to go and see, but I doubt if I
16 have it anymore.

17 Q. Professor, I would like to ask you this
18 evening --

19 A. And that one deals with what?

20 Q. This is the "Uses and Limitations of
21 Respiratory Protective Equipment" by
22 Philip Drinker.

23 I would like to ask you, Professor, this
24 evening or tomorrow morning before you return for
25 whatever we do tomorrow, to see if you have

1 full-sized copies of any of these actually at your
2 home. And if you do, I would ask that you bring
3 them so that we can recopy them and have copies
4 that, even with my bifocals, I would be able to
5 read. Okay?

6 A. Uh-huh. Also, I suggest to you that the
7 Cannon copier that I have will blow these up by 25
8 percent if you want to.

9 Q. I understand that, but...

10

11 (DISCUSSION BETWEEN THE WITNESS AND HIS
12 COUNSEL)

13

14 Q. (By Mr. Kazan) By shrinking and
15 increasing, there is a loss of quality each time;
16 and if you have the actual originals from which
17 something was shrunk, that would be better.

18 A. I see. I don't have the original. All of
19 mine are copies.

20 Q. If you would look and see if you have
21 full-sized copies, I would appreciate it.

22 Let me ask you, Professor, that -- to
23 clarify something for me. Am I correct that
24 throughout your employment at Exxon and Humble, you
25 worked and were assigned to the medical department

1 at headquarters?

2 A. I was.

3 Q. And during the course of that employment,
4 you provided industrial hygiene services and
5 counsel and guidance on a company-wide basis?

6 A. I did.

7 Q. And that included providing such services
8 to various divisions of the company?

9 A. It did.

10 Q. And various subsidiaries of the company?

11 A. It did.

12 Q. Did you provide services, for example, to
13 a company called, in time, Enjay Chemical Company?
14 And that's E N J A Y.

15 A. I did.

16 Q. Did -- would it be fair to say, Professor,
17 that as long as somebody in the Humble family of
18 companies requested industrial hygiene services,
19 those would be provided by you or under your
20 direction through the medical department of
21 headquarters?

22 A. It would.

23 Q. Did you ever distinguish between or care
24 whether it was a separate corporate subsidiary or
25 an operating division?

1 A. No. They all received the same services.

2 Q. Okay. You told us yesterday that you
3 never went to meetings of the international -- I'm
4 sorry -- you never went to international petroleum
5 expositions.

6 A. I never did.

7 Q. Did you attend any other international
8 petroleum meetings?

9 A. I don't recall that I did.

10 Q. All right. Were proceedings or abstracts
11 of any international petroleum expositions or
12 meetings ever prepared, to your knowledge?

13 A. Not to my knowledge.

14 Q. Was part of your employment with Exxon and
15 Humble --

16 MR. KAZAN: Withdraw that.

17 Q. (By Mr. Kazan) Was one of the things you
18 did as part of your employment from 1947 on, to
19 attempt to stay current with developing industrial
20 hygiene literature on subjects that might be of
21 relevance to your employment?

22 A. It was. I felt somewhat like Alice in
23 Wonderland: You had to run as fast as you could to
24 stay in one place.

25 Q. There's a lot of literature coming out on

1 various subjects, and you did your best to keep up
2 with developments?

3 A. Yes.

4 Q. Did you ever attend meetings of the
5 National Petroleum Manufacturer's Association?

6 A. I never did attend any of their meetings.
7 I -- not that I recall.

8 Q. Did you ever receive publications from
9 that organization?

10 A. One or two occasions I saw some
11 publications, but I don't recall what they were.

12 Q. Do you recall whether they dealt with
13 issues relating to workplace health and safety?

14 A. No, I do not recall.

15 Q. There has been some discussion about
16 Mr. Venable. Was he -- he was somebody who
17 technically was under your supervision?

18 A. In 1960 he came under my supervision. So
19 for the last 18 years, he was under my
20 supervision.

21 Q. All right.

22 A. My term.

23 Q. Was he a highly qualified and very
24 competent industrial hygienist?

25 A. He was.

1 Q. Did you ever have reason to criticize him
2 for dereliction of duty or professional
3 incompetence or dereliction of performance?

4 A. No. I determined he was overanxious about
5 getting everything done himself without using the
6 available manpower that would be in his command.
7 That was my own criticism of him. He tried to do
8 too much individually.

9 Q. Okay. Do you have any reason to think
10 that in the years before you became his supervisor
11 he was any less competent or qualified to do his
12 job?

13 A. No.

14 MS. KYLE: Do you have any reason to
15 believe when you didn't know him? I am going to
16 object.

17 MR. KAZAN: He didn't say he didn't know
18 him; he said he didn't supervise him.

19 Q. (By Mr. Kazan) When is the first time you
20 met Mr. Venable?

21 A. I am sure it was in 1950.

22 Q. Okay. He was a young industrial hygienist
23 at the time?

24 A. 42 years ago.

25 Q. All right. And did you have occasion to

1 speak with him or work with him at all between 1950
2 and 1960?

3 A. Yes. 1950, he was working for the State
4 Department of Health; and I invited him to come
5 down to go through our refineries and evaluate
6 conditions and had that relationship with the State
7 Department of Health in Texas and also in
8 Louisiana, and I made use of their services as much
9 as I could.

10 Q. And in fact during the 1950's, you would
11 speak with Mr. Venable on almost a daily basis; is
12 that true?

13 A. Yes. That's a good --

14 Q. And that was on matters of professional
15 interest, not purely social --

16 A. That's right.

17 Q. All right.

18 MS. KYLE: Where are we, Steve?

19 MR. KAZAN: Let me just finish this
20 subject.

21 MS. KYLE: Okay.

22 Q. (By Mr. Kazan) During that period when
23 you spoke with him on a regular basis and before
24 you were the supervisor, did you have any reason to
25 question his skill or competence as an industrial

1 hygienist?

2 A. I never did.

3 MR. KAZAN: Counsel, I probably had about
4 20 minutes. If the witness would like to stop now
5 for his own comfort --

6 THE WITNESS: When you finish this
7 question about Mr. Venable, I think would be a good
8 stopping point.

9 MR. KAZAN: Well, I did finish the
10 question about Mr. Venable; and I was just offering
11 your lawyer to quit now if you would prefer.

12 THE WITNESS: I prefer.

13 MS. KYLE: Can I at this point -- I
14 realize you may not be passing him, but can I at
15 this point ask two questions?

16 MR. HAND: Why don't you wait and put this
17 on your record. You are doing a video deposition
18 of your own witness tomorrow. If you want to
19 create a record of something he has to say, go
20 ahead and do so tomorrow.

21 MR. GROTT: Go ahead and ask the
22 questions.

23 MR. KAPLAN: You can do it subject to his
24 motion to strike.

25 MS. KYLE: I think it would help the

1 overall situation. I want to ask two questions.

2 EXAMINATION

3 BY MS. KYLE:

4 Q. The first question is: Professor Hammond,
5 have you provided documents to plaintiffs'
6 attorneys in asbestos cases?

7 A. I have.

8 Q. As you sit here today, do you know if they
9 returned shrunk or unshrunk copies to you?

10 A. No. I don't remember that I paid that
11 much attention to them. They came back to me in
12 bundles. I put them away, and then I did not know
13 for sure.

14 MR. KAZAN: Professor, nobody is
15 suggesting that you have done anything evil by
16 shrinking documents. We just would like better
17 copies; and if you have them, I would appreciate
18 you bringing them.

1 THE STATE OF TEXAS:

2 COUNTY OF HARRIS:

3
4 I, JAMES HAMMOND hereby certify that I
5 have read the foregoing transcript of my testimony
6 given in the foregoing numbered and styled case and
7 that same is true and correct to the best of my
8 knowledge and belief.

9 I further certify that any and all
10 corrections have been made on a separate page and
11 initialed by me.

12 This _____ day of _____, 1992.

13
14
15 _____
16 JAMES HAMMOND

17
18 SWORN TO AND SUBSCRIBED BEFORE ME this

19 _____ day of _____, 1992.

20
21 _____
22 NOTARY PUBLIC

23
24 MY COMMISSION

25 EXPIRES:

1 THE STATE OF TEXAS:

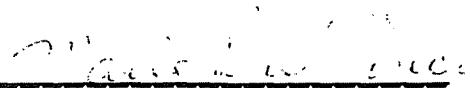
2 COUNTY OF HARRIS:

3 I, Marie Bulfinch, a Certified Shorthand
4 Reporter, hereby certify that the foregoing
5 testimony was given before me after the Witness had
6 been first duly sworn.

7 I further certify that this deposition was
8 prepared under my direction and that the foregoing
9 pages constitute a complete and correct copy of the
10 transcript of the proceedings, and that the
11 original is being given to James Hand.

12 I further certify that I am neither
13 attorney for, related to, nor employed by any of
14 the parties to the lawsuit in which this deposition
15 was taken. Further, I am neither related to nor
16 employed by any attorney of record in this cause,
17 nor do I have a financial interest in the matter.

18 GIVEN UNDER MY HAND AND SEAL OF OFFICE in
19 Houston, Texas, on this the 30 day of May, 1992.

20 
21 Marie Bulfinch, CSR, RPR, CM

22 Certification Number : 3748
23 Date of Expiration : December 31, 1993
24 Business Address : Nell McCallum & Associates
25 : 2900 Smith Street
: Houston, Texas 77006