October 26, 1990

Mr. Tod Minnigerode
Ms. Sheila C. Irvin
Waller Reporting, Inc.
515 Olive Street, Suite 1506
St. Louis, Missouri 63101

Dear Mr. Minnigerode and Ms. Irvin:

I have reviewed my six volume deposition in Brown v. Monsanto, and I have filled out and signed the enclosed correction sheets. In addition to the corrections on the enclosed correction sheets, I have the following list of transcription errors and misspellings which I would like to have corrected in the transcript itself, rather than just attached to the end of the transcripts. (Portions of the transcripts have been compared against relevant portions of the videotapes and, as a result of that review, it is my belief that the matters listed below are in fact mistranscriptions rather than my errors in speaking.)

Volume I, 5-31-90

Page	Line	Should Read		Not
7	10	"confreres"	Not	"confers"
	Reason for Change: Mistranscription (See Video)			
15	23	"confreres"	not	"confers"
	Reason for Change: Mistranscription (See Video)			
31	4	delete "if"		
	Reason for Change: Mistranscription (See Video)			
40	13	"stay safe"	not	"say safe"
	Reason for Change: Mistranscription (See Video)			
40	14	"why didn't"	not	"why did"
	Reason for Change: Mistranscription (See Video)			
57	23	"tested"	not	"testified"
	Reason for Change: Mistranscription (See Video)			
58	10	"Bakelite"	not	"Bay Plant"
	Reason for Change: Mistranscription (See Video)			
70	20	"isn't big enough"	not	"is big enough"
	Reason for Change: Mistranscription (See Video)			
79	16	"draining"	not	"training"
	Reason for Change: Mistranscription (See Video)			

Page	Line	Should Read	Not
82	11	"fumes"	not "fuels"
	Reason for Change: Mistransctiption (See Video)		
86	21	Add "feeding" between "perform" and "experiments"	
	Reason for Change: Mistranscription (See Video)		
98	23	"cholesterols"	not "alcohol, esterols"
	Reason for Change: Mistranscription (See Video)		
101	24	Add "not" between "were" and "suffering"	
	Reason for Change: Mistranscription (See Video)		
112	18-19	"not transformers, not capacitors", not "no transformers, no capacity"	
	Reason for Change: Mistranscription (See Video)		
138	24	"And Their"	not "In Air"
	Reason for Change: Mistranscription (See Video and title of Exhibit K-92)		
144	12	"trying to at the depositions" not "trying to have a deposition"	
	Reason for Change: Mistranscription (See Video)		
154	16	"your retirement"	not "my retirement"
	Reason for Change: Mistranscription (See Video)		
158	15	"Flinn"	not "Flynn"
	Reason for Change: Misspelling (See Exhibit K-20)		
158	23	"Flinn"	not "Flynn"
	Reason for Change: Misspelling (See Exhibit K-20)		
162	8	"1268"	not "12-60-A"
	Reason for Change: Mistranscription (See Video)		
162	9	"proved"	not "improved"
	Reason for Change: Mistranscription (See Video)		
163	15	"1268"	not "12-78"
	Reason for Change: Mistranscription (See Video)		
168	22	"in 1955 and"	not "in 1924 or"
	Reason for Change: Mistranscription (See Video)		

Page	Line	Should Read	Not
175	8	"1957 to 1963"	not "1967 to 1953"
	Reason for Change: Mistranscription (See Video and Page 171, Lines 14 through 18 and dates on Exhibits K-26 through K-36.)		
197	1	"Parvis"	not "Pavis"
	Reason for Change: Misspelling		
197	2	"Eppley Institute"	not "Aetna Institute"
	Reason for Change: Mistranscription (See Video)		
198	13	"have generally been minor"	not "of general or minor"
	Reason for Change: Mistranscription (See Video and Page 106 of Exhibit K-7, which was being quoted.)		
209	16	"was being"	not "has been"
	Reason for Change: Mistranscription (See Video and Exhibit K-83, which was being quoted.)		
214	17	"these data"	not "this status"
	Reason for Change: Mistranscription (See Video and Exhibit K-87, which was being quoted.)		
219	9	"Risebrough"	not "Riceburrough"
	Reason for Change: Misspelling		
246	2	"Vos"	not "Voss"
	Reason for Change: Misspelling		

Volume II, 6-1-90

5	14	"medical"	not "Medic Alert"
	Reason for Change: Mistranscription (See Video)		
5	14	"Concerning"	not "that's serving"
	Reason for Change: Mistranscription (See Video)		
50	3	"There are 30 milligrams in an ounce, <u>I mean</u> 30 grams in an ounce."	
	Reason for Change: Mistranscription (See Video) There are 30 grams in an ounce.		
106	8	"in"	not "and"
	Reason for Change: Mistranscription (See Video)		

Page	Line	Should Read		Not
133	7	"in"	not	"and"
	Reason for Change: Mistranscription (See Video)			
150	6	"infected"	not	"affected"
	Reason for Change: Mistranscription (See Video)			

Volume III, 6-12-90

13	15	"see"	not	"say"
	Reason for Change: Mistranscription (See Video)			
21	20	"seems"	not	"seen"
	Reason for Change: Mistranscription (See Video)			
47	8	"shouldn't"	not	"should in the"
	Reason for Change: Mistranscription (See Video)			
117	25	"back"	not	"become"
	Reason for Change: Mistranscription (See Video)			
137	9	Delete "are" before the word "or"		
	Reason for Change: Mistranscription (See Video)			
154	8-12	"I talked to the workers at Anniston when I saw them at their job, asked them how they were getting along, asked them if they had any problems, asked them if they'd been back to the doctor, asked them if they'd been back to the dermatologist."		
	Reason for Change: Mistranscription (See Video)			

Volume IV, 6-13-90

30	12	"develop"	not	"development"
	Reason for Change: Mistranscription (See Video)			
44	4-5	"I checked with the - I checked the raw data" not "I checked with her"		
	Reason for Change: Mistranscription (See Video) I have never spoken with Judith Zack.			

Page	Line	Should Read	Not
53	18	"used as"	not "idea"
	Reason for Change: Mistranscription (See Video)		
56	19	"includes"	not "concludes"
	Reason for Change: Mistranscription (See Video)		
57	18	"thirty"	not "zero"
	Reason for Change: Mistranscription (See Video]		
69	2	"accident"	not "extent"
	Reason for Change: Mistranscription (See Video)		
71	4	"in seventy percent"	not "and seventy percent"
	Reason for Change: Mistranscription (See Video)		
88	20	"Spolyer"	not "Spoyer"
	Reason for Change: Misspelling		
91	2	"were"	not "remember"
	Reason for Change: Mistranscription (See Video)		
97	17	"Spolyer"	not "Spoyer"
	Reason for Change: Misspelling		
118	3	"after he's seen you"	not "after you see me"
	Reason for Change: Mistranscription (See Video)		

Volume V, 6-15-90

20	3	"symposium"	not "supposement"
	Reason for Change: Mistranscription (See Video)		
57	15	"wrote"	not "read"
	Reason for Change: Mistranscription (See Video)		
92	25	"That wouldn't be unsafe"	not "That would be unsafe"
	Reason for Change: Mistranscription (See Video)		
135	20	"Spolyer"	not "Spoiler"
	Reason for Change: Misspelling		

Page	Line	Should Read		Not
136	7	"Meigs"	not	"Maigs"
	Reason for Change: Misspelling			
137	5	"Meigs"	not	"Maigs"
	Reason for Change: Misspelling			
137	11, 12 & 22	"Meigs"	not	"Maigs"
	Reason for Change: Misspelling			
160	16	"to find"	not	"that defined"
	Reason for Change: Mistranscription (See Video)			
163	6	"Phocian Park" not "Phosha Park"		
	Reason for Change: Misspelling			
185	10	"Calandra"	not	"Colander"
	Reason for Change: Misspelling			
195	15	"they"	not	"he"
	Reason for Change: Mistranscription (See Video)			
199	5	"Yucheng"	not	"Yetching"
	Reason for Change: Misspelling			
239	13	"defat"	not	"detach"
	Reason for Change: Mistranscription (See Video)			
242	18	"drenched"	not	"dredged"
	Reason for Change: Mistranscription (See Video)			
248	25	"PCB"	not	"PC"
	Reason for Change: Mistranscription (See Video)			

Volume VI

21	6	"effluents"	not	"affluents"
	Reason for Change: Misspelling			
26	22	"Phocian Park" not "Phosha Park"		
	Reason for Change: Misspelling			
29	24	"Suskind"	not	"Suskine"
	Reason for Change: Misspelling			

Page	Line	Should Read	Not
44	9	"confounding"	not "compounding"
	Reason for Change: Mistranscription (See Video)		
99	9	"Speicher"	not "Spiker"
	Reason for Change: Misspelling		
99	13	"Von Oettingen"	not "Vinotigan"
	Reason for Change: Misspelling		
96	12	"calomel"	not "coumarin"
	Reason for Change: Mistranscription (See Video)		

Thank you.

Sincerely,

R. Emmet Kelly, M.D.

Enclosures

Vol. I 5-31-90
R. Emmet Kelly, M.D.
NAME OF WITNESS

DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 46 **Line** 3 **Should read:** "Nitro" not "Anniston"

Reason for change: Misspoke

Page 52 **Line** 24 **Should read:** "non inflammability" not "inflammability"

Reason for change: Misspoke

Page 87 **Line** 18 **Should read:** "K-5" not "K-3"

Reason for change: Misspoke

Page 134 **Line** 11-14 **Should read:** See amplification of answer at Volume III, Page 79, Lines 4 through 12. Aspirin, iron pills and probably 400,000 industrial chemicals will kill people if they take too much.

Reason for change: Mr. McCrea requested that I note any amplifications of previous answers (see Volume III, Pages 78-79).

Page 144 **Line** 21 **Should read:** "1947 to 1959" not "1977"

Reason for change: Misspoke

R Emmet Kelly MD

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Vol. I 5-31-90
R. Emmet Kelly, M.D.
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DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 175 **Line** 22-25 **Should read:** Delete sentence starting at line 22 with "The" and ending with "toxicity" on line 25 and substitute the following: "The oral LD-50s for laboratory animals ranged between 2.3 and 12.5 grams per kilogram."

Reason for change: Witness Confusion (See Exhibits K-26 through K-36)

Page 176 **Line** 6 **Should read:** Add: "The Younger reports classified the various PCB containing products tested in a range of 'practically nontoxic' to 'slightly toxic'."

Reason for change: Amplification (See Younger Reports, Exhibits K-26 through K-36.)

Page 200 **Line** 21 **Should read:** Add "to" between "it" and "rats"

Reason for change: Misspoke

Page 212 **Line** 11 **Should read:** "Westinghouse" not "Monsanto"

Reason for change: Misspoke

Page 243 **Line** 13 **Should read:** See amplification of this answer at Volume III, Page 79. Aspirin, iron pills and probably 400,000 industrial chemicals will kill people if they take too much. But that is never put on the label.

Reason for change: Mr. McCrea invited amplifications of previous answers (See Pages 78 through 79 of Volume III).

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Vol. II 6-1-90
R. Emmet Kelly, M.D.
NAME OF WITNESS

DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 22 **Line** 19 **Should read:** "dibenzofurans" not "benzofurans"

Reason for change: Misspoke

Page 52 **Line** 12 **Should read:** "quaterphenyls" not "terphenyls"

Reason for change: Misspoke

Page 65 **Line** 2-3 **Should read:** Delete lines 2-3, substitute: "I have given a deposition in One Market Plaza, but I have not testified in any trials involving fires."

Reason for change: I thought the question only referred to trial testimony.

Page 75 **Line** 25 **Should read:** "local action" not "local reaction"

Reason for change: Misspoke

Page 78 **Line** 11 **Should read:** "1963" not "1972" (In addition, my answer assumes that the question was referring to skin absorption, not inhalation.)

Reason for change: Misspoke - The subacute dermal testing occurred in 1963 not 1972. (See Exhibits K-71 - K-75).

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Vol. II 6-1-90
R. Emmet Kelly, M.D.
NAME OF WITNESS

DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 82 **Line** 4 **Should read:** Delete "systemic" between "usual" and "list"

Reason for change: Misspoke

Page 82 **Line** 5 **Should read:** Delete "symptoms" at beginning of line and "symptom" after "pulmonary" and substitute "systems" and "system"

Reason for change: Misspoke

Page 87 **Line** 25 **Should read:** "PCB" not "PC"

Reason for change: Misspoke

Page 90 **Line** 13 **Should read:** "dibenzofurnas" not "nitrofurans or benzofurans"

Reason for change: Misspoke

Page 105 **Line** 3 **Should read:** "dibenzofurans" not "nitrofuran"

Reason for change: Misspoke

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R. Emmet Kelly, M.D.
NAME OF WITNESS

DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 107 **Line** 16 **Should read:** "rather than something you can't see" not "rather than something you can see"

Reason for change: Misspoke

Page 126 **Line** 7 **Should read:** "supposed" not "exposed"

Reason for change: Misspoke

Page 127 **Line** 2 **Should read:** "dibenzofurans" not "nitrofurans"

Reason for change: Misspoke

Page 142 **Line** 8 **Should read:** "and" and "as"

Reason for change: Misspoke

Page **Line** **Should read:**

Reason for change:

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Vol. III 6-12-90
R. Emmet Kelly, M.D.
NAME OF WITNESS

DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 50 **Line** 2 **Should read:** "start" not "stop"

Reason for change: Misspoke

Page 63 **Line** 11 **Should read:** Add "of" between "out" and "PCBs"

Reason for change: Misspoke

Page 125 **Line** 10 **Should read:** Add "directly from the gut" after "liver"

Reason for change: Clarification

Page 137 **Line** 18 **Should read:** Add "liver" between "under" and "problems"

Reason for change: Misspoke

Page 144 **Line** 17 **Should read:** "Exhibit 2" not "Exhibit 1"

Reason for change: Misspoke

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Vol. III 6-12-90
R. Emmet Kelly, M.D.
NAME OF WITNESS

DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 153 **Line** 20 **Should read:** "frequently" not "infrequently"

Reason for change: Misspoke

Page 163 **Line** 1-2 **Should read:** After the 1st "itself" in line 1, delete "or chlorinated diphenyl by itself by -- in conjunction with naphthalene"

Reason for change: Garbled. Intent was to refer to chlorinated diphenyl by itself.

Page 166 **Line** 23 **Should read:** Add "loss of" between "complaints of" and "libido"

Reason for change: Misspoke

Page **Line** **Should read:**

Reason for change:

Page **Line** **Should read:**

Reason for change:

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Vol. IV 6-13-90
R. Emmet Kelly, M.D.
NAME OF WITNESS

DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 10 **Line** 16-21, 23-25 **Should read:** Delete lines 16-21 and 23-25

Reason for change: See clarification at Volume V, Page 3, Lines 7 through 12, I double checked and learned that the Zack and Musch study apparently was not published.

Page 19 **Line** 11 **Should read:** Delete "the" before "OSHA" and delete "and" after "OSHA"

Reason for change: Misspoke

Page 19 **Line** 21 **Should read:** "Elmer" not "either"

Reason for change: Misspoke

Page 43 **Line** 25 **Should read:** "six" not "seven"

Reason for change: Misspoke

Page 74 **Line** 14 **Should read:** "Inerteen 100-42" not "pyrenol"

Reason for change: Misspoke

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R. Emmet Kelly, M.D.
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DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 81 **Line** 18 **Should read:** "material" not "clothing"

Reason for change: Misspoke

Page 97 **Line** 16 **Should read:** Add "Brazil" after "in" and before "Indiana"

Reason for change: While reviewing the transcripts, I remembered the name of the town.

Page 98 **Line** 25 **Should read:** After "Well," and before "in" add: "if we were doing this today". After "Inerteen" and before "we" add: "(which is not used in capacitors)"

Reason for change: Amplification

Page 99 **Line** 1 **Should read:** After "dioxin" add ", because of the trichlorobenzene content."

Reason for change: Amplification

Page 107 **Line** 6 **Should read:** "42%" not "32%"

Reason for change: Misspoke

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R. Emmet Kelly, M.D.
NAME OF WITNESS

DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 113 Line 10 Should read: "political" not "medical"

Reason for change: Misspoke

Page 118 Line 4 Should read: "him" not "you"
"him" not "me"

Reason for change: Misspoke

Page Line Should read:

Reason for change:

Page Line Should read:

Reason for change:

Page Line Should read:

Reason for change:

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Vol. V 6-15-90
R. Emmet Kelly, M.D.
NAME OF WITNESS

DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 58 **Line** 13 **Should read:** "question" not "situation"

Reason for change: Misspoke

Page 65 **Line** 25 **Should read:** Add after "That's correct": ", if the question refers to Dr. Drinker's experiments with 1268 commencing in August of (see Continuation Page)

Reason for change: As I previously testified at Volume V, Pages 18 through 22, there is confusion in the Dr. Drinker Report(s) (see Continuation Page)

Page 66 **Line** 5-6 **Should read:** Add after "There's no question about it": ", if the question refers to the 1937 experiments with 1268 reported at (see Continuation Page)

Reason for change: Same as noted above for change on Page 65, Line 25.

Page 93 **Line** 1 **Should read:** "the department" not "an apartment"

Reason for change: Misspoke

Page 102 **Line** 11 **Should read:** "England" not "English"

Reason for change: Misspoke

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SIGNATURE OF WITNESS

Continuation Page

Page 65, Line 25 Should read continuation:

1937 as reported at pp. 26-29 of plaintiffs' Exhibit 6. If the question refers to Dr. Drinker's 1936 experiments reported at pp. 36-45 of plaintiffs' Exhibit 6, then it was inhalation of what Dr. Drinker thought was a PCB but which was actually a different substance that was mislabeled."

Reason assigned for change continuation:

It was confusing having two Drinker reports together in the middle of one big exhibit and, upon reviewing the transcript, it was unclear to me whether Mr. McCrea was asking about the 1936 or 1937 experiments. If his question referred to the 1936 instead of the 1937 experiments, then the material being inhaled was not a PCB.

Page 66, Lines 5-6 Should read continuation:

pp. 26-29 of plaintiffs' Exhibit 6. If the question refers to the 1936 experiments, then Dr. Drinker was not reporting on PCBs, but there is no question that the compound, whatever it was, was inhaled. The carbon tetrachloride and the alcohol were given by mouth."

Vol. V 6-15-90
R. Emmet Kelly, M.D.
NAME OF WITNESS

DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 135	Line 14	Should read:	Add at beginning of sentence, "It was in Brazil, Indiana."
		Reason for change:	I remembered the name of the town while reviewing the transcripts.
Page 136	Line 10	Should read:	Add "Brazil" between "in" and "Indiana"
		Reason for change:	I remembered the name of the town while reviewing the deposition transcript.
Page 161 162	Line 15-16 5-6	Should read:	Delete lines 15 and 16. Delete lines 5-6 and substitute: (see Continuation Page)
		Reason for change:	See Continuation Page
Page 219	Line 11	Should read:	"polychlorinated biphenyl" not "pentachlorphenyl"
		Reason for change:	Misspoke
Page 239	Line 24	Should read:	After "overexposure" add "preceding serious liver injury"
		Reason for change:	Amplification

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Continuation Page

Page 161, Lines 15-16 and Page 162, Lines 5-6,

Should read: I am far from the most knowledgeable person about 1016 and should not have speculated about it. Questions about the chlorine content of 1016 and how it got its name should be directed to Bill Papageorge.

Vol. V 6-15-90
R. Emmet Kelly, M.D.
NAME OF WITNESS

DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 262 Line 14 Should read: Delete: "they did not recheck it." Add after "so": "although Levinskas rereviewed the reports, it is my understanding that the laboratory experiments were not repeated. (see Continuation Page)

Reason for change: Not certain what Mr. McCrea meant by "independent review".

Page Line Should read:

Reason for change:

Page Line Should read:

Reason for change:

Page Line Should read:

Reason for change:

Page Line Should read:

Reason for change:

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Continuation Page

Page 262, Line 14 should read continuation:

These events occurred after my retirement, however, and I do not have first hand knowledge."

Vol. VI
R. Emmet Kelly, M.D.
NAME OF WITNESS

DEPOSITION CORRECTION SHEET

In re: Upon reading the deposition and before subscribing thereto, the deponent indicated the following changes should be made:

Page 89 Line 6-7 Should read: "I would be hesitant" not "I would not hesitate to be hesitant"

Reason for change: Misspoke

Page 99 Line 14 Should read: "ranking" not "rating"

Reason for change: Misspoke

Page Line Should read:

Reason for change:

Page Line Should read:

Reason for change:

Page Line Should read:

Reason for change:

R Emmet Kelly MD

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