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1 Q. Just hang in there?

2 A. Yes. I'm not used to quite this
3 on a regular basis.

4 Q. Professor, what is a Pandora's
5 box?

6 A. Something that when you open it
7 up, lots of unexpected things happen or shown.

8 Q. If you say somebody is opening a
9 Pandora's box, is that a compliment or a
10 pejorative?

11 A. It's more pejorative than it's
12 complimentary.

13 Q. Professor, based on your research
14 regarding the dangers of asbestos, the ten
15 months' worth of research and whatever you did
16 before, is it fair to say that in 1971 that no
17 exposure relationship had yet been established
18 between asbestos and lung cancer or
19 mesothelioma?

20 A. I think there was plenty of
21 evidence to support the view that there was a
22 connection between asbestos and lung cancer.
23 Not everybody agreed to it, but I would say
24 that there was available information on the
25 balance that would support that.

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1 relationship has yet been established between
2 asbestos and lung cancer or mesothelioma." I
3 withdraw the question. I withdraw the
4 question.

5 Referring to OSHA, if Union
6 Carbide stated "The publicity given to this
7 governmental activity has tended to be of a
8 sensational nature and has done little to place
9 the question of asbestos toxicology in logical
10 perspective" would you agree with that
11 statement or disagree?

12 A. I don't fully disagree or fully
13 agree, but I do think it's expected that a firm
14 like Union Carbide would complain about
15 whatever sensationalism there was. It's part
16 of the adversarial features of the way politics
17 works. That would be on the critique side of
18 disputes about OSHA and I would expect their
19 testimony to emphasize that.

20 Q. So both sides in this dispute
21 over OSHA had their own vested interest?

22 A. Again, vested interest is one of
23 those pejorative terms. They had their own
24 interest and it's typical in this case, as my
25 documentation shows, the fight over OSHA was a

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1 Q. In 1971, if Union Carbide was
2 telling its clients, its customers "No exposure
3 relationship has yet been established between
4 asbestos and lung cancer or mesothelioma" was
5 that misinformation?

6 MS. ROSENBERG: I object to the
7 form. If you have a document you'd like
8 to show him so he can see the whole
9 thing and put it in context, I think
10 that would be a fair way to go.

11 Q. Can you answer the question?

12 A. I can't unless you give me the
13 context.

14 Q. I just want to know about that
15 particular

16 MS. ROSENBERG: Same objection.
17 I think that's an unfair thing to do to
18 the witness.

19 MR. GIANARIS: I understand your
20 objection. You have a continuing
21 objection.

22 A. Who said that when?

23 Q. In 1971?

24 A. Where?

25 Q. Union Carbide stated "No exposure

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1 classic fight between labor and management and
2 there is a predictable and steady expectation
3 that each side in that adversarial circumstance
4 will make the best case for their position and
5 the Congress actually has to balance among
6 those two and accommodate these highly charged
7 and different positions.

8 That is very different from what
9 they would say in a toxicology report.

10 Q. You'll agree with me that OSHA
11 was designed to protect workers? OSHA
12 regulations are designed to protect workers.

13 A. Not exclusively. OSHA
14 regulations are designed to deal with worker
15 safety in the context of economic possibility.
16 That's not the only thing that OSHA is about.
17 But its objective is to improve worker safety
18 in ways that are compatible with the economic
19 circumstances of American firms.

20 Q. Union Carbide's interest is, for
21 the most part, economic; would you agree with
22 me?

23 A. The prime purpose of any
24 organization is to survive. So, to the extent
25 that the survival question is there, yes, but a