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1 MS. ROSENBERG: If it's a
2 question --
3 MR. GIANARIS: I've got a
4 question.
5 BY MR. GIANARIS:
6 Q. We've talked about all your
7 opinions you have in this case?
8 A. No.
9 Q. We haven't?
10 A. No.
11 Q. What other opinions do you have?
12 A. There are too numerous to
13 mention. There are opinions about a lot of the
14 documents in the file that we haven't talked
15 about.
16 We talked about my major
17 opinions, but the ones we didn't do much work
18 with had to do with the degree to which unions
19 were conscious of in their publications of the
20 dangers of asbestos. I would have elaborated
21 on that. That would have been very important
22 and relevant.
23 THE VIDEO OPERATOR: Going off
24 the record. End of this tape. Time is
25 4:15 p.m.

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1 with the general claim that enough public
2 available knowledge was there in the early
3 1960's to make implausible the claim that
4 groups with a clear interest in asbestos
5 wouldn't have known that it was a dangerous
6 substance.
7 Q. I think you just misspoke.
8 Groups would not have known that it was a
9 dangerous substance?
10 A. Made implausible that groups
11 would not have known.
12 Q. That is your general opinion?
13 A. That's the conclusion of all of
14 this work on publicly available information
15 from all these sources.
16 Q. Elaborate on your opinion and
17 tell me what you want to tell the jury about
18 that particular issue.
19 A. Not so much tell them, state the
20 point again, as to show evidence as to what was
21 available. Newspaper articles that were
22 explicitly directed in asbestos. Television
23 programs that interviewed Selikoff who was a
24 remarkable spokesman for this and so on. We
25 can do that another time.

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1 (Brief recess taken.)
2 THE VIDEO OPERATOR: Returning to
3 the record 4:15. Beginning of tape
4 number 5.
5 Q. Professor, the podium is yours.
6 Elaborate.
7 A. I'll elaborate only in one
8 respect, which is, for whatever reason, we
9 spent more time talking about the part of my
10 work of which I've spent the least time.
11 So instead of going through the
12 documents that I actually collected, we talked
13 about Union Carbide, which was the last and the
14 least developed of those. So in that sense,
15 there was some imbalance, but I think I gave
16 you a clear notion of what my subject was, the
17 prime subject, and I think I gave you a
18 reasonably clear notion about my general
19 conclusions about publicly available knowledge.
20 To that extent, I feel all right.
21 Q. You have opinions regarding the
22 documents that you've collected that are in
23 the --
24 A. I have elaborations of opinions
25 that we didn't get to, but they're consistent

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1 Q. In your trial testimony in West
2 Virginia, you went through a list of examples
3 of things that were publicly available.
4 Is that the same documents that
5 you're going to present in trial in Madison
6 County, other than perhaps specific media
7 searches regarding St. Louis, Alton, Illinois
8 and Chicago, Illinois?
9 A. Mostly that's correct. There are
10 few additional illustrations that seemed
11 particularly good ones, points that already are
12 being made, either about medical science or
13 particularly about unions. There was some
14 expansion of the union illustration of
15 publications.
16 Q. You say a few?
17 A. Something in the order of 8 to
18 10.
19 Q. Tell me what those opinions are.
20 A. The opinion is the same. It just
21 illustrates the range.
22 Q. Tell me what you're going to show
23 the jury to illustrate your opinion that you
24 didn't show them at the trial in West Virginia?
25 A. Exhibits 139 to 147, for example.