TF-5520

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.
_____/

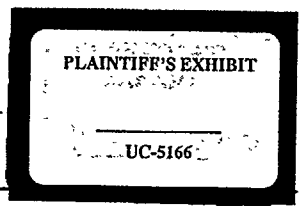
Deposition of

DOUGLAS WAYNE MERRILL

Monday, November 20, 1995

By Allen M. Stewart, Attorney at Law

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A. Approximately, yeah.
Q. Do you recall having any specific conversations with someone from Carey Canada regarding the health effects of asbestos in 1972?
A. I don't recall anything specific.
Q. And what about the Union Carbide Company? Do you recall any specific conversations you had with anyone at Union Carbide regarding the health effects of asbestos in 1972?
A. I don't recall.
Q. What about any year? Do you recall any conversations you had with Union Carbide in any year regarding the health effects of asbestos?
A. I don't recall any, no.
Q. Let me ask that question with regard to Carey Canada. Do you recall having any specific conversations with anyone at Carey Canada at any time about the health effects of asbestos?
A. No.
Q. Johns-Manville. Do you recall having a specific conversation with anyone at any time from Johns-Manville regarding the health effects of asbestos?
A. I vaguely recall having a -- them putting on a seminar or something, but I don't recall anything specific about it.
Q. Where was the -- You're saying Johns-Manville? Do

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

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

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

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

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

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

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

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

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

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