DEPOSITION SUMMARY OF DR. PAUL SHELBY CULLEN
TAKEN ON JANUARY 22, 1971

DIRECT EXAMINATION BY MR. WARD STEPHENSON:

Page 6-7 — Dr. Paul S. Cullen has limited his practice to pathology and has been a pathologist since September 1957.

Page 8 — On March 3, 1969, Dr. Cullen received tissue fragments quite small, taken as a biopsy of the pleura. He made a diagnosis of "biopsy of pleura." There was no pathological change demonstrated in the fibrous tissue or the muscle - he did not get anything that was diagnostic.

Page 9 — Subsequently, on February 11, 1970, Dr. Cullen made studies of lung tissue which was obtained on rather extensive surgical procedure.

Page 11-13 — Dr. Cullen testifies that: "The things that matter was that this man had asbestosis with its features, which include many things, and he had a diffuse malignant mesothelioma."

Page 13 — Dr. Cullen testifies that mesothelioma is a type of cancer; that a malignant mesothelioma is a very rare condition; that most of the time it is associated with asbestosis; however, it can be found not in association with asbestosis.

CROSS-EXAMINATION BY MR. GEORGE WELLER:

Page 14 — Dr. Cullen admits that he and the medical profession do not know the cause of cancer in general. He admits that mesothelioma is a form of cancer.

Page 15 — Dr. Cullen testifies that the first biopsies did not reveal any evidence of cancerous cells.

Page 17 — Dr. Cullen did not make any physical examination of Mr. Borel and his work was limited to the pathological study of material given to him.

Page 18 — Dr. Cullen took no samples of tissue from any other section of Borel's body other than the lungs.

Page 19 — Dr. Cullen does not know whether the patient had cancer in other portions of his body or not.

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Page 20 — Dr. Cullen admits that mesothelioma does occur in people who do not have asbestosis. Dr. Cullen admits that mesothelioma could start below the lungs and spread into the lungs, but he has no personal knowledge of such occurring.

Page 21 — Dr. Cullen testifies that both lungs should be affected by any exposure. He testifies that he does not see how it could be possible for the left lung to be clear and the right lung to have a severe case of asbestosis.

Page 22 — Dr. Cullen admits that the mere presence of asbestos fibrous bodies in a person's lungs alone is not sufficient enough to justify a diagnosis of asbestosis; that there are quite a number of people who have asbestos fibers in their lungs who do not have asbestosis.

CROSS-EXAMINATION BY MR. BEN REYNOLDS:

Page 25-26 — Dr. Cullen found anthracosis, a black powdery carbon pigment that people inhale in cold dust or cigarette smoking or anything else that contains finely divided carbon; such was found in Mr. Borel in a moderate amount diffusely throughout the lung, which is not uncommon in a man who smokes for 15 - 20 years.

CROSS-EXAMINATION BY MR. GORDON PATE:

Page 29 — Dr. Cullen could not state whether the specimen he examined came from the left lung or the right lung pleura - or rather whether the specimen came from the right chest or the left chest and there is no way of knowing unless such is revealed by the patient, the surgeon or the hospital records.

RE-DIRECT EXAMINATION BY MR. STEPHENSON:

Page 30 — Dr. Cullen testifies that in his opinion the patient had mesothelioma secondary to asbestosis.

RE-CROSS-EXAMINATION BY MR. GEORGE WELLER:

Page 32 — Dr. Cullen admits that in his opinion one can develop cancer from smoking. Dr. Cullen admits that asbestos bodies in the lung would not produce the anthracosis that was found by him.

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