IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
JAN 26 1971
JAMES R. COONEY, CLERK
BY DEPUTY

CLARENCE BOREL §

VS. §

FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL §

§ CIVIL ACTION 6449

CROSS-INTERROGATORIES TO BE PROPOUNDED TO
DR. P. O. JONES, A WITNESS FOR PLAINTIFF

1.

What are the clinical signs and symptoms of asbestosis?

2.

Is the presence of asbestos fibers or bodies in a person's lung alone sufficient to justify a diagnosis of asbestosis?

3.

Can asbestos fibers occur in a person's lungs in the absence of asbestosis?

4.

Are asbestos bodies present in the lungs of thousands of people who (a) do not have asbestosis, (b) never develop asbestosis?

5.

Does the presence of asbestos fibers in a person's lungs always cause a reaction?

6.

Do thousands of people have asbestos fibers present in their lungs without causing a reaction?

7.

When you first examined Clarence Borel in February, 1969, what were the findings with respect to the left lung?

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8.

At any time after February, 1969, were there any new or different findings with respect to the left lung of Clarence Borel and, if so, state:

(a) What the findings were;

(b) When they appeared;

(c) Attach copies of your records or any hospital or other records wherein such findings were noted.

9.

Do asbestos fibers in a person's lungs always cause fibrosis or fibrosis growth?

10.

When your oral deposition was taken in this case on October 9, 1970, on page 51 you stated "In Selikoff's studies, he can show you hundreds of X-rays in which one lung has more involvement than the other on X-ray, but yet at the time of surgery, or biopsy, the lung that didn't show up has as much asbestos particles in it as the one that showed up on X-ray." With reference to such testimony, give to the court reporter in order that it can be copied and attached as a part of this deposition a copy of the article or articles wherein Dr. Selikoff reported such studies, or if such articles or reports are not available, then identify the same by date of publication, the title of the article and where it was published, and state such other information as necessary to identify the article or articles and the studies to which you had reference in making such statement.

11.

In your oral deposition in this case taken on October 9, 1970, page 62, you gave the following testimony:

"Q. You don't know how long the public has been familiar with the disease?

"A. Sir, all I know is going in retros pect, in 1930 you can pick up the literature and see proven documented cases in asbestosis of insulation workers in 1930.

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"Q. Do you know what literature you are referring to?

"A. I can show it to you. I have it if you want to get the reprint of it.

"Q. You don't recall offhand?

"A. No, I don't. It was - I think it was some original British - the British, of course, did most of the original work in asbestosis, and in 1930 and in - I think the first asbestosis body was discovered in 1929 - somewhere around there."

With reference to such testimony:

(a) Identify the article referred to, and if you have it as stated in the deposition, give it to the court reporter in order that it may be copied;

(b) Did such article or any other article appearing in 1930 actually referred to asbestosis in "insulation workers", and if "insulation workers" were mentioned as such (as distinguished from "asbestos workers"), then identify each and every article wherein "insulation workers" were mentioned in 1930, attaching copies or giving such references to the date of publication and the place of publication, the name of the publisher and the title, in order that a copy can be obtained.

12.

In your oral deposition taken in this case in October, 1970, commencing on page 67, you were asked the question, "Have you read in medical literature authenticated cases of childfen playing in kindergarten with asbestos dust, whose only known exposure was through this source -" Answer "Yes, I have." Q. --who later have been found to have asbestosis?" Answer, "Yes, particularly when school is doing a lot of fiberglass insulation and the kids are exposed to it."

With reference to the testimony above set forth, state:

(a) What type of fiberglass insulation causes asbestosis;

The Borel v. Fibreboard Case File (1969-1972), Cross interrogatories to Dr. Jones
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(b) Identify the medical literature referred to, attaching copies thereof; otherwise, describing it, setting forth the date of publication, place of publication, name of publisher, title and author, and such other information as would enable one to obtain a copy thereof.

13.

In your oral deposition taken in this case in October, 1970, on page 71, there is the following question and answer:

> "Q. Now, you referred to children in kindergarten; actually, wasn't that reported that children in a kindergarten were discovered playing with asbestos materials, or clay containing asbestos, or using asbestos in projects?
>
> "A. Sir, the reference that I saw, and this is strictly from my reading, is that they were lining the roof - not the roof, the ceiling, of this particular school with fiberglass insulation particles, and the school superintendent detected all of the particles around, and that is it."

With reference to such testimony, attach a copy of the article referred to, or if a copy is not available, then state when and where you saw the article and identify the same, setting forth the date of publication, place of publication, name of the publisher, title and author, and such other information as would enable one to locate and obtain a copy thereof.

14.

The statement has been made that the only way to diagnose asbestosis is to identify in the lung tissue the presence of asbestos fibers. Is this statement medically sound? Please explain why or why not it is a correct or incorrect statement.

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The foregoing cross-interrogatories were served by mailing copy thereof in the United States mail on January 27, 1971, to plaintiff's attorney, Ward Stephenson, Stephenson Building, Orange, Texas 77630.

Gordon R Pate

Attorney for Defendant

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