

IN THE DISTRICT COURT
CAMERON COUNTY, TEXAS
138TH JUDICIAL DISTRICT

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SAMUEL OLIPHANT WOOLEY,
JR., et al.,

Plaintiffs,

-vs-

No. 94-09-04823 B

OWENS-CORNING FIBERGLAS
CORPORATION, et al.,

Defendants.

Deposition of

DOUGLAS WAYNE MERRILL

Monday, November 20, 1995

By Allen M. Stewart, Attorney at Law

DUPLICATE
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Reported by
TERI DARRENOUGUE, CM, CRR
CSR NO. 5106

PLAINTIFF'S EXHIBIT

UC-5166

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ORIGINAL

1 A. Approximately, yeah.

2 Q. Do you recall having any specific conversations with
3 someone from Carey Canada regarding the health effects of
4 asbestos in 1972?

5 A. I don't recall anything specific.

6 Q. And what about the Union Carbide Company? Do you
7 recall any specific conversations you had with anyone at
8 Union Carbide regarding the health effects of asbestos in
9 1972?

10 A. I don't recall.

11 Q. What about any year? Do you recall any
12 conversations you had with Union Carbide in any year
13 regarding the health effects of asbestos?

14 A. I don't recall any, no.

15 Q. Let me ask that question with regard to Carey
16 Canada. Do you recall having any specific conversations
17 with anyone at Carey Canada at any time about the health
18 effects of asbestos?

19 A. No.

20 Q. Johns-Manville. Do you recall having a specific
21 conversation with anyone at any time from Johns-Manville
22 regarding the health effects of asbestos?

23 A. I vaguely recall having a -- them putting on a
24 seminar or something, but I don't recall anything
25 specific about it.

26 Q. Where was the -- You're saying Johns-Manville? Do

1 THE WITNESS: Nothing specific. It was just
2 generally that the asbestos wasn't a hazardous risk.

3 Q. (BY MR. STEWART): So your testimony today is people
4 from Johns-Manville, Carey Canada and Union Carbide told
5 you that there was no risk from asbestos?

6 MR. CHURCHILL: Object to the form of the
7 question.

8 THE WITNESS: The communication from the
9 asbestos companies were that there was not a hazardous
10 use by using asbestos the way we were using it, small
11 amounts.

12 Q. (BY MR. STEWART): And did you do anything to either
13 confirm or contradict those alleged representations to
14 you?

15 A. Well, there would have been some confirmation having
16 come from three different companies. Other than that,
17 no.

18 Q. But you can't tell me as you sit here today who from
19 those three companies told you that information; correct?

20 A. It seems to me they had a representative out of
21 Denver, Colorado for Union -- for Johns-Manville. His
22 name might have been McCarthy or McCormick or something
23 like that.

24 Q. And it's true as you sit here today you can't tell
25 me what the substance of the conversations that you had
26 with him were; correct?