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Re: Civil Action No. 6449, Clarence Borel vs. Fibreboard Paper Products Corporation, et al

Gentlemen:

In accordance with Judge Fisher's ruling of April 30, 1971, I am enclosing copies of the plaintiffs' summaries of the following depositions:

(1) Dr. Daniel Jenkins.
(2) Mr. Joe Shrode.
(3) Dr. Kenneth R. Watkins.
(4) Mr. Clarence Borel.
(5) Dr. P. O. Jones.
(6) Dr. Louis A. Mateo.
(7) Mr. Paul Petrofsky

The following depositions and answers to written interrogatories will be read at the trial, but it was our opinion they were too short to be summarized:

(1) Dr. Paul Cullen.
(2) Dr. Kenneth Ricks.
(3) Jerome Sidlicki.
(4) B. P. Bearden of Doctors Hospital.
(5) Administrator of Memorial Baptist Hospital.

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You have heretofore been furnished with copies of the 35 mm. slides which will be introduced. We will also introduce the paper mask and respirator from the U.S. Bureau of Mines which were introduced during the taking of Mr. Shrode's deposition.

The following is a list of the medical articles which will be introduced, and which were identified in the oral deposition of Dr. Daniel Jenkins:

#1 PULMONARY FUNCTION IN ASBESTOSIS: SERIAL TESTS IN A LONG-TERM PROSPECTIVE STUDY (From Annals of the New York Academy of Sciences, Volume 132, Page 391, December 31, 1965.)

#2 THE OCCURRENCE OF PLEURAL CALCIFICATION AMONG ASBESTOS INSULATION WORKERS (From Annals of the New York Academy of Sciences, Volume 132, Page 351, December 31, 1965.)

#3 THE OCCURRENCE OF ASBESTOSIS AMONG INSULATION WORKERS IN THE UNITED STATES (From Annals of the New York Academy of Sciences, Volume 132, Page 139, December 31, 1965.)

#4 OPENING REMARKS (From Annals of the New York Academy of Sciences, Volume 132, Page 7, December 31, 1965.)

#5 NEOPLASIA AMONG INSULATION WORKERS IN THE UNITED STATES WITH SPECIAL REFERENCE TO INTRA-ABDOMINAL NEOPLASIA (From Annals of the New York Academy of Sciences, Volume 132, Page 519, December 31, 1965.)

#6 THE DETECTION AND LOCALIZATION OF MINERAL FIBERS IN TISSUE (From Annals of the New York Academy of Sciences, Volume 132, Page 48, December 31, 1965.)

#7 RHEUMATOID FACTOR IN SERUM OF INDIVIDUALS EXPOSED TO ASBESTOS (From Annals of the New York Academy of Sciences, Volume 132, Page 112, December 31, 1965.)

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#8 RELATION BETWEEN EXPOSURE TO ASBESTOS AND MESOTHELIOMA (From New England Journal of Medicine, Volume 272, Pages 560 through 565, March 18, 1965.)

#9 EDITORIAL: ASBESTOSIS AND NEOPLASIA (From American Journal of Medicine, Volume 42, Pages 487 through 496, 1967.)

We will further introduce samples of products and sales literature furnished by defense attorneys, of which each of you are familiar. We will introduce copies of the hospital records (copies of which were obtained through Mr. Borel's authorization) from Doctors Hospital in Groves and Memorial Baptist Hospital in Houston. We will also introduce copies of Mr. Borel's income tax returns for the years 1962 through 1968. We will introduce medical bills which were attached to the written interrogatories of Dr. Watkins, Doctors' Hospital, Dr. P. O. Jones, Dr. Kenneth R. Ricks and Memorial Baptist Hospital. Also, the employment cards which were used on the taking of Mr. Borel's deposition will be introduced. We will also introduce copies of the laws of various states covering asbestosis, copies of which have been furnished to each of you, as well as the law of the State of Texas covering asbestosis.

In addition, we will introduce five "warning labels" which have been cut from boxes of insulation.

If any of you would like to examine any of the exhibits prior to trial, please let me know.

Enclosed is a copy of the plaintiffs' List of Witnesses which we contemplate using on the trial of this case.

Yours truly,

Ward Stephenson

WS:jb
Encl.
cc:
Mr. James R. Cooney
Clerk, U. S. District Court
Federal Building
Beaumont, Texas 77701

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