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1 question about them. So my objection
2 remains.

3 MS. ROSENBERG: Your objection is
4 noted, and my offer stands.

5 MR. KAY: We join as well.

6 MS. NIELSEN: The O'Brien firm
7 joins as well.

8 MR. GIANARIS: Take a look at
9 what we will mark as Exhibit number 4
10 which is a Schedule A, a list of
11 documents to be produced at the
12 deposition.

13 (Whereupon Schedule A, documents
14 to be produced at deposition was marked
15 Exhibit 4 for identification as of this
16 date.)

17 Q. Have you seen that, sir?

18 A. I saw that yesterday at
19 5 o'clock, actually 5:15.

20 Q. Earlier than I saw your
21 documents.

22 A. That's right.

23 Q. Have you attempted to comply with
24 that?

25 A. Yes, to the extent I'm able to.

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1 A. My answer to number 8 is yes, I
2 brought that.

3 Q. So I have all the documents here
4 in this exhibit that you will rely upon to give
5 any opinions in this case?

6 A. But I presumed that there were
7 other documents available in the case that have
8 to do with Union Carbide only. That's the only
9 one that I have any claim to having studied.

10 MR. GIANARIS: I understand.

11 I'll make the same objection.

12 Q. You don't have any letters
13 between you and defense counsel regarding your
14 testimony?

15 A. No, they're oral communication.

16 Q. For this ten or eleven months of
17 work, is that right?

18 A. Yes.

19 Q. How much have you billed this law
20 firm and Union Carbide?

21 A. About \$90,000, something between
22 90,000 and \$100,000.

23 Q. Between 90,000 and \$100,000?

24 A. Yes.

25 Q. Is that for your time only?

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1 That is my file for this case. I can go
2 through this with you, but what I do in this
3 kind of situation is assemble the material on
4 which I'm going to rely. I was assuming there
5 was other materials already in the trial that I
6 can also rely on because I knew I had seen that
7 material available.

8 While there is a lot of other
9 things that might be brought in, I couldn't
10 keep them all straight. So, I wanted, for
11 tractability, pick those materials that I was
12 going to support and give the basis for my
13 opinions rather than everything I knew in the
14 world.

15 Q. You brought those materials with
16 you here today?

17 A. That's the binder.

18 Q. That is the only thing that you
19 have today that is in response to Schedule A?

20 A. That's right.

21 MS. ROSENBERG: You should note
22 that he also has his curriculum vitae
23 with him.

24 A. The answer is in number 8.

25 Q. The answer?

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1 A. For my own.

2 Q. So you've worked one day a week
3 for ten months?

4 A. Somewhat a little longer than
5 summertime, which is permitted.

6 Q. Let's talk about how long you've
7 worked.

8 MS. ROSENBERG: Keep your voice
9 up, Ted.

10 A. We can divide that number by
11 between 200 and 300 hours.

12 Q. Between 200 and 300 equals
13 \$90,000 to \$100,000?

14 A. I believe that's right.

15 Q. How much has your research team
16 billed?

17 A. I don't actually know the figure
18 because John, the head of that firm, does all
19 that billing. I don't get involved in that
20 billing.

21 Q. What do you think?

22 A. I really don't know.

23 MS. ROSENBERG: Objection to the
24 form. If he knows, he knows. If he
25 doesn't, he doesn't.