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August 31, 1934

Dr. Leroy U. Gardner, Director,
Saranac Laboratory,
7 Church Street,
Saranac Lake, N.Y.

Dear Roy:

I am delighted to get your letter of August 30. By this time you have received mine which crossed yours. If the stock companies will only come through now, that will be grand. Our own action will be decided, I believe, the latter part of September.

With respect to the St. Joe Lead Company, in 1927 I made a survey of their properties at Bonne Terre. I wrote a report which was very favorable to the St. Joe people and justly so. After the trouble started out there, the St. Joe people wanted to introduce this report in evidence and we felt that we had no right to refuse to let them do so. My deposition was for the purpose of identifying the report for court purposes. Incident to that identification, I was forced into the position of expert on cross examination but that could not be helped. As far as I know, a similar situation will not develop again and the Metropolitan is still standing firm to its policy that we cannot go into court and testify as expert witnesses. The attorney who is bringing these suits is a very shrewd and able man and once he starts in on you, he will make you an expert whether or not. If you have made a report to the St. Joe Lead Company on the results of your examinations of the males, I suppose they might ask you to give a deposition substantiating the report. If you do so, you can be prepared to cover the whole range of pulmonary disease from A to Z. Of course, it is not as bad as testifying in court because you are, so to speak, on your own home ground where you feel at ease but as far as I am concerned, I do not expect to give any more depositions.

Three cheers for the new building!

Regards.

Sincerely yours,

Assistant Medical Director

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TRIAL EXHIBIT