

May 12, 1942.

Mr. Hayner N. Larson,
Faegre, Benson and Krause,
1260 Northwestern Bank Building,
Minneapolis, Minnesota.

Dear Mr. Larson:

I am in receipt of a copy of your letter of May 9, to Mr. J. C. Taylor, of the Ethyl Gasoline Corporation, concerning the case in St. Paul. I am in some difficulty as to the time of my being there, since I am to be in Oklahoma City on the 21st, or as soon as possible thereafter. As near as I am able to determine at present, the best plan would be for me to be in St. Paul on the 20th, and to give my testimony at that time. If this can be done, and if I can get away on the Rock Island at 7:40 P. M., I can arrive in Oklahoma City at 4:35 P. M. on the 21st, if I make suitable connections in Kansas City. I should appreciate it if you would let me know promptly whether I can be assured of having my testimony taken in time to catch this train on the 20th. I realize the difficulty of arranging these matters to suit one's convenience, and yet my Oklahoma City engagement is a prior one, and I should not fail to be there if it is humanly possible.

In accordance with your suggestion, I shall prepare a statement of the facts to which I shall testify and will forward this to you as soon as possible. I shall also bring copies of the regulations in accordance with your request and such copies of plans and blueprints as are available. I think, however, it will not be possible for me to permit these regulations to be made parts of the court record. I have copies of all regulations that have ever been in use, including official copies of the recommendations of the United States Public Health Service, in these matters. Unfortunately, however, most of these are out of print, and I can not relinquish my office copies for any purpose.

With further reference to your suggestion that local medical men might be in position to give useful testimony, I may say that this is dubious. I think no one would be in position to give such testimony unless he were associated with one of the oil companies and was, therefore, in direct contact with the problem. Otherwise this question will not be understood by physicians.

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Perhaps you are not aware of the fact that United States Public Health Service made specific recommendations concerning the establishment of mixing plants. These recommendations have never had the effect of law, but I believe you will realize that if they had not been carried out by the Ethyl Gasoline Corporation, they could have acquired legal status without undue difficulty or delay. I shall bring documentary evidence in support of this rather important point.

Very truly yours,

Robert A. Kohoe, M. D.

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