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IN THE COURT OF COMMON PLEAS

CUYAHOGA COUNTY, OHIO

ASBESTOS LITIGATION DOCKET

IN RE:
NORTHERN OHIO TIREWORKER CASES
BEVAN GROUP 2

DONNA GRAMLEY, Executrix, CASE NO. 291275

Plaintiff. JUDGE HANNA

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Videotaped deposition of WILLIAM McCORMICK, taken as if upon cross-examination before Jodi L. Bragg, a Notary Public within and for the State of Ohio, at the Bevan Professional Building, 10360 Northfield Road, Northfield, Ohio, at 9:40 a.m. on Thursday, February 19, 1998, pursuant to notice and/or stipulations of counsel, on behalf of the Plaintiff in this cause.

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FORM 636 LASER REPORTERS PAPER & MFG CO 800.626.6313

Mr. McCormick?
A. No.
Q. Have you ever been?
A. No.
Q. Okay. At B.F. Goodrich while you were there -- and I believe you said you started in 1946?
A. Correct.
Q. Okay. When you started there, what was your job at the start?
A. I was employed as manager of industrial hygiene and toxicology.
Q. Okay. Was there a manager of industrial hygiene and toxicology before you?
A. No.
Q. You were the first?
A. Yes.
Q. Was there an industrial hygiene department before you were employed at Goodrich in 1946?
A. No.
Q. You established the department?
A. Correct.
Q. And when you established the department were there other people who worked in the department with you at the time that you first came to work there?

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A. I acquired a secretary initially. That was all.
Q. What was her name?
A. Now you tax my memory. That was 50 years ago.
Q. You don't recall? Well, think about it for a minute.
A. I think, I think her name is Vera Custer, I believe, but I -- I think she's remarried. I don't know what it is now.
Q. I take it you don't keep in touch with her?
A. No, I don't.
Q. When is the last time you've seen her?
A. Years, years ago.
Q. Okay. So you worked from 1946 to 1973, if I'm not mistaken --
A. Correct.
Q. -- at Goodrich? Okay.

And between 1946 and 1950, let's say, what were your primary responsibilities there at Goodrich?

A. Well, they were quite wide and varied. I was a part of the corporate medical division. My boss was a medical director of the company.
Q. And who was that?
A. Dr. Rex H. Wilson.
Q. Okay.

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Q. So it would be a, a sort of a standard set by a company to --
A. Yes.
Q. -- to the supplier?
A. Correct.
Q. Okay. And did you become involved in your tenure at Goodrich in a number of specifications for a number of different compounds, let's say, or materials, that's a better word?
A. Yes.
Q. Okay. To your knowledge, were you ever involved in writing a specification for zero asbestos content in talc/soapstone at B.F. Goodrich Company?
A. That was not a part of the specifications, as far as I recall.
Q. Okay. Do you know whether or not there ever became, came a time when there was a specification written for zero asbestos content in talc/soapstone for B.F., B.F. Goodrich Company?
A. Not so far as I am aware when I was -- not during my tenure.
Q. Okay. During your tenure, were you aware or can you testify as to whether or not there was talc,

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(Thereupon, Plaintiff's Exhibit 6 was marked for purposes of identification.)

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Q. Now, that's Plaintiff's Exhibit 6, Mr. McCormick. I'll represent to you that that document was provided to us through discovery over the years from B.F. Goodrich Company.

MR. SCHUSTER: Objection. Move to strike.

Q. Now, I want you to take a look at that.

A. Yes.

Q. Do you see it now?

A. Yes.

Q. Have you ever seen that document before?

A. I don't believe so.

Q. Have you ever seen a document like its format before when you worked at B.F. Goodrich Company?

A. I don't recall.

Q. Now the contents of that document indicate that B.F. Goodrich Company, on the date that -- that's June 11, 1980 -- discontinued the use of Southern Talc talc at B.F. Goodrich Company, correct?

A. Uh-huh.

FORM CSR FAST REPORTER PAPER & MFG CO 800 626 6313

Q. Why?
A. Well, I think it says tremolite. It contained tremolite.
Q. Okay. And what is tremolite?
A. It's a special variety of talc.
Q. Isn't tremolite recognized by the U.S. EPA as a variety of asbestos?
A. No.
Q. It's not?
A. As far as I know, it is not. It is special. It is recognized specially, different from normal talc.
Q. Okay. That's your understanding of it?
A. Yes.
Q. Okay, fine. And you've already --
A. And incidentally, that specification for requiring the absence of tremolite was generated by Bill McCormick soon after he came to the company.
Q. Really?
A. Yes.
Q. Is there any record of that anywhere, that you know of?
A. I don't know.
Q. Okay. And why would that have been?

FORM CSR-1 ASH H PORTERS PAPER & MFG CO 800 676 6545

A. I was familiar with the hazards of tremolite talc.
Q. What are those hazards?
A. Well, it, it, it produces pulmonary damage similar, similar, I might add, somewhat similar to asbestosis, but different from.
Q. Okay. And how is it different?
A. I don't know that.
Q. Then how can you testify that it's different if you don't know?
A. Well, all I know is what I read in the literature. I know it's been recorded that way.
Q. Where?
A. Where?
Q. Uh-huh.
A. In the reports that came out primarily from the New York, New York Department of Labor.
Q. Can you give me a specific one?
A. I think this was probably in the '40s or '50s. They were publications by the New York Department of Labor.
Q. Okay. So your testimony is that in the '40s or '50s there were publications by the U.S. Department of Labor cautioning about the possible --

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A. The New York Department of Labor.
Q. I'm sorry, the New York Department of Labor cautioning about the possible health hazards to human beings from exposure to tremolitic talc?
A. I believe so.
Q. Okay. So that you knew that when you worked at B.F. Goodrich?
A. I did.
Q. Okay. Did you attend the proceedings of the symposium on talc held in Washington D.C. on May 8th, 1973?
A. I don't believe so.
Q. Did you ever read a publication derived from that proceeding?
A. What was the date of that? I'm sorry.
Q. May 8th, 1973.
A. I was no longer with the company.
Q. Well, that's not what I asked you. What I asked you was whether you attended that --
A. Well, and answer is no, I did not because I was no longer with the company.
Q. Okay. Well, you weren't with the company, but you were still involved in industrial hygiene, were you not?
A. Not professionally. I was administratively when

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Q. There was also a code number for a variety of forms of asbestos, were there not?
A. For what?
Q. Asbestos.
A. Well, we didn't use asbestos, as I said before, except in this one location.
Q. Okay. Do you know Mr. Born, J.W. Born?
A. What's the first name?
Q. I think it's John, but the initials are J.W.
A. Yes, I knew a John Born. In fact, he came to work for me about a year before I left the company.
Q. In the industrial hygiene department?
A. Yes. He came out of Brecksville.
Q. Okay. So was he an industrial hygienist?
A. Not really, no.
Q. You left in April of '73, correct?
A. Yes.
Q. Before I get into these next series of questions, I want to ask you something that's of interest to me, and that is, you attended the Seventh Saranac Symposium, didn't you?
A. I don't know if it was the seventh. I attended some symposiums at Saranac.
Q. Well, we better mark this then.

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A. When was it held?
Q. Let me mark that.

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(Thereupon, Plaintiff's Exhibit 8 was marked for purposes of identification.)

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Q. Take a look at that, please.
A. Well, my name's on here. I obviously did.
Q. Do you remember being at Saranac Lake?
A. Yes.
Q. Okay.
A. A number of times.
Q. Okay. What -- if you remember, when was the first time that you attended Saranac Lake?
A. That I don't really remember.
Q. All right. Do you remember what the subjects of your, of the, of the seminars or symposiums were that you recall when you went to Saranac Lake?
A. Only, only generally. I don't recall what the subject of this one was.

Generally, the symposiums were around the general subjects of silicosis because that, that was their expertise at Saranac.

Q. Uh-huh.
A. Maybe to some degree asbestosis, although that

wasn't their primary interest.
Q. Okay. Do you recall talking to, for example, Dr. Scheepers?
A. I didn't know Scheepers. I knew Dr. Gardener.
Q. How about Dr. VorWald?
A. I knew Vorwald.
Q. Okay. And do you know what their general expertise was?
A. Well, Gardener and VorWald were recognized experts in the field of experimental silicosis.
Q. What about their knowledge, if you know, as to the carcinogenity of asbestos in human beings? You know what the word carcinogenity means, of course?
A. So far as I'm aware, they did not have any knowledge in that area. If they did, it, it was not made public.
Q. Okay. At least to your knowledge?
A. To my knowledge.
Q. Okay. I want to go back to this: Was asbestos, raw asbestos, used in the mill room?
A. No.
Q. Building 23-A?
A. No.
MR. ECONOMUS: Yeah, I'll staple it

FORMCSR FASH REPORTERS PAPER & MFG CO 800 626 6343

A. No, not really.
Q. Okay. So if, if I told you that curing presses at B.F. Goodrich Company during the time you worked there manufactured by NRM, okay, had platen insulators that contained asbestos, could you dispute that?
A. I'd ask you to prove that they contained asbestos.
Q. Well, I, I can do that.
A. Because I, I do not know.
Q. Okay.
A. To my knowledge, they did not.
Q. Yeah, but what I'm trying to do is test your knowledge --
A. Uh-huh.
Q. -- and, and get behind what you base your knowledge upon and, and specifically I need to know whether or not you ever took the time to, to look at the NRM specifications or the McNeil specifications to determine how those presses were manufactured and whether or not they contained asbestos components. Did you do that?
A. No.
Q. Okay. Did you ever read a publication entitled, Cancer in the Rubber Industry, the Risks?

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company, right around the time you left the company?

A. Yes, correct.

Q. Okay. And, and up to that time who was responsible at B.F. Goodrich -- up to that time, who was responsible at B.F. Goodrich for the health and safety of the, of the workers?

A. The medical division.

Q. Okay. Did that include you?

A. Yes.

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(Thereupon, Plaintiff's Exhibit 10 was marked for purposes of identification.)

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A. Okay.

Q. Okay. That's a letter -- actually, it's a copy of a letter, July 13, 1996, to Mr. Harold Wareham from Mr. Robert Modrell, and he worked for you at the time, correct?

A. Yes.

Q. And according to this letter, you are carbon copied on, on this letter?

A. Yes.

Q. Okay. Now, do you recall ever having seen it?

A. Well, I'm sure I did.

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containing materials in the power plant?
A. No.
Q. Well, you're not aware of any?
A. No.
Q. Are you saying that there, there wasn't any?
A. I'm not aware of any.
Q. And did you ever as an industrial hygienist at Goodrich do a study of the power plant to determine whether there is asbestos containing materials there?
A. Did not.
Q. Okay. So you don't know the difference or do you know the difference between what a pipe fitter and an, and an insulator did at Goodrich during the time you worked there?
A. I have, I don't know. I suppose their jobs were very carefully defined, but I don't know.
Q. Okay. To your knowledge, were either pipe fitters or insulators at Goodrich during the time that you worked there regularly exposed to asbestos containing materials?
A. Not that I'm aware of.
Q. Okay. And what do you base that statement on?
A. Well, again, just based on overall general knowledge.

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