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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Jean H. Toal, Circuit Court Judge

Appellate Case No. 2025-000065
Civil Action No. 2023-CP-40-04072

Michael L. Perry and Lonnie Long,..... Respondents,

v.

American International Industries et al.

Of whom Johnson & Johnson; LLT Management, LLC f/k/a LTL Management, LLC; Kenvue, Inc.; and Johnson & Johnson Holdco (NA), Inc. are the ..... Appellants.

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Plaintiffs' Exhibit 49 20825
Plaintiffs' Exhibit 72 20830

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I certify that this Designation does not contain any matters which are irrelevant to this appeal.

EXHIBIT 76

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ELECTRONICALLY FILED 2020 Jul 27 09:39 PM CRIMINAL APPEALS DIVISION CLERK OF THE COURT CASE#: 2020-003846

Dr. C. Cooper
Univ. of Calif.

PLAINTIFF'S EXHIBIT 5893

Protected Document--Subject to Protective Order

July 30, 1971

CONVERSATION WITH DR. CLARK COOPER
SCHOOL OF PUBLIC HEALTH
UNIVERSITY OF CALIFORNIA

Dr. R. A. Fuller:

At Dr. Cralley's suggestion, a conversation was held with Dr. Clark Cooper of the School of Public Health, University of California, Berkeley. Dr. Cooper had worked at the National Center for Urban and Industrial Health and later moved to the School of Public Health in Berkeley. Dr. Cooper was Chairman of the National Research Council Review of Asbestos and Its Potential Health Hazards which published an excellent review on the subject. Dr. Cooper was called in the hope that he might be able to attend the F.D.A. meeting on August 3.

Dr, Cooper is well versed in the literature of the asbestos field, is familiar with all those doing research in it and apart from his position in the School of Publich Health, runs a consulting company called, Tabershaw-Cooper Associates at 2180 Milvia Street, Berkeley, California. He is in a position to oversee epidemiological studies, conduct analytical studies on talc and allied materials, and conduct animal studies on appropriate materials. He would be pleased to discuss this area at any time. In asking Dr. Cooper his thoughts concerning the asbestos content of talc and the use of talcs for cosmetics, he indicated that in his opinion there is no place for asbestos in cosmetic talcs and would withdraw from the market any talcs that contained asbestos. He did not believe that there was a low level of asbestos content in talc which would be acceptable for cosmetic use.

Like many other researchers in the field of asbestos, Dr. Cooper appeared most cooperative and knowledgeable and could be of assistance to us as a consultant.

Gavin Hildick-Smith

/jm
cc: Dr. G. H. Lord
Dr. W. Nashed
Dr. T. H. Shelley
Mr. J. C. Walcott

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JOHNSON & JOHNSON

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CASE #: 2020-CA-003946

EXHIBIT 77

ELECTRONICALLY FILED - 2023-Jul-27 19:39:39 PM CRV-ORIG-ASSIGNED-NC-COMMON-MOTION-ORIG-FILE-ASSA-SC-ASSIGNED-2023CV03846

Johnson & Johnson

New Brunswick, N. J.

April 15, 1969

Subject: ALTERNATE DOMESTIC TALC SOURCES

Project Code #101

Mr. W. H. Ashton:

Your inquiry of April 9th, 1969 addressed to Dr. G. Hildick-Smith has been referred to my attention for reply.

Over the years, I have reviewed the literature on the hazards relating to the inhalation of talc particles on several different occasions. In your memorandum, you indicate that Tremolite does have needle-type crystals and that our position has been that these could penetrate the skin and cause irritation. Actually, to the best of my knowledge, we have no factual information on this subject. It would seem logical that it could occur, although whether or not it would be of clinical significance would be conjectural.

We have been concerned to a much greater extent with regard to possible dangers relative to the inhalation of the talc with a spicule or needle-like crystalline structure as compared with the flat, platelet-type of crystalline structure. There are reports in the literature concerning talcosis which, as you know, is a form of pneumoconiosis attributed to the inhalation of talc. Reported studies have suggested that this does not occur in connection with the flat, platelet-type of talc, but does occur in connection with the spicule-type of crystalline structure characteristic of Tremolite. The reported instances have been extremely few but have, without exception, involved inhalations of high concentrations on an occupational basis of many years duration. Furthermore, we have occasionally received inquiries from various individuals, including General Johnson and several pediatricians, expressing concern over the possibility of the adverse effects on the lungs of babies or mothers who might inhale any substantial amounts of our talc formulations. In the past, we have replied to the effect that since our talc is essentially all of the platelet-type of crystalline structure, and is of a size which would not be likely to enter the pulmonary alveoli, we would not regard the usage of our powders as presenting any hazard. Obviously, if we do include Tremolite in more than unavoidable trace amounts, this sort of negation of such inquiries could no longer pertain.

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Mr. W. H. Ashton April 15th, 1969

Upon various occasions we have discussed the possibility of carrying out studies on animals which might provide factual information with regard to whether or not variable exposures to talc suspended in the environmental atmosphere might be productive of fibrotic and/or inflammatory reactions in lungs. For a variety of reasons, these have never been carried out here.

Since pulmonary diseases, including inflammatory, fibroplastic, and neoplastic types, appear to be on the increase, it would seem to be prudent to limit any possible content of Tremolite in our powder formulations to an absolute minimum. To the best of my knowledge, we have never been faced with any litigation involving either skin or lung penetration by our talc formulations. Some years ago, we were faced with a more or less serious problem resulting from what we consider to have been an unjust accusation of danger due to the presence of a small amount of boric acid in our talc. This created such a furor that we were more or less compelled to remove boric acid from the formulation. It is conceivable that a similar situation might eventually arise if it became known that our talc formulations contained any significant amount of Tremolite. Since the usage of these products is so widespread, and the existence of pulmonary disease is increasing, it is not inconceivable that we could become involved in litigation in which pulmonary fibrosis or other changes might be rightfully or wrongfully attributed to inhalation of our powder formulations. It might be that someone in the Law Department should be consulted with regard to the defensibility of our position in the event that such a situation could ever arise.

It is my personal feeling that until we have at least substantial evidence, based on animal work, to the effect that the presence of Tremolite in our talc does not produce adverse effects, we should not extend its usage beyond an absolute minimum previously mentioned.

T. M. Thompson, M.D.

TMT:JAG

cc: Dr. R. A. Fuller
Dr. Gavin Hildick-Smith
Mr. W. J. Ryan
Dr. G. H. Lord
Dr. J. E. Willson
Dr. J. Bothwell

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EXHIBIT 78

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
10/11/1982	Roger N. Miller	John Beidler *; George Lee; Edward Leibensperger *		Memorandum prepared pursuant to pending and anticipated litigation regarding talc litigation.	Wesfall Lawsuit	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003899	JNJTALC000481235		1
10/11/1982	Roger N. Miller	John Beidler *; George Lee; Edward Leibensperger *		Memorandum prepared pursuant to pending and anticipated litigation regarding talc litigation.	Wesfall Lawsuit	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003957			1
10/11/1982	Roger N. Miller	John Beidler *; George Lee; Edward Leibensperger *		Memorandum prepared pursuant to pending and anticipated litigation regarding talc litigation.	Wesfall Lawsuit	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000004035	JNJTALC000688579		1
10/11/1982	Roger N. Miller	John Beidler *; George Lee; Edward Leibensperger *		Memorandum prepared pursuant to pending and anticipated litigation regarding talc litigation.	Wesfall Lawsuit	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000004038			1
10/11/1982	Roger N. Miller	John Beidler *; George Lee; Edward Leibensperger *		Memorandum prepared pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002676	JNJTALC000481235		1
10/11/1982	Roger N. Miller	John Beidler *; George Lee; Edward Leibensperger *		Memorandum prepared pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002676	JNJTALC000481235		1
10/11/1982	Roger N. Miller	John Beidler *; George Lee; Edward Leibensperger *		Attorney-Client Privilege; Work Product	Wesfall Lawsuit	Memorandum prepared pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000003619	JNJTALC000481235		1
10/11/1982	Roger N. Miller	John Beidler *; George Lee; Edward Leibensperger *		Attorney-Client Privilege; Work Product	Westfall Lawsuit	Memorandum prepared pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000002676	JNJTALC000481235		1
10/11/1982	Roger N. Miller	John Beidler *; George Lee; Edward Leibensperger *		Attorney-Client Privilege; Work Product	Wesfall Lawsuit	Memorandum prepared pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000002676	JNJTALC000481235		1
10/11/1982	Roger N. Miller	John Beidler *; George Lee; Edward Leibensperger *		Attorney-Client Privilege; Work Product	Wesfall Lawsuit	Memorandum prepared pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000002676	JNJTALC000481235		1
10/11/1982	Roger N. Miller	John Beidler *; George Lee; Edward Leibensperger *		Attorney-Client Privilege; Work Product	Wesfall Lawsuit	Memorandum prepared pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000002676	JNJTALC000481235		1
10/11/1982	Roger N. Miller	John N. Beidler *; George Lee; Edward P. Leibensperger *		Attorney-Client Privilege; Work Product	Westfall Lawsuit	Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000002728	JNJTALC000669251		1
10/11/1982	Roger N. Miller	John N. Beidler *; George Lee; Edward P. Leibensperger *		Attorney-Client Privilege; Work Product	Westfall Lawsuit	Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000002728	JNJTALC000669251		1
10/13/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; Frank Bolden *	Memorandum from counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Howard Westfall v. Whittaker Clark & Daniels, et al	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003902	JNJTALC000688174		1
10/13/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; Frank Bolden *	Memorandum from counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Howard Westfall v. Whittaker Clark & Daniels, et al	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003902	JNJTALC000688174		1
10/13/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; Frank Bolden *	Memorandum from counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Howard Westfall v. Whittaker Clark & Daniels, et al	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003902	JNJTALC000688174		1
10/13/1982	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; Frank Bolden*	Memorandum from counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001103	JNJTALC000688174	P_JNJTALC_000003902	1
10/13/1982	George Lee		John N. Beidler*; Frank Bolden*; Joseph Blute*; Benjamin (Ben) M. Deavenport, Edward P. Leibensperger*; Roger N. Miller; Bruce Semple; J. R. Utaski	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001155		P_JNJTALC_000003945; P_JNJTALC_000004632	2
10/13/1982	George Lee		John N. Beidler *; Frank Bolden *; Joseph Blute *; Benjamin (Ben) M. Deavenport; Edward P. Leibensperger *; Roger N. Miller; Bruce Semple; J. R. Utaski	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals, et al	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003842			2
10/13/1982	George Lee		John N. Beidler *; Frank Bolden *; Joseph Blute *; Benjamin (Ben) M. Deavenport; Edward P. Leibensperger *; Roger N. Miller; Bruce Semple; J. R. Utaski	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals, et al	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003946			2
10/13/1982	George Lee		John N. Beidler *; Frank Bolden *; Joseph Blute *; Benjamin (Ben) M. Deavenport; Edward P. Leibensperger *; Roger N. Miller; Bruce Semple; J. R. Utaski	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals, et al	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003842			2
10/13/1982	George Lee		John N. Beidler *; Frank Bolden *; Joseph Blute *; Benjamin (Ben) M. Deavenport; Edward P. Leibensperger *; Roger N. Miller; Bruce Semple; J. R. Utaski	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals, et al	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003946			2
10/13/1982	George Lee		John N. Beidler *; Frank Bolden *; Joseph Blute *; Benjamin (Ben) M. Deavenport; Edward P. Leibensperger *; Roger N. Miller; Bruce Semple; J. R. Utaski	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals, et al	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004632			2
10/13/1982	George Lee		John N. Beidler*; Frank Bolden*; Joseph Blute*; Benjamin (Ben) M. Deavenport; Edward P. Leibensperger*; Roger N. Miller; Bruce Semple; J. R. Utaski	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000480		P_JNJTALC_000003842	2
10/13/1982	George Lee		John N. Beidler *; Frank Bolden *; Joseph Blute *; Benjamin (Ben) M. Deavenport; Edward P. Leibensperger *; Roger N. Miller; Bruce Semple; J. R. Utaski	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals, et al	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003946			2
10/15/1982	E.P. Leibensperger*	John Beidler*	Roger Miller	Letter from counsel to counsel and client providing legal advice and prepared by counsel pursuant to pending Westfall litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000064791-JNJ000064791		1
10/15/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller	Attachment from counsel to counsel and client providing legal advice and prepared by counsel pursuant to pending Westfall litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003801			4
10/15/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller	Letter from counsel to counsel and client providing legal advice and prepared by counsel pursuant to pending Westfall litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003906	JNJ000064791		1

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ROA 03886

1971 and forward dates only
Sorted by Date then Author

Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
10/15/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller	Letter from counsel to counsel and client providing legal advice and prepared by counsel pursuant to pending Westfall litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003906	JNJ 000064791		1
10/15/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller	Letter from counsel to counsel and client providing legal advice and prepared by counsel pursuant to pending Westfall litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003906	JNJ 000064791		1
10/15/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller	Letter with attachment from counsel to counsel and client providing legal advice and prepared by counsel pursuant to pending Westfall litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003800			1
10/15/1982	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller	Attachment from counsel to counsel and client providing legal advice and prepared by counsel pursuant to pending Westfall litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000407		P_JNJTALC_000003801	4
10/15/1982	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller	Letter from counsel to client providing legal advice regarding pending Westfall litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001107	JNJ 000064791	P_JNJTALC_000003906	1
10/15/1982	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller	Letter with attachment from counsel to counsel and client providing legal advice and prepared by counsel pursuant to pending Westfall litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000405		P_JNJTALC_000003800	1
10/18/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller; Bruce Semple	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001154		P_JNJTALC_000003945; P_JNJTALC_000004631	2
10/18/1982	George Lee	Edward P. Leibensperger *	John n. Beidler *; Roger N. Miller; Bruce Semple	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall/U.S. Rubber Suit	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003841			2
10/18/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller; Bruce Semple	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall/U.S. Rubber Suit	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003945			2
10/18/1982	George Lee	Edward P. Leibensperger *	John n. Beidler *; Roger N. Miller; Bruce Semple	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall/U.S. Rubber Suit	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003841			2
10/18/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller; Bruce Semple	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall/U.S. Rubber Suit	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003945			2
10/18/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller; Bruce Semple	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall/U.S. Rubber Suit	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004589			2
10/18/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller; Bruce Semple	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall/U.S. Rubber Suit	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004631			2
10/18/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller; Bruce Semple	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000479		P_JNJTALC_000003841; P_JNJTALC_000004589	2
10/18/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller; Bruce Semple	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall/U.S. Rubber Suit	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003945			2
10/19/1982	George Lee	Dr. Fred Pooley	Bruce Semple	Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall/U.S. Rubber Suit	Work Product	7/5/2018	P_JNJTALC_000003944			1
10/19/1982	George Lee	Dr. Fred Pooley	Bruce Semple	Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall/U.S. Rubber Suit	Work Product	7/11/2018	P_JNJTALC_000003944			1
10/19/1982	George Lee	Dr. Fred Pooley	Bruce Semple	Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall/U.S. Rubber Suit	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004630			1
10/19/1982	George Lee	Dr. Fred Pooley	Bruce Semple	Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001153		P_JNJTALC_000003944; P_JNJTALC_000004630	1
10/19/1982	George Lee	Dr. Fred Pooley	Bruce Semple	Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall/U.S. Rubber Suit	Work Product	7/11/2018 (2)	P_JNJTALC_000003944			1
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	6/11/2018	P_JNJTALC_000002709			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	6/12/2018	P_JNJTALC_000002709			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	6/18/2018	P_JNJTALC_000002709			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	6/21/2018	P_JNJTALC_000002709			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	6/26/2018	P_JNJTALC_000002709			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	7/3/2018	P_JNJTALC_000003942			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	7/3/2018	P_JNJTALC_000002709			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	7/11/2018	P_JNJTALC_000003942			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	7/11/2018	P_JNJTALC_000002709			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000477		P_JNJTALC_000003839	5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000001151		P_JNJTALC_000002708; P_JNJTALC_000002709; P_JNJTALC_000003942	5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	6/12/2018 (2)	P_JNJTALC_000002709			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	6/12/2018 (3)	P_JNJTALC_000002709			5

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	7/11/2018 (2)	P_JNJTALC_000003942			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Westfall v. Whittaker Clark & Daniels	Work Product	7/11/2018 (2)	P_JNJTALC_000002709			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Work Product	David Westfall v. Whittaker Clark & Daniels	Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000002709			5
10/20/1982	Edward A. Gaensler	Thomas J. Griffin *		Work Product	David Westfall v. Whittaker Clark & Daniels	Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000002709			5
10/20/1982	Edward Gaensler	Thomas Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/3/2018	P_JNJTALC_000003839			5
10/20/1982	Edward Gaensler	Thomas Griffin *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/11/2018	P_JNJTALC_000003839			5
10/21/1982	Roger N. Miller	George Lee		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Work Product	7/3/2018	P_JNJTALC_000003799			1
10/21/1982	Roger N. Miller	George Lee		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000405		P_JNJTALC_000003799	1
10/22/1982	Edward P. Leibensperger *	Dr. Fred Pooley	George Lee; John N. Beidler *; Roger N. Miller	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003840			1
10/22/1982	Edward P. Leibensperger *	Dr. Fred Pooley	George Lee; John N. Beidler *; Roger N. Miller	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003943			1
10/22/1982	Edward P. Leibensperger *	Dr. Fred Pooley	George Lee; John N. Beidler *; Roger N. Miller	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003840			1
10/22/1982	Edward P. Leibensperger *	Dr. Fred Pooley	George Lee; John N. Beidler *; Roger N. Miller	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003943			1
10/22/1982	Edward P. Leibensperger *	Dr. Fred Pooley	George Lee; John N. Beidler *; Roger N. Miller	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003943			1
10/22/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003838	JNJTALC000687862		2
10/22/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003941	JNJTALC000688323		2
10/22/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003838	JNJTALC000687862		2
10/22/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003941	JNJTALC000688323		2
10/22/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004588	JNJTALC000687862		2
10/22/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004629	JNJTALC000688323		2
10/22/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003941	JNJTALC000688323		2
10/22/1982	Edward P. Leibensperger*	Dr. Fred Pooley	George Lee; John N. Beidler*; Roger N. Miller	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000478		P_JNJTALC_000003840	1
10/22/1982	Edward P. Leibensperger*	Dr. Fred Pooley	George Lee; John N. Beidler*; Roger N. Miller	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001152		P_JNJTALC_000003943	1
10/22/1982	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee; Joseph Blute*	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001150	JNJTALC000688323	P_JNJTALC_000003941; P_JNJTALC_000004629	2
10/22/1982	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee; Joseph Blute*	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000476	JNJTALC000687862	P_JNJTALC_000003838; P_JNJTALC_000004588	2
10/22/1982	George Lee	Edward P. Leibensperger *	John Beidler *; R. N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001772			1
10/22/1982	George Lee	Edward P. Leibensperger *	John Beidler *; R. N. Miller	Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001773			1
10/22/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller	Memorandum from client to counsel requested by counsel that is necessary to provide legal advice regarding talc samples in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000430	JNJ 000061569	P_JNJTALC_000001772; P_JNJTALC_000002456	1
10/22/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*, Roger N. Miller	Memorandum from client to counsel requested by counsel that is necessary to provide legal advice regarding talc samples in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000431	JNJ 000061572	P_JNJTALC_000001773; P_JNJTALC_000002457	1
10/22/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller	Memorandum from client to counsel requested by counsel that is necessary to provide legal advice regarding talc samples in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000475	JNJ 000061615	P_JNJTALC_000002480	1
10/22/1982	Roger N. Miller	John N. Beidler *; George Lee; Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003805			1
10/22/1982	Roger N. Miller	John N. Beidler*; George Lee; Edward P. Leibensperger*		Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000411		P_JNJTALC_000002447; P_JNJTALC_000002448; P_JNJTALC_000003805	1
10/22/1982	William Ashton	George Lee		Memorandum among company personnel prepared pursuant to pending litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000000450			1
10/25/1982	George Lee	J. C. Wagner		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/3/2018	P_JNJTALC_000003837			1
10/25/1982	George Lee	J. C. Wagner		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/3/2018	P_JNJTALC_000003940			1
10/25/1982	George Lee	J. C. Wagner		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/11/2018	P_JNJTALC_000003837			1
10/25/1982	George Lee	J. C. Wagner		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/11/2018	P_JNJTALC_000003940			1

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
10/25/1982	George Lee	J. C. Wagner		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000474		P_JNJTALC_000003837	1
10/25/1982	George Lee	J. C. Wagner		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000001148		P_JNJTALC_000003940	1
10/25/1982	George Lee	J. C. Wagner		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/11/2018 (2)	P_JNJTALC_000003940			1
10/25/1982	Roger N. Miller	Edward P. Leibensperger*; John N. Beidler*; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000404		P_JNJTALC_000003798	1
10/25/1982	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Work Product	7/3/2018	P_JNJTALC_000003798			1
10/25/1982	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003956			1
10/25/1982	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003956			1
10/25/1982	Roger N. Miller	Edward P. Leibensperger*; John N. Beidler*; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001184		P_JNJTALC_000003956	1
10/25/1982	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003956			1
10/27/1982	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuite Interrogatories	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003794	JNJTALC000687813		1
10/27/1982	Roger N. Miller	Edward P. Leibensperger*; George Lee; John N. Beidler*		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000400	JNJTALC000687813	P_JNJTALC_000003794	1
10/28/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller	Memorandum between counsel and client providing information in order to	Memorandum between counsel and client prov	Attorney-Client Privilege; Work Product	1/11/2019	P2_JNJTALC_000004397	JNJTALC000911157		1
10/28/1982	George Lee	Edward P. Leibensperger *	John Beidler *; Roger N. Miller	Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	10/13/2017	P_JNJ_000001247	JNJ 000685535		1
10/28/1982	George Lee	Edward P. Leibensperger *	John Beidler *; Roger N. Miller	Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004628	JNJ 000685535		1
10/28/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum with attachment between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client and Work Product	10/6/2017	P_JNJN161_000000043	JNJN161_000074031		1
11/1/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/3/2018	P_JNJTALC_000003835	JNJTALC000687861		3
11/1/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/11/2018	P_JNJTALC_000003835	JNJTALC000687861		3
11/1/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003834	JNJTALC000687840		1
11/1/1982	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003834	JNJTALC000687840		1
11/1/1982	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000471	JNJTALC000687861	P_JNJTALC_000003835	3
11/1/1982	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000470	JNJTALC000687840	P_JNJTALC_000003834	1
11/2/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003833			1
11/2/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003938			1
11/2/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003833			1
11/2/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003938			1
11/2/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003938			1
11/2/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003832			1
11/2/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003937			1
11/2/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003832			1

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
11/2/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003937			1
11/2/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003937			1
11/2/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000469		P_JNJTALC_000003833	1
11/2/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001144		P_JNJTALC_000003988	1
11/2/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000468		P_JNJTALC_000003832	1
11/2/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001143		P_JNJTALC_000003937	1
11/5/1982	George Lee	Edward P. Leibensperger *	John Beidler *; R. N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.		Work Product	2/1/2018 JNJTALC	P_JNJTALC_000001778			1
11/5/1982	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003793			1
11/5/1982	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003954			1
11/5/1982	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003955			1
11/5/1982	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003954			1
11/5/1982	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003955			1
11/5/1982	Roger N. Miller	Edward P. Leibensperger*; John N. Beidler*; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000398		P_JNJTALC_000003793	1
11/5/1982	Roger N. Miller	Edward P. Leibensperger*; John N. Beidler*; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001182		P_JNJTALC_000003954	1
11/5/1982	Roger N. Miller	Edward P. Leibensperger*; John N. Beidler*; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001183		P_JNJTALC_000003955	1
11/5/1982	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003954			1
11/5/1982	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003955			1
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003936			2
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003936			2
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003936			2
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003830			1
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003836			1
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003939			1
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003830			1
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003836			1

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003939			1
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003939			1
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003935			1
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003935			1
11/10/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003935			1
11/10/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001141		P_JNJTALC_000003936	2
11/10/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001145		P_JNJTALC_000003939	1
11/10/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000465		P_JNJTALC_000003830	1
11/10/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000472		P_JNJTALC_000003836	1
11/10/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001140		P_JNJTALC_000003935	1
11/16/1982	Edward P. Leibensperger *	Dr. Fred Pooley	George Lee; John N. Beidler *; Joseph Blute *	Attachment prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/3/2018	P_JNJTALC_000003829	JNJTALC000687839		3
11/16/1982	Edward P. Leibensperger *	Dr. Fred Pooley	George Lee; John N. Beidler *; Joseph Blute *	Attachment prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/11/2018	P_JNJTALC_000003829	JNJTALC000687839		3
11/16/1982	Edward P. Leibensperger *	Dr. Fred Pooley	George Lee; John N. Beidler *; Joseph Blute *	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003934	JNJTALC000688291		1
11/16/1982	Edward P. Leibensperger *	Dr. Fred Pooley	George Lee; John N. Beidler *; Joseph Blute *	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003934	JNJTALC000688291		1
11/16/1982	Edward P. Leibensperger *	Dr. Fred Pooley	George Lee; John N. Beidler *; Joseph Blute *	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003934	JNJTALC000688291		1
11/16/1982	Edward P. Leibensperger *	Dr. Fred Pooley	George Lee; John N. Beidler *; Joseph Blute *	Letter with attachment prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003828	JNJTALC000687833		1
11/16/1982	Edward P. Leibensperger *	Dr. Fred Pooley	George Lee; John N. Beidler *; Joseph Blute *	Letter with attachment prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003828	JNJTALC000687833		1
11/16/1982	Edward P. Leibensperger*	Dr. Fred Pooley	George Lee; John N. Beidler*; Joseph Blute*	Attachment prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000464	JNJTALC000687839	P_JNJTALC_000003829	3
11/16/1982	Edward P. Leibensperger*	Dr. Fred Pooley	George Lee; John N. Beidler*; Joseph Blute*	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001139	JNJTALC000688291	P_JNJTALC_000003934	1
11/16/1982	Edward P. Leibensperger*	Dr. Fred Pooley	George Lee; John N. Beidler*; Joseph Blute*	Letter with attachment prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000463	JNJTALC000687833	P_JNJTALC_000003828	1
11/22/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003831			1
11/22/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003831			1
11/22/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000466		P_JNJTALC_000003831	1
11/23/1982	John N. Beidler*	George Lee	Bruce Semple; Benjamin (Ben) M. Deavenport	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001099	JNJTALC000853548	P_JNJTALC_000004874	2
11/24/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	[REDACTED]	Attorney-Client Privilege	2/2/2018 JNJTALC	P_JNJTALC_000001897			1
11/24/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client and Work Product	10/6/2017	P_JNJNL61_000000242			1
11/24/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller	Letter from client to counsel providing information requested by counsel that is necessary to provide legal advice regarding talc samples in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001142	JNJ 000327946-JNJ 000327946	P_JNJNL61_000000242; P_JNJTALC_000001897	
11/24/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller	Letter with attachment from client to counsel providing information requested by counsel that is necessary to provide legal advice regarding talc samples in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000467	JNJ 000061609	P_JNJTALC_000002479	1
11/24/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327946-JNJ 000327946		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327383-JNJ 000327383		11
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327384-JNJ 000327384		19
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327385-JNJ 000327385		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327386-JNJ 000327386		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327387-JNJ 000327387		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327388-JNJ 000327388		1

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327389-JNJ 000327389		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327390-JNJ 000327390		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327391-JNJ 000327391		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327392-JNJ 000327392		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327393-JNJ 000327393		16
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327394-JNJ 000327394		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327395-JNJ 000327395		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327396-JNJ 000327396		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327397-JNJ 000327397		12
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327398-JNJ 000327398		4
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327399-JNJ 000327399		4
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327400-JNJ 000327400		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327401-JNJ 000327401		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327402-JNJ 000327402		1
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327403-JNJ 000327403		5
11/29/1982	J.G. Blute	Edward P. Leibensperger *		Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000327404-JNJ 000327404		1
11/29/1982	J.G. Blute*	E.P. Leibensperger*		Memorandum from counsel to counsel providing legal advice and prepared by counsel pursuant to pending Westfall litigation.		Attorney-Client Privilege; Work Product	4/28/2017		JNJ000064892-JNJ000064893		2
11/29/1982	Joseph Blute *	Edward Leibensperger *		Memorandum and attachments between counsel regarding ongoing talc litigation.	N/A	Work Product	7/3/2018	P_JNJTALC_000003893			2
11/29/1982	Joseph Blute *	Edward Leibensperger *		Memorandum and attachments between counsel regarding ongoing talc litigation.	N/A	Work Product	7/3/2018	P_JNJTALC_000003907	JNJ 000064892		2
11/29/1982	Joseph Blute *	Edward Leibensperger *		Memorandum and attachments between counsel regarding ongoing talc litigation.	N/A	Work Product	7/3/2018	P_JNJTALC_000003908			2
11/29/1982	Joseph Blute *	Edward Leibensperger *		Memorandum and attachments between counsel regarding ongoing talc litigation.	N/A	Work Product	7/11/2018	P_JNJTALC_000003893			2
11/29/1982	Joseph Blute *	Edward Leibensperger *		Memorandum and attachments between counsel regarding ongoing talc litigation.	N/A	Work Product	7/11/2018	P_JNJTALC_000003907	JNJ 000064892		2
11/29/1982	Joseph Blute *	Edward Leibensperger *		Memorandum and attachments between counsel regarding ongoing talc litigation.	N/A	Work Product	7/11/2018	P_JNJTALC_000003908			2
11/29/1982	Joseph Blute *	Edward Leibensperger *		Memorandum and attachments between counsel regarding ongoing talc litigation.	N/A	Work Product	7/11/2018 (2)	P_JNJTALC_000003907	JNJ 000064892		2
11/29/1982	Joseph Blute *	Edward Leibensperger *		Memorandum and attachments between counsel regarding ongoing talc litigation.	N/A	Work Product	7/11/2018 (2)	P_JNJTALC_000003908			2
11/29/1982	Joseph Blute *	Edward P. Leibensperger *		Memorandum prepared by counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003996	JNJTALC000685282		3
11/29/1982	Joseph Blute *	Edward P. Leibensperger *		Memorandum prepared by counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003996	JNJTALC000685282		3
11/29/1982	Joseph Blute *	Edward P. Leibensperger *		Memorandum prepared by counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003996	JNJTALC000685282		3
11/29/1982	Joseph Blute*	Edward P. Leibensperger*		Memorandum and attachments between counsel regarding ongoing talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000001063		P_JNJTALC_000003893	2
11/29/1982	Joseph Blute*	Edward P. Leibensperger*		Memorandum and attachments between counsel regarding ongoing talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000001109		P_JNJTALC_000003908	2
11/29/1982	Joseph Blute*	Edward P. Leibensperger*		Memorandum prepared by counsel pursuant to pending and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001252	JNJTALC000685282	P_JNJTALC_000002738; P_JNJTALC_000003996	3
11/30/1982	Edward P. Leibensperger *	Dr. Fred Pooley	John N. Beidler*; George Lee	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Work Product	7/3/2018	P_JNJTALC_000003823	JNJTALC000687827		1
11/30/1982	Edward P. Leibensperger*	Dr. Fred Pooley	John N. Beidler*; George Lee	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000458	JNJTALC000687827	P_JNJTALC_000003823	1
11/30/1982	George Lee	Edward P. Leibensperger *		Attachment between counsel and client sent at counsel's request seeking legal advice regarding ongoing talc litigation.	N/A	Work Product	7/3/2018	P_JNJTALC_000003826			7
11/30/1982	George Lee	Edward P. Leibensperger *		Attachment between counsel and client sent at counsel's request seeking legal advice regarding ongoing talc litigation.	N/A	Work Product	7/3/2018	P_JNJTALC_000003827			17
11/30/1982	George Lee	Edward P. Leibensperger *		Attachment between counsel and client sent at counsel's request seeking legal advice regarding ongoing talc litigation.	N/A	Work Product	7/11/2018	P_JNJTALC_000003826			7
11/30/1982	George Lee	Edward P. Leibensperger *		Attachment between counsel and client sent at counsel's request seeking legal advice regarding ongoing talc litigation.	N/A	Work Product	7/11/2018	P_JNJTALC_000003827			17
11/30/1982	George Lee	Edward P. Leibensperger *		Attachment between counsel and client sent at counsel's request seeking legal advice regarding ongoing talc litigation.	N/A	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004584	JNJ 000061608		1
11/30/1982	George Lee	Edward P. Leibensperger *		Attachment between counsel and client sent at counsel's request seeking legal advice regarding ongoing talc litigation.	N/A	Work Product	8/6/2018	P_JNJTALC_000004585			7
11/30/1982	George Lee	Edward P. Leibensperger *		Attachment between counsel and client sent at counsel's request seeking legal advice regarding ongoing talc litigation.	N/A	Work Product	8/6/2018	P_JNJTALC_000004586			17
11/30/1982	George Lee	John N. Beidler*	R. N. Miller	Attachment between counsel and client sent at counsel's request seeking legal advice regarding ongoing talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000461	JNJTALC000859373	P_JNJTALC_000001776; P_JNJTALC_000002476; P_JNJTALC_000002477, P_JNJTALC_000003826; P_JNJTALC_000004585, P_JNJTALC_000005011	7
11/30/1982	George Lee	John N. Beidler*	R. N. Miller	Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000462	JNJTALC000859374	P_JNJTALC_000001777; P_JNJTALC_000002478; P_JNJTALC_000002477; P_JNJTALC_000003827; P_JNJTALC_000004586; P_JNJTALC_000005012	17

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
11/30/1982	George Lee	John Beidler *	R. N. Miller	Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001776			7
11/30/1982	George Lee	John Beidler *	R. N. Miller	Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001777			17
11/30/1982	George Lee	Edward P. Leibensperger *		Letter from client to counsel providing materials in anticipation of litigation for counsel to provide legal advice regarding talc sample evidence.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003825	JNJ 000061608		1
11/30/1982	George Lee	Edward P. Leibensperger *		Letter from client to counsel providing materials in anticipation of litigation for counsel to provide legal advice regarding talc sample evidence.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003825	JNJ 000061608		1
11/30/1982	George Lee	Edward P. Leibensperger *		Letter from client to counsel providing materials in anticipation of litigation for counsel to provide legal advice regarding talc sample evidence.	N/A	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004583	JNJTALC000668868		1
11/30/1982	George Lee	Edward P. Leibensperger*		Letter from client to counsel providing materials in anticipation of litigation for counsel to provide legal advice regarding talc sample evidence.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000456	JNJTALC000668868	P_JNJNL61_000000035; P_JNJTALC_00000177A; P_JNJTALC_000002475; P_JNJTALC_000003821; P_JNJTALC_000004583	1
11/30/1982	George Lee	John Beidler *	Roger N. Miller	Memorandum between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000000495	JNJTALC000174184		1
11/30/1982	George Lee	John Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003932	JNJTALC000174184		1
11/30/1982	George Lee	John Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003932	JNJTALC000174184		1
11/30/1982	George Lee	John Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004626	JNJTALC000174184		1
11/30/1982	George Lee	John Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003932	JNJTALC000174184		1
11/30/1982	George Lee	John Beidler*	Roger Miller	Memorandum from client to counsel prepared pursuant to pending Westfall litigation.	Westfall Case	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000061608-JNJ000061608		1
11/30/1982	George Lee	John Beidler*	Roger Miller	Memorandum from client to counsel prepared pursuant to pending Westfall litigation.	Westfall Case	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000065019-JNJ000065019		1
11/30/1982	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.		Attorney-Client and Work Product	11/18/2015		JNJ 000327931-JNJ 000327931		1
11/30/1982	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.	N/A	Attorney-Client Privilege; Work Product	6/11/2018	P_JNJTALC_000002704	JNJ 000327931		1
11/30/1982	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.	N/A	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002704	JNJ 000327931		1
11/30/1982	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.	N/A	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002704	JNJ 000327931		1
11/30/1982	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.	N/A	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002704	JNJ 000327931		1
11/30/1982	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002704	JNJ 000327931		1
11/30/1982	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000002704	JNJ 000327931		1
11/30/1982	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000002704	JNJ 000327931		1
11/30/1982	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002704	JNJ 000327931		1
11/30/1982	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002704	JNJ 000327931		1
11/30/1982	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002704	JNJ 000327931		1
11/30/1982	George Lee	John Beidler *	R. N. Miller	Memorandum with attachments between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001775			1
11/30/1982	George Lee	John N. Beidler*		Memorandum with attachments from client to counsel providing information necessary for counsel to provide legal advice regarding talc testing in connection with ongoing talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000460	JNJ 000061608	P_JNJTALC_000001775; P_JNJTALC_000002476; P_JNJTALC_000003825; P_JNJTALC_000004584	1
11/30/1982	George Lee	John N. Beidler*		Memorandum with attachments from client to counsel providing information necessary for counsel to provide legal advice regarding talc testing in connection with ongoing talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001137	JNJTALC000174184	P_JNJTALC_000000495, P_JNJTALC_000002705; P_JNJTALC_000003932; P_JNJTALC_000004626	1
11/30/1982	George Lee	Edward P. Leibensperger *		Attorney-Client Privilege; Work Product	N/A	Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.	6/13/2018	P_JNJTALC_000002704	JNJ 000327931		1
11/30/1982	George Lee	Edward P. Leibensperger *		Attorney-Client Privilege; Work Product	N/A	Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.	6/15/2018	P_JNJTALC_000002704	JNJ 000327931		1
12/1/1982	George Lee	E.P. Leibensperger*	John Beidler*	Letter from client to counsel prepared at the direction of counsel pursuant to pending litigation regarding evidentiary submission.	J106 Talc Rock Specimen of Westfall Suit	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000061607-JNJ000061607		1
12/1/1982	George Lee	E.P. Leibensperger*	John Beidler*	Letter from client to counsel prepared at the direction of counsel pursuant to pending litigation regarding evidentiary submission.	J106 Talc Rock Specimen of Westfall Suit	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000064487-JNJ000064487		1
12/1/1982	George Lee	E.P. Leibensperger*	John Beidler*	Letter from client to counsel prepared at the direction of counsel pursuant to pending litigation regarding evidentiary submission.	J106 Talc Rock Specimen of Westfall Suit	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003824	JNJ 000061607		1
12/1/1982	George Lee	E.P. Leibensperger*	John Beidler*	Letter from client to counsel prepared at the direction of counsel pursuant to pending litigation regarding evidentiary submission.	J106 Talc Rock Specimen of Westfall Suit	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003887	JNJ 000064487		1
12/1/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *	Letter from client to counsel prepared at the direction of counsel pursuant to pending litigation regarding evidentiary submission.	J106 Talc Rock Specimen of Westfall Suit	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003931			1

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
12/1/1982	George Lee	E.P. Leibensperger*	John Beidler*	Letter from client to counsel prepared at the direction of counsel pursuant to pending litigation regarding evidentiary submission.	J106 Talc Rock Specimen of Westfall Suit	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003887	JNJ 000064487		1
12/1/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *	Letter from client to counsel prepared at the direction of counsel pursuant to pending litigation regarding evidentiary submission.	J106 Talc Rock Specimen of Westfall Suit	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003931			1
12/1/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*	Letter from client to counsel prepared at the direction of counsel pursuant to pending litigation regarding evidentiary submission.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001135		P_JNJTALC_000003931	1
12/1/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *	Letter from client to counsel prepared at the direction of counsel pursuant to pending litigation regarding evidentiary submission.	J106 Talc Rock Specimen of Westfall Suit	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003931			1
12/1/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*	Memorandum from client to counsel providing information requested by counsel that is necessary to provide legal advice regarding talc samples in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000459	JNJ 000061607	P_JNJTALC_000003824	1
12/1/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*	Memorandum with attachment from client to counsel providing information requested by counsel that is necessary to provide legal advice regarding talc samples in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000971	JNJ 000064487	P_JNJTALC_000003887	1
12/1/1982	Roger N. Miller	Edward P. Leibensperger *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Work Product	7/3/2018	P_JNJTALC_000003900			1
12/1/1982	Roger N. Miller	Edward P. Leibensperger *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Work Product	7/11/2018	P_JNJTALC_000003900			1
12/1/1982	Roger N. Miller	Edward P. Leibensperger*		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000001096		P_JNJTALC_000003900	1
12/1/1982	Roger N. Miller	Edward P. Leibensperger *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Work Product	7/11/2018 (2)	P_JNJTALC_000003900			1
12/1/1982	Roger N. Miller	Edward P. Leibensperger *		Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall lawsuit	Attorney-Client Privilege; Work Product	10/19/2017	P_JNJ_000001245			1
12/1/1982	Roger N. Miller	Edward P. Leibensperger *		Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall lawsuit	Attorney-Client Privilege; Work Product	10/19/2017	P_JNJ_000001246			1
12/1/1982	Roger N. Miller	Edward P. Leibensperger *	John N. Beidler *; George Lee	Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003822			1
12/1/1982	Roger N. Miller	Edward P. Leibensperger *	John N. Beidler *; George Lee	Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003930			1
12/1/1982	Roger N. Miller	Edward P. Leibensperger *	John N. Beidler *; George Lee	Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003930			1
12/1/1982	Roger N. Miller	Edward P. Leibensperger*	John N. Beidler*; George Lee	Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000457		P_JNJTALC_000003822	1
12/1/1982	Roger N. Miller	Edward P. Leibensperger*	John N. Beidler*; George Lee	Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001134		P_JNJTALC_000003930	1
12/1/1982	Roger N. Miller	Edward P. Leibensperger *	John N. Beidler *; George Lee	Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003930			1
12/3/1982	Edward P. Leibensperger *			Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003909	JNJTALC000481292		19
12/3/1982	Edward P. Leibensperger *			Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003910	JNJTALC000481293		7
12/3/1982	Edward P. Leibensperger *			Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003909	JNJTALC000481292		19
12/3/1982	Edward P. Leibensperger *			Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003910	JNJTALC000481293		7
12/3/1982	Edward P. Leibensperger *			Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004622	JNJTALC000481292		19
12/3/1982	Edward P. Leibensperger *			Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004623	JNJTALC000481293		7
12/3/1982	Edward P. Leibensperger *			Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003909	JNJTALC000481292		19
12/3/1982	Edward P. Leibensperger *			Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003910	JNJTALC000481293		7
12/3/1982	Edward P. Leibensperger*			Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001110	JNJTALC000481292	P_JNJTALC_000002689; P_JNJTALC_000003623; P_JNJTALC_000003909; P_JNJTALC_000004622	19
12/3/1982	Edward P. Leibensperger*			Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001111	JNJTALC000481293	P_JNJTALC_000003690; P_JNJTALC_000003624; P_JNJTALC_000003910; P_JNJTALC_000004623	7
12/5/1982	Roger N. Miller	Edward Leibensperger*; George Lee; John Beidler*		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	[REDACTED]	Attorney-Client Privilege; Work Product	1/18/2018	P_JNJTALC_000000020			1
12/5/1982	Roger N. Miller	Edward P. Leibensperger*; George Lee; John N. Beidler*		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001080		P_JNJTALC_000000020	1
12/6/1982	George Lee	Edward P. Leibensperger *		Attachment between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003821	JNJTALC000668868		1

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APP 03881

Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
12/6/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller	Memorandum and attachments prepared and requested by counsel regarding talc studies in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001133	JNJ 000327906	P_JNJTALC_000002703; P_JNJTALC_000004625	
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client and Work Product	11/18/2015		JNJ 000327906-JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/11/2018	P_JNJTALC_000002703	JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002703	JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002703	JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002703	JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002703	JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000002703	JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000002703	JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004625	JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002703	JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002703	JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002703	JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John Beidler *; R. N. Miller	Memorandum with attachment between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001774			1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum with attachment between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Suit	Attorney-Client and Work Product	10/6/2017	P_JNJNL61_000000025	JNJNL61_000034333		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Attorney-Client Privilege; Work Product	N/A	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	6/13/2018	P_JNJTALC_000002703	JNJ 000327906		1
12/6/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Attorney-Client Privilege; Work Product	N/A	Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	6/15/2018	P_JNJTALC_000002703	JNJ 000327906		1
12/13/1982	George Lee	John N. Beidler*; Roger N. Miller		Attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001131		P_JNJTALC_000003928	2
12/13/1982	George Lee	John N. Beidler *; Roger N. Miller		Attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003928			2
12/13/1982	George Lee	John N. Beidler *; Roger N. Miller		Attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003928			2
12/13/1982	George Lee	John N. Beidler *; Roger N. Miller		Attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003928			2
12/13/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller	Letter between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000455		P_JNJTALC_000003820	1
12/13/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller	Letter between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001132		P_JNJTALC_000003929	1
12/13/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Letter between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003820			1
12/13/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Letter between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003929			1
12/13/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Letter between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003929			1
12/13/1982	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Letter between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003929			1
12/13/1982	George Lee	John N. Beidler*; Roger N. Miller		Letter with attachment from client to counsel providing information necessary for counsel to provide legal advice regarding discovery in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000453	JNJ 000061606	P_JNJTALC_000002473; P_JNJTALC_000003818	1
12/13/1982	George Lee	John Beidler *, R. N. Miller		Memorandum between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003818	JNJ 000061606		1
12/13/1982	George Lee	John Beidler*; Roger Miller		Memorandum from client to counsel prepared at the direction of counsel pursuant to pending litigation regarding interrogatories.		Attorney-Client Privilege; Work Product	4/28/2017		JNJ000061606-JNJ000061606		1
12/13/1982	George Lee	John N. Beidler *; Roger N. Miller		Memorandum with attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003927			1
12/13/1982	George Lee	John N. Beidler *; Roger N. Miller		Memorandum with attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003927			1
12/13/1982	George Lee	John N. Beidler*; Roger N. Miller		Memorandum with attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001130		P_JNJTALC_000003927	1
12/13/1982	George Lee	John N. Beidler *; Roger N. Miller		Memorandum with attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003927			1

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
12/16/1982	George Lee	John N. Beidler*	Benjamin M. Deavenport; Bruce Semple	Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNITALC	P_JNITALC_000001894			1
12/16/1982	George Lee	John N. Beidler*	Benjamin M. Deavenport; Bruce Semple	Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNITALC	P_JNITALC_000001895			1
12/16/1982	George Lee	John N. Beidler*	Benjamin M. Deavenport; Bruce Semple	Memorandum between counsel and client seeking legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	[REDACTED]	Attorney-Client Privilege;Work Product	2/2/2018 JNITALC	P_JNITALC_000001893			1
12/23/1982	E.P. Leibensperger*	George Lee	John Beidler*; Roger Miller; Joseph Blute*	Letter from counsel to client providing legal advice and prepared by counsel pursuant to pending litigation regarding evidentiary submission.	J. 16 Talc Rock Specimen	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000061601-JNJ000061602		2
12/23/1982	E.P. Leibensperger*	George Lee	John Beidler*; Roger Miller; Joseph Blute*	Letter from counsel to client providing legal advice and prepared by counsel pursuant to pending litigation regarding evidentiary submission.	J. 16 Talc Rock Specimen	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000061578-JNJ000061579		2
12/23/1982	Edward P. Leibensperger *	George Lee	John N. Beidler *; Roger N. Miller; Joseph G. Blute *	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNITALC	P_JNITALC_000000494			2
12/23/1982	Edward P. Leibensperger *	George Lee	John Beidler *; Roger Miller; Joseph G. Blute *	Attorney-Client Privilege; Work Product	J. 106 Talc Rock Specimen	Memorandum with attachments between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNITALC_000003592	JNITALC000473356		2
12/23/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*; Roger N. Miller; Joseph Blute*	Letter with attachment from counsel to client providing legal advice regarding talc samples in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNITALC_000000449	JNJ 000061601	P_JNITALC_000002470	2
12/23/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*; Roger N. Miller; Joseph Blute*	Letter with attachments from counsel to client providing legal advice regarding talc samples in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNITALC_000000432	JNJ 000061578	P_JNITALC_000002458	2
12/23/1982	Edward P. Leibensperger*	George Lee	John N. Beidler*; Roger N. Miller; Joseph G. Blute *	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNITALC_000001124		P_JNITALC_000000494	2
12/24/1982	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller	Letter with attachment from client to counsel providing information requested by counsel that is necessary to provide legal advice regarding talc samples in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNITALC_000000972	JNJ 000064488	P_JNITALC_000002618	1
1/1/1983	Edward P. Leibensperger *	George Lee		Memorandum prepared by counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNITALC_000003923			2
1/1/1983	Edward P. Leibensperger *	George Lee		Memorandum prepared by counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNITALC_000003923			2
1/1/1983	Edward P. Leibensperger *	George Lee		Memorandum prepared by counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNITALC_000003923			2
1/1/1983	Edward P. Leibensperger*	George Lee		Memorandum prepared by counsel pursuant to pending and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNITALC_000001126		P_JNITALC_000002702; P_JNITALC_000002701; P_JNITALC_000003923	2
1/6/1983		J. C. Wagner		Attachment to memorandum from client to litigation consultant in connection with Westfall litigation.		Work Product	12/20/2018	P2_JNITALC_000004176			1
1/6/1983		J. C. Wagner		Attachment to memorandum from client to litigation consultant in connection with Westfall litigation.		Work Product	12/20/2018	P2_JNITALC_000004177			1
1/7/1983	Edward P. Leibensperger *			Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNITALC_000003919			1
1/7/1983	Edward P. Leibensperger *			Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNITALC_000003919			1
1/7/1983	Edward P. Leibensperger *			Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNITALC_000003919			1
1/7/1983	Edward P. Leibensperger*			Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNITALC_000001121		P_JNITALC_000002697; P_JNITALC_000002698; P_JNITALC_000003919	1
1/7/1983	George Lee	Edward Leibensperger *		Attachment between counsel and client providing materials necessary for counsel to render legal advice regarding talc litigation.	N/A	Attorney-Client Privilege	7/3/2018	P_JNITALC_000003920			1
1/7/1983	George Lee	Edward Leibensperger *		Attachment between counsel and client providing materials necessary for counsel to render legal advice regarding talc litigation.	N/A	Attorney-Client Privilege	7/11/2018	P_JNITALC_000003920			1
1/7/1983	George Lee	Edward P. Leibensperger*		Attachment between counsel and client providing materials necessary for counsel to render legal advice regarding talc litigation.		Attorney-Client Privilege	12/20/2018	P2_JNITALC_000001122		P_JNITALC_000002698; P_JNITALC_000002699; P_JNITALC_000003920	1
1/7/1983	George Lee	Edward Leibensperger *		Attachment between counsel and client providing materials necessary for counsel to render legal advice regarding talc litigation.	N/A	Attorney-Client Privilege	7/11/2018 (2)	P_JNITALC_000003920			1
1/11/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Letter between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNITALC_000003812			2
1/11/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee; Joseph Blute*	Letter between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNITALC_000000446		P_JNITALC_000003812	2
1/11/1983	George Lee	Edward P. Leibensperger*	John N. Beidler*; Joseph Blute*; Roger N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNITALC_000001129		P_JNITALC_000003926	1
1/11/1983	George Lee	Edward P. Leibensperger*	John N. Beidler*; Joseph Blute*; Roger N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNITALC_000000452		P_JNITALC_000003817	1
1/11/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Joseph Blute *; Roger N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals	Attorney-Client Privilege; Work Product	7/3/2018	P_JNITALC_000003926			1
1/11/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Joseph Blute *; Roger N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals	Attorney-Client Privilege; Work Product	7/11/2018	P_JNITALC_000003926			1
1/11/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Joseph Blute *; Roger N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNITALC_000003926			1
1/11/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Joseph Blute *; Roger N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation.	Westfall v. Windsor Minerals	Attorney-Client Privilege; Work Product	7/3/2018	P_JNITALC_000003817			1

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIDR Privilege Log Number(s)	# of Pgs
1/11/1983	George Lee			Note prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/3/2018	P_JNJTALC_000003813			5
1/11/1983	George Lee			Note prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	8/6/2018	P_JNJTALC_000004581			5
1/11/1983	George Lee			Note prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000447		P_JNJTALC_000003813; P_JNJTALC_000004581	5
1/12/1983	Edward P. Leibensberger *	Maryanne Bounds Costa	John N. Beidler *; Roger N. Miller	Letter between counsel, consultant, and client reflecting legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Howard Westfall v. Whittaker Clark & Daniels, et al	Work Product	7/3/2018	P_JNJTALC_000003914			2
1/12/1983	Edward P. Leibensberger *	Maryanne Bounds Costa	John N. Beidler *; Roger N. Miller	Letter between counsel, consultant, and client reflecting legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Howard Westfall v. Whittaker Clark & Daniels, et al	Work Product	7/11/2018	P_JNJTALC_000003914			2
1/12/1983	Edward P. Leibensberger *	Maryanne Bounds Costa	John N. Beidler *; Roger N. Miller	Letter between counsel, consultant, and client reflecting legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	David Howard Westfall v. Whittaker Clark & Daniels, et al	Work Product	7/11/2018 (2)	P_JNJTALC_000003914			2
1/12/1983	Edward P. Leibensperger *	Dr. Fred Pooley	John N. Beidler *; George Lee; Roger N. Miller	Memorandum with attachment between counsel, consultant, and client reflecting legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Work Product	7/3/2018	P_JNJTALC_000003924			2
1/12/1983	Edward P. Leibensperger *	Dr. Fred Pooley	John N. Beidler *; George Lee; Roger N. Miller	Memorandum with attachment between counsel, consultant, and client reflecting legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/3/2018	P_JNJTALC_000003925			3
1/12/1983	Edward P. Leibensperger *	Dr. Fred Pooley	John N. Beidler *; George Lee; Roger N. Miller	Memorandum with attachment between counsel, consultant, and client reflecting legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Work Product	7/11/2018	P_JNJTALC_000003924			2
1/12/1983	Edward P. Leibensperger *	Dr. Fred Pooley	John N. Beidler *; George Lee; Roger N. Miller	Memorandum with attachment between counsel, consultant, and client reflecting legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/11/2018	P_JNJTALC_000003925			3
1/12/1983	Edward P. Leibensperger *	Dr. Fred Pooley	John N. Beidler *; George Lee; Roger N. Miller	Memorandum with attachment between counsel, consultant, and client reflecting legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Work Product	7/11/2018 (2)	P_JNJTALC_000003924			2
1/12/1983	Edward P. Leibensperger *	Dr. Fred Pooley	John N. Beidler *; George Lee; Roger N. Miller	Memorandum with attachment between counsel, consultant, and client reflecting legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/11/2018 (2)	P_JNJTALC_000003925			3
1/12/1983	Edward P. Leibensperger*	Maryanne Bounds Costa	John N. Beidler*; Roger N. Miller	Letter between counsel, consultant, and client reflecting legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000001115		P_JNJTALC_000003914	2
1/12/1983	Edward P. Leibensperger*	Dr. Fred Pooley	John N. Beidler*; George Lee; Roger N. Miller	Memorandum with attachment between counsel, consultant, and client reflecting legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000001127		P_JNJTALC_000003924	2
1/12/1983	Edward P. Leibensperger*	Dr. Fred Pooley	John N. Beidler*; George Lee; Roger N. Miller	Memorandum with attachment between counsel, consultant, and client reflecting legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000001128		P_JNJTALC_000003925	3
1/13/1983	George Lee	Edward Leibensperger *		Attachment between counsel and client seeking legal advice regarding ongoing talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003913	JNJ 000065017		2
1/13/1983	George Lee	Edward Leibensperger *		Attachment between counsel and client seeking legal advice regarding ongoing talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003913	JNJ 000065017		2
1/13/1983	George Lee	Edward P. Leibensperger*		Attachment between counsel and client seeking legal advice regarding ongoing talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001114	JNJ 000065017	P_JNJTALC_000002693; P_JNJTALC_000003913	2
1/13/1983	George Lee	Edward Leibensperger *		Attachment between counsel and client seeking legal advice regarding ongoing talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003913	JNJ 000065017		2
1/13/1983	George Lee	E.P. Leibensperger*	John Beidler*; Roger Miller; Joseph Blute*	Attachment from client to counsel prepared pursuant to pending litigation regarding affidavit for Westfall litigation.	Westfall v. Windsor Minerals, Inc.	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000065017-JNJ000065018		2
1/13/1983	George Lee	E.P. Leibensperger*	John Beidler*; Roger Miller; Joseph Blute*	Letter from client to counsel prepared pursuant to pending litigation regarding affidavit for Westfall litigation.	Westfall v. Windsor Minerals, Inc.	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000065016-JNJ000065016		1
1/13/1983	George Lee	Edward Leibensperger *		Memorandum between counsel and client seeking legal advice regarding ongoing talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003912	JNJ 000065016		1
1/13/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Joseph Blute *; Roger N. Miller	Memorandum between counsel and client seeking legal advice regarding ongoing talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000004033			1
1/13/1983	George Lee	Edward Leibensperger *		Memorandum between counsel and client seeking legal advice regarding ongoing talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003912	JNJ 000065016		1
1/13/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Joseph Blute *; Roger N. Miller	Memorandum between counsel and client seeking legal advice regarding ongoing talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000004033			1
1/13/1983	George Lee	Edward P. Leibensperger*	John N. Beidler*; Joseph Blute*; Roger N. Miller	Memorandum between counsel and client seeking legal advice regarding ongoing talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001290		P_JNJTALC_000004033	1
1/13/1983	George Lee	Edward Leibensperger *		Memorandum between counsel and client seeking legal advice regarding ongoing talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003912	JNJ 000065016		1
1/13/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Joseph Blute *; Roger N. Miller	Memorandum between counsel and client seeking legal advice regarding ongoing talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000004033			1
1/13/1983	George Lee	Edward P. Leibensperger*		Memorandum from client to counsel seeking legal advice regarding draft affidavits in connection with ongoing Westfall litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001113	JNJ 000065016	P_JNJTALC_000002692; P_JNJTALC_000003912	1
1/18/1983	E.P. Leibensperger*	George Lee	John Beidler*; Roger Miller	Letter from counsel to client providing legal advice and prepared by counsel pursuant to pending Westfall litigation.	Westfall v. Windsor Minerals, Inc.	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000061603-JNJ000061603		1
1/18/1983	Edward P. Leibensperger *	George Lee		Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003815	JNJ 000061603		1
1/18/1983	Edward P. Leibensperger *	George Lee		Memorandum prepared by counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003922			1
1/18/1983	Edward P. Leibensperger *	George Lee		Memorandum prepared by counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003922			1
1/18/1983	Edward P. Leibensperger *	George Lee		Memorandum prepared by counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003922			1
1/18/1983	Edward P. Leibensperger*	George Lee		Memorandum prepared by counsel pursuant to pending and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001125		P_JNJTALC_000002700; P_JNJTALC_000002701; P_JNJTALC_000003922	1
1/18/1983	Edward P. Leibensperger*	George Lee		Memorandum with attachment from counsel to client seeking information necessary to provide legal advice regarding draft affidavit in connection with ongoing and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000450	JNJ 000061603	P_JNJTALC_000002471; P_JNJTALC_000003815	1
1/20/1983	George Lee	E.P. Leibensperger*	John Beidler*; Roger Miller; Joseph Blute*	Letter from client to counsel prepared pursuant to pending litigation regarding evidentiary submission.		Attorney-Client Privilege; Work Product	4/28/2017		JNJ000061600-JNJ000061600		1

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RA 0388

Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
1/20/1983	George Lee	E.P. Leibensperger*	John Beidler*; Roger Miller; Joseph Blute*	Letter from client to counsel prepared pursuant to pending litigation regarding evidentiary submission.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003814	JNJ 000061600		1
1/20/1983	George Lee	Edward P. Leibensperger*	John N. Beidler*; Joseph Blute*; Roger N. Miller	Letter with attachment from client to counsel providing material requested by counsel for ongoing and anticipated talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000448	JNJ 000061600	P_JNJTALC_000003814	1
1/20/1983	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003917			1
1/20/1983	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003917			1
1/20/1983	George Lee	Edward P. Leibensperger*		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation prepared at the request of counsel pursuant to pending and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001119		P_JNJTALC_000002695; P_JNJTALC_000002696; P_JNJTALC_000003917	1
1/20/1983	George Lee	Edward P. Leibensperger *		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003917			1
1/21/1983	Edward P. Leibensperger *			Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003918			3
1/21/1983	Edward P. Leibensperger *			Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003918			3
1/21/1983	Edward P. Leibensperger *			Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003918			3
1/21/1983	Edward P. Leibensperger*			Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001120		P_JNJTALC_000002696; P_JNJTALC_000002697; P_JNJTALC_000003918	3
2/11/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Letter between counsel and client forwarding legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003810			1
2/11/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee; Joseph Blute*	Letter between counsel and client forwarding legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000444		P_JNJTALC_000003810	1
2/28/1983	E.P. Leibensperger*	John Beidler*	George Lee, Roger Miller	Letter from counsel to client providing legal advice and prepared by counsel pursuant to pending Westfall litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000061595-JNJ000061596		1
2/28/1983	Edward Leibensperger *	John Beidler *		Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege	7/3/2018	P_JNJTALC_000003915	JNJTALC000793387		1
2/28/1983	Edward Leibensperger *	John Beidler *		Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege	7/11/2018	P_JNJTALC_000003915	JNJTALC000793387		1
2/28/1983	Edward Leibensperger *	John Beidler *		Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege	7/11/2018 (2)	P_JNJTALC_000003915	JNJTALC000793387		1
2/28/1983	Edward P. Leibensperger *	John N. Beidler		Memorandum between counsel regarding ongoing talc litigation.	N/A	Work Product	7/3/2018	P_JNJTALC_000003809	JNJ 000061596		1
2/28/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	[REDACTED]	Work Product	1/18/2018	P_JNJTALC_000000024			1
2/28/1983	Edward P. Leibensperger*	John N. Beidler*		Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege	12/20/2018	P2_JNJTALC_000001117	JNJTALC000793387	P_JNJTALC_000000024; P_JNJTALC_000002694; P_JNJTALC_000002695; P_JNJTALC_000003915	1
2/28/1983	Edward P. Leibensperger*	John N. Beidler*		Memorandum with attachment between counsel regarding talc testing in connection with ongoing talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000443	JNJ 000061596	P_JNJTALC_000002469; P_JNJTALC_000003809	1
3/10/1983	Edward P. Leibensperger *	Edward Gaensler	John N. Beidler *; Roger N. Miller; George Lee; Joseph Blute *	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	David H. Westfall v. Whittaker Clark & Daniels	Work Product	7/3/2018	P_JNJTALC_000003876			2
3/10/1983	Edward P. Leibensperger *	Edward Gaensler	John N. Beidler *; Roger N. Miller; George Lee; Joseph Blute *	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	David H. Westfall v. Whittaker Clark & Daniels	Work Product	7/11/2018	P_JNJTALC_000003876			2
3/10/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee, Joseph G. Blute*	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000520	JNJTALC000688095	P_JNJTALC_000003878; P_JNJTALC_000004598	4
3/10/1983	Edward P. Leibensperger*	Edward A. Gaensler	John N. Beidler*; Roger N. Miller; George Lee; Joseph Blute*	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000518		P_JNJTALC_000003876	2
3/10/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee, Joseph G. Blute*	Memorandum with attachments between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000519	JNJTALC000480620	P_JNJTALC_000003606; P_JNJTALC_000003877; P_JNJTALC_000004597	3
3/10/1983	Edward P. Leibensperger *	John N. Beidler *	Roger Miller; George Lee, Joseph G. Blute *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003878	JNJTALC000688095		4
3/10/1983	Edward P. Leibensperger *	John N. Beidler *	Roger Miller; George Lee, Joseph G. Blute *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003878	JNJTALC000688095		4
3/10/1983	Edward P. Leibensperger *	John N. Beidler *	Roger Miller; George Lee, Joseph G. Blute *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004598	JNJTALC000688095		4
3/10/1983	Edward P. Leibensperger *	John N. Beidler *	Roger Miller; George Lee, Joseph G. Blute *	Memorandum with attachments between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels, et al United States District Court District of Rhode Island	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003877	JNJTALC000480620		3
3/10/1983	Edward P. Leibensperger *	John N. Beidler *	Roger Miller; George Lee, Joseph G. Blute *	Memorandum with attachments between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels, et al United States District Court District of Rhode Island	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003877	JNJTALC000480620		3
3/10/1983	Edward P. Leibensperger *	John N. Beidler *	Roger Miller; George Lee, Joseph G. Blute *	Memorandum with attachments between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels, et al United States District Court District of Rhode Island	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004597	JNJTALC000480620		3
3/10/1983	Edward P. Leibensperger *	John N. Beidler *	Roger Miller; George Lee, Joseph G. Blute *	Attorney-Client Privilege; Work Product	Westfall v. Whittaker, Clark & Daniels, et al United States District Court District of Rhode Island	Memorandum with attachments between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000003606	JNJTALC000480620		3
3/18/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Letter between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003875	JNJTALC000688092		2
3/18/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Letter between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003875	JNJTALC000688092		2
3/18/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee, Joseph Blute*	Letter between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000517	JNJTALC000688092	P_JNJTALC_000003875	2

EXHIBIT 03888

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
3/21/1983	David C. Zajac	Bruce Semple; Donald F. Jones; George Lee; Steven P. Berman *		Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.	Cornstarch Dusting Body Powder	Attorney-Client Privilege	6/12/2018	P_JNJTALC_000002535	JNJ 000293299		1
3/21/1983	David C. Zajac	Bruce Semple; Donald F. Jones; George Lee; Steven P. Berman *		Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.	Cornstarch Dusting Body Powder	Attorney-Client Privilege	6/18/2018	P_JNJTALC_000002535	JNJ 000298299		1
3/21/1983	David C. Zajac	Bruce Semple; Donald F. Jones; George Lee; Steven P. Berman *		Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.	Cornstarch Dusting Body Powder	Attorney-Client Privilege	6/21/2018	P_JNJTALC_000002535	JNJ 000293299		1
3/21/1983	David C. Zajac	Bruce Semple; Donald F. Jones; George Lee; Steven P. Berman *		Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.	Cornstarch Dusting Body Powder	Attorney-Client Privilege	6/26/2018	P_JNJTALC_000002535	JNJ 000293299		1
3/21/1983	David C. Zajac	Bruce Semple; Donald F. Jones; George Lee; Steven P. Berman *		Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.	Cornstarch Dusting Body Powder	Attorney-Client Privilege	7/3/2018	P_JNJTALC_000002535	JNJ 000293299		1
3/21/1983	David C. Zajac	Bruce Semple; Donald F. Jones; George Lee; Steven P. Berman *		Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.	Cornstarch Dusting Body Powder	Attorney-Client Privilege	7/11/2018	P_JNJTALC_000002535	JNJ 000293299		1
3/21/1983	David C. Zajac	Bruce Semple; Donald F. Jones; George Lee; Steven P. Berman*		Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.		Attorney-Client Privilege	12/20/2018	P2_JNJTALC_000000658	JNJ 000293299	P_JNJTALC_000002535	
3/21/1983	David C. Zajac	Bruce Semple; Donald F. Jones; George Lee; Steven P. Berman *		Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.	Cornstarch Dusting Body Powder	Attorney-Client Privilege	6/12/2018 (2)	P_JNJTALC_000002535	JNJ 000293299		1
3/21/1983	David C. Zajac	Bruce Semple; Donald F. Jones; George Lee; Steven P. Berman *		Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.	Cornstarch Dusting Body Powder	Attorney-Client Privilege	6/12/2018 (3)	P_JNJTALC_000002535	JNJ 000293299		1
3/21/1983	David C. Zajac	Bruce Semple; Donald F. Jones; George Lee; Steven P. Berman *		Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.	Cornstarch Dusting Body Powder	Attorney-Client Privilege	7/11/2018 (2)	P_JNJTALC_000002535	JNJ 000293299		1
3/21/1983	David C. Zajac	Bruce Semple; Donald F. Jones; George Lee; Steven P. Berman *		Attorney-Client Privilege	Cornstarch Dusting Body Powder	Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.	6/13/2018	P_JNJTALC_000002535	JNJ 000293299		1
3/21/1983	David C. Zajac	Bruce Semple; Donald F. Jones; George Lee; Steven P. Berman *		Attorney-Client Privilege	Cornstarch Dusting Body Powder	Memorandum between counsel and client providing legal advice regarding ongoing talc litigation.	6/15/2018	P_JNJTALC_000002535	JNJ 000293299		1
3/25/1983	Edward P. Leibensperger *	John N Beidler *	Roger Miller; George Lee	Letter between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Westfall litigation.	Westfall v. Whittaker, Clark & Daniels, Inc. et al	Attorney-Client and Work Product	10/6/2017	P_JNJH25W_000000028			
3/25/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003873			1
3/25/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003873			1
3/25/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001783			1
3/25/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000515		P_JNJTALC_000001788; P_JNJTALC_000003873	1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002468	JNJ 000273032		1

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	New York State Talc Study	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Memorandum between counsel and client seeking legal advice regarding talc litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000273032-JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Attorney-Client Privilege; Work Product	New York State Talc Study	Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	6/13/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Attorney-Client Privilege; Work Product	New York State Talc Study	Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	6/13/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Attorney-Client Privilege; Work Product	New York State Talc Study	Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	6/13/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Attorney-Client Privilege; Work Product	New York State Talc Study	Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	6/13/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Attorney-Client Privilege; Work Product	New York State Talc Study	Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	6/15/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Attorney-Client Privilege; Work Product	New York State Talc Study	Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	6/15/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Attorney-Client Privilege; Work Product	New York State Talc Study	Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	6/15/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/25/1983	Roger N. Miller	Edward P. Leibensperger *; George Lee; John N. Beidler *		Attorney-Client Privilege; Work Product	New York State Talc Study	Letter from client to counsel providing information to inform legal advice regarding anticipated litigation.	6/15/2018	P_JNJTALC_000002468	JNJ 000273032		1
3/29/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Letter between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003874	JNJTALC000688082		2
3/29/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Letter between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003874	JNJTALC000688082		2
3/29/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee; Joseph Blute*	Letter between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000516	JNJTALC000688082	P_JNJTALC_000003874	2
3/31/1983	George Lee	Edward P. Leibensperger *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001782			1
3/31/1983	George Lee	Edward P. Leibensperger *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001783			1
3/31/1983	George Lee	Edward P. Leibensperger *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001784			2
3/31/1983	George Lee	Edward P. Leibensperger *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001785			6
3/31/1983	George Lee	Edward P. Leibensperger *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001786			2
3/31/1983	George Lee	Edward P. Leibensperger *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001787			1
3/31/1983	George Lee	Edward P. Leibensperger*		Memorandum with attachments between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000514	JNJTALC000480612	P_JNJTALC_000001781; P_JNJTALC_000002484; P_JNJTALC_000003605	2
3/31/1983	George Lee	Edward P. Leibensperger *		Memorandum with attachments between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001781			2
3/31/1983	George Lee	Edward P. Leibensperger *		Memorandum with attachments between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002484	JNJTALC000480612		2
3/31/1983	George Lee	Edward P. Leibensperger *		Memorandum with attachments between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002484	JNJTALC000480612		2
3/31/1983	George Lee	Edward P. Leibensperger *		Memorandum with attachments between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002484	JNJTALC000480612		2
3/31/1983	George Lee	Edward P. Leibensperger *		Memorandum with attachments between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002484	JNJTALC000480612		2
3/31/1983	George Lee	Edward P. Leibensperger *		Memorandum with attachments between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002484	JNJTALC000480612		2
3/31/1983	George Lee	Edward P. Leibensperger *		Memorandum with attachments between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002484	JNJTALC000480612		2
3/31/1983	George Lee	Edward P. Leibensperger *		Attorney-Client Privilege; Work Product		Memorandum with attachments between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/18/2018	P_JNJTALC_000003605	JNJTALC000480612		2
3/31/1983	George Lee	Edward P. Leibensperger *		Attorney-Client Privilege; Work Product	N/A	Memorandum with attachments between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000002484	JNJTALC000480612		2
3/31/1983	George Lee	Edward P. Leibensperger *		Attorney-Client Privilege; Work Product	N/A	Memorandum with attachments between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000002484	JNJTALC000480612		2

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
4/4/1983	George Lee	Edward P. Leibensperger*		Letter between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000513		P_JNJTALC_000003872	1
4/4/1983	George Lee	Edward P. Leibensperger *		Letter between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall vs. Whittaker, Clark & Daniels, Inc et al	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003872			1
4/4/1983	George Lee	Edward P. Leibensperger *		Letter between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall vs. Whittaker, Clark & Daniels, Inc et al	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003872			1
4/11/1983	Dr. Fred Pooley	Edward P. Leibensperger *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/3/2018	P_JNJTALC_000003864			5
4/11/1983	Dr. Fred Pooley	Edward P. Leibensperger *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/3/2018	P_JNJTALC_000003868			5
4/11/1983	Dr. Fred Pooley	Edward P. Leibensperger *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/3/2018	P_JNJTALC_000003881			5
4/11/1983	Dr. Fred Pooley	Edward P. Leibensperger *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/11/2018	P_JNJTALC_000003864			5
4/11/1983	Dr. Fred Pooley	Edward P. Leibensperger *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/11/2018	P_JNJTALC_000003868			5
4/11/1983	Dr. Fred Pooley	Edward P. Leibensperger *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	7/11/2018	P_JNJTALC_000003881			5
4/11/1983	Dr. Fred Pooley	Edward P. Leibensperger *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	8/6/2018	P_JNJTALC_000004594			5
4/11/1983	Dr. Fred Pooley	Edward P. Leibensperger *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	8/6/2018	P_JNJTALC_000004596			5
4/11/1983	Dr. Fred Pooley	Edward P. Leibensperger *		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	8/6/2018	P_JNJTALC_000004599			5
4/11/1983	Dr. Fred Pooley	Edward P. Leibensperger*		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000505		P_JNJTALC_000003864; P_JNJTALC_000004594	5
4/11/1983	Dr. Fred Pooley	Edward P. Leibensperger*		Letter prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000509		P_JNJTALC_000003868; P_JNJTALC_000004596	5
4/18/1983	George Lee	Edward P. Leibensperger*	John N. Beidler *; Roger N. Miller	Letter between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000512		P_JNJTALC_000003871	1
4/18/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Letter between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall vs. Whittaker, Clark & Daniels et al	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003871			1
4/18/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Letter between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall vs. Whittaker, Clark & Daniels et al	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003871			1
4/25/1983	George Lee	Edward P. Leibensperger *	Benjamin (Ben) M. Deavenport; Roger N. Miller; John N. Beidler *	Attachment between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003870			2
4/25/1983	George Lee	Edward P. Leibensperger *	Benjamin (Ben) M. Deavenport; Roger N. Miller; John N. Beidler *	Attachment between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003870			2
4/25/1983	George Lee	Edward P. Leibensperger*	Benjamin (Ben) M. Deavenport; Roger N. Miller; John N. Beidler*	Attachment between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000511		P_JNJTALC_000003870	2
4/25/1983	George Lee	Edward P. Leibensperger*	Benjamin (Ben) M. Deavenport; Roger N. Miller; John N. Beidler*	Letter with attachment between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000510		P_JNJTALC_000003869	1
4/25/1983	George Lee	Edward P. Leibensperger *	Benjamin (Ben) M. Deavenport; Roger N. Miller; John N. Beidler *	Letter with attachment between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Wesfall vs. Whittaker et al	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003869			1
4/25/1983	George Lee	Edward P. Leibensperger *	Benjamin (Ben) M. Deavenport; Roger N. Miller; John N. Beidler *	Letter with attachment between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Wesfall vs. Whittaker et al	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003869			1
4/29/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels, et al	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003866	JNJTALC000688079		1
4/29/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003867	JNJTALC000688080		2
4/29/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels, et al	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003866	JNJTALC000688079		1
4/29/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003867	JNJTALC000688080		2
4/29/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee; Joseph Blute*	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000507	JNJTALC000688079	P_JNJTALC_000003865	1
4/29/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee; Joseph Blute*	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000508	JNJTALC000688080	P_JNJTALC_000003867	2
5/8/1983	Roger N. Miller	Edward P. Leibensperger*; John N. Beidler*; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000500	JNJTALC000688017	P_JNJTALC_000003859	1

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ROA 0389

Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
5/8/1983	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit – Request for Admissions	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003859	JNJTALC000688017		1
5/8/1983	Roger N. Miller	Edward P. Leibensperger *; John N. Beidler *; George Lee		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Lawsuit – Request for Admissions	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003859	JNJTALC000688017		1
5/18/1983	Edward P. Leibensperger *	Dr. Fred Pooley	John N. Beidler *; Roger N. Miller; George Lee	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals, Inc. et al	Work Product	7/3/2018	P_JNJTALC_000003865			1
5/18/1983	Edward P. Leibensperger *	Dr. Fred Pooley	John N. Beidler *; Roger N. Miller; George Lee	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals, Inc. et al	Work Product	7/11/2018	P_JNJTALC_000003865			1
5/18/1983	Edward P. Leibensperger *	Dr. Fred Pooley	John N. Beidler *; Roger N. Miller; George Lee	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals, Inc. et al	Work Product	8/6/2018	P_JNJTALC_000004595			1
5/18/1983	Edward P. Leibensperger *	John N. Beidler *	George Lee; Roger N. Miller	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals, Inc. et al	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003863	JNJTALC000688033		2
5/18/1983	Edward P. Leibensperger *	John N. Beidler *	George Lee; Roger N. Miller	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals, Inc. et al	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003863	JNJTALC000688033		2
5/18/1983	Edward P. Leibensperger *	John N. Beidler *	George Lee; Roger N. Miller	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Windsor Minerals, Inc. et al	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004593	JNJTALC000688033		2
5/18/1983	Edward P. Leibensperger*	Dr. Fred Pooley	John N. Beidler*; Roger N. Miller; George Lee	Letter prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000506		P_JNJTALC_000003865; P_JNJTALC_000004595	1
5/18/1983	Edward P. Leibensperger*	John N. Beidler*	George Lee; Roger N. Miller	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000504	JNJTALC000688033	P_JNJTALC_000003863; P_JNJTALC_000004593	2
5/27/1983	Edward P. Leibensperger *	John Beidler *	Roger N. Miller; George Lee, Joseph G. Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Wetfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002483	JNJTALC000668869		2
5/27/1983	Edward P. Leibensperger *	John Beidler *	Roger N. Miller; George Lee, Joseph G. Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Wetfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002483	JNJTALC000668869		2
5/27/1983	Edward P. Leibensperger *	John Beidler *	Roger N. Miller; George Lee, Joseph G. Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Wetfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002483	JNJTALC000668869		2
5/27/1983	Edward P. Leibensperger *	John Beidler *	Roger N. Miller; George Lee, Joseph G. Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Wetfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002483	JNJTALC000668869		2
5/27/1983	Edward P. Leibensperger *	John Beidler *	Roger N. Miller; George Lee, Joseph G. Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Wetfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003862	JNJTALC000668869		2
5/27/1983	Edward P. Leibensperger *	John Beidler *	Roger N. Miller; George Lee, Joseph G. Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Wetfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003862	JNJTALC000668869		2
5/27/1983	Edward P. Leibensperger *	John Beidler *	Roger N. Miller; George Lee, Joseph G. Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Wetfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002483	JNJTALC000668869		2
5/27/1983	Edward P. Leibensperger *	John Beidler *	Roger N. Miller; George Lee, Joseph G. Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Wetfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002483	JNJTALC000668869		2
5/27/1983	Edward P. Leibensperger *	John Beidler *	Roger N. Miller; George Lee, Joseph G. Blute *	Attorney-Client Privilege; Work Product	Wetfall v. Whittaker, Clark & Daniels	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000002483	JNJTALC000668869		2
5/27/1983	Edward P. Leibensperger *	John Beidler *	Roger N. Miller; George Lee, Joseph G. Blute *	Attorney-Client Privilege; Work Product	Wetfall v. Whittaker, Clark & Daniels	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000002483	JNJTALC000668869		2
5/27/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee, Joseph G. Blute*	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000503	JNJTALC000668869	P_JNJTALC_000002483; P_JNJTALC_000003862	2
6/6/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003861			1
6/6/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003861			1
6/6/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee; Joseph Blute*	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000502		P_JNJTALC_000003861	1
6/8/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003860	JNJTALC000688027		1
6/8/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003860	JNJTALC000688027		1
6/8/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee; Joseph Blute*	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000501	JNJTALC000688027	P_JNJTALC_000003860	1
6/22/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003856	JNJTALC000687934		1
6/22/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003856	JNJTALC000687934		1

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
6/22/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004592	JNJTALC000687934		1
6/22/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003855	JNJTALC000687933		2
6/22/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003855	JNJTALC000687933		2
6/22/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; George Lee; Joseph Blute *	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004591	JNJTALC000687933		2
6/22/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee; Joseph Blute*	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000497	JNJTALC000687934	P_JNJTALC_000003856; P_JNJTALC_000004592	1
6/22/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; George Lee; Joseph Blute*	Memorandum with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000496	JNJTALC000687933	P_JNJTALC_000003855; P_JNJTALC_000004591	2
7/11/1983	David C. Zajac	Steven P. Berman *		Memorandum between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.	Talcum Based Dusting Body Powder Improved Absorbency Project #7322	Attorney-Client Privilege	6/12/2018	P_JNJTALC_000002534	JNJ 000293286		3
7/11/1983	David C. Zajac	Steven P. Berman *		Memorandum between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.	Talcum Based Dusting Body Powder Improved Absorbency Project #7322	Attorney-Client Privilege	6/18/2018	P_JNJTALC_000002534	JNJ 000293286		3
7/11/1983	David C. Zajac	Steven P. Berman *		Memorandum between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.	Talcum Based Dusting Body Powder Improved Absorbency Project #7322	Attorney-Client Privilege	6/21/2018	P_JNJTALC_000002534	JNJ 000293286		3
7/11/1983	David C. Zajac	Steven P. Berman *		Memorandum between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.	Talcum Based Dusting Body Powder Improved Absorbency Project #7322	Attorney-Client Privilege	6/26/2018	P_JNJTALC_000002534	JNJ 000293286		3
7/11/1983	David C. Zajac	Steven P. Berman *		Memorandum between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.	Talcum Based Dusting Body Powder Improved Absorbency Project #7322	Attorney-Client Privilege	7/3/2018	P_JNJTALC_000002534	JNJ 000293286		3
7/11/1983	David C. Zajac	Steven P. Berman *		Memorandum between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.	Talcum Based Dusting Body Powder Improved Absorbency Project #7322	Attorney-Client Privilege	7/11/2018	P_JNJTALC_000002534	JNJ 000293286		3
7/11/1983	David C. Zajac	Steven P. Berman*		Memorandum between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.		Attorney-Client Privilege	12/20/2018	P2_JNJTALC_000000655	JNJ 000293286	P_JNJTALC_000002534	
7/11/1983	David C. Zajac	Steven P. Berman *		Memorandum between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.	Talcum Based Dusting Body Powder Improved Absorbency Project #7322	Attorney-Client Privilege	6/12/2018 (2)	P_JNJTALC_000002534	JNJ 000293286		3
7/11/1983	David C. Zajac	Steven P. Berman *		Memorandum between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.	Talcum Based Dusting Body Powder Improved Absorbency Project #7322	Attorney-Client Privilege	6/12/2018 (3)	P_JNJTALC_000002534	JNJ 000293286		3
7/11/1983	David C. Zajac	Steven P. Berman *		Memorandum between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.	Talcum Based Dusting Body Powder Improved Absorbency Project #7322	Attorney-Client Privilege	7/11/2018 (2)	P_JNJTALC_000002534	JNJ 000293286		3
7/11/1983	David C. Zajac	Steven P. Berman *		Attorney-Client Privilege	Talcum Based Dusting Body Powder Improved Absorbency Project #7322	Memorandum between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.	8/13/2018	P_JNJTALC_000002534	JNJ 000293286		3
7/11/1983	David C. Zajac	Steven P. Berman *		Attorney-Client Privilege	Talcum Based Dusting Body Powder Improved Absorbency Project #7322	Memorandum between counsel and client necessary for counsel to provide legal advice regarding ongoing talc litigation.	6/15/2018	P_JNJTALC_000002534	JNJ 000293286		3
8/9/1983	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000499	JNJTALC000687947	P_JNJTALC_000003858	1
8/9/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Suit	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003858	JNJTALC000687947		1
8/9/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Suit	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003858	JNJTALC000687947		1
8/11/1983	George Lee	Edward P. Leibensperger*	John N. Beidler*; Roger N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000498		P_JNJTALC_000003857	1
8/11/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Suit	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003857			1
8/11/1983	George Lee	Edward P. Leibensperger *	John N. Beidler *; Roger N. Miller	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	Westfall Suit	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003857			1
9/8/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; Howard Johanson; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels, et al	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003854	JNJTALC000687898		1
9/8/1983	Edward P. Leibensperger *	John N. Beidler *	Roger N. Miller; Howard Johanson; George Lee; Joseph Blute *	Memorandum between counsel and client providing legal advice prepared pursuant to pending and anticipated litigation regarding talc litigation.	Westfall v. Whittaker, Clark & Daniels, et al	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003854	JNJTALC000687898		1
9/8/1983	Edward P. Leibensperger*	John N. Beidler*	Roger N. Miller; Howard Johanson; George Lee; Joseph Blute*	Memorandum between counsel and client providing legal advice prepared pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000495	JNJTALC000687898	P_JNJTALC_000003854	1
12/7/1983	Lynn Schneider *	Tom Pulliam *; Ken Conour *		Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	[REDACTED]	Work Product	1/18/2018	P_JNJTALC_000000030			4
12/7/1983	Lynn Schneider*	Tom Pulliam*; Kenneth P. Conour*		Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000001190		P_JNJTALC_000000030	4
3/15/1984	John Beidler *	James Molnar	B.M. Deavenport	Memorandum between counsel and client prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products Company	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000003651	JNJTALC000471690		1
3/15/1984	John Beidler *	James Molnar	B.M. Deavenport	Attorney-Client Privilege; Work Product	Gambino v. Johnson & Johnson Baby Products Company	Memorandum between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	6/15/2018	P_JNJTALC_000003651	JNJTALC000471690		1

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of pgs
3/15/1984	John N. Beidler*	James A. Molnar	Benjamin M. Deavenport	Memorandum between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001091	JNJTALC000471690	P_JNJTALC_000002681; P_JNJTALC_000003561; P_JNJTALC_000003651; P_JNJTALC_000004915	1
4/17/1984	James A. Molnar	John Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared in anticipation of litigation regarding Johnson's Baby Powder litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001794			2
4/17/1984	James A. Molnar	John Beidler*		Memorandum between counsel and client prepared at request of counsel pursuant to pending Gambino litigation.	Gambino Interrogatories	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000064423-JNJ000064424		2
4/17/1984	James A. Molnar	John N. Beidler *		Memorandum between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001411			2
4/17/1984	James A. Molnar	John N. Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	6/11/2018	P_JNJTALC_000003337			2
4/17/1984	James A. Molnar	John N. Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000003337			2
4/17/1984	James A. Molnar	John N. Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000003337			2
4/17/1984	James A. Molnar	John N. Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000003337			2
4/17/1984	James A. Molnar	John N. Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000003337			2
4/17/1984	James A. Molnar	John N. Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003337			2
4/17/1984	James A. Molnar	John N. Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003337			2
4/17/1984	James A. Molnar	John Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001678			2
4/17/1984	James A. Molnar	John N. Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000003337			2
4/17/1984	James A. Molnar	John N. Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000003337			2
4/17/1984	James A. Molnar	John N. Beidler *		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000003337			2
4/17/1984	James A. Molnar	John N. Beidler *		Attorney-Client Privilege; Work Product	N/A	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	6/13/2018	P_JNJTALC_000003337			2
4/17/1984	James A. Molnar	John N. Beidler *		Attorney-Client Privilege; Work Product	N/A	Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	6/15/2018	P_JNJTALC_000003337			2
8/9/1984	Donald F. Jones	John Beidler*	W. Ashton; J. Molnar; B.Semple	Memorandum between counsel and client prepared at request of counsel pursuant to pending Gambino litigation.	Gambino v. J & J -- Johnson's Baby Powder Production	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000064426-JNJ000064426		1
8/9/1984	Donald F. Jones	John Beidler*	W. Ashton; J. Molnar; B.Semple	Memorandum between counsel and client prepared at request of counsel pursuant to pending Gambino litigation.	Gambino v. J & J -- Johnson's Baby Powder Production	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000064685-JNJ000064685		1
8/9/1984	Donald F. Jones	John Beidler*	W. Ashton; J. Molnar; B.Semple	Memorandum between counsel and client prepared at request of counsel pursuant to pending Gambino litigation.	Gambino v. J & J -- Johnson's Baby Powder Production	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000065219-JNJ000065219		1
8/9/1984	Donald F. Jones	John Beidler*	W. Ashton; J. Molnar; B.Semple	Memorandum between counsel and client prepared at request of counsel pursuant to pending Gambino litigation.	Gambino v. J & J -- Johnson's Baby Powder Production	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000065331-JNJ000065331		1
8/9/1984	Donald F. Jones	John N. Beidler*	William H. Ashton; James A. Molnar; B. Semple	Memorandum between counsel and client prepared at request of counsel pursuant to pending Gambino litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000953	JNJ 000064426		1
8/9/1984	Donald F. Jones	John N. Beidler*	William H. Ashton; James A. Molnar; B. Semple	Memorandum between counsel and client prepared at request of counsel pursuant to pending Gambino litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001218	JNJ 000065219		1
8/9/1984	Donald F. Jones	John N. Beidler*		Memorandum between counsel and client providing information in order to obtain legal advice prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001092	JNJTALC000471709	P_JNJTALC_000002682; P_JNJTALC_000003562; P_JNJTALC_000004916	1
8/9/1984	Donald Jones	John Beidler *	W. Ashton; J. Molnar; B. Semple	Memorandum between counsel and client prepared pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson [REDACTED]	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000003562	JNJTALC000471709		1
9/10/1984	W. Ashton	Donald F. Jones		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001451	JNJTALC000224337		1
9/10/1984	W. Ashton	Donald F. Jones		Memorandum prepared at the request of counsel regarding pending and anticipated talc litigation.	Talc Franchise / Ritter v. Cyprus	Work Product	6/1/2018	P_JNJTALC_000002282	JNJTALC000224337		1

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
9/10/1984	William Ashton	Donald F. Jones		Memorandum among company personnel prepared pursuant to pending litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000000449			1
9/10/1984	William H. Ashton	Donald F. Jones		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	6/12/2018	P_JNJTALC_000003554	JNJTALC000224337		1
9/10/1984	William H. Ashton	Donald F. Jones		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	6/18/2018	P_JNJTALC_000003554	JNJTALC000224337		1
9/10/1984	William H. Ashton	Donald F. Jones		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	PZ_JNJTALC_000003990	JNJTALC000224337	P_JNJTALC_000001451; P_JNJTALC_000002282; P_JNJTALC_000003554	1
9/10/1984	William H. Ashton	Donald F. Jones		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	6/12/2018 (2)	P_JNJTALC_000003554	JNJTALC000224337		1
9/10/1984	William H. Ashton	Donald F. Jones		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	6/12/2018 (3)	P_JNJTALC_000003554	JNJTALC000224337		1
9/10/1984	William H. Ashton	Donald F. Jones		Memorandum prepared in anticipation of litigation regarding Johnson's Baby Powder litigation.		Work Product	12/20/2018	PZ_JNJTALC_000000139		P_JNJTALC_000001593; P_JNJTALC_000000449	1
9/10/1984	William H. Ashton	Donald F. Jones		Memorandum prepared in anticipation of litigation regarding Johnson's Baby Powder litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001593			1
9/10/1984	William H. Ashton	Donald F. Jones		Work Product		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000003554	JNJTALC000224337		1
9/10/1984	William H. Ashton	Donald F. Jones		Work Product		Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000003554	JNJTALC000224337		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/11/2018	P_JNJTALC_000002679	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/11/2018	P_JNJTALC_000002723	JNJTALC000589791		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002679	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002723	JNJTALC000589791		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002679	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002723	JNJTALC000589791		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002679	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002723	JNJTALC000589791		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002679	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002723	JNJTALC000589791		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000002679	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000002723	JNJTALC000589791		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000002679	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000002723	JNJTALC000589791		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002679	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002723	JNJTALC000589791		1

1971 and forward dates only
Sorted by Date then Author

ELECTRONICALLY FILED 2022-08-04 07:11:09 PM -- CIRCUIT COURT OF COOK COUNTY, ILLINOIS -- 2022-L-000946

Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002679	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002723	JNJTALC000589791		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002679	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002723	JNJTALC000589791		1
4/26/1985	Michael Furey *	Bruce Semple		Attorney-Client Privilege; Work Product	Gambino v. Johnson & Johnson Baby Products	Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	6/13/2018	P_JNJTALC_000003620	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Attorney-Client Privilege; Work Product	Gambino v. Johnson & Johnson Baby Products	Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	6/13/2018	P_JNJTALC_000002679	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Attorney-Client Privilege; Work Product	Gambino v. Johnson & Johnson Baby Products	Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	6/13/2018	P_JNJTALC_000002723	JNJTALC000589791		1
4/26/1985	Michael Furey *	Bruce Semple		Attorney-Client Privilege; Work Product	Gambino v. Johnson & Johnson Baby Products	Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	6/15/2018	P_JNJTALC_000002679	JNJTALC000481241		1
4/26/1985	Michael Furey *	Bruce Semple		Attorney-Client Privilege; Work Product	Gambino v. Johnson & Johnson Baby Products	Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	6/15/2018	P_JNJTALC_000002723	JNJTALC000589791		1
4/26/1985	Michael K. Furey *	Bruce Semple		Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001860			1
4/26/1985	Michael K. Furey *	Bruce Semple		Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002547	JNJTALC000589684		1
4/26/1985	Michael K. Furey *	Bruce Semple		Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002547	JNJTALC000589684		1
4/26/1985	Michael K. Furey *	Bruce Semple		Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002547	JNJTALC000589684		1
4/26/1985	Michael K. Furey *	Bruce Semple		Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002547	JNJTALC000589684		1
4/26/1985	Michael K. Furey *	Bruce Semple		Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000002547	JNJTALC000588684		1
4/26/1985	Michael K. Furey *	Bruce Semple		Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000002547	JNJTALC000588684		1
4/26/1985	Michael K. Furey *	Bruce Semple		Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002547	JNJTALC000588684		1
4/26/1985	Michael K. Furey *	Bruce Semple		Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002547	JNJTALC000588684		1
4/26/1985	Michael K. Furey *	Bruce Semple		Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002547	JNJTALC000588684		1
4/26/1985	Michael K. Furey *	Bruce Semple		Attorney-Client Privilege; Work Product	N/A	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000002547	JNJTALC000588684		1
4/26/1985	Michael K. Furey *	Bruce Semple		Attorney-Client Privilege; Work Product	N/A	Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000002547	JNJTALC000588684		1
4/26/1985	Michael K. Furey*	Bruce Semple		Memorandum between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000691	JNJTALC000588684	P_JNJTALC_000001860; P_JNJTALC_000002547	1
4/26/1985	Michael K. Furey*	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001089	JNJTALC000481241	P_JNJTALC_000002679; P_JNJTALC_000003620	1
4/26/1985	Michael K. Furey*	Bruce Semple		Memorandum with attachment between counsel and client seeking information in order to provide legal advice prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001319	JNJTALC000589791	P_JNJTALC_000002723	1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	4/28/2017		JNJ000064714-JNJ000064714		1
4/29/1985	Bruce Semple	Michael K. Furey*	John N. Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001088	JNJ 000064714	P_JNJTALC_000002673; P_JNJTALC_000004619	1

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ELECTRONICALLY FILED 2/20/2019 9:23 PM -- CHARLESTON COUNTY, SOUTH CAROLINA 2019 FEB 20 P 4:39

Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/11/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/11/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004619	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Letter from client to counsel prepared pursuant to pending Gambino litigation.	Gambino v. Johnson & Johnson Baby Products	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Attorney-Client Privilege; Work Product	Gambino v. Johnson & Johnson Baby Products	Letter from client to counsel prepared pursuant to pending Gambino litigation.	6/13/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Attorney-Client Privilege; Work Product	Gambino v. Johnson & Johnson Baby Products	Letter from client to counsel prepared pursuant to pending Gambino litigation.	6/13/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Attorney-Client Privilege; Work Product	Gambino v. Johnson & Johnson Baby Products	Letter from client to counsel prepared pursuant to pending Gambino litigation.	6/15/2018	P_JNJTALC_000002678	JNJ 000064714		1
4/29/1985	Bruce Semple	Michael Furey*	John Beidler*	Attorney-Client Privilege; Work Product	Gambino v. Johnson & Johnson Baby Products	Letter from client to counsel prepared pursuant to pending Gambino litigation.	6/15/2018	P_JNJTALC_000002678	JNJ 000064714		1
2/27/1987	M. Gross	A. J. Huetteman; B Curtiss; H L Pine; M R Gross; Phyllis D Wolfe	Christine Litwornia*; D Jones	Attachment between counsel and client seeking legal advice prepared pursuant to pending and anticipated litigation regarding Shower to Shower litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000003901		P_JNJTALC_000004544	4
2/27/1987	M. Gross	A. J. Huetteman; B Curtiss; H L Pine; M R Gross; Phyllis D Wolfe	Christine Litwornia*; D Jones	Memorandum with attachment between counsel and client seeking legal advice prepared pursuant to pending and anticipated litigation regarding Shower to Shower litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000003900		P_JNJTALC_000004543	1
2/27/1987	M. Gross	A J Huetteman; B Curtiss; H L Pine; M R Gross; Phyllis D Wolfe	Christine Litwornia *; D Jones	Attorney-Client Privilege; Work Product		Memorandum with attachment between counsel and client seeking legal advice prepared pursuant to pending and anticipated litigation regarding Shower to Shower litigation.	6/11/2018	P_JNJTALC_000004543			1
2/27/1987	M. Gross	A J Huetteman; B Curtiss; H L Pine; M R Gross; Phyllis D Wolfe	Christine Litwornia *; D Jones	Attorney-Client Privilege; Work Product		Attachment between counsel and client seeking legal advice prepared pursuant to pending and anticipated litigation regarding Shower to Shower litigation.	6/11/2018	P_JNJTALC_000004544			4
12/17/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Attorney-Client Privilege; Work Product	Windsor Mineral litigation - Roger Miller	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000003618	JNJTALC000481234		6
12/27/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Windsor Mineral litigation - Roger Miller	Attorney-Client Privilege; Work Product	6/11/2018	P_JNJTALC_000002663	JNJTALC000481234		6
12/27/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Windsor Mineral litigation - Roger Miller	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002663	JNJTALC000481234		6
12/27/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Windsor Mineral litigation - Roger Miller	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002663	JNJTALC000481234		6
12/27/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Windsor Mineral litigation - Roger Miller	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002663	JNJTALC000481234		6
12/27/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Windsor Mineral litigation - Roger Miller	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002663	JNJTALC000481234		6
12/27/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Windsor Mineral litigation - Roger Miller	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000002663	JNJTALC000481234		6
12/27/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Windsor Mineral litigation - Roger Miller	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000002663	JNJTALC000481234		6

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
12/27/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Windsor Mineral litigation - Roger Miller	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002663	JNJTALC000481234		6
12/27/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Windsor Mineral litigation - Roger Miller	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002663	JNJTALC000481234		6
12/27/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Windsor Mineral litigation - Roger Miller	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002663	JNJTALC000481234		6
12/27/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Attorney-Client Privilege; Work Product	Windsor Mineral litigation - Roger Miller	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000002663	JNJTALC000481234		6
12/27/1988	John O'Shaughnessy *	File	R. E. Christiansen *	Attorney-Client Privilege; Work Product	Windsor Mineral litigation - Roger Miller	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000002663	JNJTALC000481234		6
12/27/1988	John O'Shaughnessy*	File	R. E. Christiansen*	Memorandum among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000001060	JNJTALC000481234	P_JNJTALC_000002663; P_JNJTALC_000003618	6
4/4/1989	Ira J. Dembrow*	John O'Shaughnessy*	Howard Sloane*; Eric Samer*	Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000374		P_JNJTALC_000004873	6
4/4/1989	Ira J. Dembrow*	John O'Shaughnessy*	Howard Sloane*; Eric Samer*	Letter with attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000373		P_JNJTALC_000004872	2
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard Talc - Johnson Mine	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard Talc - Johnson Mine	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard Talc - Johnson Mine	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard Talc - Johnson Mine	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard Talc - Johnson Mine	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard Talc - Johnson Mine	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard Talc - Johnson Mine	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard Talc - Johnson Mine	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard Talc - Johnson Mine	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard Talc - Johnson Mine	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard Talc - Johnson Mine	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard Talc - Johnson Mine	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy*	B. Semple	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000372		P_JNJTALC_000002443; P_JNJTALC_000002442	1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Attorney-Client Privilege; Work Product	Engelhard Talc - Johnson Mine	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Attorney-Client Privilege; Work Product	Engelhard Talc - Johnson Mine	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Attorney-Client Privilege; Work Product	Engelhard Talc - Johnson Mine	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000002443			1
4/19/1989	William H. Ashton	John O'Shaughnessy *	B. Semple	Attorney-Client Privilege; Work Product	Engelhard Talc - Johnson Mine	Memorandum between counsel and client seeking prepared pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000002443			1
5/5/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *; Howard G. Sloane *	Attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000223310-JNJ 000223310		8
5/5/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *; Howard G. Sloane *	Attachment prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	8/6/2018	P_JNJTALC_000004575			1
5/5/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *; Howard G. Sloane *	Attachment prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001743			1
5/5/1989	Ira J. Dembrow *	William Ashton	John O'Shaughnessy *; Howard G. Sloane *	Letter between counsel regarding ongoing talc litigation.	Engelhard - Talc	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004605	JNJTALC000480998		1
5/5/1989	Ira J. Dembrow *	William H. Ashton		Memorandum prepared by counsel pursuant to pending and anticipated litigation prepared by counsel pursuant to pending and anticipated talc litigation.	N/A	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004563	JNJTALC000651215		1
5/5/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *, Howard G. Sloane *	Memorandum with attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000223309-JNJ 000223309		1

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Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
5/5/1989	Ira J. Dembrow *	William H. Ashton		Memorandum with attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Engelhard-Talc	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002344	JNJ 000223309		1
5/5/1989	Ira J. Dembrow *	William H. Ashton		Memorandum with attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	Engelhard-Talc	Attorney-Client Privilege; Work Product	8/6/2018	F_JNJTALC_000004554	JNJ 000223309		1
5/5/1989	Ira J. Dembrow *	William H. Ashton	Howard G. Sloane *; John O'Shaughnessy *	Note prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000324748-JNJ 000324748		1
5/5/1989	Ira J. Dembrow *	William Ashton	John O'Shaughnessy *; Howard G. Sloane *	Attorney-Client Privilege; Work Product	Engelhard - Talc	Letter between counsel regarding ongoing talc litigation.	6/13/2018	P_JNJTALC_000003614	JNJTALC000480998		1
5/5/1989	Ira J. Dembrow *	William Ashton	John O'Shaughnessy *; Howard G. Sloane *			Attachment between counsel and client regarding ongoing talc litigation.	6/13/2018	P_JNJTALC_000003622	JNJTALC000481263		8
5/5/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*; Howard G. Sloane*	Attachment prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000337		P_JNJTALC_000001743; P_JNJTALC_000004575	1
5/5/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*; Howard G. Sloane*	Letter between counsel regarding ongoing talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000759	JNJTALC000480998	P_JNJTALC_000002561; P_JNJTALC_000003614; P_JNJTALC_000004605	1
5/5/1989	Ira J. Dembrow*	William H. Ashton		Memorandum prepared by counsel pursuant to pending and anticipated litigation prepared by counsel pursuant to pending and anticipated talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000208	JNJTALC000651215	P_JNJTALC_000002377; P_JNJTALC_000004563	1
5/5/1989	Ira J. Dembrow*	William H. Ashton	Howard Sloane*; John O'Shaughnessy*	Memorandum with attachment from counsel to client providing legal advice regarding expert in connection with ongoing and anticipated Johnson's Baby Powder litigation.		Work Product	12/20/2018	P2_JNJTALC_000001097	JNJ 000324748	P_JNJTALC_000001891; P_JNJTALC_000004621	
5/5/1989	Ira J. Dembrow*	William H. Ashton		Memorandum with attachment prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000099	JNJ 000223309	P_JNJTALC_000002344; P_JNJTALC_000004554	1
5/8/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *; Howard G. Sloane *	Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001744			8
5/8/1989	William H. Ashton	Ira J. Dembrow*	John O'Shaughnessy*; Bruce Semple	Memorandum with attachments prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000335		P_JNJTALC_000001742	1
5/8/1989	William H. Ashton	Ira J. Dembrow *	John O'Shaughnessy *; Bruce Semple	Memorandum with attachments prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001742			1
5/9/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *; Harold G. Slone *	Attachment prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001892			8
5/9/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *; Harold G. Slone *	Memorandum with attachment prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	[REDACTED]	Work Product	8/6/2018	P_JNJTALC_000004621	JNJ 000324748		1
5/9/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *; Harold G. Slone *	Memorandum with attachment prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	[REDACTED]	Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001891			1
5/18/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002346	JNJTALC000668586		8
5/18/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002346	JNJTALC000668586		8
5/18/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002346	JNJTALC000668586		8
5/18/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003788	JNJTALC000668586		8
5/18/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004556	JNJTALC000668586		8
5/18/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *	Attachment prepared by counsel pursuant to pending and anticipated litigation prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002347	JNJTALC000668587		38
5/18/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *	Attachment prepared by counsel pursuant to pending and anticipated litigation prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002347	JNJTALC000668587		38
5/18/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *	Attachment prepared by counsel pursuant to pending and anticipated litigation prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003789	JNJTALC000668587		38
5/18/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *	Attachment prepared by counsel pursuant to pending and anticipated litigation prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	N/A	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004557	JNJTALC000668587		38
5/18/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *	Letter with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard - Talc	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002345	JNJTALC000668585		1
5/18/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *	Letter with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard - Talc	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003787	JNJTALC000668585		1
5/18/1989	Ira J. Dembrow *	William H. Ashton	John O'Shaughnessy *	Letter with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	Engelhard - Talc	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004555	JNJTALC000668585		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000101	JNJTALC000668586	P_JNJTALC_000002346; P_JNJTALC_000003788; P_JNJTALC_000004556	8
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Attachment prepared by counsel pursuant to pending and anticipated litigation prepared by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000102	JNJTALC000668587	P_JNJTALC_000002347; P_JNJTALC_000003789; P_JNJTALC_000004557	38
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Letter with attachment between counsel and client providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000100	JNJTALC000668585	P_JNJTALC_000002345; P_JNJTALC_000003787; P_JNJTALC_000004555	1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000761	JNJTALC000297770	P_JNJTALC_000000487; P_JNJTALC_000002563; P_JNJTALC_000003882; P_JNJTALC_000004607	1

RDA 03896

1921 and forward dates only
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ELECTRONICALLY FILED 2022-04-21 09:23 PM -- CHARLESTON COUNTY, SOUTH CAROLINA 2022DP1000394

Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000000487	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/11/2018	P_JNJTALC_000002563	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002563	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002563	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002563	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002563	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000003882	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000002563	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000003882	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000002563	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	8/6/2018	P_JNJTALC_000004607	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002563	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002563	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002563	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Attorney-Client Privilege; Work Product	N/A	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000002563	JNJTALC000297770		1
5/18/1989	Ira J. Dembrow*	William H. Ashton	John O'Shaughnessy*	Attorney-Client Privilege; Work Product	N/A	Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000002563	JNJTALC000297770		1
12/29/1989	Lynn Schneider *	Tom Pulliam *; Chuck Preuss *		Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	[REDACTED]	Work Product	1/18/2018	P_JNJTALC_000000032			1
12/29/1989	Lynn Schneider*	Tom Pulliam*; Chuck Preuss*		Memorandum prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000001192		P_JNJTALC_000000032	1
3/1/1990	John O'Shaughnessy	Ira Dembow *	W. Ashton; B. Semple	Letter between counsel and client seeking and providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	EMTC litigation	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002442	JNJTALC000543437		3
3/1/1990	John O'Shaughnessy	Ira Dembow *	W. Ashton; B. Semple	Letter between counsel and client seeking and providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	EMTC litigation	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002442	JNJTALC000543437		3
3/1/1990	John O'Shaughnessy	Ira Dembow *	W. Ashton; B. Semple	Letter between counsel and client seeking and providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	EMTC litigation	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002442	JNJTALC000543437		3
3/1/1990	John O'Shaughnessy	Ira Dembow *	W. Ashton; B. Semple	Letter between counsel and client seeking and providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	EMTC litigation	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002442	JNJTALC000543437		3
3/1/1990	John O'Shaughnessy	Ira Dembow *	W. Ashton; B. Semple	Letter between counsel and client seeking and providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	EMTC litigation	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002442	JNJTALC000543437		3
3/1/1990	John O'Shaughnessy	Ira Dembow *	W. Ashton; B. Semple	Letter between counsel and client seeking and providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	EMTC litigation	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002442	JNJTALC000543437		3
3/1/1990	John O'Shaughnessy	Ira J. Dembrow*	William H. Ashton; B. Semple	Letter between counsel and client seeking and providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege; Work Product	12/20/2018	P2_JNJTALC_000000371	JNJTALC000543437	P_JNJTALC_000002442	3
3/1/1990	John O'Shaughnessy	Ira Dembow *	W. Ashton; B. Semple	Attorney-Client Privilege; Work Product	EMTC litigation	Letter between counsel and client seeking and providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/13/2018	P_JNJTALC_000002442	JNJTALC000543437		3
3/1/1990	John O'Shaughnessy	Ira Dembow *	W. Ashton; B. Semple	Attorney-Client Privilege; Work Product	EMTC litigation	Letter between counsel and client seeking and providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	6/15/2018	P_JNJTALC_000002442	JNJTALC000543437		3
5/14/1991	Johnson & Johnson Legal Department *			Memorandum prepared at the request of counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder litigation.	[Redacted]	Attorney-Client and Work Product	11/18/2015		JNJ 000318817-JNJ 000318817		1
5/14/1991				Attachment to letter between counsel (Paul Heyburn*; Jennifer LaMont*; Susan Sherko*) regarding Johnson's Baby Powder in connection with anticipated talc litigation.		Work Product	12/20/2018	P2_JNJTALC_000000993	JNJ 000318817-JNJ 000318817		1
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001796			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000001797			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002524			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002525			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002524			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002525			2

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ELECTRONICALLY FILED 2022-04-07 12:39 PM - CIRCUIT COURT OF COOK COUNTY, IL 2022CH03946

Date	Author/From	Recipients	CC(s)	Privilege Description	Subject	Privilege(s) Claimed	Privilege Log Date	Privilege Log Number	Bates Number	PRIOR Privilege Log Number(s)	# of Pgs
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002524			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002525			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002524			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002525			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000002524			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000002525			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000002524			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018	P_JNJTALC_000002525			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002524			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (2)	P_JNJTALC_000002525			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002524			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018 (3)	P_JNJTALC_000002525			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002524			2
7/9/1992	John O'Shaughnessy *	Alan Joslyn *		Attachment among counsel providing legal advice prepared by counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/11/2018 (2)	P_JNJTALC_000002525			2
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000000485			2
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Work Product	2/2/2018 JNJTALC	P_JNJTALC_000000492			4
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Work Product	6/11/2018	P_JNJTALC_000002571			4
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Work Product	6/12/2018	P_JNJTALC_000002571			4
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Work Product	6/18/2018	P_JNJTALC_000002571			4
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Work Product	6/21/2018	P_JNJTALC_000002571			4
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Work Product	6/26/2018	P_JNJTALC_000002571			4
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Work Product	7/3/2018	P_JNJTALC_000002571			4
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Work Product	7/11/2018	P_JNJTALC_000002571			4
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Work Product	6/12/2018 (2)	P_JNJTALC_000002571			4
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Work Product	6/12/2018 (3)	P_JNJTALC_000002571			4
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Attachment prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Work Product	7/11/2018 (2)	P_JNJTALC_000002571			4
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Memorandum with attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.		Attorney-Client Privilege;Work Product	2/2/2018 JNJTALC	P_JNJTALC_000000491			1
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Memorandum with attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/11/2018	P_JNJTALC_000002570			1
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Memorandum with attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/12/2018	P_JNJTALC_000002570			1
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Memorandum with attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/18/2018	P_JNJTALC_000002570			1
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Memorandum with attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/21/2018	P_JNJTALC_000002570			1
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Memorandum with attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	6/26/2018	P_JNJTALC_000002570			1
7/9/1992	John O'Shaughnessy *	Allen S. Joslyn *		Memorandum with attachment between counsel and client prepared at the request of counsel pursuant to pending and anticipated litigation regarding talc litigation.	N/A	Attorney-Client Privilege; Work Product	7/3/2018	P_JNJTALC_000002570			1

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ELECTRONICALLY FILED 2022-08-04 07:11:09 PM -- CHARLESTON COUNTY, SOUTH CAROLINA 2022CP1000394

EXHIBIT 79

ELECTRONICALLY FILED 2022-08-24 07:11:09 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1007946

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-3095-18 AS
CIVIL ACTION

MARIA FOLEY AND JOSEPH FOLEY, HUSBAND AND WIFE,	:
Plaintiffs,	:
vs.	:
AVON PRODUCTS, INC., et al.,	:
Defendants.	:

(CAPTION CONTINUED ON FOLLOWING PAGE)

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Friday, February 15, 2019

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Oral sworn videotaped deposition of NANCY MUSCO, held at the law offices of Drinker, Biddle & Reath LLP, 105 College Road East, Princeton, New Jersey commencing at 10:11 a.m. before Sharon L. Martin, Registered Professional Reporter, Certified Court Reporter-NJ, Notary Public.

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-600-18 AS
CIVIL ACTION

LISA FRACE, INDIVIDUALLY :
AND AS REPRESENTATIVE OF :
THE ESTATE OF CAROLE :
DICERBO, DECEASED, :
:
Plaintiffs, :
:
vs. :
:
BRENNTAG NORTH AMERICA, et :
al, :
:
Defendants. :

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-4252-18 AS
CIVIL ACTION

VICMAR GATMAITAN, :
INDIVIDUALLY AND AS :
REPRESENTATIVE OF THE :
ESTATE OF MELISSA E. :
ROONEY, DECEASED, :
:
Plaintiffs, :
:
vs. :
:
IMERYS TALC AMERICA, INC., :
et al., :
:
Defendants. :

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-6805-16 AS
CIVIL ACTION

ANITA GRABOWSKI and ALFRED :
GRABOWSKI, HUSBAND and :
WIFE, :
:
Plaintiffs, :
:
vs. :
:
BRENNTAG NORTH AMERICA, et :
al., :
:
Defendants. :

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-2456-18 AS
CIVIL ACTION

ROBERT GREENE, III, :
INDIVIDUALLY AND AS :
ADMINISTRATOR OF THE ESTATE :
OF DEBORAH GREENE BRAKE, :
DECEASED; STEPHEN A. :
BRAKE; AND THE INDIVIDUAL :
HEIRS OF THE ESTATE OF :
DEBORAH GREENE BRAKE, :
:
Plaintiffs, :
:
vs. :
:
BRENNTAG NORTH AMERICA, et :
al., :
:
Defendants. :

(CAPTION CONTINUED ON FOLLOWING PAGE)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-4826-18 AS
CIVIL ACTION

EMMA GRIFFIN AND WALTER :
GRIFFIN, HUSBAND AND WIFE, :
:
Plaintiffs, :
:
vs. :
:
CYPRUS AMAX MINERALS :
COMPANY, et al., :
:
Defendants. :

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-5368-17 AS
CIVIL ACTION

MATTHEW HODJERA and SYLVIA :
DUFF-PETO, :
:
Plaintiffs, :
:
vs. :
:
BORGWARNER MORSE TEC, LLC, :
et al., :
:
Defendants. :

(CAPTION CONTINUED ON FOLLOWING PAGE)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-7049-16 AS
CIVIL ACTION

D'ANGELA M. MCNEILL-GEORGE, :
:
Plaintiff, :
:
vs. :
:
BRENNTAG NORTH AMERICA, et :
al., :
Defendants. :

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-598-18 AS
CIVIL ACTION

LORETTA SELVAGGIO, :
:
Plaintiff, :
:
vs. :
:
BRENNTAG NORTH AMERICA, et :
al., :
:
Defendants. :

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-6635-17 AS
CIVIL ACTION

LEONARD E. WENDOWSKI, SR., :
AND KATHLEEN WENDOWSKI, :
HUSBAND AND WIFE, :
Plaintiff, :
vs. :
IMERYS TALC AMERICA, INC., :
et al., :
Defendants. :

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Thomas Karwacki, The Videotape Operator

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(Exhibit P-1, Letter dated September 13, 2018, Corporate Deposition Notice and Request for Production of Documents, is marked for identification.)

THE VIDEOTAPE OPERATOR: We are now on the record.

This begins videotape number one in the deposition of Nancy Musco in the Matter of the Estate of Maria Foley versus Avon Products, Inc., et al., in the Superior Court of New Jersey, Law Division, Middlesex County, Docket number MID-L-3095-18 AS.

Today is Friday, February 15, 2019 and the time is 10:11 a.m.

This deposition is being taken at 105 College Road East, Princeton, New Jersey at the request of Cohen, Placitella & Roth.

The videographer is Thomas Karwacki of Magna Legal Services.

And the court reporter is Sharon Martin of Magna Legal Services.

Appearance of counsel will be

noted on the stenographic record.

Will the court reporter please swear in the witness?

NANCY MUSCO, having been duly sworn, was examined and testified as follows:

THE VIDEOTAPE OPERATOR: You may proceed.

EXAMINATION

BY MR. C. PLACITELLA:

Q. Good morning, Miss Musco. How are you?

A. Good morning.

Q. We're here together again.

You're here -- last time I took your deposition you were taken as a fact witness in this case; do you recall that?

A. Yes, I do.

Q. And today you understand that you are here testifying not as a fact witness, but on behalf of Johnson & Johnson as their corporate representative, correct?

A. Yes.

Q. Okay.

MR. C. PLACITELLA: Can you please give the witness P-1?

BY MR. C. PLACITELLA:

Q. P-1 is the deposition notice for this case. And if you can go to the notice itself, it asks that Johnson & Johnson produce the representative with the most knowledge concerning discovery responses historically provided by Johnson & Johnson and Windsor Minerals concerning the asbestos content of talc, Johnson's Baby Powder or Shower to Shower sold by Johnson & Johnson, Windsor Minerals or Eastern Magnesia Talc Company.

Do you see that?

A. Yes.

Q. Okay.

A. That's what it says.

Q. Are you that person?

A. Yes, I am.

Q. Okay. And how is it -- why are you the person most qualified to respond to this -- to this -- notice?

MR. BERNARDO: Object to the

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form of the question.
THE WITNESS: In my career with Johnson & Johnson, in the specific time period, I was the person who would be involved in supply -- or helping to supply the answers to said interrogatories.
BY MR. C. PLACITELLA:
Q. Okay. Now, and you understand that you are here to answer questions as Johnson & Johnson, the corporation, not Nancy Musco, correct?
A. Correct.
Q. Okay. And you understand that information that we will address includes what information Johnson & Johnson had in its possession over time concerning the potential hazards associated with the talc that it sold, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I am here to talk about the documents associated with this and the discovery responses.
BY MR. C. PLACITELLA:
Q. So the answer is yes?

A. I'm here to talk about the -- the -- as we said, as it says here in the notice. Not here to talk about any dangers of talc, because talc used in cosmetic application of Johnson's Baby Powder is safe.
Q. All right. You know that you are here to talk about what information Johnson & Johnson had in its possession concerning the asbestos content of talc and whether that information was provided in response to discovery in lawsuits historically, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Yes, that's correct.
BY MR. C. PLACITELLA:
Q. Okay. Can you tell me everything you did in order to prepare for today's deposition?
A. Yes, I did a lot. I -- most important thing is I looked at the documents that you presented to me last time to help ensure that they had been looked at by the company. I looked at depositions, testimony of Dr. Hopkins. I spoke to one of the people

responsible for conducting the searches to help ensure that we had all the information available for you that you requested. And I also spoke directly with Dr. Hopkins.
Q. Okay. And when did you speak to Dr. Hopkins?
A. Last week.
Q. And what was the substance of your conversation with him?
A. We spoke specifically about the documents that you and I had discussed in our last deposition.
Q. Did he tell you that he testified in a case that's ongoing in California right now?
A. I know that he is, yes.
Q. Did you know that he testified in that case that the information that you supplied in answers to interrogatories was inaccurate --
MR. BERNARDO: Object to form.
BY MR. C. PLACITELLA:
Q. -- and incomplete?
MR. BERNARDO: Object to the form of the question and the characterization

of Mr. Hopkins' testimony.
(Reporter clarification.)
MR. BERNARDO: Of Dr. Hopkins' testimony.
THE WITNESS: I don't know what Dr. Hopkins said in his testimony, no.
BY MR. C. PLACITELLA:
Q. So you never had a conversation where he said under oath before a jury who is listening to a case right now that the information that you supplied that you swore to was true was incomplete and inaccurate --
MR. BERNARDO: Object.
BY MR. C. PLACITELLA:
Q. -- you never knew that?
MR. BERNARDO: Object to the form of the question and the characterization of Dr. Hopkins' testimony.
Do you have the testimony to show her --
MR. C. PLACITELLA: I'm going to get there.
MR. BERNARDO: -- Mr. Placitella?
Okay.

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THE WITNESS: I did not discuss Dr. Hopkins' testimony that you're referring to.

BY MR. C. PLACITELLA:

Q. If he was asked specifically about sworn information that you provided under oath in a trial, wouldn't you have hoped as part of your preparation that that's something that he would have told you?

A. He and I discussed the specifics of the documents that you had asked for and specifically what's involved in the notice that you provided.

Q. So how long did you talk to Dr. Hopkins?

A. Close to an hour.

Q. Okay. And you went over all of the documents with him?

A. I went over specific documents.

Q. What documents were those?

A. So many documents. They were specific documents that Dr. Hopkins had and that were pertinent to the issues. As I said, the ones that you and I discussed.

Q. And when you say the ones you and I

discussed, what do you mean by that?

A. They were brought up at my last deposition.

I wanted to discuss these with Dr. Hopkins to help ensure that he was familiar with them and that he had answered the questions.

Q. Okay. And did he tell you that when I deposed him that a chart was created concerning what was in the documents?

A. We did not discuss his testimony at all. We discussed those particular documents.

Q. Okay. So you spoke with Dr. Hopkins, who is the person -- who was the other person you spoke with?

A. Miss Pam Downs (phonetic).

Q. And who is she and what was her job?

A. She is one of the people responsible for the searches of all of their pertinent documents.

Q. Okay. And what was the substance of your discussion with her?

A. I wanted to be comfortable in the

way that she conducted the search and just help reassure myself that she had looked in all the different avenues.

Q. Approximately how much time have you spent preparing for today's deposition?

A. Approximately six, seven days.

Q. Six or seven days, eight hours a day?

A. Approximately.

Q. And you were compensated for that?

A. Yes, I was compensated for my time.

Q. At what rate?

A. $185 an hour.

Q. Okay. And can you tell me specifically what documents you reviewed in preparation for today's deposition?

A. As I mentioned earlier, any of the documents that you asked for, made sure that they were provided to you. And anything that had to do with the alleged asbestos content of talc.

Q. So you looked at all documents related to asbestos testing for the Johnson & Johnson talc?

A. I --

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

THE WITNESS: I looked at them. I -- I had counsel pull out which ones were pertinent for me, because there's so many for me to go through. It would almost be impossible. I looked at so that I would know which documents were pertinent.

BY MR. C. PLACITELLA:

Q. Okay. So am I under -- my understanding correct that you began at Johnson & Johnson in approximately 1983?

A. 1982.

Q. 1982.

And when you started there you were the person who worked in -- on Johnson's Baby Powder in the Marketing Department?

A. No, I was actually part of regulatory, which was part of Research and Development.

Q. Right.

And what was your job responsibilities?

A. My job responsibilities when I first started was responding to consumers,

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whether it be by letter or phone with any questions, concerns that they had about any of the Johnson's baby products.
Q. Including any talc-related product?
A. Yes.
Q. Okay. And you had that responsibility from 1982 until 2001?
A. Approximately.
Q. Okay.
A. 2000ish, yeah.
Q. Okay. And in 2001 you went to work for the R&D Department; is that correct?
A. Yes, it was part of the R&D Department.
Q. But your job basically stayed the same, although you were in the R&D Department --
A. Some of the same responsibilities, yes.
Q. And you were the person in charge of communicating to the public and health care professionals information related to the safety of Johnson's Baby Powder, correct?
A. I was one of the people, yes.
Q. Okay. You, as I think you

indicated, were also the person in charge of gathering information to answer questions that Johnson & Johnson was required to answer fully and honestly when sued over injuries alleged to have occurred from exposure to baby powder, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Could you rephrase that, please?
BY MR. C. PLACITELLA:
Q. Sure.
You were the person in charge of gathering information needed to answer questions that were required to answer discovery responses, fully and honestly, when Johnson & Johnson was sued over exposure to talc, correct?
A. As part of my responsibilities I would work with counsel to direct them to the appropriate people to answer whatever questions may have been put forth.
Q. And those cases involved lung disease, such as cancer and -- lung cancer and ovarian cancer, correct?

A. There were some allegations of that, yes.
Q. All right. In fact, you were the point person for gathering discovery for litigation historically at Johnson & Johnson, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I did not gather the information. As I said, I -- I helped counsel and told them the people that would be most appropriate to answer their questions.
BY MR. C. PLACITELLA:
Q. And you started that sometime in the early 1980s?
A. Yes.
Q. Okay. And you were aware of the records that were used that were available to respond to discovery, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Well, there were no specific records. Again, I directed counsel to the appropriate people who would

answer based on their expertise or what information they had.
BY MR. C. PLACITELLA:
Q. And you were aware that Johnson & Johnson was sued many times in cases alleging injury from its talc-related products, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I was aware that there were cases, yes.
BY MR. C. PLACITELLA:
Q. All right. You understood that information that was available to answer questions in one case would be relevant to answer similar questions in other cases, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Yes, it could be.
BY MR. C. PLACITELLA:
Q. Am I correct that the information concerning what happened in prior cases came from the Legal Department and that those files were in the possession of the Legal

Department?
A. Could you rephrase that?
Q. Sure.
When you were responding in a -- in a case, you knew that the Legal Department had information from prior cases, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Again, I don't know specifically what information the Legal Department may have had. But when they needed to have a specific answer, I would help direct them to the person most appropriate to answer that.
BY MR. C. PLACITELLA:
Q. All right. And at some point in time you became aware of something known as a litigation hold, correct?
A. I'm familiar with that, yes.
Q. What is a litigation hold?
A. My understanding of that is when our counsel would let us -- anybody in the company hold to any documents related to a specific legal case.
Q. Okay. And when is the first time

that you became aware that Johnson & Johnson had a -- any kind of litigation hold for talc cases related to exposure to Johnson & Johnson talc products?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I don't remember any specific dates.
BY MR. C. PLACITELLA:
Q. What is the first evidence that you have, when I say "you," Johnson & Johnson, as to when a litigation hold was first imposed in talc-related litigation?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice and what we tendered this witness for.
You can answer in your personal capacity, if you know.
THE WITNESS: No, I do not know.
BY MR. C. PLACITELLA:
Q. So you as Johnson & Johnson here to talk about the historic discovery responses have no idea when a litigation hold was first imposed, correct?

MR. BERNARDO: Same objection.
THE WITNESS: Not the specific dates, no.
BY MR. C. PLACITELLA:
Q. Okay. So am I correct that the person charged with -- well, strike that.
You understand that discovery is a pretrial process where the parties are required to provide information relative to the allegations and defendant -- and defenses asserted in a case?
A. I understand that discovery may be specific questions presented by the plaintiffs for the defendants to answer.
Q. What is your understanding concerning Johnson & Johnson's obligations when responding truthfully and fully to questions posed to it in litigation?
MR. BERNARDO: Object to the form of the question. Call for -- conclusion.
THE WITNESS: I fully understand that they should and do answer truthfully and completely.
BY MR. C. PLACITELLA:

Q. Okay. When asked to provide information, am I correct that Johnson & Johnson recognizes -- well, let me ask, that there is a material difference between certifying that there is no evidence whatsoever and that there is evidence, but that you don't believe the evidence is accurate?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Could you ask that again, please?
BY MR. C. PLACITELLA:
Q. Sure.
You're asked a question about whether evidence exists. You understand there is a difference, you, Johnson & Johnson, about whether the evidence exists at all versus that there is evidence, but you just don't believe that it's accurate --
MR. BERNARDO: Object.
BY MR. C. PLACITELLA:
Q. -- or reliable?
MR. BERNARDO: Object to the form of the question.

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BY MR. C. PLACITELLA:
Q. Do you understand the difference?
A. I'm not sure I understand the question.
Q. Okay. So let's try to break it down.
When you're asked, Is there any evidence that you got here today by car; what's your understanding of that question?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: That, you know, the answer that I got here by car.
BY MR. C. PLACITELLA:
Q. So can there be circumstantial evidence that you got here by car?
Do I have to have the car in front of me or the photo of you driving the car?
A. If you didn't believe me.
Q. Okay. So my question to you is when Johnson & Johnson is asked in discovery, Is there any evidence of asbestos content in Johnson & Johnson talc; what is your understanding as to what's being asked of you?

A. You're asking if there's any evidence that there is asbestos in the talc of Johnson's Baby Powder.
Q. Right.
And what -- and if there is testing related to whether Johnson & Johnson talc contained asbestos, is that evidence in your mind --
MR. BERNARDO: Object.
BY MR. C. PLACITELLA:
Q. -- to Johnson & Johnson?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Any, any evidence would be something, yes.
BY MR. C. PLACITELLA:
Q. Right.
A. If there were.
Q. So, for example, if a -- if a test was run to determine whether Johnson's Baby Powder contained asbestos and there were results from that test, that would be evidence, correct?
MR. BERNARDO: Object to the form of the question.

THE WITNESS: Yes.
BY MR. C. PLACITELLA:
Q. Okay. You understand that Johnson & Johnson had a duty to provide accurate and complete information when responding to discovery in talc litigation, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Yes.
BY MR. C. PLACITELLA:
Q. Okay. You understand that if Johnson & Johnson did not provide accurate and complete information, citizens could lose the rights that were given to them to proceed to trial, correct?
MR. BERNARDO: Object to the form of the question, calls for a legal conclusion.
THE WITNESS: I -- I can't answer that legal-wise. I don't understand that.
BY MR. C. PLACITELLA:
Q. You understand, you, Johnson & Johnson understood that it was wrong to

withhold information with the objective of obtaining dismissals of cases that were filed against Johnson & Johnson, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: This seems like a legal question and I'm not equipped to answer that.
BY MR. C. PLACITELLA:
Q. I'm not asking you -- I'm saying you, Johnson & Johnson, not Nancy Musco, understood that it was wrong to withhold information with the objective of obtaining dismissals of cases for lawsuits filed against Johnson & Johnson, correct?
A. Again, that's a -- seems to me like a legal conclusion. No.
Q. "No" what?
A. I can't -- I can't answer that, because I don't know what that means.
Q. So you don't know, Johnson & Johnson does not know whether it's wrong to withhold information with the objective of obtaining dismissals of lawsuits, Johnson & Johnson doesn't know that?

MR. BERNARDO: Object to the form of the question.
THE WITNESS: I cannot comment on any legal conclusions or any legal directions.
BY MR. C. PLACITELLA:
Q. When you were working on issues concerning the safety of talc, you were repeatedly -- well, let's just --
MR. C. PLACITELLA: Can you give me 412?
MR. BERNARDO: Do you have a copy for me?
MR. C. PLACITELLA: Yeah, I will, absolutely.
Here's one for you, for the record.
(Exhibit J&J-412, Handwritten document, is marked for identification.)
BY MR. C. PLACITELLA:
Q. Now, I'm going to -- what's marked here as Musco-1, do you recall this exhibit from the last time that we were together and I took your deposition?
A. I don't recall specifically.

Q. Is there --
A. I know that you wrote down some things.
Q. Okay. So let me see if I can... See if this refreshes your memory.
MR. C. PLACITELLA: Where's your audio?
(At which time the following audio recording is played for the witness.)
"QUESTION: Did the talc that was used in any J&J Baby Powder product ever contain any amount of asbestos; do you see that?
"ANSWER: Yeah, I see that.
"QUESTION: That was a question that -- or questions like that that you were called upon to answer as part of your job at Johnson & Johnson, correct?
"ANSWER: Yes.
"QUESTION: Okay. And that question was raised over and over again by people outside of Johnson & Johnson from almost the time you started working there, correct?
"UNIDENTIFIED COUNSEL: Object

to the form of the question.
"You can answer. Excuse me.
"ANSWER: I know it was a question that we received, yes."
(At which time the audio playback is concluded.)
BY MR. C. PLACITELLA:
Q. Do you recall giving that testimony?
MR. BERNARDO: Object to the form of the question and the playing of the prior testimony.
THE WITNESS: Yes, I do.
(Reporter clarification.)
MR. BERNARDO: And the playing of the prior testimony. I'll move my mic. Object to the form of the question and the playing of the prior testimony.
BY MR. C. PLACITELLA:
Q. Do you recall giving that testimony?
A. I did.
Q. Is that testimony fair and accurate?
A. Yes.

Q. Am I correct that the question that was asked of you over and over again when you worked for Johnson & Johnson in one way or another was did the talc that was used in any J&J product ever contain any amount of asbestos?
A. We were asked lots of different questions through the years, not specifically always in that form.
Q. Do you --
A. But, yes.
Q. Okay. And that same question or questions like that was asked over and over in litigation related to asbestos -- strike that.
That same question was asked of Johnson & Johnson or questions like that in litigation related to Johnson's Baby Powder, correct?
A. Yes, I believe that's the question.
Q. Okay. And that was the -- one of -- that was a question that you were the point person for gathering information on to respond to, correct?
MR. BERNARDO: Object to the

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form of the question.
THE WITNESS: I worked with counsel to provide specific -- help provide specific answers to specific questions that would be related to a Complaint.
BY MR. C. PLACITELLA:
Q. And the answer to the question, Did the talc that was used in any Johnson & Johnson Baby Powder product ever contain any amount of asbestos; when you answer it, always was, There is no evidence that Johnson's Baby Powder contained any amount of asbestos. There never was and there never will be.
That was your response, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: That's correct.
BY MR. C. PLACITELLA:
Q. Okay. And when Johnson & Johnson was asked the same question in litigation they gave the same response, that is, there is no evidence that Johnson's Baby Powder contained any amount of asbestos, correct?
MR. BERNARDO: Object to the

form of the question.
THE WITNESS: That's the position of the company, that there's no asbestos used in the cosmetic talc of Johnson's Baby Powder.
BY MR. C. PLACITELLA:
Q. My question is, that was the answer that was provided every time the question was asked in the context of a lawsuit, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I do not know if that was the specific answer that was provided each time.
BY MR. C. PLACITELLA:
Q. All right. You know that when that question was asked that Johnson & Johnson always took the possession -- took position in litigation that there is no evidence that Johnson's Baby Powder contained any amount of asbestos, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: The position of Johnson & Johnson is that there is no

asbestos in the cosmetic talc of Johnson's Baby Powder.
BY MR. C. PLACITELLA:
Q. So the answer to my question is yes?
A. Yes.
Q. Okay. And when you, Johnson & Johnson told the public that there is no evidence that Johnson's Baby Powder contained any amount of asbestos and there never was and there never will be, it was your intent, that is, you, Johnson & Johnson, to convey that there was zero chance of exposing families to asbestos by using Johnson's Baby Powder, correct?
A. The -- the position is that there's no asbestos in the cosmetic talc. So Johnson's Baby Powder would not be exposing anyone to asbestos.
Q. Your intent was to convey that there was zero chance of exposing families to asbestos by using Johnson's Baby Powder, correct?
MR. BERNARDO: Object to the form of the question.

THE WITNESS: Our intent was to inform whomever was asking that there is no asbestos in the cosmetic talc.
MR. C. PLACITELLA: I'm going to go to video.
BY MR. C. PLACITELLA:
Q. I'm going to show you your testimony from last time.
(At which time the following audio recording is played for the witness.)
"QUESTION: And when you had these conversations, for example, with the mothers and the consumers, your intent was to convey to them that there was zero chance of exposing their families to asbestos at any level using Johnson's Baby Powder, correct?
"ANSWER: I -- my job was to reassure them that they could feel safe and comfortable using Johnson's Baby Powder, because it does not contain asbestos.
"QUESTION: Right:
"So there was zero chance of exposing their families to asbestos by using Johnson's Baby Powder, that was your intent to convey to them, correct?

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"ANSWER: That's correct.
"QUESTION: Okay."
(At which time the audio playback is concluded.)
BY MR. C. PLACITELLA:
Q. Do you recall giving that testimony?
A. I see that's what I said.
Q. Okay.
Am I correct that you're aware that Johnson & Johnson also told the Federal Government there was never any evidence of asbestos in Johnson's Baby Powder?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.
You can answer in your individual capacity.
THE WITNESS: I cannot speak about specific conversations, but there is no asbestos in the cosmetic talc.
BY MR. C. PLACITELLA:
Q. My question was, you knew that Johnson & Johnson told the Federal Government there was never any evidence of asbestos in

Johnson's Baby Powder, correct?
MR. BERNARDO: Same objection.
THE WITNESS: I can't answer that.
MR. C. PLACITELLA: Okay. Go back to the video, please.
That's fine.
BY MR. C. PLACITELLA:
Q. Do you know what the National Toxicology --
THE VIDEOTAPE OPERATOR: You have to let me...
MR. C. PLACITELLA: Go ahead.
THE VIDEOTAPE OPERATOR: Go ahead.
BY MR. C. PLACITELLA:
Q. Do you know what the National Toxicology Program was?
A. Yes. I --
Q. What was that?
A. I'm familiar with it.
Q. Was that a branch of the Federal Government?
A. No, it was not.
Q. Had nothing to do with the Federal

Government?
A. It worked with the Federal Government, yes, but I -- I can't tell you all the specifics of it.
Q. Okay. Did you tell the National Toxicology Program that there was no evidence of asbestos in Johnson's Baby Powder?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.
You can answer in your individual capacity.
THE WITNESS: I'm -- there were meetings with the NTP, yes.
BY MR. C. PLACITELLA:
Q. And you told them, you, Johnson & Johnson, told the NTP that there was no evidence whatsoever of asbestos in Johnson's Baby Powder, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: My understanding that we're to talk about today the things that you specifically put in the notice. I believe we talked about that last time we

met.
BY MR. C. PLACITELLA:
Q. Yeah. And what was your answer?
MR. BERNARDO: Object to the form of the question, asked and answered.
THE WITNESS: Whatever you have on record.
BY MR. C. PLACITELLA:
Q. Okay. Well, let's see if this refreshes your memory.
MR. BERNARDO: Before we refresh her memory, let me just interject.
Mr. Placitella, the notice is very clear what the scope of this deposition is. And statements made to the Federal Government is well outside the scope of this notice. This witness is being prepared to testify --
MR. C. PLACITELLA: Well, we'll let a judge decide that, Mr. Bernardo.
MR. BERNARDO: Let me finish my objection.
This witness is not being tendered to testify on behalf of the company with respect to statements to the Federal

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Government.
I'm trying not to interrupt the deposition and letting her answer if she knows in her individual capacity, but I just want to make sure that my question is clear. And you're absolutely right, a judge can decide it.
BY MR. C. PLACITELLA:
Q. When you say "individual capacity," you were working for Johnson & Johnson on the National Toxicology Project, were you not?
A. I was not specifically working on the project, that was part of my responsibilities.
Q. Right.
Well, let me show you your testimony from the last time.
THE VIDEOTAPE OPERATOR: Stand by.
(At which time the following audio recording is played for the witness.)
"QUESTION: My question to you was, did you know that one of the primary bases for battling the issue of talc before the National Toxicology Project was the

position asserted that there was never any evidence of asbestos in the talc used in Johnson's Baby Powder?
"UNIDENTIFIED COUNSEL: Object to the form of the question.
"QUESTION: Just asking if you know. It's not a fight.
"UNIDENTIFIED COUNSEL: Well, it's a -- it's a hard question to follow, but you can answer if you understand it.
"ANSWER: Well, the basis was that there's no asbestos in the talc used in Johnson's Baby Powder."
(At which time the audio playback is concluded.)
BY MR. C. PLACITELLA:
Q. Do you recall giving that testimony?
MR. BERNARDO: Same objection.
THE WITNESS: That's -- that's my voice, yes.
BY MR. C. PLACITELLA:
Q. Okay. Now, based upon your research and knowledge, when does Johnson & Johnson say that the first lawsuit was filed

against it alleging injury from exposure to talc?
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. When was the first lawsuit filed?
A. My recollection, in the late '90s.
Q. It's your belief that the first lawsuit alleging injury from exposure to talc was the late '90s?
A. I can't give you exact dates when any lawsuits were filed.
Q. Okay. I'm not asking you, Nancy Musco. I'm asking you, Johnson & Johnson. When was the first lawsuit filed against you, Johnson & Johnson, alleging injury from exposure to talc sold by Johnson & Johnson?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.
You can answer in your individual capacity, if you know.
THE WITNESS: Do not know.
BY MR. C. PLACITELLA:
Q. Okay. When was the -- Johnson --

when was the first lawsuit filed against Johnson & Johnson alleging injury from exposure to talc sourced by mines owned by Johnson & Johnson?
MR. BERNARDO: Same objection.
THE WITNESS: Again, I cannot give you dates.
BY MR. C. PLACITELLA:
Q. Did you do any research or speak to anybody to find out when the first lawsuits relating to baby powder were filed against Johnson & Johnson?
MR. BERNARDO: Same objection.
THE WITNESS: Not specific dates, no.
BY MR. C. PLACITELLA:
Q. Why not?
MR. BERNARDO: Same objection.
THE WITNESS: Any of the research that I did in preparation today was specifically for the information that is noted in the -- the -- the notice. I didn't get into specific dates.
BY MR. C. PLACITELLA:
Q. Well, but the notice asks for your

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information on your historical responses. So how can you figure out what the information was on historical responses if you don't know when the first lawsuit was filed?

A. Because it was -- my concentration was on the responses, not on specific dates.

Q. Okay. Well, let me ask you this, do you know how John -- Johnson & Johnson Corporate was kept in the loop concerning lawsuits involving baby powder?

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

Again, I'm going to renew my objection. Chris, I'm trying not to be obstructive this early in the deposition, but this is really well beyond what we understood from the words in the notice the scope of this deposition was to be.

But if you know that in your individual capacity, please go ahead and answer.

THE WITNESS: I would assume that they would be filed with the -- with the Law Department in the company.

BY MR. C. PLACITELLA:

Q. Well, who was in charge of the litigation involving Johnson & Johnson talc products at Johnson & Johnson?

MR. BERNARDO: Same objection.

THE WITNESS: Different people.

BY MR. C. PLACITELLA:

Q. Well, who's the person that you reported to when you -- when you were working on the cases?

MR. BERNARDO: Object to the form of the question, same objection.

THE WITNESS: I did not report to a specific person.

BY MR. C. PLACITELLA:

Q. So as you sit here testifying on behalf of Johnson & Johnson, it's your testimony that you don't know who was in charge of the talc litigation inside of Johnson & Johnson?

MR. BERNARDO: Object to the form of the question. And this witness is not being tendered to testify as to who was in charge of litigation or any other litigation matters, other than the discovery responses.

THE WITNESS: As I said, there were -- there were different people.

BY MR. C. PLACITELLA:

Q. Well, what people do you remember?

A. I could give you names, but, again, I didn't come prepared to talk about different names.

Q. Well, give me the names.

A. One of the lawyers was John O'Shaughnessy.

Q. Okay. Did you have interaction with John O'Shaughnessy concerning discovery responses in talc-related cases?

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

And go ahead and answer, but just please be mindful of privileged communications. You can answer the question.

THE WITNESS: Mr. O'Shaughnessy and I would have conversations, yes.

BY MR. C. PLACITELLA:

Q. And what was his role?

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

THE WITNESS: I don't know his

specific role.

BY MR. C. PLACITELLA:

Q. Was he general counsel at the time?

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

THE WITNESS: I already told you, I don't know his exact title or his role.

BY MR. C. PLACITELLA:

Q. Who was the person, if you know -- well, you should know, who was the person in charge of gathering evidence to supply answers to discovery in talc cases involving Johnson & Johnson?

A. There'd be many different people involved in that.

Q. But who was the person in charge?

A. I don't know who the person in charge was. We would prepare questions accordingly and we were working with counsel.

Q. So was it the lawyer that was in charge?

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

BY MR. C. PLACITELLA:

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Q. Was it Mr. O'Shaughnessy the one that was in charge?
A. I don't think it's a question of in charge. We all collaborated. As I told you earlier, that I worked with Mr. O'Shaughnessy to help direct him to appropriate people.
Q. You say "we all collaborated," who's "we all"?
A. A lot of different people in the company.
Q. So you don't have any names?
A. It would depend on the specific questions asked.
Q. So you don't remember any of the names?
A. I can tell you about different names. They'd be different names at different times.
Q. Okay. When the evidence was gathered, where was it stored?
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. In responding to discovery, where was the evidence stored?

MR. BERNARDO: Object to the form of the question.
THE WITNESS: There would not necessarily be evidence that was gathered. It was in many times the form of responses from individual person that might be most knowledgeable. So there was no particular evidence that related to each question.
BY MR. C. PLACITELLA:
Q. Well, you never turned over any evidence in response to discovery?
A. That was not my role. And as I said earlier, counsel would have conversations with the appropriate people. And there's -- their answers were based on their own expertise.
Q. My question is, you're here for -- as Johnson & Johnson, not Nancy Musco. And I'm asking you, Johnson & Johnson, where did you store the evidence that was gathered in order to respond to discovery in talc-related cases?
MR. BERNARDO: Object to the form of the question, already answered.
THE WITNESS: I think it's

important for you to understand that there's not necessarily a pile of evidence that goes with each question.
Those questions are responded to by the person most knowledgeable of that area, which is based on their experience, their expertise, years of it.
BY MR. C. PLACITELLA:
Q. Listen to my question.
When evidence was gathered up, physical evidence, where was it stored within Johnson & Johnson when it was used to respond to discovery in litigation?
MR. BERNARDO: Object to the form of the question, asked and answered twice already.
THE WITNESS: I'm trying to answer your question that there was not evidence or piles of information, papers to go with the responses. Those were based on the individuals' expertise.
This is what they did all the time.
BY MR. C. PLACITELLA:
Q. So, as you sit here today, you have

no information that Johnson & Johnson actually turned over any documentary evidence in any talc-related case?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: What I was responding to were the -- the process that we -- how we prepared answers for specific questions and interrogatories. And there's no hard evidence to go with each question.
BY MR. C. PLACITELLA:
Q. Well, was there hard evidence with any of the questions that you recall that you've researched?
A. I don't recall that there were.
Q. Okay. And after the discovery responses were provided, where were those discovery responses stored at Johnson & Johnson?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Most probably with the Complaint file.
BY MR. C. PLACITELLA:
Q. And where was that?

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A. It could be with the Legal Department.
Q. Who was in charge of overseeing the Complaint file?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I would assume it would be, you know, the Legal Department, but I don't know specific person, the files.
BY MR. C. PLACITELLA:
Q. When Johnson & Johnson -- I just want to be clear, when Johnson & Johnson was sued in a talc-related case, is it Johnson & Johnson's testimony that no physical evidence was ever gathered and turned over to the Plaintiffs in a lawsuit, as far as your research demonstrated?
MR. BERNARDO: Object, object to the form of the question and characterization of her prior testimony.
THE WITNESS: If there had been specific documents that were requested, they would be made available, yes.
BY MR. C. PLACITELLA:
Q. And where would those documents

then be stored after they were made available?
A. They could be stored in different places.
Q. Where were they stored?
A. If there was --
MR. BERNARDO: Object to the form of the question.
THE WITNESS: If there were documents, they could be stored in a legal -- internally in a legal department or maybe with outside counsel.
BY MR. C. PLACITELLA:
Q. Okay. Now, did you understand that Johnson & Johnson was involved -- strike that.
Am I correct that Johnson & Johnson was sued in talc cases that involved both industrial talc and cosmetic talc?
A. Yes.
Q. And you understand that the cosmetic and industrial talcs came from the same mine?
MR. BERNARDO: Object to the form of the question.

THE WITNESS: I know they can come from the same mine, but not necessarily the same location.
BY MR. C. PLACITELLA:
Q. So do you understand, for example, that the talc that was used in Johnson's Baby Powder came from the same mine that industrial talc came from that was sold by Johnson & Johnson?
MR. BERNARDO: Object to the form of the question. Again, outside the scope of the notice and what this witness is being tendered for.
But if you know you can answer in your individual capacity.
THE WITNESS: I can't get into industrial talc, because I'm here to talk about cosmetic talc, as set forth in the notice.
BY MR. C. PLACITELLA:
Q. Well, you understand you provided discovery responses that indicate that the industrial talc and the cosmetic talc came from the exact same source, correct?
MR. BERNARDO: Object to the

form of the question.
THE WITNESS: I'm here today to -- you know, as said in the notice, to talk about cosmetic talk.
BY MR. C. PLACITELLA:
Q. So the -- what's the answer to my question?
You understand that Johnson & Johnson provided discovery responses indicating that the cosmetic and the industrial talc came from the exact same mine --
MR. BERNARDO: Object.
BY MR. C. PLACITELLA:
Q. -- correct?
MR. BERNARDO: Object to the form of the question.
If there's a specific response to show the witness, I think that would make this process quicker, and easier and more accurate.
MR. C. PLACITELLA: Please don't, don't do that.
MR. BERNARDO: Please don't do --

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MR. C. PLACITELLA: It's not --
MR. BERNARDO: -- what you're doing.
MR. C. PLACITELLA: It's not -- it's not proper under our rules. You're here under pro hac vice admission. Please don't do that. Okay?
Your -- your responses are to form and for form only.
MR. BERNARDO: Well --
MR. C. PLACITELLA: Otherwise we'll get the judge on the phone and we'll deal with you. Okay?
MR. BERNARDO: That's fine.
MR. C. PLACITELLA: All right.
MR. BERNARDO: But --
MR. C. PLACITELLA: Can you read my question back, please?
(At which time the following question is read:
"QUESTION: You understand that Johnson & Johnson provided discovery responses indicating that the cosmetic and the industrial talc came from the exact same mine?")

THE WITNESS: I -- I --
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I don't know that, no.
BY MR. C. PLACITELLA:
Q. Do you -- do you -- have you ever heard of the Hammondsville mine?
A. I have heard of it, yes.
Q. You understand that that was a source of talc for Johnson's Baby Powder?
A. I believe so, yes.
Q. Do you understand that that was also a source of talc for industrial talc sold by Johnson & Johnson?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Again, it may have been. I'm not the authority on anything about the mines.
BY MR. C. PLACITELLA:
Q. Okay. Have you ever heard of the Johnson mine?
A. Yes, I have.
Q. Do you understand that that was a

source of cosmetic talc for Johnson's Baby Powder?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I believe so.
BY MR. C. PLACITELLA:
Q. Now, you understand that the possibility that Johnson & Johnson was likely to -- was going to be sued over Johnson & Johnson's baby powder dated back to the 1960s, correct?
A. Could you rephrase --
MR. BERNARDO: Object --
THE WITNESS: -- that question?
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. The possibility of facing lawsuits involving Johnson & Johnson was recognized by Johnson & Johnson going back to the 1960s, correct?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.
You can answer in your

individual capacity, if you know.
THE WITNESS: I don't know.
MR. C. PLACITELLA: Can you give me number 8?
(Exhibit J&J-8, April 15, 1969 Memo, is marked for identification.)
MR. BERNARDO: Are these marked as exhibits already, Chris? Already marked --
MR. C. PLACITELLA: Yeah, I've premarked.
MR. BERNARDO: Okay, great.
And what is -- what number is this?
MR. C. PLACITELLA: This is J&J-8.
MR. BERNARDO: Okay.
MR. C. PLACITELLA: It's an April 15, 1969 memo on Johnson & Johnson stationery from Dr. Thompson.
BY MR. C. PLACITELLA:
Q. Do you know who Dr. Thompson was?
A. No, I do not.
Q. You don't know that he was the Medical Director of Johnson & Johnson at any point in time?

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A. Other than I see MD after his name, I did not know that.
Q. What about Mr. Ashton, do you know who he was?
A. I believe he worked for the company, yes.
Q. Do you know that he worked for the company on talc?
A. I know that.
Q. Do you know he worked on talc lawsuits?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I do not know that specifically, no.
BY MR. C. PLACITELLA:
Q. Do you know that he was known in the company as Mr. Talc?
A. No.
MR. BERNARDO: Object to the form of the -- okay.
BY MR. C. PLACITELLA:
Q. Okay. You go to the second page -- where Dr. Thompson writes, Since the usage of these products is so widespread, and the

existence of pulmonary disease is increasing, it is not inconceivable that we could become involved in litigation in which pulmonary fibrosis or other changes might be rightfully or wrongfully attributed to inhalation of our powder formulations. It might be that someone in the Law Department should be consulted with regard to the defensibility of our position in the event that such a situation could ever arise.
Is this the first time you ever heard that?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I have read this before.
BY MR. C. PLACITELLA:
Q. You did?
A. Mm-hmm.
Q. Okay. And in what context?
A. In my preparation for this deposition.
Q. Okay. And why did you look at this in preparation for today's deposition?
A. Because these are a part of the

documents concerning the content of asbestos.
Q. Okay. And do you know how long after Dr. Thompson predicted that Johnson & Johnson would be sued in a baby powder case or a talc case Johnson & Johnson was actually sued for the first time?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: No, I do not.
BY MR. C. PLACITELLA:
Q. Okay. Do you understand that when Johnson & Johnson is sued over a product that it manufactures that it's put on notice that people were making complaints in a court of law that they believe they were injured from those products?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I believe that's the process, yes.
BY MR. C. PLACITELLA:
Q. Okay. When that happened do you know whether there was a reporting requirement for Johnson & Johnson to provide that information to its auditors or its

insurers?
MR. BERNARDO: Object to the form of the question.
Chris, we're just getting so beyond the scope of the notice. You know, maybe we talk at a break, because maybe we do need to get Judge Viscomi on the phone --
MR. C. PLACITELLA: Sure.
MR. BERNARDO. This deposition is not about legal duties, legal holds. This deposition, as we understood it, is about written responses to discovery. And this witness is being tendered for that. I'm allowing her if she knows the answers in her individual capacity. But I just want to make it very clear, we are not designating her as the corporate representative on these topics.
MR. C. PLACITELLA: Well, actually, when we were in the judge's chambers and Mr. Guard (phonetic) was there, the judge specifically told Mr. Guard, he saw -- she saw this deposition as relevant to the issue of spoliation, in addition to the notice. So... And we're going to talk about that.

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MR. BERNARDO: Okay. We will.
MR. C. PLACITELLA: Okay.
BY MR. C. PLACITELLA:
Q. So when is the first discovery response, what year was that from that you reviewed in preparing for today's deposition?
A. I don't recall the exact years.
Q. Well, do you have them with you?
A. Yes, we have -- I -- I had asked counsel to do a chart so that I could remember, but I don't have it in front of me right now.
Q. Okay.
MR. C. PLACITELLA: Can -- do we have the chart and I --
MR. BERNARDO: Yeah.
MR. C. PLACITELLA: -- can take a look at it.
MR. BERNARDO: And, Chris, when -- I don't want to interrupt your questioning, but we've been going for about an hour. When you're at a breaking point, just let us know.
MR. C. PLACITELLA: Mm-hmm.
MR. BERNARDO: Because I also

think we ought to discuss this off the record --
MR. C. PLACITELLA: Mm-hmm.
MR. BERNARDO: -- so we can have some understanding here.
MR. C. PLACITELLA: Why don't we mark this. Do you have an extra copy?
MR. BERNARDO: Can probably get something copied at a break.
MR. C. PLACITELLA: Sure.
(Exhibit P-2, Chart, is marked for identification.)
MR. C. PLACITELLA: I'll put it over here. Can you switch this to Elmo?
THE VIDEOTAPE OPERATOR: Yes. Stand by.
BY MR. C. PLACITELLA:
Q. So --
MR. BERNARDO: I'm sorry. What number is this marked as?
THE COURT REPORTER: P-2.
MR. C. PLACITELLA: This is marked P-2. It was just handed to me by counsel.
BY MR. C. PLACITELLA:

Q. Can you tell me what this is and why it was prepared?
A. I had asked counsel to prepare this for me, just to really satisfy my curiosity of the cases that you had cited in your notice.
Q. When you say "curiosity," what were you curious about?
A. I wanted to know specifically what the injuries were that were alleged in these Complaints, similar to what I would do when I worked at the company.
Q. Okay. And the first record you found of a Complaint involving baby powder was the Gambino case in 1983?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: No, these --
MR. BERNARDO: Characterization of her prior testimony.
THE WITNESS: These were the list of the Complaints that you had mentioned in your notice.
BY MR. C. PLACITELLA:
Q. Well, what was the first record

that you found of a lawsuit involving talc or Johnson's Baby Powder?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: These were all lawsuits.
I actually was able to review interrogatories for both Shelby and then there's a second page of Krushinski.
BY MR. C. PLACITELLA:
Q. That wasn't my question.
My question is, what is the first record that you found concerning a -- or that you reviewed in terms of date or a year of a lawsuit involving talc sold by Johnson & Johnson?
Is it 1983?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Well, that's the year, that first year that's mentioned here, yes.
BY MR. C. PLACITELLA:
Q. So the answer is yes?
MR. BERNARDO: Object to the

form of the question.
THE WITNESS: Yes, it would be 1983.
MR. C. PLACITELLA: Okay. So can you...
(Exhibit J&J-486, Privilege log, is marked for identification.)
BY MR. C. PLACITELLA:
Q. Now, I'm going to show you what's been marked Johnson & Johnson-486. I'll give it to your attorney first.
MR. BERNARDO: And I'll object to this and state that this witness is not being tendered to testify as to what I believe is a privilege log.
BY MR. C. PLACITELLA: Right. And I'm going to tell you which I -- this is -- this is the privilege log, an excerpt from the privilege log supplied by Johnson & Johnson in these cases. And what we did is we sorted it by date involving lawsuits related to baby powder.
BY MR. C. PLACITELLA:
Q. Can you take a look at that?
MR. BERNARDO: Same objection.

BY MR. C. PLACITELLA:
Q. And you see that the first, the first date here is, at least on this exhibit, is 2/10/1971; do you see that?
MR. BERNARDO: Can you see it on there?
THE WITNESS: I see that it's highlighted here.
BY MR. C. PLACITELLA:
Q. And the description says, Attachment to letter from counsel to client regarding talc samples in connection with ongoing and anticipated litigation.
Do you see that?
A. I see that's highlighted here.
Q. Do you see -- do you see on the next one there's another entry, 4/9/1971, and it talks about, Attachment by counsel pursuant to pending and anticipated litigation regarding Johnson's Baby Powder.
Do you see that?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I see those words. I can't see the date.

BY MR. C. PLACITELLA:
Q. Well, the date is over here, 4/9/71. See it?
A. Okay.
Q. Okay. And did you know that Johnson & Johnson was sued over baby powder in 1971?
MR. BERNARDO: Object to the form of the question. Again, outside the scope of the notice and not tendering -- outside the scope of the notice and not tendering this witness for this topic, this corporate representative.
THE WITNESS: I don't know what this is. You said something about privileged. I don't even know what that means. So I don't know what I'm looking at.
BY MR. C. PLACITELLA:
Q. It means that these are documents that your lawyer withheld from production, because they say that they are privileged. But they are -- the log itself is still evidential that the cases took place.
Did you ever -- were you ever provided any files from lawsuits against

Johnson & Johnson involving baby powder from 1971?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: My understanding was that I was here today to talk about the specific things in your notice. And I prepared my chart because of the specific cases that you have.
BY MR. C. PLACITELLA:
Q. No, ma'am, that's not what you are here to talk about.
You are here to talk about, the corporate representative concerning the discovery responses historically provided by Johnson & Johnson concerning the asbestos content of talc, Johnson's Baby Powder or Shower to Shower.
Do you see that?
A. Yes, I see that.
Q. Historical responses mean, as long as you've been sued. There's not any limitation by the number of the cases that I set forth and I knew about.
You understand that, right?

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MR. BERNARDO: Object to the form of the question.
THE WITNESS: You're saying that there's no limitation.
BY MR. C. PLACITELLA:
Q. Right.
So what you did, is the only thing that you did to prepare for today's deposition is to look at information that I asked you to bring with you, correct?
A. No.
MR. BERNARDO: Object to the form of the question.
THE WITNESS: That's -- that's incorrect, that's not all I did.
BY MR. C. PLACITELLA:
Q. Okay.
A. I told you earlier, you know, the depositions, the testimonies that I reviewed, my conversations for almost an hour with Dr. Hopkins. Most importantly, to reassure myself that he has seen everything that has been provided and that there was nothing new that the company has not seen.
Q. Okay. Well, no one showed you any

files, lawsuit files concerning baby powder from 1971, correct?
A. I did not specifically review any of those, no.
Q. They were not provided to you?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: That's correct.
BY MR. C. PLACITELLA:
Q. All right. Where are those records from 1971?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I do not know.
BY MR. C. PLACITELLA:
Q. Okay. Well, I'm not asking you, I'm asking Johnson & Johnson.
Johnson & Johnson, where are the records from the lawsuits from 1971 involving Johnson's Baby Powder, where are they?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I do not know. They could be in different places.
BY MR. C. PLACITELLA:

Q. Like where?
A. If -- they could be with their outside counsel files. If there were actual discoveries even filed for any of these, I -- I don't know.
Q. Let's go down to 1972. Do you see there's an entry for 1972 concerning pending and anticipated litigation?
A. I see that. It says that, yes.
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. Where are the file -- the lawsuit files related to Johnson & Johnson from 1972?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: My answer would be the same.
BY MR. C. PLACITELLA:
Q. What about, do you see where it says that you were sued in 1973 and that a memorandum was prepared concerning Johnson's Baby Powder regulatory matters in 1973; where are those files?
MR. BERNARDO: Object to the

form of the question.
THE WITNESS: I see that this is here. I can't tell you where these -- these files were specifically, because I did not come prepared to speak about these.
BY MR. C. PLACITELLA:
Q. Well, you are here to talk about the historical discovery responses. How do you know whether there were historical discovery responses if you never looked at the files?
A. Well, what I did do is speak to one of the people that is involved in doing searches for us to make sure that we had everything available. And this is -- there were no discovery responses in these cases. I'm not prepared to speak about them.
Q. How do you know there were no discovery responses in these cases?
A. I'm -- I believe that we're here today to talk about the specific scope. And I guess we're interpreting it different. It sounds to be like we are.
Q. So what about 1974, do you see that

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Johnson & Johnson was sued in talc cases in 1974, according to their own responses?
A. That's what it says there, yes.
Q. Okay. And you see, if you turn it over, they were sued in 1976?
A. I see those dates, yes.
Q. Okay. You see they were sued in 1977?
A. Again, I see those dates.
Q. You see that they were sued in 1978?
A. I see that, yes.
Q. Okay. Do you see that they were sued in baby powder litigation in 1979?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I see all this, yes.
BY MR. C. PLACITELLA:
Q. Okay. And I'll ask you during the break to look at this -- well, let me just ask you about some specific cases.
Listed here in this log is 1981; do you see that?
A. I see what you highlighted, yes.

Q. Okay. And you see where it talks about pending litigation?
A. I can't see it.
Q. Sorry.
A. I see that --
Q. See that?
A. -- what it says, yes.
Q. And it talks about a case called Westfall; do you see that?
A. Yes, I see that.
Q. What do you know about the Westfall case?
A. I believe that had to do with industrial talc.
Q. Okay. Did you review the files related to the Westfall case?
A. I -- I -- vaguely familiar with it when I saw that it had to deal with industrial talc. I didn't feel that that was within the scope of this.
Q. Did you know that the Westfall case involved talc from the mines that you say were used in baby powder?
MR. BERNARDO: Object to the form of the question and the characterization

of prior testimony.
THE WITNESS: As I said, I -- I am not an authority on what mines were used.
Well, I do know specifically the cosmetic talc used in Johnson's Baby Powder does not contain asbestos.
BY MR. C. PLACITELLA:
Q. What was my question?
A. You would have to repeat that back to me.
Q. Do you have any idea what my question was?
A. You asked me if I was familiar with Westfall.
Q. What's that got to do with whether it has asbestos?
Was that my question?
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. Or were you just, you know, wound up and going to just give a response?
MR. BERNARDO: Object to the form of the question, that's completely inappropriate.

THE WITNESS: No, I think it's important that this was about industrial talc. And that was not my interpretation of the notice today.
BY MR. C. PLACITELLA:
Q. Did you skip the Westfall case because you, Johnson & Johnson, knew that there was proof in that case that there was asbestos in the mine owned by Johnson & Johnson?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: No, I did not.
BY MR. C. PLACITELLA:
Q. You knew that, though, right?
MR. BERNARDO: Objection.
BY MR. C. PLACITELLA:
Q. You knew that the mine that was owned by Johnson & Johnson that was the issue in the Westfall case had asbestos in it, right?
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. You knew that?

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You, Johnson & Johnson knew that?
A. No, I did not. I did not go into detail with this, because it was industrial talc.
Q. Okay. What about the next page, from 1982 the Joly case?
What do you know about the Joly case?
A. I don't know anything about it.
Q. You're sure about that?
A. This is the first I'm seeing it.
Q. You're sure about that?
A. I don't recollect anything on this, no.
Q. So you did not review any records concerning the Joly case?
A. It's not familiar to me, no.
Q. So before coming here today, were you aware that Johnson & Johnson was sued in a talc case, according to their own privilege log from 1971 until 2010, each and every year, except 1975?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: No, I'm not

familiar with the dates, no.
BY MR. C. PLACITELLA:
Q. Okay. And you don't any of the records and did not review any of the records related to any of the cases on this privilege log, other than what is marked on P-2?
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. Is that fair?
A. Yes.
Q. And other than the records, the cases that are marked or set forth in P-2, you have no idea whatsoever, that is you, Johnson & Johnson, where the records are related to the lawsuits filed against Johnson & Johnson from 1971 until 2010 --
MR. BERNARDO: Object to the --
BY MR. C. PLACITELLA:
Q. -- correct?
MR. BERNARDO: Object to the form of the question. Beyond the scope of the notice.
You can answer in your individual capacity if you know.

THE WITNESS: I don't know.
BY MR. C. PLACITELLA:
Q. And you have no idea what discovery responses were proffered by Johnson & Johnson in any of the lawsuits that are referenced in the log marked P-487 [verbatim]?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Is that large thing 487?
BY MR. C. PLACITELLA:
Q. Yes.
A. This is the first I've seen this.
Q. So in preparing for today's deposition, your attorneys never provided you any records related to discovery responses from any case on this exhibit, other than what you have marked here as P-2; is that fair?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: As I said, this is the first I had seen this document.
MR. C. PLACITELLA: Okay. Why don't we take a break now.

THE VIDEOTAPE OPERATOR: The time is 11:20 a.m. We're off the record.
(Brief recess.)
THE VIDEOTAPE OPERATOR: Time is 11:42 a.m. We are on the record.
MR. C. PLACITELLA: Okay, thank you.
BY MR. C. PLACITELLA:
Q. I have to ask the question. I hope I know the answer.
Am I fair to -- is it fair to assume you didn't discuss your deposition during the break?
A. We did not.
Q. Okay. Good.
You said before you spoke to Pamela Downs and she did the search.
What exactly did she search?
A. My understanding is that she search -- searched, excuse me, for the documents that you have listed in the second part of the deposition -- of the notice that you had served us.
Q. Okay. And what did, what did she use to search; was it a computer, was it a

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database, what?
A. She used search terms. I know that she searched by name. She searched by -- excuse me, she searched by product.
Q. So she -- when she conducted her search, she didn't look at all lawsuits historically that Johnson & Johnson was involved with concerning talc, only the lawsuits that were mentioned on P-1; is that fair?
A. My understanding is that she did the search for the documents that you requested.
Q. Okay. So in your preparing information concerning historical discovery responses, you never went beyond the specific cases that we were aware of and that were listed on P-1 correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: My concentration was on what is listed in the first part of your notice. And we ensured that Miss Downs had searched for everything that was involved in part 2. Excuse me.

BY MR. C. PLACITELLA:
Q. But she didn't search for all historical discovery responses in talc cases that were provided by Johnson & Johnson, I take it?
A. That's my understanding.
Q. And she certainly didn't search for any of the cases that are set forth in this log, 486, other than what's on your list, correct?
A. I don't believe so, no.
Q. Where would the information be stored for the lawsuits that were set forth on the log, 486?
A. They could be in various places. I don't know specifically where they would be.
Q. Well, is it in the Legal Department?
A. Some of it could be in the Legal Departments if -- if there were any documents associated with it. And they also could be in outside counsels.
Q. Well, we know that there were documents associated with it, right? Because they actually list the documents. So, for

example, you know, in this first entry, the first two entries, it lists documents. So they know that there were documents in the Legal Department, correct?
MR. BERNARDO: Object, object to the form of the question.
THE WITNESS: As I told you earlier, this is the first time I've seen this. It says Privilege Description. I don't know really what that means. Does it mean they're documents or not? I don't know.
BY MR. C. PLACITELLA:
Q. Well, let's just look at it. It says, Attachment prepared by counsel.
Attachment is not an apple or an orange, right?
It's a piece of paper, right?
A. It says attachment here, yes.
Q. All right. Pursuant to pending and anticipated litigation.
You understand that means current cases and cases in the future?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Again, I can't

comment on any of this.
BY MR. C. PLACITELLA:
Q. Regarding Johnson's Baby Powder litigation, right?
A. That's what it says, yes.
Q. So according to this, there were documents apparently in the department, in the Legal Department related to a case file in 1971 --
MR. BERNARDO: Object.
BY MR. C. PLACITELLA:
Q. -- correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: You're reading what it says here.
BY MR. C. PLACITELLA:
Q. And, for example, the very first entry on here talks about letters concerning samples in connection with ongoing and anticipated litigation; do you see that?
A. That's what it says, yes.
Q. Well, what -- who had -- who retained talc samples related to litigation, to your knowledge?

MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. Is that the Legal Department?
A. I don't know. I don't -- I can't comment on this today.
Q. Well, what does J&J know about talc samples that were involved in litigation as set forth in their own privilege log?
MR. BERNARDO: Object to the form of the question. Beyond the scope of the notice.
You can answer in your individual capacity, if you know.
THE WITNESS: I can't answer that.
BY MR. C. PLACITELLA:
Q. So in preparing historical -- to be here today to talk about historical discovery responses, you have no information whatsoever about samples that were part of the litigation discovery process, correct?
MR. BERNARDO: Object, object to the form of the question.
THE WITNESS: I -- again, I

cannot answer on any of these cases. I'm not familiar.
BY MR. C. PLACITELLA:
Q. Now, in your preparation and in the knowledge of Johnson & Johnson, do you have a record or any information of a single case where Johnson & Johnson turned over asbestos testing data prior to 2017?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Could you repeat that question?
BY MR. C. PLACITELLA:
Q. Yes, ma'am.
Am I correct -- well, strike that.
Do you have any evidence that Johnson & Johnson turned over in a lawsuit involving talc testing data related to asbestos and talc prior to 2017?
A. If it was requested, Johnson & Johnson would have turned it over.
Q. When does your research -- or when does Johnson & Johnson maintain is the first time that it turned over testing data concerning asbestos in Johnson & Johnson talc

in litigation?
When is the first time that happened?
A. I -- again, it would be whenever it was requested.
Q. But from your knowledge, so you believe that the first time it was requested it was turned over?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: If there were specific documents requested, they would have been. I -- we're talking generally so I don't know the answer to this.
BY MR. C. PLACITELLA:
Q. Well, you know, for example, when lawyers in cases involving cancer and baby powder ask for testing data, Johnson & Johnson took the position that they weren't going to turn it over because it was privileged.
MR. BERNARDO: Object.
BY MR. C. PLACITELLA:
Q. You know that, right?
MR. BERNARDO: Object to the

form of the question.
BY MR. C. PLACITELLA:
Q. You saw that, right?
A. I don't know this, no.
Q. Okay. That would be wrong, wouldn't you say?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I can't -- I can't comment on that.
BY MR. C. PLACITELLA:
Q. I mean, that would be a wrong thing to do if you had testing data concerning asbestos in a talc and you withheld it and asserted privilege as a -- as a reason for not turning it over, correct?
MR. BERNARDO: Object, object to the form of the question.
THE WITNESS: If Johnson & Johnson knew that anything about any of its products were dangerous, they would take steps to correct that.
BY MR. C. PLACITELLA:
Q. Ma'am, that wasn't my question.
My question was, if you had

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information in your possession, that's you, Johnson & Johnson, concerning testing data on asbestos and talc that was requested in a lawsuit, it would be wrong not to turn that over, correct?

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

THE WITNESS: I just have to say, if it were requested they would turn over whatever was appropriate.

BY MR. C. PLACITELLA:

Q. Right.

And if they didn't turn it over, that would be wrong, correct?

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

THE WITNESS: I can't say wrong or right, or whatever legal basis there would be. So I can't comment on that.

BY MR. C. PLACITELLA:

Q. Okay. You, Johnson & Johnson, can't testify or attest to whether it would be wrong or right to turn over asbestos testing data if requested in a lawsuit; Johnson & Johnson doesn't know if that's

wrong or right?

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

THE WITNESS: No, I'm not saying that.

I'm just saying that if there had been a legal decision as to why some evidence or whatever you're asking for was not given, I -- I can't even comment on that. All I can say is that if there was ever anything concrete and scientific saying that any product was unsafe, Johnson & Johnson would not hide that.

BY MR. C. PLACITELLA:

Q. When you say "concrete and scientific," what do you mean by that?

A. I mean that scientific evidence that had been peer reviewed, that had been researched, Johnson & Johnson would take steps to do something about the products.

Q. When you say peer review, what do you mean by that?

A. Peer reviewed means that the -- the particular expertise have reviewed a particular medical journal or whatever it

has -- whatever it is and made comments on it.

Q. So unless -- so if you have evidence in your possession about asbestos in baby powder, you're saying you don't have to turn it over unless it's commented on or reviewed by a medical journal?

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

BY MR. C. PLACITELLA:

Q. Is that what you're saying?

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

THE WITNESS: That's not what I said.

BY MR. C. PLACITELLA:

Q. All right. So what I'm asking you, if you have evidence in your possession related to testing of asbestos in baby powder, what was your obligation in litigation to turn that over?

MR. BERNARDO: Object to the form of the question. She's not here in the capacity as a lawyer. She's not -- this is not within the scope of the notice.

You can answer in your individual capacity --

MR. C. PLACITELLA: Is that an objection to form?

MR. BERNARDO: I'm -- given the way you're conducting this deposition, Mr. Placitella, I think I'm entitled to point out that your questions are well beyond the scope, and clarify the extent to which we are tendering this witness as a corporate representative. So it is beyond form, but I think --

MR. C. PLACITELLA: Okay.

MR. BERNARDO: -- it's appropriate under the circumstances.

BY MR. C. PLACITELLA:

Q. You understand that you're here to talk about the historical discovery responses provided by Johnson & Johnson, correct?

A. My --

Q. In lawsuits, correct?

A. My understanding is that I'm here today to talk about -- or the way that I have interpreted the notice to be, which there seems to be some disagreement with.

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So it's specifically discovery responses concerning the asbestos content of talc, Johnson & Johnson's Baby Powder, Shower to Shower.

Q. Correct.

So if Johnson & Johnson had information in its possession concerning asbestos content in baby powder, it would have been wrong to not turn that over in a lawsuit, correct?

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

THE WITNESS: Again, I -- I feel comfortable that Johnson & Johnson has turned over everything that has been requested.

BY MR. C. PLACITELLA:

Q. Every time it was asked for?

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

THE WITNESS: I can't comment on other cases, on other notices or anything. I don't know anything about that.

BY MR. C. PLACITELLA:

Q. Okay. I'm not asking you to

comment. I'm asking you, Johnson & Johnson.

Johnson & Johnson does not know whether it turned over asbestos testing evidence in lawsuits when requested?

Johnson & Johnson doesn't know that?

A. I'm representing Johnson & Johnson, yes. Because Johnson & Johnson is a company, not a person. But it is not -- I do not know this, yes.

Q. So Johnson & Johnson does not know?

MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.

THE WITNESS: This is not what I was prepared to speak about today.

BY MR. C. PLACITELLA:

Q. You are here to talk about the historical responses. And I'm saying, historically, you don't know whether Johnson & Johnson has actually turned over the evidence and when is the first time it turned over the evidence?

A. No, I do not know.

Q. So Johnson & Johnson has no idea

when the first time it turned over in the context of a lawsuit asbestos testing evidence, correct?

MR. BERNARDO: Object, object to the form of the question. This witness is not being tendered to address this.

And she can answer in her individual capacity, if she knows.

THE WITNESS: I do not know.

BY MR. C. PLACITELLA:

Q. What do you know about the Joly case?

A. I told you earlier, I'm not familiar with that case.

Q. You're certain?

A. I don't remember it.

Q. You have no personal involvement in the case?

A. I didn't say that. I don't remember. It's been, what? Ten years, at least, that I've been out of the company. So I -- and what year is this? I don't even know.

Q. Well, you're here to talk about -- you're Johnson & Johnson.

Does Johnson & Johnson know anything about the Joly case?

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

THE WITNESS: I'm not here today to prepare to speak about the Joly case.

BY MR. C. PLACITELLA:

Q. What about the Yuhas case, did you ever hear of that?

A. No, I did not.

Q. Does Johnson & Johnson know anything about the Edley case?

A. I'm not familiar with the cases that you're citing now.

Q. You do know something about the Gambino case?

A. I've heard of the name, yes.

Q. What do you know about the Gambino case?

A. That is one of the ones that was listed, which you requested documents, but I -- that's why I had asked for that chart, to refresh myself, because the top of my head, I don't remember what Gambino was.

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Q. Well, where are the records related to the Gambino case?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: If there were any records, they -- they would have been provided to you as requested.
BY MR. C. PLACITELLA:
Q. Well, did you review records related to the Gambino case?
A. I did review the Complaint, that's, again, why, you know, the composite and the chart so I could just remember. I wanted to know what the Complaint was.
Q. So other than the Gambino Complaint, you didn't review anything else as related to the Gambino case in order to testify here today?
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. Correct?
A. I reviewed the documents for which -- or the cases for which there were documents and discovery responses, yes.

Q. What did you review in connection with the Gambino case?
A. As I said, I just reviewed the Complaint and that was all that was available.
Q. Okay. So do you know what the source of the talc was that was at issue in the Gambino case?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I'm not familiar with the sources of the talc for each specific case, no.
BY MR. C. PLACITELLA:
Q. What happened to the plaintiff in the Gambino case?
What happened to that case?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I don't remember.
BY MR. C. PLACITELLA:
Q. Were the records from the Gambino case when the case was over preserved?
MR. BERNARDO: Object to the form of the -- object to the form of the

question.
THE WITNESS: If there were records for when a case was over, I would have to believe that they were preserved, yes.
BY MR. C. PLACITELLA:
Q. Okay. Where?
A. I -- I don't know specifically. They might even be outside counsel.
Q. What about the Selby case, what do you know about that?
A. Again, I know that was one of the ones listed.
Q. And what do you know about the Selby case?
A. May I have the -- the chart that...
THE COURT REPORTER: Here you go.
THE WITNESS: Thank you.
Now, what it says here, that I was most interested in the Complaint that was filed and this is talcosis. It was filed in 1993.
BY MR. C. PLACITELLA:
Q. What did you review in connection

with the Selby case?
A. If there were any discovery responses for Selby.
Q. And what -- what is it -- what do you remember of -- from the discovery responses?
A. I think the important thing about this, this was a talcosis case.
Q. That's all you remember from the discovery?
A. Yes.
Q. Okay. And what happened to the Selby case?
A. I don't know.
Q. Okay. Have you ever heard of a case called Andonian?
A. No, I have not.
Q. What about a case filed by Fae Miller?
A. No, not familiar.
Q. What about the Coker case?
A. Coker is -- is one of the ones listed in your notice.
Q. Okay. And what do you know about the Coker case?

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A. The Coker case was -- alleged injury was peritoneal mesothelioma. And it was filed in 1997.
Q. What else do you know?
A. That is all I know about it.
Q. What do you know about the discovery responses provided in the Coker case?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I do not know if there were discovery responses.
BY MR. C. PLACITELLA:
Q. You're the person here to testify about this, with the most knowledge concerning the historical discovery responses and you know nothing about the discovery responses; is that what you're saying?
MR. BERNARDO: Object to the form of the question and the characterization of her testimony.
THE WITNESS: No, I'm not saying that.
Remember, I -- I talked about how we did the searches and -- and I

reassured myself that all searches were as thorough as could be. And -- and there were -- there's no more information about the Coker case.
BY MR. C. PLACITELLA:
Q. Other than a Complaint?
A. Yes.
Q. What about the Durham case; did you ever hear of that?
A. No, I'm not familiar with that.
Q. What about the Cooper case, what do you know about the Cooper case?
A. Seems that it was a rash was the alleged complaint in 1986.
Q. What happened to the Cooper case?
A. I do not know.
Q. Where -- did you review any discovery responses related to the Cooper case?
A. If they had been made available, I would have. And I don't believe they were available.
Q. Okay. What about the Cunningham case, what do you know about that?
A. That we couldn't find anything on

the Cunningham case.
Q. So you know nothing?
A. Yes.
MR. BERNARDO: Object --
BY MR. C. PLACITELLA:
Q. What about the --
MR. BERNARDO: -- to the form of the question.
BY MR. C. PLACITELLA:
Q. -- Kreppel case?
A. I don't know that name.
Q. K-r-e-p-p-e-l, you know nothing about that?
A. Oh, Kreppel. I thought you said...
Q. Right.
A. Yeah, that something was filed in 1988, but they could not identify it.
Q. So you have no records, Johnson & Johnson has no records related to the Kreppel case?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Nothing could be found internally. Again, something may have been in outside counsel files.

BY MR. C. PLACITELLA:
Q. Well, what kind of search was done for the Kreppel case?
A. The same that I already explained to you was done on all the cases. They were searched by as many terms as -- as provided.
Q. So you didn't review any discovery responses related to the Kreppel case?
A. If they had been made available, I would have reviewed them, and there were none available.
Q. What about the Lopez case, what do you know about that?
A. The same thing, it's -- I think it's important to note that it's industrial talc, but I don't have any more information.
Q. How do you know that?
A. That was what was obvious, you know, set forth in the actual Complaint.
Q. So the only thing you had related to the Lopez case was the Complaint?
A. That was all that was available. Again, I saw this was industrial talc, so I did not go any further with this. But if there were any discovery responses or

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anything else associated with any of these cases, it would have been made available to me and to you.
Q. What about the Ritter case, what do you know about that?
A. Same thing, this is industrial talc.
Q. Okay. And what discovery responses did you review?
A. If there had been discovery responses I would have reviewed them, and I believe none were available. And, again, it's industrial talc.
Q. What about the Roberts case?
A. This is -- this concerns a deodorant product, chronic lesions of the armpits.
Q. I don't care about that.
What about the case of Sheldon Sullivan, what do you know about that?
A. We don't know much. The Complaint did not specify what the injury was.
Q. Am I correct that when you actually at least in one case swore under oath that information you were providing was true and

accurate, to your knowledge, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Would you ask that question again?
BY MR. C. PLACITELLA:
Q. Sure.
You actually certified answers to interrogatories in some cases, correct?
A. From time to time, yes.
Q. And when you did that, you swore under oath that the information that you were provided was true and accurate, to the best of your knowledge, correct?
A. Yes.
Q. And you agree with me that when swearing under oath, the information that you're swearing to is only as good as the information that you're provided, correct?
A. I mean, I took it very seriously when I would sign anything and swear that. And I felt confident that the people that I directed counsel to speak with would provide the right answers.
Q. Did you ever testify under oath

that the -- that when swearing under oath the information you were swearing to was only as good as the information you were provided?
A. No, I did not swear to that.
MR. C. PLACITELLA: I'm going to go video, please.
(At which time the following audio recording is played for the witness.)
"QUESTION: So if you're getting information about the product, the information --
(Multiple speakers, unintelligible crosstalk.)
MR. BERNARDO: Is this supposed to be video?
THE WITNESS: There's no video.
"ANSWER: Yes, from our -- our scientists, I believe and trust their expertise, yes."
(At which time the audio playback is concluded.)
MR. C. PLACITELLA: She's not seeing the video.
THE COURT REPORTER: Can we cue that up again, because...

MR. C. PLACITELLA: Sure.
Tell me when you're ready.
THE VIDEOTAPE OPERATOR: Stand by. The time is 12:05 p.m. Off the record.
(Off-the-record discussion.)
THE VIDEOTAPE OPERATOR: Time is 12:06 p.m. on the record. Stand by. Go ahead.
(At which time the following audio recording is played for the witness.)
"QUESTION: So if you're getting -- ")
MR. BERNARDO: Still not coming up.
"QUESTION: -- information about the product the information -- "
MR. BERNARDO: There you go.
"QUESTION: -- the information that you're providing is only as good as the information that's been provided to you, correct?
"ANSWER: Yes, from our -- our scientists, I believe and trust their expertise, yes.")
(At which time the audio

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playback is concluded.)
BY MR. C. PLACITELLA:
Q. Do you recall that testimony?
THE VIDEOTAPE OPERATOR: Okay, counsel.
BY MR. C. PLACITELLA:
Q. So the information that you relay in answering interrogatories is only as good as the information provided to you, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I wouldn't use "only."
As I said before, that I -- I trust these people. I worked with them for years. These weren't just somebody down the street that I grabbed and said, You know, would you answer this?
These were people who were experts in their fields. And that's why they were chosen.
BY MR. C. PLACITELLA:
Q. Well, let me ask you some questions about that.
Even though you were the person in

charge of responding to consumer inquiries and answering -- and certifying interrogatories about talc safety, there were discussions about the dangers of Johnson's Baby Powder you were never privy to, correct?
A. There -- I don't think there were discussions about the dangers of Johnson's Baby Powder. In our normal course of business, we would always discuss our products, ensuring that they are safe. So, yeah, there would be discussions, but not that it was unsafe.
MR. C. PLACITELLA: Okay. Can I go to the video, please?
THE VIDEOTAPE OPERATOR: Stand by. Go ahead, sir.
(At which time the following audio recording is played for the witness.)
"QUESTION: And they had discussions outside of your presence about the dangers or problems associated with baby powder and those were never communicated to you as the person who was in charge of dealing with the public as it relates to baby powder, right?

"UNIDENTIFIED COUNSEL: Same objection, compound, vague and ambiguous.
"You can answer.
"ANSWER: There may have been conversations that I was not privy to, yes."
(At which time the audio playback is concluded.)
BY MR. C. PLACITELLA:
Q. Do you recall giving that testimony?
A. That's me.
Q. Am I correct that although you were the person who certified answers to interrogatories, no asbestos testing evidence was ever provided to you, correct?
A. That was not my role. They -- they could have shown me study and research. And I really wouldn't understand it. That's why we had experts who would understand it. That's who we relied on.
Q. All right. Let me ask the question again.
Am I correct that no asbestos testing evidence was ever provided to you in any capacity, correct?

MR. BERNARDO: Object to the form of the question.
THE WITNESS: As -- as I said, I did answer you, that I did not review any of that. That was not my role.
BY MR. C. PLACITELLA:
Q. Even when you certified information about asbestos testing evidence under oath, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: The same thing. I felt comfortable. I could verify, nothing was jumping out at me as wrong. It was the company's position that there was no asbestos in the cosmetic talc used in Johnson's Baby Powder. And I felt very comfortable in the people who answered the questions.
BY MR. C. PLACITELLA:
Q. What was my question?
A. Repeat it, please.
Q. Do you have any idea what it was?
A. You asked me if I had ever seen or reviewed any of the studies. There was no reason for me to.

Q. Even though you were certifying under oath about what was or was not in the studies?
MR. BERNARDO: Object to the form.
BY MR. C. PLACITELLA:
Q. There was no reason for you to look at them --
A. I --
Q. -- or even see them?
A. I wasn't certifying what was in or not in the studies. I was certifying that these questions had been answered. Again, I directed counsel to speak with those who could most expertly answer the questions.
Q. Ma'am, you certified under oath under penalty of perjury that the information provided was true and accurate, to the best of your knowledge, did you not?
A. Yes, that's correct.
Q. And in doing that you never reviewed a single piece of paper before making that certification, correct?
A. That's correct. That was not my role to do it. I was representing the

company, because the company can't sign. But I started the process by sending counsel to speak with those who could best answer. So I knew right up front that the right people were involved.
Q. The answer to my question is, ma'am, when you certified interrogatories under oath, under penalty of perjury, and said they were true and accurate, to the best of your knowledge, you never reviewed a single piece of paper before doing so, correct?
MR. BERNARDO: Object to the form of the question, asked and answered.
THE WITNESS: If there were papers involved, I did not review them, no.
BY MR. C. PLACITELLA:
Q. And you swore under oath that the sources from what -- where Johnson Baby -- where Johnson & Johnson got its baby powder never contained either asbestos or Tremolite; you swore to that, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I verified the

answers that were given to those questions.
BY MR. C. PLACITELLA:
Q. Verify means you just signed them?
A. No, I did not just sign them. As I said, if anything ever jumped out at me, but I had the experts answer those questions.
Q. You never reviewed any evidence whatsoever before swearing under oath that there was no evidence of asbestos or Tremolite in Johnson's Baby Powder, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I did not review any specific documents, but, again, the people that I had answer these questions were the right people to answer them and most knowledgeable. And...
BY MR. C. PLACITELLA:
Q. Who's the person who told you that there was no evidence of asbestos in Johnson's -- or Tremolite in Johnson's talc that you based your certification under penalty of perjury on?
Who is that person?
MR. BERNARDO: Object to the

form of the question.
THE WITNESS: I really don't remember what specific person answered the specific questions that were involved in a specific interrogatory for a specific Complaint.
BY MR. C. PLACITELLA:
Q. Well, was it a scientist or a lawyer?
A. No, it was always a scientist.
Q. Okay. Who?
Who told you that, that there was never any evidence whatsoever?
A. The different scientists that I worked with through the years. As I said, there was not one specific one that was always the answer for.
These -- these were based on not just one particular case. These would be studies, and research, and different experiments and everything that were going on, ongoing. So it wasn't just, Aha, there's a question here, let's go find the answer.
We were -- as a company, this was our responsibility to be doing all the time.

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Q. Am I correct that ultimately what was provided and what you swore to was decided by the Johnson & Johnson lawyers --

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

BY MR. C. PLACITELLA:

Q. -- correct?

A. No. The responses were provided by, again, the experts in response to the particular questions of the Complaint.

Q. Ma'am, the lawyers ultimately decided what was going to be communicated in lawsuits related to baby powder, not you, correct?

A. It's not me or the lawyers. It's the excerpts for the particular question.

MR. C. PLACITELLA: All right. Can we go to video, please?

THE VIDEOTAPE OPERATOR: Stand by. Okay.

(At which time the following audio recording is played for the witness.)

"QUESTION: So the lawyers made a determination as to what was going to be communicated and what was not going to be

communicated, it was not you; is that fair?

"UNIDENTIFIED COUNSEL: Object to the form of the question.

"You may answer.

"THE WITNESS: They -- since it was a legal matter, they were the appropriate person to make the final decisions."

(At which time the audio playback is concluded.)

BY MR. C. PLACITELLA:

Q. Do you recall giving that testimony?

A. That was me in the video.

Q. Okay. In the answers to interrogatories that you swore to, did you ever mention the names of any of the scientists that you said provided the information that there was no asbestos, evidence of asbestos in the Johnson & Johnson talc?

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

THE WITNESS: Are you referring to the specific interrogatories?

BY MR. C. PLACITELLA:

Q. Anytime.

I couldn't find any, so I'm asking you if you have any recollection.

A. If -- if the question asked for a specific person, it was provided.

Q. So unless it was asked for a specific person, you never provided the basis for your verification that there was no evidence of asbestos in Johnson's Baby Powder in lawsuits involving Johnson & Johnson talc --

MR. BERNARDO: Object.

BY MR. C. PLACITELLA:

Q. -- correct?

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

THE WITNESS: There -- again, if there was a question where they required a specific person's name, yes. Other than that, there was no need to.

BY MR. C. PLACITELLA:

Q. Okay. So you, Johnson & Johnson, when you were verifying discovery in lawsuits involving Johnson & Johnson talc, you did not have any scientist certify that the

information provided under oath was true and accurate, correct?

You never did that?

A. No, there was no need to.

Q. What they did is they had the person from Marketing just sign the interrogatories without ever reviewing a single document, correct?

A. No, that's --

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

THE WITNESS: That's incorrect. As I explained to you, that the appropriate person would be answering the question, that these weren't just some people who just happened to be down the hall. The specific, whether it was a scientist, whoever was necessary to answer the question.

BY MR. C. PLACITELLA:

Q. But as Johnson & Johnson sits here today, they can't identify a single scientist who provided the information that was put in sworn discovery responses that -- for the basis for there was no evidence of asbestos in Johnson & Johnson talc, correct?

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MR. BERNARDO: Object to the form of the question.
THE WITNESS: There definitely was basis for that. We had many different scientists. I believe you've spoken to one of them, Dr. Hopkins.
BY MR. C. PLACITELLA:
Q. That wasn't my question.
As Johnson & Johnson sits here today under oath on behalf of the corporation, you can't identify a single scientist that provided information that justified your swearing under oath that there was no evidence whatsoever of asbestos in any Johnson & Johnson talc product, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: As I said, there were no names that required it. So asking for different complaints, different interrogatories, I could sit here and give you a lot of different names. I just mentioned one for you.
BY MR. C. PLACITELLA:
Q. Oh, so you spoke to Dr. Hopkins in

responding -- and certifying answers to interrogatories; is that what you're saying?
A. No. As I explained earlier, my role was not to speak directly to the internal experts. My role was to suggest and direct counsel to speak to those experts. And they may have had those conversations. It would be different people for different responses.
Q. Okay. So now we're getting somewhere.
When you verified the interrogatories under oath, you never had a conversation with any of the scientists, correct?
A. Not for that specific case, but I have worked with those scientists --
Q. No, ma'am.
A. -- 30 years and so I knew that they would be the right person.
Q. All right. So that's -- that's -- that's where I'm -- let's be very specific here. When you certified interrogatories under penalty of perjury indicating that there was no asbestos or no evidence of

asbestos in any Johnson & Johnson talc product, you, Nancy Musco, never had a conversation with any scientist in that regard, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: As I said, I had many conversations with them throughout my everyday work. And that is why I asked them to speak to counsel to respond to that.
BY MR. C. PLACITELLA:
Q. All right, all right. That's not my question, ma'am.
I'm saying when you had to answer and certify a specific question, is there any evidence of asbestos in Johnson's Baby Powder, you, in answering that question never spoke to a single scientist, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Again, not in relation to that specific question. But throughout my tenure at Johnson & Johnson, yes, I did.
BY MR. C. PLACITELLA:

Q. Okay. But in answering discovery under oath and swearing to the veracity of a statement provided that there was no evidence of asbestos in Johnson's Baby Powder, in that capacity you never spoke to a single scientist, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: There was no need for me to have a conversation with them at that particular time, because I was familiar with what they knew and understood. And I knew what their answers would be.
BY MR. C. PLACITELLA:
Q. Let me ask --
MR. C. PLACITELLA: Can you read my question back, please?
(At which time the following question is read:
"QUESTION: But in answering discovery under oath and swearing to the veracity of a statement provided that there was no evidence of asbestos in Johnson's Baby Powder, in that capacity you never spoke to a single scientist, correct?")

MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. Can you answer that question, please?
A. As I said, for that specific -- a specific answer, I did not have a conversation.
My role was to ensure that counsel was speaking to the correct person to answer it.
The reason that I went with those people was because of those many conversations I had throughout my tenure.
Q. Okay.
A. I spoke to them often.
Q. What was my question, ma'am?
A. You asked me if I spoke with them each time that there was a question. No, I did not. I spoke to them many times throughout my tenure.
Q. Okay. And the -- what was ultimately included in an answer, a discovery response came through Johnson & Johnson's lawyers, correct?

MR. BERNARDO: Object.
BY MR. C. PLACITELLA:
Q. In other words, the chain of information was that the scientists provided the information to Johnson & Johnson's lawyers and then Johnson & Johnson put that -- lawyers put that information down in response to discovery and then you certified that it was true and accurate, correct?
A. Yes, the process would be that the counsel would have conversations with the expert. The expert would provide their answers, and counsel compile it all and then provided it back to whomever requested it. But they did not change the answer or address the answer, no.
Q. "No," what?
A. No, they -- they were the ones who put it all together to communicate it to whomever had requested it originally. But it was the experts who provided, the internal experts who provided the answers.
Q. When you swore under oath that there was no evidence whatsoever of asbestos in Johnson's Baby Powder, that was based upon

an answer that was put down by the lawyers who spoke to the experts, correct?
MR. BERNARDO: Object to form of question.
THE WITNESS: Everybody I worked with, we knew the company's position. I verified that everything that was written there was consistent with that position.
BY MR. C. PLACITELLA:
Q. When you say "company's position," what do you mean by that?
A. That there is no asbestos in the cosmetic talc used for Johnson's Baby Powder.
Q. There's no evidence of asbestos, there never was and there never will be; isn't that the company position?
A. Yes, in the cosmetic talc used for Johnson's Baby Powder.
Q. You -- excuse me.
It was -- I'm looking at your answer to P -- I want to go to Musco-1, it was your position in responding to discovery under oath that there were never any -- there was no evidence, no studies and no reports indicating that there was asbestos in any

Johnson & Johnson Baby Powder product, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Could you repeat that question?
MR. C. PLACITELLA: Can you read it back, please?
BY MR. C. PLACITELLA:
Q. And when I say "you," I mean Johnson & Johnson.
(At which time the following question is read:
"QUESTION: I'm looking at your answer to P -- I want to go to Musco-1, it was your position in responding to discovery under oath that there was no evidence, no studies and no reports indicating that there was asbestos in any Johnson & Johnson Baby Powder product, correct?")
THE WITNESS: That's correct.
BY MR. C. PLACITELLA:
Q. Okay. And that's what was told to you by Dr. Hopkins, correct?
A. It wasn't a question of just told

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to me. We discussed the various documents that you had presented. My purpose of the conversation with Dr. Hopkins was to reaffirm that he was familiar with everything, that there was nothing new that plaintiffs had provided, and that he was familiar with all the different paperwork and documents.

Q. So, as you sit here today, in preparing for this deposition, you were not aware that Dr. Hopkins in trial, under oath, testified that there were, in fact, reports or studies indicating there was asbestos in Johnson & Johnson talc, correct?

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

BY MR. C. PLACITELLA:

Q. You're not aware of that?

A. I'm not aware specifically what Dr. Hopkins said or didn't say in his testimony.

Q. And if he would have said that, that would be completely at odds with what you testified to here under oath and in swearing to answers to interrogatories, true?

MR. BERNARDO: Object to the

form of the question.

THE WITNESS: I don't know what Dr. Hopkins said, so I -- I can't comment on that. But consistent that there is not asbestos in the cosmetic talc used in Johnson's Baby Powder.

BY MR. C. PLACITELLA:

Q. Your statement is there's no evidence. And there never was any evidence of asbestos in any Johnson & Johnson cosmetic talc product, correct?

A. Yes.

Q. That's your position?

A. Yes.

Q. And that's what you swore to repeatedly under oath in answering interrogatories and in your deposition, correct?

MR. BERNARDO: Object to the form of the question and the characterization of prior testimony.

THE WITNESS: Yes.

BY MR. C. PLACITELLA:

Q. And that's what Johnson & Johnson asserts here, before this jury, under oath

that there was never any reports or evidence that there was asbestos in any Johnson & Johnson talcum powder product, correct?

A. That's correct.

MR. C. PLACITELLA: Can we go to the video, please?

THE VIDEOTAPE OPERATOR: Stand by.

BY MR. C. PLACITELLA:

Q. Do you recognize the person on this --

THE VIDEOTAPE OPERATOR: Go ahead.

BY MR. C. PLACITELLA:

Q. Do you recognize the person on this screen?

A. Yes, I do.

Q. Who is that?

A. That's Dr. John Hopkins.

Q. Okay. I want to play you his testimony.

MR. BERNARDO: Do you happen to have the transcript she can read while she's --

MR. C. PLACITELLA: I'm going

to play it for you.

MR. BERNARDO: Well, I understand that, I'm asking --

(At which time the following audio recording is played for the witness.)

"ANSWER: Repeat the question, please.

"QUESTION: Yes.

"Do you know for a fact studies have indicated asbestos in your talc, which you claim is asbestos-free, true?

"ANSWER: Studies have reported."

(At which time the audio playback is concluded.)

(Unintelligible by reporter.)

(Reporter clarification.)

THE WITNESS: Yeah, it's hard for me to understand, too.

MR. C. PLACITELLA: We'll do it again.

(Off-the-record discussion.)

(At which time the following audio recording is played for the witness.)

"ANSWER: Repeat the question,

please.
"QUESTION: Yes.
"Do you know for a fact studies have indicated asbestos in your talc, which you claim is asbestos-free, true?
"ANSWER: Studies have reported, yes."
(At which time the audio playback is concluded.)
BY MR. PLACITELLA:
Q. Dr. Hopkins never -- Dr. Hopkins never told you that he testified in a court of law that, in fact, there were studies that reported asbestos in the talc that you say is asbestos-free?
MR. BERNARDO: Object to the form.
BY MR. C. PLACITELLA:
Q. Correct?
MR. BERNARDO: Object.
BY MR. C. PLACITELLA:
Q. You never saw this before?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I never saw this

before and he and I did not discuss his testimony, no.
BY MR. C. PLACITELLA:
Q. That's completely at odds with what you just testified to, isn't it?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: No, it's not.
BY MR. C. PLACITELLA:
Q. How is it consistent?
A. You know, again, I can't comment on what Dr. Hopkins said here. But, yeah, our understanding that there are studies, we're not saying that they are right or complete, but, yeah, there have been studies saying that.
Q. All right. So there is evidence of asbestos in the Johnson & Johnson Baby Powder and by the way of studies, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: You know, I'm not an expert on that, the studies, but Dr. Hopkins is and he can best explain that to you.

BY MR. C. PLACITELLA:
Q. Ma'am, you said there were no studies, no evidence, but, in fact, we now know based on Dr. Hopkins' sworn testimony that there, in fact, are studies and that they were testified to by the corporate representative for Johnson & Johnson before a jury, correct?
A. Yes, we've just taken his testimony out of context. So I don't know what came before, after. And I don't want to comment on his testimony.
Q. You know now for the first time, ma'am, that Johnson & Johnson has stated under oath in a court of law, that despite what you said and what you testified to on behalf of Johnson & Johnson here that there are, in fact, studies demonstrating that there was asbestos in the talc that you say was asbestos-free, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I don't want to take Dr. Hopkins' testimony out of context. I don't know what came before or after. And

that would be unfair to all involved. And I don't want to -- I -- I can't comment on what he said.
BY MR. C. PLACITELLA:
Q. Well, isn't it unfair to all involved, ma'am, the fact that you never had a conversation with Dr. Hopkins about whether he knew that there were studies and he testified that there were studies; isn't that unfair?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Dr. Hopkins and I discussed, went through different research, experiments, studies that were done. I wanted to make sure that he was familiar with them, because he's the best person to talk about them, I'm not.
BY MR. C. PLACITELLA:
Q. So it was unfair to you, wasn't it, if Dr. Hopkins testified under oath that there were, in fact, studies showing there was asbestos in the Johnson & Johnson product and that was never relayed to you, correct?
That was unfair to you?

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MR. BERNARDO: Object to the form of the question.
THE WITNESS: No, it was not unfair.
BY MR. C. PLACITELLA:
Q. Okay. You thought that was okay?
A. Again, I don't want to comment on his testimony, because I don't know what came before or after.
Q. Okay. Now --
MR. C. PLACITELLA: Do you have the chart? The chart, mm-hmm.
(Exhibit J&J-488, Chart, is marked for identification.)
BY MR. C. PLACITELLA:
Q. I'm going to show you what has been marked Hopkin -- J&J-488.
You've seen this before?
MR. C. PLACITELLA: You can -- I only have two, they're big.
We'll go to Elmo, please.
BY MR. C. PLACITELLA:
Q. You have in front of you Exhibit 488, which was marked as Exhibit 28 in Dr. Hopkins' deposition. Did you ever --

and you saw this the last time we were here, correct?
A. I believe so.
Q. And after testifying -- and I think the last time we were here you said that you never had seen this chart before you gave your deposition, correct?
A. That's correct.
Q. Okay. And you actually knew nothing about this chart, correct?
A. I had not seen it before.
Q. And you know now that this chart was prepared at the deposition of Dr. Hopkins live at the deposition, you know that, correct?
A. No, I don't know what it was used for.
Q. Have you -- when you spoke to Dr. Hopkins and you were preparing for this deposition, did you review this chart with him?
A. No, I did not.
Q. All right. Did you review the chart at all?
A. No, I did not.

Q. So even though you were asked about this chart in the last deposition, you took no steps to -- in preparing for today's deposition concerning the -- the veracity of historical discovery responses to look at this chart or any of the evidence mentioned in this chart, correct?
MR. BERNARDO: Object, object to the form of the question.
THE WITNESS: I did not look at this specific chart. I looked at different evidence, but I did not look at this specific chart.
BY MR. C. PLACITELLA:
Q. Okay. And, for example, this chart has the -- it's in chronological order, it has the date; do you see that?
A. I see that, yes.
Q. The entity that did the test, right, the author, correct?
A. I see that, yes.
Q. The test method, what was tested, what the test actually revealed; do you see that?
A. I see that.

Q. Okay. Any comments that Dr. Hopkins had concerning the chart?
A. I see Dr. Hopkins' --
Q. Do you see that?
A. -- comments.
Q. Okay.
(Reporter clarification.)
THE WITNESS: I see Dr. Hopkins' comments.
BY MR. C. PLACITELLA:
Q. All right. But in testifying under oath that there was no evidence whatsoever of asbestos in any Johnson & Johnson talc product, you never discussed the chart that he created with him concerning that evidence, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: As I said, I did not discuss the specific chart.
BY MR. C. PLACITELLA:
Q. And this was not a chart that you were shown in preparation for your deposition today, correct?
MR. BERNARDO: Object to the

form of the question.
THE WITNESS: No, it was not.
MR. C. PLACITELLA: Black book.
BY MR. C. PLACITELLA:
Q. This was marked at your last deposition as Musco-2. It's heavy, so I only brought one copy.
Do you, do you -- do you want to flip through it?
A. I see what it is.
Q. Do you recall this book?
A. I know that there was a large book. Yes.
Q. And what's in that book?
A. It looks like an awful lot of scientific information.
Q. And did you discuss with anybody from your -- between your last deposition and this deposition the information that's in that book?
A. I don't know exactly what's in this book. I certainly didn't go through this. But, yes, we -- we discussed specific information. I had conversations with Dr. Hopkins about specific studies. And I

would assume that they're in this book.
Q. Okay. And prior to your deposition last time, although you were the person that swore under oath concerning Johnson & Johnson's historical discovery responses, you had never seen a single one of those documents marked in Musco-2, correct?
A. That's correct. My role wasn't to look at the specific studies.
Q. Right.
A. But to ensure that the correct people were response in -- responding.
Q. When you swore under oath that there was no evidence whatsoever, no one ever showed you any of the studies or documents that are in Musco-2, correct?
A. I don't know everything that's in here, but I did not look at any specific studies in response to the depositions.
MR. C. PLACITELLA: Let's -- give me 450.
MR. BERNARDO: When you're at a stopping place for lunch, we've been going about an hour.
MR. C. PLACITELLA: All right.

BY MR. C. PLACITELLA:
Q. I want to show you what has been marked as Exhibit 450.
MR. BERNARDO: I'm sorry, what was the exhibit number, please?
MR. C. PLACITELLA: 450.
(Exhibit J&J-450, Letter, is marked for identification.)
BY MR. C. PLACITELLA:
Q. 450 is a letter from George Lee to Roger Miller concerning the Joly case. Do you see that?
A. I see it says that, yes.
Q. And it's dated December 3, 1982, correct?
A. Correct.
Q. This is not a document that was provided to you by counsel, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: That's correct.
BY MR. C. PLACITELLA:
Q. But you know about this case from your own knowledge, right?
A. No. As I told you earlier, I

didn't remember Joly at all.
Q. Okay. Bruce Semple, MD, he was the Medical Director?
A. Yes, he was.
Q. And you had dealings with him, correct?
A. Yes, I did.
Q. Okay. And George Lee is who?
A. I believe he was one of our research scientists.
Q. Okay. And Roger Miller was the President of Windsor Minerals owned by Johnson & Johnson, correct?
A. That's my recollection, yes.
Q. Okay. And what the research scientist is writing to Dr. Miller and asking if he has any information concerning ongoing studies; do you see that?
A. That's what it says.
Q. Did you in your research on historical discovery responses come across any of the ongoing studies that were referenced here in this letter?
A. I'm not familiar with what -- what he's referencing here, so...

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MR. C. PLACITELLA: Give me 448.

(Exhibit J&J-448, Memo, is marked for identification.)

MR. C. PLACITELLA: I want to switch it, this is 448.

BY MR. C. PLACITELLA:

Q. 448 is a May 10, 1985 memo entitled Ingestions and Inhalations - Johnson's Baby Powder, January 1982 to January 1985.

Do you see that?

A. Yes, I do.

Q. And you are copied, correct?

A. Yes, I am.

Q. And the Medical Director for Johnson & Johnson is copied, correct?

A. Yes.

Q. And who is Mr. McTernan?

A. She is the --

Q. Or she.

A. -- Director of Regulatory.

Q. So she's the Director of Regulatory?

A. That's correct.

Q. And this references the Joly case,

doesn't it?

A. The Joly case is indicated here, yes.

Q. All right. And the Complaint number for the Joly case is 02043; do you see that?

A. That's what it says, yes.

Q. Okay. Now, you know, do you not, that Johnson & Johnson actually acknowledged internally that Joly who filed a lawsuit against Johnson & Johnson was injured from Johnson & Johnson's talc; you know that, correct?

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

THE WITNESS: I don't know that, no.

MR. C. PLACITELLA: Okay. Can you give me 452, please?

(Exhibit J&J-452, Memo, is marked for identification.)

BY MR. C. PLACITELLA:

Q. 452 is a June 17, 1985 memo from Patricia Mills, who said was in charge of Regulatory?

A. No.

Q. Who she was what -- who? [Verbatim]

A. She was a nurse reporting to me at the time in Medical Services.

Q. Okay. And copied on this memorandum is you --

A. Correct.

Q. -- correct?

And the memo went to the Medical Director at Johnson & Johnson, correct?

A. Bruce Semple, that's correct.

Q. All right.

MR. BERNARDO: I'm not going to interrupt each time, because I just want a running objection to the use of these documents. My position, it's outside the scope of the notice --

MR. C. PLACITELLA: Oh, yeah, it's way outside the scope.

MR. BERNARDO: She can --

MR. C. PLACITELLA: It's directly related.

MR. BERNARDO: Let me finish my objection.

And she can answer in her personal capacity. We're not tendering her to talk about specific lawsuits --

MR. C. PLACITELLA: Well, we'll let the judge.

MR. BERNARDO: I think that's what happens with objections.

MR. C. PLACITELLA: Okay, okay.

BY MR. C. PLACITELLA:

Q. And the title is Ingestions and Inhalations Requiring Medical Attention, Johnson's Baby Powder; do you see that?

A. That's what it says.

Q. And under Complaint 2 -- 02043, there's one for inhalation; do you see that?

A. That's correct.

Q. And that's Miss Joly, correct?

A. That's what it comes back to, yes, seems to be.

Q. All right. That's the person who filed a lawsuit against you, correct?

A. I assume it's the same person.

Q. Right.

And it says, History: Consumer used Johnson's Baby Powder for years since

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unable to use deodorant due to allergies.
Do you see that?
A. That's what it says.
Q. And what it says is, Findings: Scarring of lung tissue was noted on X-ray. Pulmonary function studies revealed very severe obstruction of the small airways. Consumer did not respond to bronchodilators. Talc crystals were identified in the consumer's sputum.
Correct?
A. That's what --
MR. BERNARDO: Object to the form of the question.
THE WITNESS: That's what it says.
BY MR. C. PLACITELLA:
Q. Correct?
And -- and under Outcome, this is the memo to the Medical Director of Johnson & Johnson and copied to you, under Outcome it talks about lung damage due to long-term inhalation of talc from Johnson's Baby Powder, correct?
A. That's what it says.

Q. Okay. And nowhere in any memo did Johnson & Johnson dispute that, correct?
MR. BERNARDO: Object to the form of the question. Again, outside the scope of the notice.
THE WITNESS: I don't know if that was the purpose of this memo.
BY MR. C. PLACITELLA:
Q. You have no recollection of this information being provided by the person who worked for you to the Medical Director of Johnson & Johnson ever being disputed, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I -- until you put this in front of me, I didn't remember anything about Joly. It was, what? Thirty-three years ago.
BY MR. C. PLACITELLA:
Q. Right.
And you didn't -- and you were not provided any of the information from the Joly case in order to -- to testify here today, correct?

MR. BERNARDO: Object to the form of the -- of the question.
THE WITNESS: That's correct.
BY MR. C. PLACITELLA:
Q. Okay. Clearly, your lawyers knew about the Joly case, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I do not know.
MR. C. PLACITELLA: Well, can you give me the privilege log, please.
Can we go to the Elmo, please?
BY MR. C. PLACITELLA:
Q. So I'm going to go back to the log. See where it says here, 1/16/1982?
A. Yes.
Q. Okay. And there's information from George Lee. He wasn't a lawyer, by the way, right?
A. No.
Q. Okay. And it went to John Beidler. Who's that?
A. I believe he's an attorney.
Q. And it was also copied to the Medical Director, correct?

A. That's what it says.
Q. All right. And it talks about memos concerning the Joly case, correct?
A. That's what it says.
Q. Okay. In fact, there are many memos related to the Joly case, correct?
A. The name is mentioned a few times, yes.
Q. So, clearly, if your lawyers put this on a log of information they weren't going to turn over, they had knowledge of the Joly case, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I don't know what the purpose of this log is.
BY MR. C. PLACITELLA:
Q. Well, you're the person testifying on historical discovery responses and you have no idea what a privilege log purpose is?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I'm not a lawyer.
BY MR. C. PLACITELLA:
Q. You don't know that certain

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information is being withheld in this case under claim of privilege related to lawsuits against Johnson & Johnson?

MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.

She can answer in her individual capacity.

BY MR. C. PLACITELLA:

Q. You're asking -- I'm asking you on behalf of Johnson & Johnson.

MR. BERNARDO: And I --

BY MR. C. PLACITELLA:

Q. Johnson & Johnson does not know what a privilege log is?

MR. BERNARDO: This witness --

BY MR. C. PLACITELLA:

Q. In responding to historical discovery responses, Johnson & Johnson does not know when responding to discovery whether it is withholding information or not; is that what you're saying?

MR. BERNARDO: Object to the form of the question. This witness is not being tendered to explain or provide

information about privilege logs provided in this litigation, that is not within the scope of the notice. She can answer in her individual capacity, but she's not here as a corporate representative of Johnson & Johnson with respect to this question.

MR. C. PLACITELLA: With all due respect, she's here on the historical discovery responses provided by Johnson & Johnson in talc litigation.

So I'm going to ask the question again.

BY MR. C. PLACITELLA:

Q. Johnson -- you, Johnson & Johnson are saying here under oath that you have no idea that information was being withheld under claim of privilege in the Joly case, correct?

MR. BERNARDO: Object to the form of the question. Same objection as before.

You can answer in your individual capacity, if you know.

THE WITNESS: I don't know.

BY MR. C. PLACITELLA:

Q. When you were being asked to prepare for this deposition, even though there was information that was withheld, so Johnson & Johnson's lawyers obviously know that the case existed, they didn't supply you with a single piece of paper related to the Joly case, correct?

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

THE WITNESS: I did not review the Joly case, no.

BY MR. C. PLACITELLA:

Q. Even though the Johnson & Johnson Medical Director got a memo indicating that Miss Joly was injured from Johnson & Johnson Baby Powder --

MR. BERNARDO: Object --

BY MR. C. PLACITELLA:

Q. -- correct?

MR. BERNARDO: Object to the form of the question, same objection.

THE WITNESS: This is a memo informing him of the case.

BY MR. C. PLACITELLA:

Q. Right.

And you were copied?

A. Yes, I was.

Q. And even though you were copied and it involved the Medical Director at Johnson & Johnson, in preparing for today's deposition no information was provided for you about this case, which, by the way, predates any case that's on your list, correct?

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

THE WITNESS: There seemed to be several questions there. Could you ask that again?

BY MR. C. PLACITELLA:

Q. Well, let me ask you this, this case was pending at least in 1982, correct?

A. 1982 is listed there.

Q. Right.

The first case on your list is from what date?

1983, correct?

A. That's what I have, yes.

Q. All right. So Johnson & Johnson's attorneys had information in their possession concerning a lawsuit filed by someone that

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Johnson & Johnson acknowledged internally was hurt by baby powder and never showed you that information in preparation for today's deposition --

MR. BERNARDO: Object to the form --

BY MR. C. PLACITELLA:

Q. -- correct?

MR. BERNARDO: -- of the question.

THE WITNESS: My understanding is that this is not within the scope, and I don't have the answer.

MR. C. PLACITELLA: Okay. We can take a break now.

MR. BERNARDO: Before we go on break, with all due respect, I just want to make an objection on the record, for the record.

Mr. Placitella, you and I had numerous conversations about this deposition. And, in fact, we filed a motion for protective order with respect to this deposition. We withdrew the motion with the understanding that this deposition would

focus on discovery responses of the Johnson & Johnson Defendants.

The company made significant efforts to try and identify what could reasonably be identified. You and I spoke about exactly what we did and what we didn't do for purposes of this deposition.

We also spoke about the fact that we would try and prepare this witness. And we wanted copies of responses that would be the subject.

We in good faith, I, in particular, provided you with a letter that specified what we did identify pursuant to those responses.

You, in response provided us some documents that the witness looked at the other day.

We did not discuss any of these types of questions. This witness is not prepared to address them, as you can see, because this was not at all what our understanding of what this deposition would be.

I note that we have been now

going for several hours and you've not yet shown the witness a single discovery response regarding the asbestos content of talc.

I know you have your position and you're welcome to set it on the record, but because these depositions end up in other places, I just wanted to clarify what our position is.

MR. C. PLACITELLA: First of all, your statement is incomplete.

What I said was that I would provide you with any documents that I found outside of what you had already produced related to litigation, which I did. So if I did an independent examination and found it in some court file, I gave it to you.

I also indicated and we had an agreement that any documents that were produced by Johnson & Johnson were fair game for this witness. And any documents that were used in any trials or depositions of Johnson & Johnson representatives were fair game.

There is nothing unfair. This is a -- information on what did Johnson &

Johnson provide in terms of historical discovery responses. And it is highly relevant, highly relevant that there were numerous cases that involved Johnson Baby Powder and Johnson's talc powder where no information is known by Johnson & Johnson according to this witness. She is Johnson & Johnson. She had the responsibility. She is the one who said she ordered the searches. And, clearly, there was information available in this case, directly related, because it's right on your privilege log to Johnson & Johnson cases that were never shown to her and that were produced.

Moreover, it is troubling that there are documents related to actual cases involving Johnson & Johnson Baby Powder that this witness was aware of and not prepared to testify to.

So that's the completion of the statement.

MR. BERNARDO: Actually, I think it isn't, Mr. Placitella. And we could go on, and we won't for some time. But I will just say that I disagree with what

you're characterizing, what we discussed, because we did have a specific discussion about what the purpose of this deposition was. But if we need to, we'll just let the judge address that. I -- suffice it to say that I disagree with what you're saying.

MR. C. PLACITELLA: Well, let's do that.

Okay. How long do you need for lunch?

THE VIDEOTAPE OPERATOR: The time is 12:53 p.m. Off the record.

(Luncheon recess.)

THE VIDEOTAPE OPERATOR: The time is now 1:51 p.m. We are on the record.

MR. C. PLACITELLA: Okay. Can you give me 453?

(Exhibit J&J-453, Document entitled George Lee's Talc Files, is marked for identification.)

BY MR. C. PLACITELLA:

Q. 453 is a document entitled George Lee's Talc Files, Transferred to CIS July 1988.

And George Lee I think you told me

was what?

A. My recollection is he worked in R&D.

Q. Okay. And what's CIS?

A. Don't know.

Q. And according to this document, as of July 1988, George Lee had a file on the Joly case, correct?

A. I have never seen this document before. So all I see that it says Joly talc suit.

Q. Right.

A. I don't know what he had or didn't have.

Q. So where's that information?

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

THE WITNESS: I do not know.

BY MR. C. PLACITELLA:

Q. Was that information from the Joly talc suit ever made available to you when you were certifying interrogatory answers on behalf of Johnson & Johnson?

A. If there was information available, I would have reviewed it. I don't know what

information was or was not --

Q. I thought you told me you never --

A. -- involved in this.

Q. I thought you told me you never reviewed the information?

A. I didn't.

Q. So --

(Reporter clarification.)

THE WITNESS: Didn't, did not.

BY MR. C. PLACITELLA:

Q. Okay. So although there was a Joly talc suit file in 1988, Johnson & Johnson has no idea where it is --

MR. BERNARDO: Object --

BY MR. C. PLACITELLA:

Q. -- correct?

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

THE WITNESS: I do not know where it is, no.

BY MR. C. PLACITELLA:

Q. Now, one of the cases that you certified interrogatory answers in was the Krushinski case, correct?

A. That's correct.

Q. Okay. And...

MR. C. PLACITELLA: Give me 277.

(Exhibit J&J-277, Answers to Plaintiffs' Supplemental Interrogatories, is marked for identification.)

MR. C. PLACITELLA: By the way, can you go to the Elmo for a second?

BY MR. C. PLACITELLA:

Q. So in responding to -- into discovery in the course of litigation, did Johnson & Johnson see a difference in saying there is no evidence versus there is evidence, but we, Johnson & Johnson, don't believe it's reliable; do you see that as different?

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

THE WITNESS: It's hard for me to answer, taken out of context, but, yes, they're different sentences.

MR. C. PLACITELLA: Can we mark this next, please?

(Exhibit P-4, Handwritten document, is marked for identification.)

ELECTRONICALLY FILED 2/2/2018 4:01 PM -- CHERRY HILL -- CAMDEN COUNTY, NEW JERSEY -- FILED 2/2/2018 4:01 PM -- CAM-L-000146-18

ELECTRONICALLY FILED 02/28/2022 4:01 PM -- CHERRY LANDRY -- COMMONWEALTH OF PENNSYLVANIA -- PHILADELPHIA COUNTY -- 210702946

MR. C. PLACITELLA: 277, please.
BY MR. C. PLACITELLA:
Q. Do you recognize 277 as a set of interrogatories that you certified as true and accurate under oath in the Krushinski case?
A. Yes, this appears to be that.
Q. And I'm going to direct you to interrogatory number 19, which asks if you were basically ever sued before in a Johnson's Baby Powder case; do you see that?
A. I'd have to read it --
Q. Go ahead.
A. -- to see exactly.
Q. Go ahead.
A. (At which time the Witness reviews the document.)
Okay.
Q. Do you see that?
A. Yes, I do.
Q. And in response to whether you were sued before in a Johnson's Baby Powder case, you list the Selby case and the Gambino case, correct?

MR. BERNARDO: Object to the -- object to the form of the question.
THE WITNESS: No, I didn't say that's the only time we were sued. I said that was what I had interrogatories.
BY MR. C. PLACITELLA:
Q. Well, it says, Has Johnson & Johnson ever received notice of any claim, correct?
A. Yes.
Q. And the only two cases that you listed were Selby and Gambino, correct?
A. No, I have all these cases here.
Q. No, no.
A. I --
Q. Ma'am, I'm asking you --
A. Oh.
Q. -- when you certified under oath, under penalty of perjury whether Johnson & Johnson was ever sued in a baby powder case, you certified under oath that the only two cases were the Selby case and the Gambino case, correct?
MR. BERNARDO: Object, object to the form of the question. It's beyond the

scope of the notice, insofar as it's not a question that has anything to do with the asbestos content of talc.
But go ahead and answer if you can.
MR. C. PLACITELLA: Well, we'll get there.
MR. BERNARDO: I'm sure you will.
BY MR. C. PLACITELLA:
Q. Go ahead.
A. Those two cases are listed in the response, yes.
Q. Okay. You never mentioned the Joly case, correct?
A. There is no mention of it here, no.
Q. Why not?
MR. BERNARDO: Same objection.
THE WITNESS: I think because it was a different kind of case.
BY MR. C. PLACITELLA:
Q. Well, it was a pulmonary fibrosis --
A. That's not what they were asking for.

Q. -- case, wasn't it?
A. I think it was talcosis, I'm not sure.
Q. Well, it asks for anything on talcosis, doesn't it?
If they developed talcosis or fibrosis, right?
That's what was asked of you.
A. That's what it says, yes.
Q. So why didn't you include the Joly case? You certainly knew about it, you worked on it.
MR. BERNARDO: Object to the form of the question.
THE WITNESS: There may not have been any more information, I -- to provide.
BY MR. C. PLACITELLA:
Q. Ma'am, I just showed you documents from the Johnson & Johnson's file, did I not? Showing that Joly filed a lawsuit in 1982 before the Gambino case and that the Johnson & Johnson Medical Director, as well as yourself, knew about it?
MR. BERNARDO: I object to the

form of the question.
BY MR. C. PLACITELLA:
Q. Right?
MR. BERNARDO: Beyond the scope of the notice.
THE WITNESS: Our -- my understanding is that the Joly case was not within the scope of the notice.
BY MR. C. PLACITELLA:
Q. Ma'am, why didn't you answer correctly under oath interrogatory 19 in the Krushinski case and indicate that you, in fact, knew about the Joly case?
MR. BERNARDO: Object to --
BY MR. C. PLACITELLA:
Q. Why not?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.
THE WITNESS: Again, my understanding is it's not within the scope of the notice.
BY MR. C. PLACITELLA:
Q. Scope of what notice?
A. The notice that you presented to

have me here today and to speak about.
Q. Ma'am, I'm asking you, you swore under oath, under penalty of perjury that these were the only two cases. And I'm asking you why you didn't mention the Joly case?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Again, it's not within the scope.
BY MR. C. PLACITELLA:
Q. So you didn't answer the information under oath, because it's not in the scope of the notice here?
A. I -- I don't know why it was not mentioned specifically in here. My understanding was we were not to talk -- going to be talking about these other cases, Joly that you keep talking about. I don't know why it was not specifically mentioned here.
Q. Well, it certainly should have been, right?
MR. BERNARDO: Object to the form of the question.

BY MR. C. PLACITELLA:
Q. You swore under oath that you knew about it.
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I can't say whether it should have been or not.
BY MR. C. PLACITELLA:
Q. I mean, your Medical Director actually had a memo to him saying that, what? That the person had fibrosis?
Do we have it?
Here, let's go back and look at it.
Scarring of the lung tissue was noted on X-ray. Consumer did not respond to bronchodilators.
You certainly knew about it, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: My name is on the memo, yes.
MR. C. PLACITELLA: And by the way, can you give me that other document while we're here. No, the one on the ad.

(Exhibit P-5, Ad, is marked for identification.)
BY MR. C. PLACITELLA:
Q. So I read this, I read this ad. I think it was in the New York Times and you, Johnson & Johnson states, that if you had any reason to believe talc was unsafe, it would never have been on your shelves, correct?
A. That's correct.
Q. Okay. So, but the Medical Director had notice as far back as 1985 that someone using your baby powder had scarring of the lung that was evident on X-ray, very severe obstruction of small airways, did not respond to bronchodilators and actually found your talc in the consumer's sputum, but you never took it off the market, right?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: It was not taken off market, no.
BY MR. C. PLACITELLA:
Q. Now, back to the Krushinski case, if you can go to interrogatory number 17. In interrogatory number 17 it says, Describe in

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detail all processes, procedures and testing performed upon the talc used in the manufacture of Johnson's Baby Powder to reduce or eliminate the existence of asbestos, tremolite or other contaminants in Johnson's Baby Powder.
Correct?
A. That's what it says, yes.
Q. And you verified under oath that to the best of defendant's knowledge talc used in the manufacture of Johnson & Johnson's Baby Powder never contained asbestos in any form, or tremolite. Defendant's sources of talc were selected for their lack of contaminants and further, testing was performed over a significant number of years by outside laboratories which verified that defendant's talc sources did not contain asbestos or tremolite.
Do you see that?
A. Yes, I do.
Q. Okay. Do you recall swearing to that under oath?
A. That's -- that's part of the interrogatories, yes.

Q. Okay.
MR. C. PLACITELLA: Now, can you give me Dr. Hopkins' testimony?
(Exhibit P-3, Trial transcript of John Hopkins, Ph.D., is marked for identification.)
BY MR. C. PLACITELLA:
Q. I'm going to give you the chance to look at the testimony of Dr. Hopkins that's given during the trial that's going on now, specifically about your answer under oath. I'll give you a chance to take a look at it. And we've marked it P-3. Give it to counsel first.
MR. BERNARDO: And I'm going to object your asking the witness to review somebody's trial testimony in real time to determine what was said, particularly since it was a long trial with a lot of testimony. And I don't think any of us know here whether there was additional to this or otherwise.
But subject to that objection...
Do you have another copy of that, Chris?

MR. C. PLACITELLA: I have one copy, but I put it up there so everyone can see it.
BY MR. C. PLACITELLA:
Q. When they're talking about -- here and I'll put the copy up right next to it.
MR. BERNARDO: Can you give her an opportunity to read it?
BY MR. C. PLACITELLA:
Q. Yeah, take your time, take your time.
A. (At which time the Witness reviews the document.)
Q. What do you want to look at it?
A. Well, I was looking at the left side --
Q. No, I want you to look at the transcript.
A. -- and then it changed.
MR. BERNARDO: He wants you to look at the whole section that pertains to that answer so you can answer.
THE WITNESS: Yeah.
So where are we starting?
BY MR. C. PLACITELLA:

Q. Under 105, where it talks about your interrogatory number 17. "Those are the answers," "they are," "turn back to number 17;" do you see it?
A. Just a minute. I want to get the full context of it. Okay.
(At which time the Witness reviews the document.)
MR. BERNARDO: Let me also object. I'm not sure how much the witness has read. And you certainly can ask her questions. But I recall that that testimony was interrupted by a long encounter with Judge Seligman and that it was subsequently re-addressed again.
So, again, I'm raising my objection to asking this witness here in real time to read trial testimony that is fairly lengthy and comment on it.
MR. C. PLACITELLA: Well, the problem is that she said she consulted Dr. Hopkins and relied upon him. So I want to see whether Dr. Hopkins was telling her the truth.
MR. BERNARDO: Well...

MR. C. PLACITELLA: Or whether Johnson & Johnson ever conveyed to this witness the truth --
MR. BERNARDO: Well --
MR. C. PLACITELLA: -- in -- in getting this deposition prepared.
MR. BERNARDO: The truth is in the entirety of Mr. Hopkins' testimony.
MR. C. PLACITELLA: Okay.
MR. BERNARDO: Not the two or three pages that the witness has just had the opportunity to read.
And I don't think your characterization of the testimony earlier today is the truth, but...
MR. C. PLACITELLA: Well, you know what, you can ask her anything you want on redirect.
MR. BERNARDO: I'm just commenting on the process here and the procedure and I object to that.
MR. C. PLACITELLA: Okay.
BY MR. C. PLACITELLA:
Q. Did you not testify when you started that the person you relied upon in

preparing for today's deposition, one of them was Dr. Hopkins; did you say that?
A. Yes.
Q. Okay. And he was also one of the people that was relied upon in swearing to interrogatories under oath, correct?
A. He has -- he -- we may have consulted with him with different times, since I -- as I told you earlier, I don't remember exactly.
Q. Right.
And in your sworn answers to interrogatories under oath, you say, To the best of defendant's knowledge, in interrogatory 7 [verbatim], talc used in the manufacture of Johnson & Johnson's Baby Powder never contained asbestos in any form, or tremolite.
Correct?
A. You just said number 7?
Q. 17.
A. Oh, 17, okay.
Q. Then it goes on to say, Defendant's sources of talc were selected for their lack of contaminants and were further tested --

and further, testing was performed over a significant number of years by outside laboratories who verified the defendant's talc sources did not contain asbestos or tremolite.
That's what you swore to, right?
A. That's what it says, yes.
Q. Okay. And Dr. Hopkins under oath before a jury just this past month is directed to your response, your sworn response, number 17; do you see that?
A. It appears that way. It's hard for me to follow.
Q. Well, if you look it says, it says, As we read -- the first sentence here, I want to read the second sentence of that answer.
And does not that track exactly your answer, where it says, Defendant's sources of talc were selected for their lack of contaminants?
It's the exact duplicate, correct?
A. It's the same sentence, yes.
Q. Right.
And he says it goes to number 17, which is your interrogatory answer, correct?

MR. BERNARDO: Object to the form of the question.
THE WITNESS: Yes.
BY MR. C. PLACITELLA:
Q. Okay. And he then asks, And we know, do we not -- we know, do we not, Dr. Hopkins, that the Battelle Laboratories -- do you know who they are?
A. No, I don't.
Q. No one ever told you about the Battelle Laboratories?
A. I -- I know the names, but I'm not going to know which laboratory is which.
Q. Okay. At least for the Italian talc, actually verified that the Italian talc tanning source of talc [verbatim] -- for Johnson & Johnson did contain tremolite, correct?
And his answer was, the Battelle reports from the '50s did mention trace tremolite.
And the question is, And it did so in hundreds of tests, correct?
And his answer was, Yes. In several hundred tests, they reported trace

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tremolite.
Correct?
A. That's what it says, yes.
Q. And despite that information in the possession of Johnson & Johnson that several hundred tests showed trace tremolite, Johnson & Johnson asked you to certify under oath that there was never any evidence whatsoever of tremolite, correct?
MR. BERNARDO: Object, object to the form of the question, the characterization of the response.
THE WITNESS: I mean, I think it's -- it's important to understand that, just like you're taking the testimony out of context, you're taking this particular question out of context. And as for anything, I would like to look at the Complaint it relates to, rather than just a question on its own. And that's what I did in my preparation.
BY MR. C. PLACITELLA:
Q. Ma'am, I'm going to ask you the question again.
Do you believe me -- do you believe

that an honest and forthright witness can provide a simple answer to a simple question?
MR. BERNARDO: Object to the form of the question. It's not an appropriate question.
THE WITNESS: To a simple question, yes.
BY MR. C. PLACITELLA:
Q. Okay. And I am asking you, ma'am, that when you swore under oath, under penalty of perjury in the Krushinski case that there was no evidence whatsoever of tremolite in the Johnson products, Johnson & Johnson never told you about the tests they had as testified to by Dr. Hopkins that there were hundreds of tests showing tremolite in the talc used in Johnson -- you were never told that, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I think it's important to understand whether we're talking about tremolite or tremolite asbestos, which is what I wanted to make clear when I looked at this Complaint. And this Complaint

specifically mentions the type of asbestos, one included as tremolite asbestos.
I mean, it is confusing, I will grant that. But at the time this litigation was talking about tremolite, we were always talking about tremolite asbestos.
BY MR. C. PLACITELLA:
Q. Ma'am, what's the difference between tremolite and tremolite asbestos?
A. Obviously, a big difference.
Q. What's the difference, ma'am?
What's your understand -- what is Johnson --
A. One is asbestos and one is not.
Q. Ma'am, what is the difference between tremolite and tremolite asbestos?
What is Johnson & Johnson's understanding of the difference, since you said that?
A. One is asbestos and one is not.
Q. What makes it different?
MR. BERNARDO: Object.
BY MR. C. PLACITELLA:
Q. What differentiation, asbestos tremolite versus non-asbestos tremolite?

A. I -- I can't go into the configuration. I know it's the different shapes and all, but one is asbestos and one is not.
Q. Ma'am, tell me what exactly you know when you swore under oath that there was no evidence of tremolite, what you understood the difference to be?
A. My understanding is that this --
Q. Ma'am, when you swore under oath --
MR. BERNARDO: Object to the form. She --
BY MR. C. PLACITELLA:
Q. -- when you answered the interrogatories --
MR. BERNARDO: Chris, you asked her a question and she started answering and you interrupted her.
BY MR. C. PLACITELLA:
Q. When you answered under oath in the Krushinski case, what was your understanding at that time between the difference between tremolite and tremolite asbestos?
MR. BERNARDO: Object to the form of the question.

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THE WITNESS: As I just said to you, the difference is one is asbestos and one is not. And at the time of this interrogatory, which was specifically answered in response to a Complaint, it was dealing with tremolite asbestos.
BY MR. C. PLACITELLA:
Q. This answer asks you the existence of asbestos or tremolite, does it not; isn't that the question?
A. Yeah, and I admitted, it's confusing. It could have been worded better.
Q. Could have been worded better?
A. Yes.
Q. How do you word mistruths better?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: It's not a mistruth.
BY MR. C. PLACITELLA:
Q. So you believe that when you said there's never any -- there's no evidence and it never contained any form of tremolite, that was an accurate statement?
MR. BERNARDO: Object to the

form of the question and to the statement, the characterization of the words on the paper there.
THE WITNESS: Yeah, that's not what it said. It says any form of asbestos or tremolite.
BY MR. C. PLACITELLA:
Q. Correct.
So when we're talking about asbestos, they were saying any form, and then they asked about tremolite in addition, correct?
The question did not ask you asbestos tremolite, it's asked about tremolite, correct?
A. My understanding and our understanding at the time is we were talking about tremolite asbestos, because I don't know -- I -- would have been talking about non-asbestos tremolite. We were -- the litigations would address tremolite asbestos, that's why I went back to the Complaint to make sure because it is confusing.
Q. So your testimony today is that when you provided the interrogatory answers

in the Krushinski case, you understood the difference between what you thought was tremolite and tremolite asbestos in every way, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I'm saying that I understood the word tremolite to mean tremolite asbestos, because it was a litigation about that.
BY MR. C. PLACITELLA:
Q. Okay. And when you answered that, you -- you -- did you know what fibrous tremolite was?
A. That's -- that's kind of beyond what I understand. I don't know.
Q. Well, did you know that under Johnson & Johnson's definition of fibrous tremolite that that's asbestos, did you know that?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I -- that's not my specialty, I don't know.
BY MR. C. PLACITELLA:

Q. The truth of the matter is you don't know anything about tremolite, what's fibrous, what's not fibrous, what's asbestos and what's not asbestos, true?
A. Well, I had conversations with Dr. Hopkins specifically about this, because, as I said, it's confusing. And I believe he addressed it if you saw his entire testimony.
Q. Okay. So you did read his entire testimony?
A. I did not read his entire -- I read -- I read his testimony. But do I remember everything that's in there? No.
Q. Oh, so you were given Dr. Hopkins' testimony in preparation for today's deposition?
A. Yes, as I told you earlier, I did read some of his deposition and some of his testimony. Not all of it, nor do I remember everything that was said.
Q. Do you remember reading his testimony in the Levitt case that I put in front of you?
A. No, I don't remember.
MR. BERNARDO: Mr. Placitella,

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for the record, we provided you with a box of -- which will clarify what she did and didn't read of the testimony that she read.
BY MR. C. PLACITELLA:
Q. Okay. So it's your testimony that when you said no evidence of tremolite, you meant asbestos tremolite; that's your testimony?
A. Yes.
Q. Okay. And at that point in time you had no information whatsoever available to Johnson & Johnson that any test done of any Johnson & Johnson Baby Powder ever found asbestos containing tremolite; is that your -- is that your testimony?
A. No. My testimony is that there was no tremolite asbestos.
Q. Ma'am, when you signed under oath, under penalty of perjury this answer, is it your testimony that Johnson & Johnson had no evidence whatsoever of any tests showing that there was asbestos containing tremolite in its baby powder or talc products?
A. Yes, the position is that there is no tremolite asbestos in the cosmetic talc of

Johnson's Baby Powder.
Q. And is it your position that when you signed this under oath, Johnson & Johnson had no evidence in its possession that there was fibrous tremolite in the Johnson's talc products?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: As I said earlier, I can't get into fibrous or not fibrous. I don't know what that means.
BY MR. C. PLACITELLA:
Q. Well, in making this shouldn't you know that when -- when it's referred to as fibrous tremolite, Johnson & Johnson considered that asbestos?
Shouldn't you know that?
A. No. Again, that's why we have experts to be able to answer those things.
Q. Okay. Now, when I asked you questions about this very question in our last deposition, you never, ever mentioned, did you, anything about a difference in your perception between asbestos and non-asbestos tremolite, correct?

A. I don't remember exactly what I said.
Q. Do I need to show it to you?
A. If you would like to.
Q. Okay. Well, we'll take a break and I'll show it to you.
And it was after you met with the lawyers, now you came up with the explanation that there's a difference when you answered the question between asbestos tremolite and non-asbestos tremolite, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: No, I -- I didn't come up with this. Actually, you asked me a lot of different questions last time we met. And there was some of those things that I didn't have answers to. So I don't like being like that, and I wanted to clarify things. So I did ask to speak -- to see different documents and that's why I had the conversation, one of the reasons I had the conversation with Dr. Hopkins.
BY MR. C. PLACITELLA:
Q. Okay. Well, we'll do some -- okay,

let's talk about -- we'll come back to that.
By the way, so you looked -- you looked at the Krushinski discovery responses. What other cases did you actually look at the discovery responses?
A. Well, as indicated, we looked at Selby and Krushinski.
Q. That's -- those are the only two?
A. Those are the only two that they had discovery responses available for.
Q. So out of the thousands of cases that Johnson & Johnson has been involved in since 1972, you only looked at two sets of discovery responses in order to prepare for today's deposition?
MR. BERNARDO: Object to the --
BY MR. C. PLACITELLA:
Q. Is that fair?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I don't know whether there were thousands, but it is our understanding according to the notice that you provided, and these were the discovery responses that were available.

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BY MR. C. PLACITELLA:
Q. So, to your knowledge, from the time Johnson & Johnson became involved in baby powder litigation from 1972 until the present -- up till the time you're preparing for this deposition, there are only two sets of discovery responses made available to you?
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. Is that right?
A. There are only two that I looked at, yes.
Q. Okay. Now --
MR. C. PLACITELLA: Give me 294.
(Exhibit J&J-294, Deposition transcript of Roger N. Miller, is marked for identification.)
MR. BERNARDO: What was the number, Chris?
MR. C. PLACITELLA: 294.
MR. BERNARDO: Thank you.
BY MR. C. PLACITELLA:
Q. 294 is the deposition of Roger

Miller given in the Westfall case.
Do you see that?
A. That's what it says, yes.
Q. And Roger Miller was the President of Windsor Minerals, right?
A. I believe so, yes.
Q. And did your lawyers ever share this deposition with you?
A. No, I did not see this.
Q. Okay. And if you look at the second page, do you see that Johnson & Johnson had actually had lawyers there at this deposition for Windsor?
A. I guess that's what that means.
Q. Okay. And when is the first time that Johnson & Johnson was given notice of the Westfall case?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.
You can answer in your individual capacity, if you know.
THE WITNESS: I don't know.
(Exhibit J&J-483, Memo, is marked for identification.)

BY MR. C. PLACITELLA:
Q. 483 is a memo from July 5, 1981 on Johnson & Johnson stationery, entitled Talc Suit, Westfall versus Metropolitan Talc.
Do you see that?
A. That's what it says, yes.
Q. And it says, Background: Metropolitan Talc (our former source of domestic ground Italian talc) is being sued by survivors of Mr. Westfall. His autopsy report alleges his death was due to mesothelioma.
Do you see that?
A. That's correct, that's what it says.
Q. At some point in time, Johnson & Johnson actually became a defendant in the Westfall case, did it not?
A. I don't know.
Q. Okay.
A. I do know that this involved industrial talc, that's all I know.
Q. It involved industrial talc out of the Johnson mine, correct?
A. Yes.

Q. Okay. And in addition to the Italian talc?
MR. BERNARDO: Object to the form of the question. Again, beyond the scope of the notice.
If you know in your individual capacity.
THE WITNESS: I don't know.
BY MR. C. PLACITELLA:
Q. Well, it says "Italian talc" right on the top, right? It's on your letterhead.
A. Is there a question? I'm sorry.
Q. Yeah. It says Italian talc right on the top, right?
A. Background, it says our former source of domestic ground Italian talc.
Q. Right.
And you're aware, I assume, that the -- there were scientists who testified with Johnson & Johnson's lawyers present that they found asbestos in the Johnson mine, correct? You knew that?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice. Not answering in her corporate

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capacity.
(Reporter clarification.)
MR. BERNARDO: Sorry. Objecting it's beyond the scope of the notice, the witness is not responding as a corporate representative on this issue.
MR. C. PLACITELLA: Well, that's -- that's your -- we'll see what the judge says. Okay?
MR. BERNARDO: I'm just making my objection and noting it.
BY MR. C. PLACITELLA:
Q. You knew that, right?
A. I don't know that.
Q. So you never knew before you came here today that Johnson & Johnson's lawyers sat in a deposition where the scientists who did the tests on the Johnson & Johnson mine said they found asbestos in the mine; you never knew that?
MR. BERNARDO: Object to the form of the question, same objection.
THE WITNESS: I don't know.
MR. C. PLACITELLA: Give me 172.

(Exhibit J&J-172, Deposition transcript of Glenn A. Hemstock, is marked for identification.)
BY MR. C. PLACITELLA:
Q. I'll show you what has been marked J&J-172. This is the deposition of Glenn Hemstock taken in the Westfall case.
MR. BERNARDO: And same objection to asking the witness about depositions. It's beyond the scope of the notice. And she's not read the deposition.
BY MR. C. PLACITELLA:
Q. And it's versus Windsor Minerals as one of the defendants, correct?
A. That's what it says.
Q. Okay. And if you go to the third page, it actually indicates that Johnson & Johnson's general counsel was at the deposition, right?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: A name is listed there, yes.
BY MR. C. PLACITELLA:
Q. So he certainly knew and Johnson &

Johnson certainly knew what information was revealed in that deposition, correct?
A. The lawyer's name is listed there, yes.
Q. Did you ever have any dealings with John Beidler?
A. I knew of him, yes.
Q. Did he ever tell you that he attended depositions where scientists testified they found asbestos in the Vermont mines once owned by Johnson & Johnson?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: No, he did not.
(Exhibit J&J-173, Continuation deposition transcript of Glenn Hemstock, is marked for identification.)
BY MR. C. PLACITELLA:
Q. Okay. Let me show you 173, which is the continuation of Dr. Hemstock's deposition.
I'll show you on the second page, you'll see that Johnson & Johnson's lawyers are there at the deposition again?
MR. BERNARDO: Same objection

with respect to all of these deposition transcripts.
THE WITNESS: I see them there, yes.
BY MR. C. PLACITELLA:
Q. And I flipped to page 17 of the deposition. You see where the scientist is asked, "Now, you testified that your department has tested both the processed talc and the raw talc ore from the Emtal mine for the presence of chrysotile asbestos; is that correct?
"ANSWER: Yes.
"Has your department in its research found chrysotile asbestos in both processed talc and raw ore from the Emtal mine?
"ANSWER: Yes."
Do you see that?
MR. BERNARDO: Same objection.
THE WITNESS: I see it says that, yes.
BY MR. C. PLACITELLA:
Q. That information was never relayed to you as the person who was either

testifying here today or certified interrogatory answers on behalf of Johnson & Johnson, correct?
A. I have not seen this before, no.
MR. C. PLACITELLA: Can you give me 436, please?
(Exhibit J&J-436, Deposition transcript of Peter N. Gale, is marked for identification.)
BY MR. C. PLACITELLA:
Q. I'm going to show you the deposition of Peter Gale, who is another scientist who testified in the case.
MR. BERNARDO: Same objection with respect to this testimony, as also with respect to the other testimonies.
BY MR. C. PLACITELLA:
Q. All right. And you can see on the second page that the lawyers for Johnson & Johnson were at this deposition as well?
A. I see the names listed, yes.
Q. Okay. And if you go to page 19, he talks about the studies he did himself. He says, "What analysis did you run on the second round of studies?

"WITNESS: Scanning electron microscopy, transmission electron microscopy, selected area diffraction.
"Where did you perform those tests?
"Georgia Tech.
"When were those tests performed?
"Late fall '78 and January and February of '79, I believe.
"Do you recall today what those tests revealed?
"I recall that there were fibers found in those talcs, yes.
"Did you identify the nature, mineralogic nature of the fibers that were found?
"ANSWER: Yes.
"What was the nature of those fibers?
"ANSWER: I determined those fibers were chrysotile fibers.
"QUESTION: How did you determine those fibers were chrysotile fibers?
"ANSWER: Using selected area electron diffraction in conjunction with transmission electron microscopy."

Do you see that?
MR. BERNARDO: Object to the form of the question. And object to your reading into the transcript --
BY MR. C. PLACITELLA:
Q. Do you see that?
MR. BERNARDO: -- excerpts of deposition testimony.
THE WITNESS: I see that, yes.
BY MR. C. PLACITELLA:
Q. And before today and in responding to all these interrogatories under oath, no one ever told you from Johnson & Johnson, even though you knew the lawyers, that there was testimony of scientists under oath that found asbestos in the Vermont mines once owned by Johnson & Johnson, correct?
A. We did not review these testimonies.
Q. So is the answer correct, you were never told?
A. We did not review these specific testimonies.
MR. C. PLACITELLA: Now, give me 441.

BY MR. C. PLACITELLA:
Q. Let me ask you the question this way to keep it moving, do you know that that case was settled confidentially under oath --
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. -- by Johnson & Johnson?
A. I do not know that.
Q. Now, in the same year that these scientists testified under oath with Johnson & Johnson lawyers present, you were sued in the Gambino case, right?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.
THE WITNESS: I don't know what year what happened.
BY MR. C. PLACITELLA:
Q. Well, what did your chart say about Gambino?
A. Gambino is listed as 1983.
Q. And that's the date of this deposition, correct?
A. I have to go back to the deposition

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and see that.
Q. 1983?
A. Okay.
Q. Okay. So in the same years that the scientists testified that the mines once owned by Johnson & Johnson contained asbestos, you were sued in Middlesex County, New Jersey in the Gambino case, correct?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice. This witness isn't being tendered as a corporate representative on the subject of litigation.
You can go ahead answer in your personal capacity.
BY MR. C. PLACITELLA:
Q. Here, I put it up there for you, it's 291; do you see it?
A. All I know is the years are the same.
Q. Right. In Middlesex County, New Jersey; do you see that?
A. I see it says that, yes.
Q. And it involved Johnson's Baby Powder, correct?

A. I see it says that.
Q. And according to your earlier testimony, your lawyers didn't have any other information on Gambino to provide to you, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: There were no discovery records.
MR. C. PLACITELLA: Okay. Can you give me the...
BY MR. C. PLACITELLA:
Q. Well, I want to show you again the log of documents not turned over. There were plenty of documents related to the Gambino case, you were just never shared them, were you?
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. According to your own privilege log, the -- the log that you put in this courthouse, there were plenty of documents related to the Gambino case --
MR. BERNARDO: Object to the

form of the question.
BY MR. C. PLACITELLA:
Q. -- correct?
MR. BERNARDO: Are you pointing to a discovery response in there, Chris? I can't read it from here.
MR. C. PLACITELLA: I'm point -- I'm pointing to your entry that there were memorandums, memorandums, memorandums, memorandums.
MR. BERNARDO: But you're not pointing to a discovery response? I just want to be able to see it.
BY MR. C. PLACITELLA:
Q. There were plenty of documents never shared with you, that's all I'm asking.
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I was not shared any interrogatories, no.
BY MR. C. PLACITELLA:
Q. Okay. And you see here who was involved in defending the Gambino case. Who is Donald Jones?
A. He's one of the scientists,

Johnson & Johnson.
Q. And, also, Mr. Ashton was involved?
A. I see the names there.
Q. Well, Mr. Ashton certainly knew about the testing that showed asbestos in Johnson's Baby Powder, right?
MR. BERNARDO: Object to the form of the question. Again, I object to this whole line of questioning and asking this witness about a privilege log generated by lawyers in litigation, Chris. You know that's inappropriate. You know it's not within the scope of this notice.
MR. C. PLACITELLA: No, I think it's totally within the scope.
MR. BERNARDO: I think it's completely inappropriate. And you know this witness is not here to address privilege logs, lawsuits filed or other --
MR. C. PLACITELLA: Okay.
MR. BERNARDO: -- kinds of questions that you've been asking for an hour now.
MR. C. PLACITELLA: Okay.
BY MR. C. PLACITELLA:

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Q. What happened to Mr. Gambino's case, do you know? Mrs. Gambino's case?
MR. BERNARDO: Object to the form of the question, outside the scope of the notice.
THE WITNESS: I don't know.
BY MR. C. PLACITELLA:
Q. It was non-suited, wasn't it?
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. Do know what non-suit means?
A. No, I do not.
Q. It means it was dismissed because the information -- they didn't have the information necessary to move forward. Did you know that?
A. I told you, I did not know the outcome.
Q. Did you -- did you know that your lawyer stated in court in California concerning the Gambino case that the lawsuit was ultimately dismissed without adjudication?
MR. BERNARDO: Object to the

form of the question.
BY MR. C. PLACITELLA:
Q. Did you know that?
MR. BERNARDO: Beyond the scope of the notice.
THE WITNESS: I don't even know what that means.
BY MR. C. PLACITELLA:
Q. Okay. And you didn't look at a single document other than the Complaint related to the Gambino case, correct?
A. I -- my understanding was that we were to talk about discovery responses, and there were no discovery responses.
Q. I want to get right to that now.
MR. C. PLACITELLA: Give me 188.
THE WITNESS: Where are we on time, as far as a break?
MR. BERNARDO: You want to take a break?
THE WITNESS: Yes, please.
MR. BERNARDO: Chris, we've been -- we have been going about an hour. Can we take --

MR. C. PLACITELLA: Can we take less than a half hour break this time?
MR. BERNARDO: We have not been taking half hour breaks. We try to be very conscious. We came in four minutes after our 45-minute lunch.
MR. C. PLACITELLA: Okay. Take a break. Go ahead.
THE VIDEOTAPE OPERATOR: The time is 2:41 p.m. Off the record.
(Brief recess.)
THE VIDEOTAPE OPERATOR: The time is 2:58 p.m. On the record.
BY MR. C. PLACITELLA:
Q. Okay. So in preparation for today's deposition, did your -- or did you review the information concerning the Edley case?
A. I'm not familiar with that.
(Reporter clarification.)
MR. C. PLACITELLA: Edley, E-d-l-e-y.
BY MR. C. PLACITELLA:
Q. You're not familiar with that?
A. No.

Q. So Johnson & Johnson doesn't know anything about the Edley case?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.
THE WITNESS: In preparation for today, I did not review that case.
BY MR. C. PLACITELLA:
Q. Well, Johnson & Johnson certainly knew about the Edley case, correct?
MR. BERNARDO: Object.
THE WITNESS: I did not review it for today, no.
BY MR. C. PLACITELLA:
Q. Did you know that the Edley case was filed in the same courthouse as the Gambino case?
A. I did not --
MR. BERNARDO: Object to the form of the question.
THE WITNESS: -- review that question for -- that case for today.
BY MR. C. PLACITELLA:
Q. Okay. Did you know it was filed by a well respected lawyer named Ronald Grayzel?

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MR. BERNARDO: Object to the form of the question.
THE WITNESS: I did not review that case for today.
BY MR. C. PLACITELLA:
Q. Do you know what information Mr. Grayzel asked for in terms of the asbestos content of the talc sold by Johnson & Johnson?
A. I did not review that case, so I'm not familiar with it.
Q. Well, not -- but you're not here as you, Nancy Musco. You're here as Johnson & Johnson.
Does Johnson & Johnson know --
MR. BERNARDO: Object --
BY MR. C. PLACITELLA:
Q. -- what happened in the Edley case?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice. She's not here as a corporate representative with respect to the Edley case.
MR. C. PLACITELLA: That says you.

MR. BERNARDO: That's exactly right.
MR. C. PLACITELLA: No, that says you. Well, the judge will decide that.
BY MR. C. PLACITELLA:
Q. So Johnson & Johnson, as you sit here today, knows nothing about the Edley case --
MR. BERNARDO: Object to the --
BY MR. C. PLACITELLA:
Q. -- correct?
MR. BERNARDO: -- form of the question.
THE WITNESS: I did not review that case.
BY MR. C. PLACITELLA:
Q. You knew, Johnson & Johnson, did you not, that the Edley case has been brought up in multiple trials related to Johnson's Baby Powder; you knew that, right?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I did not review that case, so I don't know anything about it.
BY MR. C. PLACITELLA:

Q. You know that courts have ruled that the Edley case was relevant to the Johnson & Johnson Baby Powder cases; you know that, right?
MR. BERNARDO: Object to the form.
BY MR. C. PLACITELLA:
Q. You, Johnson & Johnson, you know that?
A. I --
MR. BERNARDO: The witness is not speaking on behalf of Johnson & Johnson with respect to this question.
THE WITNESS: I did not review this case.
BY MR. C. PLACITELLA:
Q. Okay.
(Exhibit J&J-188, Stipulation of Dismissal, is marked for identification.)
BY MR. C. PLACITELLA:
Q. I want to give you 188. And I ask you to look at the third page, which is the Affidavit written by Roger Miller.
Do you see that?
A. I see that's what it says, yes.

Q. Do you see that was an Affidavit executed in the Edley case in Middlesex County, New Jersey in 1987; do you see that?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I see Middlesex. I don't see the date.
BY MR. C. PLACITELLA:
Q. And did you know that Johnson & Johnson used this Affidavit to get -- to obtain a dismissal from Mr. Edley who claimed that he was injured from Johnson's talc; did you know that?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.
THE WITNESS: I did not review the Edley case.
BY MR. C. PLACITELLA:
Q. Okay. You see Mr. Miller when he says he was President of Windsor Minerals; that's accurate, correct?
A. I see that's what it says, yes.
Q. And he says that in his paragraph 2 that, The exclusive business of Windsor

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Minerals is, and has been the last 18 years, the mining and milling of talc from a single mining district in Windsor, Vermont. That mining district is the exclusive source of talc for all of the Johnson's Baby Powder sold in the United States.

Did you know that?

MR. BERNARDO: Object to the form of the question. Object to this Affidavit as outside of the scope of the notice. And object to this witness answering in her representative capacity.

THE WITNESS: I did not review this.

BY MR. C. PLACITELLA:

Q. It says, In addition to supplying the talc for Johnson's Baby Powder, Windsor Minerals also sells a portion of its product to independent industrial users.

Do you see that?

MR. BERNARDO: Same objection.

THE WITNESS: That's what's written here.

BY MR. C. PLACITELLA:

Q. Okay. And what Mr. Miller swears

to under oath in paragraph 3 is, All of the talc mined by Windsor Minerals, Inc., whether it is ultimately sold to industrial users or used in Johnson's Baby Powder, is sampled and tested for the presence of asbestos.

Do you see that?

MR. BERNARDO: Same objection.

THE WITNESS: That's what it says.

BY MR. C. PLACITELLA:

Q. He does not distinguish between industrial and baby powder, does he, in terms of source and testing?

MR. BERNARDO: Same objection.

THE WITNESS: That's what it says here.

BY MR. C. PLACITELLA:

Q. And he says, No evidence of the presence of asbestos in Windsor Minerals' product has ever been revealed by this testing; do you see that?

MR. BERNARDO: Same objection.

THE WITNESS: That's what the sentence says.

BY MR. C. PLACITELLA:

Q. And then what he does is, to back that statement up he says, See Exhibit A, and he attaches a report from McCrone, correct?

MR. BERNARDO: Same objection.

THE WITNESS: I see there's a report here, yes.

BY MR. C. PLACITELLA:

Q. And who is McCrone?

A. I believe it's a testing service.

Q. All right. And that Affidavit is a lie, isn't it?

MR. BERNARDO: Object to the form of the question, beyond the scope of the notice. The witness is not answering in her capacity as a corporate representative with respect to these questions.

BY MR. C. PLACITELLA:

Q. Ma'am, that Affidavit is a lie; isn't it?

A. I have never seen this before and I can't comment on it.

Q. Well, you know what the information was, you're here to testify on what the historical discovery responses have been. That Affidavit from the President of Windsor

Minerals is a lie, isn't it?

MR. BERNARDO: Object to the form of the question, same objection.

THE WITNESS: I'm not prepared to answer this.

BY MR. C. PLACITELLA:

Q. Okay.

MR. C. PLACITELLA: Can you give me 28?

BY MR. C. PLACITELLA:

Q. By the way -- oops, can we go back? You see on the first page, the letter written to the lawyer for Mr. Edley by Johnson & Johnson; do you see that? It says --

A. Do we have that document here?

Q. Yeah, it's right, it's right in front of your documents.

A. This one.

Q. Look at the first page, 188.

It says, Enclosed please find an Affidavit on behalf of Windsor Minerals, signed by Roger Miller, President of Windsor Minerals since 1968. Also enclosed you will find an assay from a McCrone Environmental. I trust these documents will now enable you

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to sign a dismissal as was done in the Yuhas case.

Do you see that?

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

THE WITNESS: That's what it says.

BY MR. C. PLACITELLA:

Q. Remember before you said you didn't know anything about Yuhas case. Now we know, right? The Yuhas case was dismissed as well, wasn't it?

A. I --

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

THE WITNESS: -- don't know anything about the Yuhas case.

BY MR. C. PLACITELLA:

Q. You don't know that an Affidavit was prepared by Johnson & Johnson in the Yuhas case saying there was no evidence that ever revealed the presence of asbestos and that was responsible for getting that case dismissed; you didn't know that?

You, Johnson & Johnson don't know

that?

MR. BERNARDO: Object to the form of the question. She's not testifying on behalf of Johnson & Johnson with respect to a topic that is wildly outside the scope of the notice.

THE WITNESS: I'm not here prepared to talk about the Yuhas case.

BY MR. C. PLACITELLA:

Q. It says, I trust these documents will now enable you to sign a dismissal as was done in the Yuhas. I've taken the liberty of drafting the dismissal and enclosing same for your signature along with a self-addressed stamped envelope.

Do you see that?

A. I see that sentence, yes.

Q. And the very first page of this document is the Stipulation of Dismissal signed by the lawyer for Mr. Edley after he got the Miller Affidavit, right?

MR. BERNARDO: Object to the form of the question, beyond the scope of the notice. The witness is not answering in her corporate representative capacity.

BY MR. C. PLACITELLA:

Q. So Mr. Edley gave up his rights to proceed with his lawsuit after he received the Affidavit from the President of Windsor Minerals, right?

MR. BERNARDO: Same objection.

THE WITNESS: I -- I can't comment on that.

BY MR. C. PLACITELLA:

Q. The very first page talks about supplemental answers to supplemental interrogatories; do you see that? The letter to Mr. Grayzel.

A. Yes.

Q. Where are those interrogatories?

A. I am not here prepared to talk about this. I don't know.

Q. Okay. So can we go to -- do you see this -- this -- this statement here by the President of Windsor Minerals, No evidence of the presence of asbestos in Windsor Mineral product has ever been revealed by this testing.

Do you see that?

A. I see that sentence.

Q. Okay. Now focusing on the word "revealed," got that?

A. I see that word, yes.

Q. Okay. Now, can you go to this Hopkin -- this chart Hopkins-28, please?

Do you see on Hopkins-28 created at the Hopkins dep there's a paragraph that talks about what the test revealed?

A. I see that, yes.

Q. Okay. And let's just -- because -- because Mr. Miller relied on the McCrone testing for his Affidavit, let's just talk and look at the McCrone tests. Okay? To see if that was the only test. No test ever revealed any evidence. Okay.

So let's go to 1971; do you see that?

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

THE WITNESS: I -- there's -- yeah, there's a couple things under 1971.

BY MR. C. PLACITELLA:

Q. Right.

And do you see where it says the testing entity is McCrone?

A. Yes.
Q. And do you see where it says that the product that was tested was Shower to Shower?
A. Yes.
Q. Okay. And do you see where it says, Fiber of chrysotile, was very clear. Medicated powder we found one fiber of chrysotile, Shower to Shower. We feel strongly it may be chrysotile. Chrysotile is very low. Final report, Shower to Shower, the fiber content of Shower to Shower is quite low in comparison to previous samples investigated. We found three suspect fibers. Of these two were found one field and probably have the same source, very possibly contamination. It is still questionable whether they are chrysotile. We have, however, found traces of chrysotile in G-11, one of the additives to Shower to Shower, and this might be a possible source of the contaminant fibers.
Do you see that?
MR. BERNARDO: Object to the form of the question. Object to the use of

this document and this summary of the document. It's not in front of the witness, that's been created by Plaintiff's counsel. This is well beyond the scope of the notice.
MR. C. PLACITELLA: That's absolutely a false statement. And I'm -- I'm -- and please don't do that, please don't do that. You are violating the court rules and please don't do that.
MR. BERNARDO: You are violating the court rules by asking the witness questions that are so wildly beyond the scope of what this deposition is.
MR. C. PLACITELLA: Okay. Well, you know what, we'll let Judge Viscomi make that decision. Okay?
MR. BERNARDO: You've said that several times. I'm happy to do that.
MR. C. PLACITELLA: So...
MR. BERNARDO: I'm just preserving a record for my client.
BY MR. C. PLACITELLA:
Q. And you see over here where it says Hopkins Comments?
A. I see those words.

Q. And you see he has no comments, correct?
MR. BERNARDO: Object to the form of the question, same objection.
BY MR. C. PLACITELLA:
Q. And you see where here it says, Satisfies Johnson & Johnson's definition of asbestos and the answer is yes; do you see that?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I can't comment on these. I don't know what this means. It's all taken out of context. I'm -- I don't know what any of this means.
BY MR. C. PLACITELLA:
Q. Ma'am, this particular study was never referenced or alluded to in the Miller Affidavit that said, No, the evidence -- the presence of asbestos was never revealed by any test, right?
This was not part of that?
MR. BERNARDO: Object to the form of the question, same objection.
BY MR. C. PLACITELLA:

Q. Correct?
A. Again, I can't comment on this.
Q. Okay. Let's go down to 10/12/1971. Again, testing entity was McCrone, correct?
A. That's what it says, yes.
Q. And it went to Goudie. Who's Goudie?
A. I don't know.
Q. Okay. And, again, this was tested Shower to Shower, correct?
MR. BERNARDO: Same objection to this whole line of questioning.
THE WITNESS: You're reading what's here, yes.
BY MR. C. PLACITELLA:
Q. Right.
And what the chart says the test revealed was traces of chrysotile in one of the additives, correct?
A. Those are the words that are here.
Q. And under the top -- under the -- under the column whether that satisfies the definition of asbestos of Johnson & Johnson, the answer is yes, correct?
MR. BERNARDO: Object to the

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form of the question.
THE WITNESS: The word "yes" is written here, but I cannot interpret on what any of this means.
BY MR. C. PLACITELLA:
Q. All right. And this is nowhere referenced in the dep -- in the Affidavit of Mr. Miller, is it?
A. I can't comment on this chart.
Q. Ma'am, these -- this test that's set forth in this chart is nowhere referenced in the Affidavit of Mr. Miller concerning what was found in Johnson's Baby Powder, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I don't see this mentioned there, no.
BY MR. C. PLACITELLA:
Q. And, ma'am, you know that that binder that's in front of you has all of these tests in there, correct?
A. I don't know -- I cannot tell you everything that's in that binder.
Q. Well, I'm going to represent to

you, like I did the last time, that all of those tests are set forth in that binder. Did you look through that binder before you came here today?
A. I knew that the binder existed, I knew that it involves tests, but I did not look at every single one of them, no.
Q. Before you came here and testified under oath that there is no evidence whatsoever of asbestos in baby powder, you never went back and looked at the binder that was shown to you last time under oath?
A. Actually, I did better and had the conversation with Dr. Hopkins, because I could look at this all the time and it wouldn't mean anything to me. So I wanted to make sure that he was familiar with all the things that you're referencing.
Q. Well, the last time you were with me, you were told that that chart was created at the deposition of Dr. Hopkins, right?
A. I don't remember this chart.
Q. You don't remember that chart?
A. You're saying you showed it to me, I don't remember. And I don't --

Q. Do I need to play the video that shows you that you knew about it?
A. If you say you did. I said I don't remember.
Q. All right. And you never discussed this chart or any of its contents with Dr. Hopkins in preparation for today's deposition, correct?
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. Correct?
MR. BERNARDO: Characterization of what this witness says she's done.
THE WITNESS: No. As I said, I did not discuss this specific chart, no.
BY MR. C. PLACITELLA:
Q. Okay. Let's go down to 11/11/1971. Another McCrone test using TEM for Shower to Shower. The results of that test are mentioned nowhere in the Miller Affidavit, correct?
A. I did not --
MR. BERNARDO: Object to the form of the question.

THE WITNESS: -- see the...
BY MR. C. PLACITELLA:
Q. In fact, none of these tests that we've simply looked at on the first page of this document were ever referenced by you or Johnson & Johnson in any answer to interrogatory ever, correct?
MR. BERNARDO: Object, object to the form of the question.
BY MR. C. PLACITELLA:
Q. Correct?
A. If they were pertinent to the question asked in the interrogatory, they would have been mentioned. But since they were not, I imagine they were not pertinent to --
Q. So when you were asked questions under oath in interrogatories whether there was any evidence of asbestos, you didn't think that any of the documents that are set forth in this chart have any relevance whatsoever?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I know that the

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experts who provided those answers don't depend on just documents standing alone, that they use their experience and their expertise, along with any science that's available.

BY MR. C. PLACITELLA:

Q. Yes, ma'am.

And nowhere did you ever turn over before 19 -- before 2017 any of these tests, you, Johnson & Johnson, correct?

MR. BERNARDO: Object to the form of the question, outside of the scope of the notice.

If you know in your individual capacity, you can answer.

THE WITNESS: No, I don't know.

BY MR. C. PLACITELLA:

Q. Okay, that's 1971.

Let's go to 1972, another test by McCrone. Do you see where they use TEM looking for the asbestos, presence of asbestos in Johnson's Baby Powder; do you see that?

A. I see that's written, yes.

Q. And what they found was both

samples contained an insignificant amount of tremolite, tremolite rods; do you see that?

A. That's what it says.

Q. And under the chart where does it satisfy the definition of asbestos under Johnson & Johnson, the answer is yes, correct?

MR. BERNARDO: Object to the form of the question, same objection as prior.

THE WITNESS: I see the word "yes."

BY MR. C. PLACITELLA:

Q. Right.

But even though there -- as according to Dr. Hopkins's chart, a test from 1972 showing what Johnson & Johnson deems satisfying its definition of asbestos in baby powder, you never referenced that in your answer to interrogatories in Krushinski, correct?

A. These -- these were not written specifically in answer to any of those answers.

Q. Okay. You never referenced this,

correct?

A. Again, I don't know what this is. You keep referring to it as Dr. Hopkins' chart. Yes, you may have showed it to me, I don't remember. But I don't know what each column means. The entire testing is not here. So I -- I can't -- I can't comment here.

Q. Yes, ma'am.

What I asked you was when you answered the interrogatories in the Krushinski case under oath, you never referenced a 10/27/72 test from McCrone finding samples of tremolite rods that Johnson & Johnson admits satisfies its definition of asbestos, correct?

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

THE WITNESS: I did not provide the answers.

BY MR. C. PLACITELLA:

Q. Right.

A. As I explained, I had the experts, the internal experts provide the answers and they would have used whatever science was

credible and available.

Q. Okay. And this test was never referenced in -- in -- in Mr. Miller's Affidavit, correct, this McCrone test, when he said no presence ever revealed --

MR. BERNARDO: Object to the form --

BY MR. C. PLACITELLA:

Q. -- correct?

MR. BERNARDO: -- of the question.

BY MR. C. PLACITELLA:

Q. Wasn't, wasn't referenced, right?

A. It's not referenced, no.

Q. Okay. Let's go to the next McCrone test.

Here's one from 1974. And that was done, it says McCrone, Lee. This was done at the Hammondsville ore; do you see that?

A. I see that, where it says, yes.

Q. And it says, Chrysotile fibers suppression was indicated. Dartmouth finds amphibole 100 to 200 parts per million in the ore and 9,000 in the ore. McCrone finds chrysotile in ore and finished product.

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Do you see that?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice. The witness is not responding in her corporate representative capacity --
BY MR. C. PLACITELLA:
Q. Do you see that?
MR. BERNARDO: -- to these questions.
THE WITNESS: All I could tell you is that's what it says.
BY MR. C. PLACITELLA:
Q. And under the column does it satisfy Johnson & Johnson's definition of asbestos, the answer is yes --
MR. BERNARDO: Same objection.
BY MR. C. PLACITELLA:
Q. -- correct?
A. I see the word "yes."
Q. Okay. Not referenced anywhere in Mr. Miller's Affidavit, correct?
MR. BERNARDO: Same objection.
THE WITNESS: I see that it's not.
BY MR. C. PLACITELLA:

Q. Let's go to the next McCrone test, 4/24/74.
By the way, did Dr. Hopkins tell you about any of this when you had this conversation with him?
A. We didn't discuss his chart, as you refer to it.
Q. Well, did he tell you about any of these tests that found asbestos by McCrone?
A. He did not talk about any kind of tests that found asbestos.
Q. Okay. And here it talks about a test done of the Argonaut mine. And it says again, TEM finds chrysotile and fibrous tremolite; do you see that?
A. That's what it says.
Q. And that satisfies Johnson & Johnson's definition of asbestos, right?
A. The word "yes" is written there.
Q. Okay. And then there's another test by McCrone in 1974, correct?
A. Yes.
MR. BERNARDO: Objection.
BY MR. C. PLACITELLA:
Q. And another one under that in 1974,

correct?
MR. BERNARDO: Just a running objection to this entire chart, so I don't keep interrupting, on the basis that I explained before.
THE WITNESS: That's what's written here.
BY MR. C. PLACITELLA:
Q. Okay. And then another test in October 1974, correct?
A. I see that, yes.
Q. And another one by McCrone in -- and -- strike that.
And all the tests done by McCrone in 1974 when you go to the column, does the test satisfy the definition of asbestos, it all is yes, right?
A. The word "yes" is written there, but I don't know what that means. I don't know what these testing mean, testing means. Dr. Hopkins could describe this in much better words than I could. I don't know what any of this means.
Q. Yes, ma'am. But we're here to determine the veracity of the discovery

responses that were provided historically by Johnson & Johnson. Discovery responses that you certified and others certified, you understand that, correct?
A. Yes.
Q. And no interrogatory ever certified as true and accurate under oath by Johnson & Johnson that you're aware of ever mentioned any of these tests by McCrone, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: As I said earlier, there was no specific questions that asked about any kind of testing. The answers were based on the internal experts' experience, expertise and the accurate science.
MR. C. PLACITELLA: Can you read my question back, please, and see if I can get an answer to it?
(At which time the following question is read:
"QUESTION: And no interrogatory ever certified as true and accurate under oath by Johnson & Johnson that

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you're aware of ever mentioned any of these tests by McCrone, correct?")
THE WITNESS: That's correct. They did not answer these -- they did not cite these specifically, no.
BY MR. C. PLACITELLA:
Q. Okay. And then in 1975, according to this, there's another test by McCrone, correct?
And it says, Confirmed asbestos, low to medium, bundles of amphiboles and that satisfied Johnson & Johnson's definition of asbestos, right?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: Again, the word "yes" is written there. I don't know what any of this means.
BY MR. C. PLACITELLA:
Q. Okay. And, again, in 1975 another test by McCrone, fibers of asbestos, answer yes, correct?
A. Those are the words written.
Q. Okay. Now we're up to 1975, that's ten years -- 12 years before Miller executed

his Affidavit. And on McCrone tests alone, I have one, two, three, four, five, six, seven, eight, nine, ten, 11, 12, 13 tests that were never mentioned by McCrone, that were never mentioned in the Miller Affidavit, correct?
MR. BERNARDO: Object to the form of the question, same objection with respect to scope as I've made numerous times.
(Reporter clarification.)
MR. BERNARDO: That I've made numerous times.
THE WITNESS: I -- I cannot comment on the Affidavit. I'm not here to talk about that, that particular Affidavit, nor this chart.
BY MR. C. PLACITELLA:
Q. And, ma'am, I'm not going to belabor the point here, but in 1983 there was another McCrone test, correct?
MR. BERNARDO: Same objection.
THE WITNESS: That's what it says.
BY MR. C. PLACITELLA:
Q. And then another McCrone test in '84, correct?

MR. BERNARDO: Same objection.
THE WITNESS: That's what it says.
BY MR. C. PLACITELLA:
Q. And another McCrone test in 1986?
MR. BERNARDO: Same objection.
BY MR. C. PLACITELLA:
Q. Correct?
MR. BERNARD: Same objection, same objection.
THE WITNESS: That's what it says.
BY MR. C. PLACITELLA:
Q. Correct?
A. That's what it says.
Q. All right. And what Miller did, he cited a single test by McCrone for the evidence that asbestos was never found in any Johnson & Johnson product and omitted every other McCrone test on this chart, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I cannot comment on the Miller Affidavit, nor this chart.
BY MR. C. PLACITELLA:

Q. And, actually, when you looked at the 1983 and '84 tests, right, Miller himself received the tests that satisfied Johnson & Johnson's definition of asbestos, according to this chart, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I can't interpret this, this chart. And I'm not here to talk about it.
BY MR. C. PLACITELLA:
Q. Okay. So I ask you again, Miss Musco, is Mr. Miller's Affidavit a lie?
MR. BERNARDO: Object to the form of the question.
BY MR. C. PLACITELLA:
Q. Based on what you've seen here today.
A. I'm not here today to talk about Mr. Miller's Affidavit. I can't comment.
Q. Ma'am, you are here as designated as Johnson & Johnson's representative on the veracity of discovery responses provided historically in talc litigation. You understand that, correct?

A. I believe that there's a misunderstanding about the scope of our -- our notice, yes.
Q. Ma'am, I asked you those questions when we started. Can we agree that every test up until Miller signed his Affidavit in 1987 was never referenced, every test in this chart, not one was referenced in Miller's Affidavit when he certified under oath to get Mr. Edley's case dismissed, not one of these tests was ever referenced, correct?
MR. BERNARDO: Objection to the form of the question, beyond the scope. This witness is not here as a corporate representative with respect to that Affidavit.
THE WITNESS: I -- I cannot comment on the Affidavit.
BY MR. C. PLACITELLA:
Q. You think that's okay to do that?
MR. BERNARDO: Same objection.
BY MR. C. PLACITELLA:
Q. To swear under oath to get some -- get somebody to give up their rights and only provide half the truth?

Do you think Johnson is -- does Johnson & Johnson think that's okay?
MR. BERNARDO: Object to the form of the question, same objection with respect to scope.
THE WITNESS: I -- I can't answer that kind of question.
BY MR. C. PLACITELLA:
Q. I'm asking does Johnson & Johnson believe it was okay to file an Affidavit in this very state, in Middlesex County and get somebody to give up their rights, saying there's no evidence whatsoever, when they had evidence from the same company over and over for more than a decade; do you think that was right on behalf of Johnson & Johnson?
MR. BERNARDO: Object to the form, same objection with respect to the scope.
THE WITNESS: I can't comment on the Affidavit.
BY MR. C. PLACITELLA:
Q. So Johnson & Johnson cannot comment on whether it was proper to use an Affidavit saying there was no evidence whatsoever to

get somebody's case dismissed, when it clearly had evidence to the contrary in its possession; is that what you're saying?
MR. BERNARDO: You've -- answered -- asked the question several times. She's answered it. We've objected based upon the scope. You're --
MR. C. PLACITELLA: Please don't do this.
MR. BERNARDO: Don't tell me "please don't do this."
MR. C. PLACITELLA: Please.
MR. BERNARDO: You're beginning to become harassing, Mr. Placitella.
MR. C. PLACITELLA: Okay. Well, can you pull out -- do you have his Affidavit?
BY MR. C. PLACITELLA:
Q. Ma'am, can you answer my question?
A. Would you please repeat the question?
MR. C. PLACITELLA: Could you repeat the question, please?
(At which time the following question is read:

"QUESTION: So Johnson & Johnson cannot comment on whether it was proper to use an Affidavit saying there was no evidence whatsoever to get somebody's case dismissed, when it clearly had evidence to the contrary in its...")
BY MR. C. PLACITELLA:
Q. Can you answer that?
A. I -- I -- it didn't sound like it was completed.
THE COURT REPORTER: I need a minute.
MR. C. PLACITELLA: Take your time. You know what, let me just keep moving I'll make you...
(Off-the-record discussion.)
BY MR. C. PLACITELLA:
Q. Did you know that the reason that Mr. Hopkins never told you about the Miller Affidavit or the tests that were missing was because he filed the same Affidavit in other cases?
MR. BERNARDO: Object to the form.
BY MR. C. PLACITELLA:

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Q. Did you know he filed the same Affidavit in other cases?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I can't answer that, because I'm not familiar with the Affidavit, because I'm not here to talk about that. It was my understanding that this was not within the scope of the notice.
BY MR. C. PLACITELLA:
Q. Ma'am, given the evidence that's on Hopkins-28, would you sign that Affidavit?
MR. BERNARDO: Object to the form of the question, same as before.
THE WITNESS: Are you referring to the original --
BY MR. C. PLACITELLA:
Q. The Affidavit signed by Miller in the Edley case, would you sign that Affidavit in order to get Mr. Edley to dismiss his case, would you sign it?
MR. BERNARDO: Objection.
BY MR. C. PLACITELLA:
Q. Given everything that we've gone through?

MR. BERNARDO: Object to the form of the question.
THE WITNESS: I can't even answer that, that wouldn't be my role. I don't have complete information. I don't know enough about it.
BY MR. C. PLACITELLA:
Q. Ma'am, could you just move that book in -- in front of the camera so the camera can pick it up, please?
A. Are you referring to the --
Q. Yes, ma'am.
That's the book of testing documents that go along with this chart; you know that, right?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: That's what you have said, yes.
BY MR. C. PLACITELLA:
Q. And have you gone back and verified that when you swore to answers to interrogatories under oath that you never referenced a single one of the tests in that book?

MR. BERNARDO: Object to the form of the question.
THE WITNESS: I told you earlier, I could go back and read every one of them, but it wouldn't make that much sense to me, because this is not my expertise, which is why I had the conversation with Dr. Hopkins to ensure that he has read them. He's the expert. And that he understands them.
BY MR. C. PLACITELLA:
Q. Ma'am, that wasn't my question.
My question was, am I correct that when you swore to interrogatories under oath on behalf of Johnson & Johnson and others swore to interrogatories under oath of Johnson & Johnson, none of the tests in that book were ever supplied or referenced in any way, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: It -- it was not appropriate to do that, because, again, we had the experts answering the questions based on their information and their knowledge.

There's no specific set of studies that goes with each answer.
BY MR. C. PLACITELLA:
Q. All right. Let me ask the question again, please.
When you answered interrogatories under oath and others did the same thing on behalf of Johnson & Johnson, you can't point to a single instance where any of the results that are in that book were ever supplied or referenced by Johnson & Johnson, correct?
A. Well, I can't speak for others who have provided answers, but I can speak for what I did. And, again, I did not go back and look at each one of these. Again, I trusted the people that I asked to respond to the questions.
Q. Ma'am, we'd like to finish --
MR. BERNARDO: Listen to his question.
BY MR. C. PLACITELLA:
Q. -- at some point in time, okay?
MR. BERNARDO: It's getting late, but just listen to his question.
BY MR. C. PLACITELLA:

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Q. Ma'am, please.
When you answered interrogatories under oath, you never supplied or referenced any of the studies that are set forth in that book in front of you, true?
A. No, I did not.
Q. And as you sit here today, you don't have any evidence that anybody else at Johnson & Johnson when they were certifying answers to interrogatories referenced or supplied any of the testing documents in that book in front of you, correct?
A. Not in direct response, no.
MR. C. PLACITELLA: Now, can you give me 282?
(Exhibit J&J-282, is marked for identification.)
BY MR. C. PLACITELLA:
Q. Do you know how many times Johnson & Johnson filed affidavits in courts of law indicating that there was no evidence whatsoever in order to get people's cases dismissed?
MR. BERNARDO: Object to the form of the question.

THE WITNESS: No, I do not.
BY MR. C. PLACITELLA:
Q. You have in front of you another Affidavit signed by Roger Miller a year after the Edley Affidavit in the Andonian case, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I see those names, yes.
BY MR. C. PLACITELLA:
Q. Right. And, again, Roger Miller states under oath, All of the talc mined by Windsor Minerals, Inc. has been regularly sampled or tested for the presence of asbestos. No evidence of the presence of asbestos in Windsor Minerals' product has ever been revealed by this testing.
Correct?
A. That's what it says.
Q. And if I go to --
MR. C. PLACITELLA: Where is the chart?
BY MR. C. PLACITELLA:
Q. By 1988 according to the Hopkins

chart, there were one, two, three, four, five, six, seven, eight, nine, ten, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45; do you see that? Forty-five entries on Dr. Hopkins' chart talking about testing evidence on asbestos, correct?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.
You can answer in your individual capacity, if you can.
THE WITNESS: I heard you count them up to those numbers, but...
BY MR. C. PLACITELLA:
Q. Well, do you want to count it again and see if I got it right?
A. It's not necessary for me. I cannot comment on this chart.
Q. And not one of the tests set forth in that chart or in that book are referenced anywhere on the Andonian Affidavit filed by Roger Miller in order to get cases dismissed, correct?

MR. BERNARDO: Object to the form of the question. Object, beyond the scope of the notice.
You can answer in your individual capacity, if you can.
THE WITNESS: I can't comment on it.
BY MR. C. PLACITELLA:
Q. None of the tests referenced on the chart up until the time he signed this Affidavit in 1988 are referenced anywhere in his Affidavit, correct?
MR. BERNARDO: Same objection.
THE WITNESS: I'm not prepared to comment on the Affidavit or any of the testing on the chart.
BY MR. C. PLACITELLA:
Q. Ma'am, all I'm asking you is any of the testing listed on the chart, any of them reflected anywhere in his Affidavit?
MR. BERNARDO: Same objection.
THE WITNESS: I do not see them listed here, no.
BY MR. C. PLACITELLA:
Q. Okay.

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MR. C. PLACITELLA: Now, can you give me 195, please?
(Exhibit J&J-195, Affidavit, is marked for identification.)
BY MR. C. PLACITELLA:
Q. 195.
MR. BERNARDO: Same objection with respect to the use of the document.
BY MR. C. PLACITELLA:
Q. Is an Affidavit --
MR. BERNARDO: I won't repeat it, same objection with respect to the use of this document.
BY MR. C. PLACITELLA:
Q. -- signed by William Ashton in Somerset County, New Jersey, do you see that?
A. I see it's an Affidavit. And I see Mr. Ashton's name.
Q. And Mr. Ashton is one of the scientists who was knowledgeable and who worked on the talc litigation, correct?
A. He was assigned to Johnson & Johnson, yes.
Q. In fact, he was involved in the defense of the Westfall case, correct?

A. I don't know for sure.
Q. And he was known --
MR. C. PLACITELLA: Okay. Let me -- can we go to the Elmo, please? Sorry.
BY MR. C. PLACITELLA:
Q. This is in the privilege log chart. Do you see here talks about the Westfall case?
MR. BERNARDO: I'll renew my objection with respect --
BY MR. C. PLACITELLA:
Q. Do you see that?
MR. BERNARDO: With respect --
THE WITNESS: I see --
MR. BERNARDO: -- to the use of the privilege log.
BY MR. C. PLACITELLA:
Q. Okay.
A. I see what you've highlighted.
Q. All right. And do you see if you go across that William Ashton was involved in the case; do you see that?
A. I see his name that you're highlighting.
Q. And he corresponded with the

lawyers in the Westfall case, correct?
A. I see you're highlighting names. I don't know what this all means.
Q. And also involved according to this log was the Medical Director for Johnson & Johnson, he was involved in the Westfall case according to this log, correct?
A. I see you have highlighted those names.
Q. Okay. So William Ashton clearly knew what was going on in the Westfall case, as did the Medical Director for Johnson & Johnson, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I can't comment. This was the first time I saw this. I don't know what it is and I was not here today to talk about this.
BY MR. C. PLACITELLA:
Q. Okay. Well, let's look at --
MR. C. PLACITELLA: Can we go back to the iPad, please?
BY MR. C. PLACITELLA:
Q. Ashton states in the beginning of

his Affidavit that he has been involved in the talc business for Johnson & Johnson for 35 years, correct?
A. That's what it says.
Q. Okay. And he's been to the talc deposits and knows all about them, correct?
A. It says he was actively involved.
Q. Okay. And then can you go to the next page of his Affidavit? He says, From the 1940s to the 1980s, talc mined in Vermont and specifically, the talc mined by Engelhard (and its predecessors) from the talc mine located in Johnson, Vermont has been considered to be talc free from contamination of asbestos.
Do you see that?
MR. BERNARDO: Object to the form of the question, same objection --
BY MR. C. PLACITELLA:
Q. Do you see that?
MR. BERNARDO: -- with respect to this Affidavit and the scope of this notice.
BY MR. C. PLACITELLA:
Q. Do you see that?

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A. I see that's what those sentences say.
Q. That's a lie, right?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I cannot comment on this. I was not here today prepared to talk about this. It's...
BY MR. C. PLACITELLA:
Q. Well, you were here again today, designated as to the veracity of the discovery responses historically by Johnson & Johnson, correct?
A. It is my understanding that this is not within the scope of what I was here today to talk about.
Q. Okay. And if you look in the Affidavit, Mr. Ashton actually attaches one of the depositions from the Westfall case, correct?
MR. BERNARDO: Object to the form of the question, same objection with respect to the scope.
THE WITNESS: It says that's what it is.

BY MR. C. PLACITELLA:
Q. Right.
It was a videotaped deposition of Alfred Chidester; do you see that?
A. That's what it says.
Q. And when he attaches the deposition, he doesn't reference at all the depositions of the scientists who testified in the Westfall case who said they found asbestos in the mine, does he?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I'm not here today to talk about this. So I have no idea what he did or didn't do or why he did or didn't do.
BY MR. C. PLACITELLA:
Q. Ma'am, why don't you take a look at the Affidavit and see if he attaches anywhere the transcripts of the actual scientists who did the testing and who've testified under oath, as we went through before, that they found asbestos in the mine. Take a look, see if it's there.
A. I don't see any other testimony,

no.
Q. He certainly didn't attach the testimony of Dr. Hemstock that I put up here on the screen, who testified that he found chrysotile asbestos in the mine, did he?
MR. BERNARDO: Object to the form of the question. Object to the use of this Affidavit. And this testimony is beyond the scope of this notice.
THE WITNESS: I have not seen this before. My understanding it is beyond the scope. And I'm -- I would have to read this whole thing.
BY MR. C. PLACITELLA:
Q. Okay. And, ma'am, so when this Mr. Talc, Johnson & Johnson's Mr. Talc stated under oath in an Affidavit that the talc and the mine was asbestos-free, that was a fib, right?
MR. BERNARDO: Object to the form of the question. Same objection with respect to the scope.
THE WITNESS: Are you referring to Mr. Ashton when you say --
BY MR. C. PLACITELLA:

Q. Yes, ma'am.
A. -- "Mr. Talc"?
Q. Yes, ma'am.
A. I know him as Mr. Ashton.
I -- I can't comment on this. I did not come here today to discuss this.
Q. Do you know how many cases were dismissed for people by -- that -- how many cases this Affidavit caused to be dismissed?
MR. BERNARDO: Object to the form of the question, beyond the scope.
You can answer in your personal capacity if you can.
THE WITNESS: I do not know.
BY MR. C. PLACITELLA:
Q. Do you think this was an okay thing to do?
MR. BERNARDO: Same objection.
BY MR. C. PLACITELLA:
Q. The Chief Scientist in talc for Johnson & Johnson, does Johnson & Johnson think this was an okay thing to do, to file an Affidavit saying there's no evidence, when, in fact, he was involved in the lawsuit himself and saw the evidence, think that's

okay?
MR. BERNARDO: Same objection.
THE WITNESS: I can't answer that.
BY MR. C. PLACITELLA:
Q. Well, I'm not asking if you can answer. I'm asking you, Johnson & Johnson, do you think that's okay --
MR. BERNARDO: Same objection.
BY MR. C. PLACITELLA:
Q. -- to do that?
MR. BERNARDO: Not here to answer questions beyond the scope of the notice.
THE WITNESS: I can't answer that.
BY MR. C. PLACITELLA:
Q. You can't or you won't?
A. I'm not here today to talk about that.
Q. Okay.
MR. C. PLACITELLA: Can you give me 446?
(Exhibit J&J-446, Agreement, is marked for identification.)

BY MR. C. PLACITELLA:
Q. Take a second, because it's big.
Can you take a look at that, please?
446 is an Agreement between Cypress Minerals and Johnson & Johnson, dated January 6, 1989; do you see that?
MR. BERNARDO: Object to the form of the question, beyond the scope of the notice.
BY MR. C. PLACITELLA:
Q. That was during the time that you were working on the talc cases, right?
A. This is during the time that I was employed by Johnson & Johnson, yes.
Q. Okay. And according to Exhibit I, Johnson & Johnson was named in numerous cases as of 1989, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: I've never seen this before. I don't know how to read it. This doesn't seem to be within scope. And so I can't comment.
BY MR. C. PLACITELLA:

Q. Ma'am, there's -- mentioned is the Andonian case, correct?
A. I see that name.
Q. All right. That's the Affidavit that I just showed you, right --
A. Yes, you did.
Q. -- from Mr. Miller?
And then there's another one, the Miller case; do you see that?
A. I see those names.
Q. Okay. And in preparing for today's deposition, did you look at any of the discovery from any of those cases?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: No, I did not.
BY MR. C. PLACITELLA:
Q. Okay. And if you look at the next page, do you see that they actually detail where the cases are filed and they total that as of 1989 there were 1,827 cases involving Windsor at that point in time; do you see that?
MR. BERNARDO: Object to the form of the question, beyond the scope of the

notice. She's not here as a corporate representative with respect to the litigation profile.
THE WITNESS: All I can see is what you point out to me in the numbers and I have not seen this before.
BY MR. C. PLACITELLA:
Q. And you have not reviewed in preparation for today's deposition any of the discovery responses from any of those 1,800 cases, correct?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: It is my understanding that these were not within the scope of the notice.
BY MR. C. PLACITELLA:
Q. And how do you say that?
A. Excuse me?
Q. Why is that?
Why is that?
Why aren't they in the scope?
A. Because that was not our interpretation of this and there seems to be some misunderstanding about that.

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Q. So you are -- Johnson & Johnson, you have an interpretation or is that something the lawyer told you?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: That is my understanding.
BY MR. C. PLACITELLA:
Q. Okay. So when you prepared for today's deposition, you didn't look at any of the discovery responses from any of these 1,800 cases, correct?
A. That's correct.
Q. Okay. And you didn't even know about the false affidavits that Roger Miller filed in connection with these cases, did you?
MR. BERNARDO: Object to the form of the question, characterization of the Affidavit.
THE WITNESS: I can't comment one way or the other on the affidavits.
BY MR. C. PLACITELLA:
Q. Okay. Now, at this same period of time while you were handling these cases,

Johnson & Johnson, or you were the point person, destroyed all the records they had --
MR. BERNARDO: Object.
BY MR. C. PLACITELLA:
Q. -- at the mine, correct?
MR. BERNARDO: Object to the form of the question, outside the scope of the notice. This witness is not here to testify with respect to documentation from the mine.
BY MR. C. PLACITELLA:
Q. Ma'am, you understand that part of the obligation of a company is to turn over the records it has in the context of discovery, correct?
A. I know that their obligation is to turn over whatever is requested.
Q. And to keep, when they're sued over and over again, to keep those records, correct?
MR. BERNARDO: Object.
BY MR. C. PLACITELLA:
Q. You know that?
MR. BERNARDO: Object to the form of the question, calls for a legal

conclusion.
(Reporter clarification.)
MR. BERNARDO: Calls for a legal conclusion. This witness is not here to testify with respect to legal hold obligations.
THE WITNESS: I don't know the specifics of any requirements.
BY MR. C. PLACITELLA:
Q. Ma'am, when you certified answers to interrogatories under oath in the Krushinski case, you did it without the benefit of any of the documents that were kept at the mine where the product came out, right?
MR. BERNARDO: Object to the form of the question.
THE WITNESS: As I've -- I've already addressed, that there were no specific documents that were in response to the questions. That we relied upon the knowledge and the expertise of the particular people who answered the questions.
BY MR. C. PLACITELLA:
Q. Ma'am, no one ever told you as the

corporate representative of Johnson & Johnson that all of the records related to the mine were actually destroyed in 1989 while litigation was pending?
You did not know that before you came here today?
MR. BERNARDO: Object to the form of the question.
Chris, I've said this many times and I'm going to begin to instruct the witness not to answer, because this is nothing short of harassment.
MR. C. PLACITELLA: Yeah, well, we'll see.
MR. BERNARDO: No, no, let me finish.
You know she is not here to address this. We've made that abundantly clear.
MR. C. PLACITELLA: I know what you think.
MR. BERNARDO: You continue -- it's not what I think.
MR. C. PLACITELLA: That's what you think.

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MR. BERNARDO: It's what we've told you. And we've made it abundantly clear. And you're now asking her questions about legal holds and documents that you well know the response and position on.

MR. C. PLACITELLA: Okay, okay.

BY MR. C. PLACITELLA:

Q. Ma'am, did you know that when you were certifying answers to interrogatories that all of the documents related to the Hammondsville mine were destroyed; did you know that?

MR. BERNARDO: Object to the form of the question and the characterization.

THE WITNESS: I don't know anything about documents at the mines.

BY MR. C. PLACITELLA:

Q. I'm going to show you what's been marked J&J-456.

(Exhibit J&J-456, Memo, is marked for identification.)

BY MR. C. PLACITELLA:

Q. J&J-456 is a memo from R. Denton on Johnson & Johnson letterhead.

Who's R. Denton?

A. I don't know.

Q. To W. Ashton. That's Bill Ashton, right?

A. I would assume so.

Q. He's the same Ashton who executed the Affidavit we just went through, correct?

A. Yes, he is.

Q. Okay. And on page 3 of the Johnson & Johnson memo it states, quote, The specifics of the mining operation at Hammondsville are uncertain, as most of the pre-Luzenac records were destroyed by the mine management just -- staff, just prior to the J&J divestiture and the Cyprus purchase.

Do you see that?

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

BY MR. C. PLACITELLA:

Q. Do you see that?

MR. BERNARDO: Outside the scope of the notice and object to --

(Multiple speakers, overlapping, unintelligible crosstalk.)

BY MR. C. PLACITELLA:

Q. Is today the first time that you learned --

THE COURT REPORTER: I'm sorry, I didn't get the tail end of his objection.

MR. BERNARDO: Sorry. And objected to asking the witness about this document. She's not answering in a corporate capacity.

BY MR. C. PLACITELLA:

Q. Is today the first time that you learned that when you were certifying interrogatories under oath that the documents concerning the mining operation of Hammondsville were destroyed before you ever answered the interrogatory?

MR. BERNARDO: Object to the form.

BY MR. C. PLACITELLA:

Q. Today's the first time you learned that?

MR. BERNARDO: Object to the form of the question, same objections as before.

THE WITNESS: I have not seen this before. It's my understanding that this

is not what I'm here to discuss.

BY MR. C. PLACITELLA:

Q. Ma'am, I'm asking you a question.

When you certified interrogatories under oath, is this the first time that you learned that the documents from the mine, the Hammondsville mine that was the source for the baby powder were destroyed? It's a yes or no answer.

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

THE WITNESS: I'm trying to answer you. I am not here today to talk about this. This is the first I have seen it.

MR. C. PLACITELLA: Okay. Let's take a break.

THE VIDEOTAPE OPERATOR: The time is 3:56 p.m., off the record.

(Brief recess.)

THE VIDEOTAPE OPERATOR: Time is 4:18 p.m., on the record.

MR. BERNARDO: So Mr. Placitella and I discussed how much more time he believes he needs to take this

ELECTRONICALLY FILED 2022 Sep 27 10:29 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1402946

deposition. And I believe he indicated at least several more hours.

I also have a direct examination that I would like to do of the witness.

Miss Musco during the break told me that she's been here all day and getting tired. And that if we're going to have to continue, she would prefer to do that on a separate date.

Mr. Placitella and I obviously from the transcript disagree as to what the proper scope of this deposition is and should be, but we will sort that out among ourselves and possibly or probably with Judge Viscomi.

I will reserve my right to do a direct exam of Miss Musco.

But, otherwise, we agree that after marking and having Miss Musco describe the box of documents that she has brought with her today, we will adjourn for today and meet and confer as to the remainder of the deposition.

Is that a fair characterization, Mr. Placitella?

MR. C. PLACITELLA: We agree.

MR. BERNARDO: Look at that. See what happens on a Friday afternoon.

MR. C. PLACITELLA: We can always agree to disagree.

MR. BERNARDO: Well, do you want to ask her to -- or how do you --

MR. C. PLACITELLA: Well, I want to just go through these documents, identify them and have them marked and this way we'll save time next time.

MR. BERNARDO: Do you understand what he's asking you to do?

THE WITNESS: Yes.

BY MR. C. PLACITELLA:

Q. So the first one is --

MR. BERNARDO: So let me just for the record point out that -- that we brought with us today a banker's box of various binders and other documents that Miss Musco had reviewed or otherwise considered in connection with her preparation for today's deposition. And we're going to have Miss Musco describe each of them for the record.

(Exhibit P-6, Depositions and testimony of Dr. Hopkins, is marked for identification.)

BY MR. C. PLACITELLA:

Q. All right. What's that marked, P-6?

A. Yeah, P-6.

Q. All right. Marked P-6, what's P-6?

A. P-6 is the depositions and testimony of Dr. Hopkins, which I reviewed.

Q. Okay. Did you look at any of the ones I took?

A. Excuse me?

MR. BERNARDO: Matter of fact, I think she did.

BY MR. C. PLACITELLA:

Q. Did you look at the ones I took?

A. Oh, I was most interested in those.

Q. Okay. So then you know all about the chart.

(Exhibit P-7, Testimonies and interrogatories for Selby and Krushinski, is marked for identification.)

THE WITNESS: Okay. These are the specific interrogatories of Selby.

And -- yeah.

BY MR. C. PLACITELLA:

Q. Just identify the exhibit number.

A. Oh, sorry.

Q. Please.

A. P-7.

Q. Okay.

MR. BERNARDO: Please make sure your description is complete for the record.

THE WITNESS: Yes, these include testimonies and interrogatories of for Selby and Krushinski, the specific complaints.

(Exhibit P-8A, Documents sent to Dr. Hopkins, is marked for identification.)

(Exhibit P-8B, Documents sent to Dr. Hopkins, is marked for identification.)

THE WITNESS: These are already --

BY MR. C. PLACITELLA:

Q. No, stick... Just --

A. Oh, sorry. P-8.

Q. Mm-hmm.

MAGNA LEGAL SERVICES

A. Oh, P-8A, P-8B. And if you put them together these should be everything that's contained in your big binder of all the documents that were sent to Dr. Hopkins.

(Exhibit P-9, Unidentified documents, is marked for identification.)

THE WITNESS: P-9, these were the specific documents I believe that you sent us, yes, like, two days ago, yes. What they are, I don't know.

BY MR. C. PLACITELLA:

Q. You don't know what's in there?

A. It looks like a lot of scientific stuff.

Q. So am I correct that you didn't review any of that in preparation --

A. Yes, I went through it all.

Q. Oh, you did?

A. Yeah.

Q. Oh, okay.

(Exhibit P-10, Deposition transcript of Nancy Musco, is marked for identification.)

THE WITNESS: P-10 would be the transcript of my deposition in November 28,

yeah, 28th.

MR. BERNARDO: You can just identify all of these together.

THE WITNESS: Yeah, these were specific complaints that I asked to see, Selby, Krushinski and Westfall.

(Exhibit P-11, Complaint, is marked for identification.)

(Exhibit P-12, Complaint, is marked for identification.)

(Exhibit P-13, Complaint, is marked for identification.)

THE WITNESS: Oh, I'm sorry, P-13, I keep forgetting, 11, 12, and 13.

(Exhibit P-14, Notes, is marked for identification.)

THE WITNESS: These were the notes that I took during my conversation with Dr. Hopkins, P-14.

MR. BERNARDO: That's everything.

BY MR. C. PLACITELLA:

Q. Is that everything?

MR. BERNARDO: That's everything that's in the box.

BY MR. C. PLACITELLA:

Q. All right. We have to work out a day. Thank you for -- have a good weekend.

MR. PLACITELLA: Happy birthday.

(Off-the-record discussion.)

THE VIDEOTAPE OPERATOR: This concludes the deposition. The time is 4:24 p.m. We're off the record.

(Witness excused.)

(Testimony concluded at 4:24 p.m.)

C E R T I F I C A T E

I, Sharon L. Martin, a Notary Public, Certified Court Reporter of the State of New Jersey, Registered Professional Reporter, do hereby certify that prior to the commencement of the examination,

NANCY MUSCO

was duly sworn by me to testify to the truth, the whole truth and nothing but the truth.

I do further certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I do further certify that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel and that I am not financially interested in this action.

SHARON L. MARTIN, RPR, CCR-NJ-XI02021
Notary Public
My Commission Expires September 25, 2021
Date: 2/19/2019

MAGNA LEGAL SERVICES

ELECTRONICALLY FILED 02/20/2019 Pg 71 of 229 Trans ID: CHC2019040946

EXHIBIT 80

ELECTRONICALLY FILED 2022-08-29 17:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE#: 2022CP1402946

Johnson & Johnson

BABY PRODUCTS COMPANY

July 15, 1981

SKILLMAN, N. J. 08558

SUBJECT: Talc Suit
Westfall vs. Metropolitan Talc Co.
AETNA/Hansen, Curran & Parks

TO: Mr. Frank A. Bolden

Background:

Metropolitan Talc Co. (our former source of domestic ground Italian talc) is being sued by survivors of Mr. Westfall. His autopsy report alleges his death was due to mesothelioma arising from exposure to asbestos in the talc while he was employed long term at U.S. Rubber. U.S. Rubber used talc both from Pfizer and Metropolitan.

****

On July 8th we were visited by Mr. William Curran (AETNA) and former officials of Metropolitan Talc, Messrs. P. Bixby and D. Ferry. They requested and we agreed to provide them with information on talc purity particularly that relating to Italian talc and its documented freedom from asbestos. We were approached as talc experts only, since J&J is not involved in the suit.

Attached are pertinent documents on talc for your transmittal to Mr. Curran as agreed in your office on 7/8/81.

1. NIOSH material - also available under F.O.I.

   a. Our response to a NIOSH call for information dated 4/7/78.

   b. Our response to the NIOSH first draft of their Talc Criteria Document. Response dated 12/13/78.

   c. Our response dated 7/12/79 to a subsequent version of the NIOSH Talc Criteria Document 3/79 draft.

   d. A copy of a paper by Dr. John Gamble et al of NIOSH, presented at the Fifth International Symposium on Inhaled Particles Cardiff, 9/80. Title of the paper is "An Epidemiologic-Industrial Hygiene Study of Talc Workers". The official publication has not yet appeared in the Transactions of the group but is expected to be in print late this year.

EXHIBIT
3/26/19
JHJ 483

JNJTALC000687811

ELECTRONICALLY FILED 2022-08-01 17:10:29 PM - CHERI A. STONE - COMMON PLEAS - CASE #22CV004014 - 3946

2. A copy of a book which I put together in 1977 primarily for the support of our Italian Talc source in Italy entitled "TALC - A Practical Guide". This contains talc purity information and also a study by Professor Rubino of Turino documenting the occupational safety of Italian talc. The book has never been made available in the USA, but was circulated widely to the talc and cosmetic industries in Europe.

At our 7/8/81 meeting there was a mention that we had submitted voluminous information on talc purity to the FDA going back ten years. I probably need a couple more weeks to plow through the foot or two of documents to see what is pertinent to the present request. Meanwhile, I suggest you transmit the attached to Mr. Curran as we promised.

WHA

William H. Ashton

WHA/ats

Attachment

cc: G. Lee
W. Waggoner } no attachments
B. Semple

ELECTRONICALLY FILED 02/20/2024 01:09 PM - CIRCUIT COURT - ST. LOUIS CITY - 22SL-CC00946

EXHIBIT 81

ELECTRONICALLY FILED 2022-08-23 07:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE#: 2022CP1400732946

Johnson & Johnson

BABY PRODUCTS COMPANY

December 3, 1982

SKILLMAN, N.J. 08558

Mr. Roger Miller
WINDSOR MINERALS, INC.
P.O. Box 680
Windsor, Vt. 05089

Dear Roger:

Subject: "Joly vs. J & J BPC"

The attached memo from John Beidler is self-explanatory. In order to assist John's request, we need your help with respect to the knowledge which Windsor has gathered in its prospective pulmonary study. My latest study report under file dates back to September, 1978 when Dr. Keith Wilson drew the conclusion that "there is no correlation between either symptoms or declining function and talc exposure in non-smokers. Among smokers, both symptoms and declining pulmonary function correlated with exposure as well as pack years smoking . . . . ". If you have recent reports or observations from Keith Wilson in your ongoing study, could you share them with us?

Finally, John has asked for recommendations of pulmonary specialists who may be useful as witnesses. Would you recommend Keith Wilson or his associates? Or might Dr. Wilson prefer to suggest other specialists?

Sincerely,

George Lee

/cr
Attachment

cc: B. M. Deavenport
B. Semple, M.D.

EXHIBIT
tabbies
J+J 450

J&J-0058901

JNJ 000469760

Protected Document--Subject to Protective Order

ELECTRONICALLY FILED 02/23/2021 07:11 AM - CHARLESTON COMMON PLEAS - 2021CP1000946

EXHIBIT 82

ELECTRONICALLY FILED 2022-08-23 17:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE#: 2022CP1402946

ELECTRONICALLY FILED 2022-08-01 17:10:39 PM - CHERI LASSON COMMON PLEAS - CASE #22CV004014 - 2946

Johnson & Johnson

BABY PRODUCTS COMPANY

SKILLMAN, N. J. 08558

June 17, 1985

TO: B. Semple

RE: Ingestions and Inhalations Requiring Medical Attention
JOHNSON'S Baby Powder
January, 1982 - January, 1985

COMPLAINT # 00353 - Ingestion

SUBJECTIVE: Doctor phoned about his patient who was 5-6 months pregnant. The patient had consumed contents of 5-6 containers of JOHNSON'S Baby Powder. No symptoms were presented. Physician requested information.

RESPONSE: Chronic ingestion studies and studies on teratogenicity have not been performed. Animal acute toxicity studies yielded negative data at maximum gavage levels of 40 ml/kg.

COMPLAINT #02043 - INHALATION

HISTORY: Consumer used JOHNSON'S Baby Powder for years since unable to use deodorant due to allergies. He consulted his physician in 1981 due to shortness of breath and chronic cough. Two years prior he was admitted to the hospital for acute bronchitis and was found to have chronic bronchitis.

FINDINGS: Scarring of lung tissue was noted on x-ray. Pulmonary function studies revealed very severe obstruction of the small airways. Consumer did not respond to bronchodilators. Talc crystals were identified in consumer's sputum.

OUTCOME: Consumer continues to smoke cigarettes. However, physician feels a significant part of consumer's lung damage is due to long-term inhalation of talc from JOHNSON'S Baby Powder.

EXHIBIT
tabbies
JJ1452

J&J-0147709

JNJ000312759

Ingestions and Inhalations Requiring Medical Attention
JOHNSON'S Baby Powder
January, 1982 - January, 1985
B. Semple

COMPLAINT #40756 - INGESTION/INHALATION

SUBJECTIVE: Consumer's one year old child swallowed approximately one tablespoon of JOHNSON'S Baby Powder. Child began coughing and was taken to the Emergency Room.

OUTCOME: Upon examination, child was not in distress and x-rays were negative.

COMPLAINT #32098 - INHALATION

SUBJECTIVE: A 11 1/2 month old child removed cap of JOHNSON'S Baby Powder with his teeth and powder went into his face. He began coughing and gagging with expectoration of blood noted.

OUTCOME: Child was taken to Emergency Room for x-rays and released.

COMPLAINT #37097 - INGESTION

SUBJECTIVE: A 10 month old girl bit off the lid of a JOHNSON'S Baby Powder container. She immediately vomited after ingesting a large amount of the product.

OUTCOME: The child was taken to the Emergency Room for x-rays and the consumer was told to watch for signs of pneumonia. Physician prescribed Neosporin for the child's eyes to prevent infection.

COMPLAINT #10233 - INGESTION/INHALATION

SUBJECTIVE: A one year old bit down on the lid of a JOHNSON'S Baby Corn Starch container and the lid popped off. Cornstarch went all over the child's face and some was ingested. Allegedly, the child had trouble breathing for about 30 seconds and then recovered spontaneously and began to cry.

OUTCOME: The child was taken to the local hospital Emergency Room. X-rays were negative and the child was released.

ELECTRONICALLY FILED 02/20/2020 by 71109 - RM - CHARLESTON COUNTY - 400732946

COMPLAINT #40684 - INGESTION

SUBJECTIVE: Physician alleged having received a call from a Poison Control Center involving an ingestion. He questioned signs and symptoms of toxicity.

RESPONSE: Toxicity of talc was denied. Information was provided regarding talc and JOHNSON'S Baby Powder.

COMPLAINT #42460 - INGESTION

SUBJECTIVE: Consumer's one year old daughter squeezed the container of JOHNSON'S Baby Powder and allegedly swallowed a large amount. Difficulty in breathing was noted and the child was taken to a local Emergency Room.

OUTCOME: Physician induced vomiting; child was listless, but never cyanotic. X-rays were not taken. Child was fine the next day.

Patricia J. Mills

PJM:mmn

cc: M. McTernan
N. Musco

ELECTRONICALLY FILED 02/08/2021 07:10 PM - CUYAHOGA - CLERK OF COURTS - CONFIRMATION 7946

JNJ000312759

Metadata

AttachCount	0	ORIGINAL
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DateMod	06/17/1985 12:00 AM	ORIGINAL
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FileName	J&J0147709.TIF - J&J0147711.TIF	ORIGINAL
PgCount	3	ORIGINAL
ProdVol	TALC_GLOBAL_002	ORIGINAL
Replacement	Yes	ORIGINAL
Trial_Ex_Number	Pltf_JNJ_00056044	ORIGINAL

ELECTRONICALLY FILED 02/23/2022 3:10 PM - CIRCUIT COURT - ST. LOUIS COUNTY, MISSOURI - 22SL-CC00946

EXHIBIT 83

ELECTRONICALLY FILED 2022-08-24 07:11:09 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE#: 2022CP1402946

EXHIBIT "I"

Windsor has been named as a defendant in various lawsuits which allege injuries relating to exposure to asbestos and/or talc primarily by rubber/tire industry employees. The following cases are currently pending:

Caption	No. of Parties	Venue
Adkins, Sammie v. A.P. Green	474 Plaintiffs 205 Defendants	Summit County, Ohio ALV 88-07-2398
Akers v. A.C.&.S., Inc.	229 Plaintiffs 205 Defendants	Summit County, Ohio ALV 88-07-2234
Andonian v. A.C.&.S., Inc.	277 Plaintiffs 177 Defendants	Summit County, Ohio ALV 88-6-1731
Miller v. A.C.&.S., Inc.	1 Plaintiff 170 Defendants	Summit County, Ohio ALV 88-4-1087
Henry v. Acoustic, Inc., et al.	1 Plaintiff Multiple Defendants	Court of Common Pleas, Philadelphia,PA No. 4013

In addition to the foregoing, Windsor has been notified by attorneys for Engelhard Corp. (Englehard), that Engelhard and/or its subsidiary, Eastern Magnesia Talc Co. (EMTC) have been named as defendants in various lawsuits which also allege injuries due to exposure to asbestos and/or talc by rubber/tire industry employees. Engelhard asserts that Windsor is responsible for any liability due to exposure to talc provided to the rubber and tire industry by Eastern Magnesia Talc Co. prior to July 24, 1967.

Responsibility for the aforementioned liability is currently disputed by Windsor. The actions pending against Engelhard and/or EMTC as of December 14, 1988 as are follows:

Court	Total Number of Actions	Total Number of Plaintiffs
U.S. District Court Northern District Ohio	434	434
Court of Common Pleas Summit County Ohio	17	1,305
Court of Common Pleas Montgomery County Pennsylvania	3	3
U.S. District Court Eastern District Pennsylvania	13	85
Total:	467	1,827

In addition, Windsor is aware that an attorney in California has indicated that there exists numerous claims for injuries to tireworkers employed in various tire plants around the country due to exposure to asbestos and/or talc. It is believed that the lawsuits mentioned above are part of this "tireworker" litigation.

12/30/88

(3647S)

IMERYS 428128

EXHIBIT 84

ELECTRONICALLY FILED 2022-08-24 07:11:09 PM -- CHARLESTON COUNTY, SOUTH CAROLINA -- 2022CP1002946

Luzenac America, Inc. • P.O. Box 680 • Windsor, VT 05089 • (802) 484-7763 • Fax: (802) 484-3621

Ocotber 17, 1994

Johnson & Johnson
One Johnson & Jonson Plaza
New Brunswick, NJ 08933-7002

Attn: Mr. John C. O'Shaughnessy

Dear Mr. O'Shaughnessy:

The following is in reply to your letter dated October 4, 1994, in reference to RITTER V. CYPRUS, ET AL.

To the best of my recollection and that of Bert White and Frank Hasty, the mines used to supply talc for the roofing industry prior to 1984 came from several ore bodies. We did not begin to produce roofing grade products from our local mines until 1970. These mines are Clifton, Frostbite, Argonaut, Rainbow, and the Hammondsville Mine. Prior to 1970, it is unclear where ore was shipped from. The following are the mines and dates in which talc was used for the roofing grades.

1970.....Clifton Mine
1971.....Clifton Mine
1972.....Clifton Mine, Frostbite Mine
1973.....Clifton Mine, Frostbite Mine,
Argonaut Mine, Hammondsville Mine
1974.....Clifton Mine, Frostbite Mine,
Argonaut Mine, Hammondsville Mine
1975.....Clifton Mine, Frostbite Mine,
Argonaut Mine, Hammondsville Mine, Rainbow Mine
1976.....Clifton Mine, Frostbite Mine
Argonaut Mine, Hammondsville Mine, Rainbow Mine
1977.....Clifton Mine, Frostbite Mine,
Argonaut Mine, Hammondsville Mine, Rainbow Mine
1978.....Argonaut Mine, Rainbow Mine
Hammondsville Mine
1979.....Clifton Mine, Argonaut Mine
Rainbow Mine, Hammondsville Mine
1980.....Clifton Mine, Argonaut Mine
Rainbow Mine, Hammondsville Mine
1981.....Clifton Mine, Argonaut Mine
Rainbow Mine, Hammondsville Mine

RECEIVED
OCT 19 1994
J.C. O'SHAUGHNESSY

J&J-0109238

Protected Document--Subject to Protective Order

1982.....Clifton Mine, Argonaut Mine
Rainbow Mine, Hammondsville Mine
1983.....Clifton Mine, Argonaut Mine
Rainbow Mine, Hammondsville Mine
1984.....Clifton Mine, Frostbite Mine,
Argonaut Mine, Hammondsville Mine, Rainbow Mine

Testing was done on a monthly basis on the ore bodies we were mining. Composites for the talc used for industrial as well as cosmetics were sent to McCrone Associates, an independent lab for asbestiform analysis. Attached is a copy of the current procedure used which has been the procedure followed since 1970.

Samples are not available for this time frame since retention is only two years. All McCrone records for this time frame were turned over to Cyrus Minerals Company in 1989 with the sale of Windsor Minerals. It is my understanding that these records have since been turned over to Luzenac America Corporate Headquarters with the sale of Cyprus Windsor Minerals in 1992. Richard Zazenski, our Director Product Safety & Quality Assurance, may be able to help you in this area. He can be reached at (303)643-0404.

I hope the information I have provided will be of some assistance to you. If you have any other questions, please feel free to contact me.

Best regards,

LUZENAC AMERICA, INC.

James R. Gray
Manager of Purchasing

cc: F. Hasty
B. White
R. Zazenski

ELECTRONICALLY FILED 02/03/2023 07:11 PM - CIRCUIT COURT - MARYLAND - BALTIMORE CITY - CASE # 24C23000946

EXHIBIT 85

ELECTRONICALLY FILED 2022-08-24 07:11:09 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1400946

Matter	Date	Product(s)	Claim
Theresa Krushinski v. JJCP	11-Nov-99	Johnson's Baby Powder	Talcosis
Barbara Bloch, individually and as Executrix of the Estate of Ronald J. Bloch v. JJCPI, et al.	7-Jan-00	Johnson's Baby Powder	Mesothelioma
Hozeny v J&J Consumer Companies, Inc.	16-May-03	talc products	Mesothelioma
Deane Berg v Johnson & Johnson Consumer Companies, et al.	15-Dec-09	Johnson's Baby Powder/Shower to Shower	Ovarian cancer
Chesteen, Molly & Randy v J&J Consumer Companies	6-Feb-14	J&J Baby Powder/Shower to Shower	Ovarian cancer
Mona Estrada v. Johnson & Johnson and Johnson & Johnson Consumer Companies, Inc.	14-May-14	Johnson's Baby Powder	Ovarian cancer
State of Mississippi v. Johnson & Johnson and Johnson & Johnson Consumer Companies, Inc.	19-Sep-14	Johnson's Baby Powder/Shower to Shower	Ovarian cancer
TALC OVARIAN CANCER PL LITIGATION	26-May-17	Johnson's Baby Powder/Shower to Shower	Ovarian cancer
TALC ASBESTOS PL LITIGATION	26-May-17	Johnson's Baby Powder/Shower to Shower	Mesothelioma

ELECTRONICALLY FILED 2022-08-24 21:03:29 PM - CHARLESTON COUNTY - PAGE 1 OF 2 - 4107946

EXHIBIT Mittenthal 21 10-18-18
PENGAD 800-631-6989

EXHIBIT 86

ELECTRONICALLY FILED 2022-08-04 07:11:09 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1400946

5 October 1972

Dr. Thomas E. Hutchinson
University of Minnesota
Space Science Center
103 Space Science Center
Minneapolis, Minnesota

Dear Dr. Hutchinson:

I received the micrographs and the statement of charges which you sent to me on September 28.

I had expected that we would receive a more formal report than the notes that you handed me at O'Hare and that the micrographs would have been better annotated. In particular, it would have been useful to know from which samples micrographs had been taken and what their magnifications were. There are in fact only a few of the photographs which contain this vital information. I would be pleased if you could furnish me with this missing information and also the negatives, at least of the diffraction patterns at your earliest convenience.

Yours sincerely,

Ian M. Stewart
Manager, Electron Optics
Group

ajw

cc: Dr. A. Goudie
Johnson & Johnson

ELECTRONICALLY FILED 02/20/2024 PM 07:10 CLERK OF COURT
CASE NO. 2022-CH-00000 PAGE 1 OF 1 2024 0 14073946

DEFENDANT'S EXHIBIT
DX-8407

JOJO-MA2546-01482

EXHIBIT 87

ELECTRONICALLY FILED 2022-08-04 07:11:09 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE#: 2022CP1400946

Rigler Notes: 1 - Findings here from Wendi Hirshberg's lung and lymph node tissue show the presence of tremolite solid solution series asbestos along with anthophyllite asbestos with varying iron content, not amosite

2 - Crocidolite and amosite are not common commercial types of amphibole asbestos

3 - Winchite or sodic tremolite can be found in numerous locations world wide, including Italy

4 - Tremolitic talc from the Gouverneur NY area does not contain detectable iron by EDS nor does anthophyllite associated with those talcs

RJ LEE GROUP
DELIVERING SCIENTIFIC RESOLUTION

April 2, 2021

Mr. Kevin Hynes
King & Spalding LLP
1185 6th Avenue
New York, NY 10036

Re: Review of Grids prepared by Ronald Gordon, Ph.D. in *Wendi J. Hirshberg and Richard Hirshberg v. Johnson & Johnson, et al.*

Dear Mr. Kevin Hynes,

Executive Summary

To summarize the analytical review of the grid preparations and specific particles identified by Dr. Ronald Gordon in this case we found and demonstrate the following:

- No tremolite particles were observed. The particles identified as tremolite by Dr. Gordon were in fact crocidolite (3), winchite (1), and amosite (1). (1)
  - Crocidolite and amosite are common commercial types of amphibole asbestos. (2)
  - Only two sources of winchite or sodic-calcic amphiboles from commercial sources (3) are known to me in the US.
    - Vermiculite mined near Libby, MT.
    - Various talc mines in Southern Death Valley, CA.
  - To my knowledge neither of these localities were used by Johnson & Johnson as a talc source or as additives to Johnson & Johnson talc-based product.

- The reported anthophyllite particles were various biopyribole phases compositionally consistent with the tremolitic talc deposits of the Gouverneur region of New York.
  - To my knowledge the tremolitic talcs from the Gouverneur region of New York were never used by Johnson & Johnson in their talc-based products. (4)

- Thus, none of the mineral particles observed by Dr. Gordon are consistent with the mineral particles found in the known source talc mines used by Johnson & Johnson or found in purported historic Johnson & Johnson talc products.

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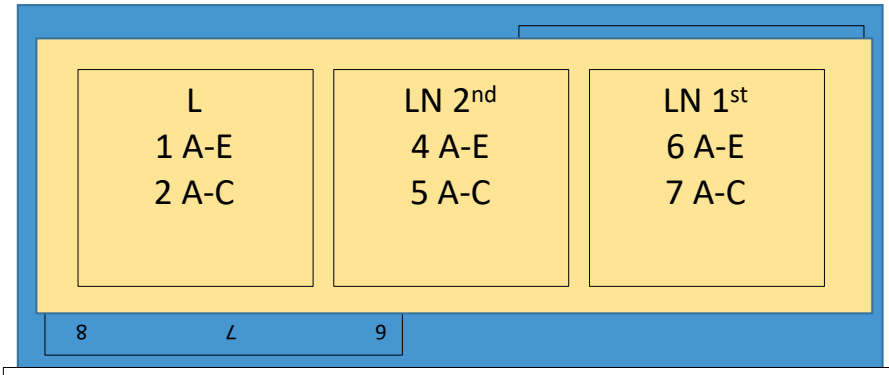
MAS Proceedings

Ms. McGrath-Koerner and Ms. Sload arrived at MAS at approximately 2:20 pm on March 29th. Dr. Gordon and Dr. Mark Rigler were already present at MAS; the log in book indicated that Dr. Gordon arrived at MAS at 1:50 pm. It took approximately 30 minutes to discuss how to social distance in the small TEM scope room. It was decided that Ms. McGrath-Koerner and Ms. Sload would conduct the analysis and Dr. Gordon or Dr. Rigler could observe one at a time. Ms. McGrath-Koerner and Ms. Sload were given access to MAS TEM #2 which was a JOEL 1200 model TEM. Dr. Gordon presented Ms. Sload and Ms. McGrath-Koerner a blue grid box with a yellow Post-it note taped to the front. A piece of blue tape was also securing the grid box closed. A depiction of this note and grid box are presented below. Ms. Sload began the calibration procedures at approximately 2:52 pm. During the calibration several standards were examined including a gold standard, NIST Crocidolite, and NIST Amosite. The calibration process of the scope took one and a half hours to complete.



Depiction of Dr. Gordon Grid box and handwritten note present to RJLG staff at MAS

The lung tissue grids were examined first. Grids 1 and 7, as indicated on Dr. Gordon's bench sheet, were examined on March 29th. Grid 1 was located in grid box slot 1A and grid 7 was located in slot 2B. All three particles Dr. Gordon recorded on his bench sheet were able to be relocated in indicated grid openings. Ms. McGrath-Koerner and Ms. Sload finished the first day of analysis at approximately 7:30pm.

Ms. McGrath-Koerner and Ms. Sload signed into MAS at 8:50 am on March 30th. Dr. Gordon and Dr. Rigler signed into MAS at 8:45 am. Ms. McGrath-Koerner and Ms. Sload were able to start their analysis at 9:00 am. They again started with the lung tissues grids, specifically grids 4 and 6. Grid 4 was located in grid box slot 1D and grid 6 was located in 1E. The grid opening E10 on grid 4 had a torn Formvar film. The particle Dr. Gordon recorded on grid 4 in E10 could be observed but no image, SAED, and EDS were able to be recorded due to the instability of the Formvar film on the grid opening. On the next grid, the Formvar film in grid opening C1 was also torn or appeared to have a large hole in it. The particle in this grid opening was able to be analyzed as the torn Formvar film was still stable unlike the previous grid. At 10:05 am, the analysis of the

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Lymph Node grids began. Given the time constraints, none of the 8 grids from the original Lymph Node analysis were examined. Grids 2, 6 and 7 were examined from the 2nd analysis of the lymph node. The grids were located in slots 1B, 5A, and 5B (respectively). All but one particle was located in the fields identified by Dr. Gordon on his bench sheet. The anthophyllite particle which Dr. Gordon recorded in D5 was unable to be located in that grid opening. A particle of similar aspect ratio was located in this field. Ms. McGrath-Koerner and Ms. Sload gathered a complete set of data from this particle that was consistent with crocidolite. Ms. McGrath-Koerner and Ms. Sload finished their analysis of the lymph node grids at 12:50 pm. Mr. Anthony Keeton assisted Ms. McGrath-Koerner and Ms. Sload in copying the data files from the computer attached to the scope. None of the files were deleted or removed from the computers by RJLG staff.

Methods

Ms. Monica McGrath-Koerner and Ms. Ashleigh Sload of RJ Lee Group (RJLG) traveled to Materials Analytical Services (MAS) in Suwanee, GA on March 29th and 30th, 2021 where they reviewed the Lung and Lymph Node transmission electron microscopy (TEM) grid preparations in the Hirshberg matter. Prior to their visit they received verbal instruction from myself, in addition I spoke numerous times with them during the work effort. The grids were both previously prepared and examined by Dr. Ronald Gordon (see report dated August 28, 2020). Ms. McGrath-Koerner and Ms. Sload were provided twenty-four (24) individual TEM grid preparations in order to verify and if necessary, correct Dr. Gordon's mineral identifications.

Dr. Gordon's report on his analysis of these grids is dated August 28, 2020. He reports observations of one (1) tremolite "asbestos" fiber and two (2) anthophyllite "asbestos" fibers in 800 grid openings in the eight lung grid preparations. He reports no "asbestos" findings in the eight lymph node grid preparations for the initial lymph node sample. He then reports observations of one (1) tremolite "asbestos" fiber and three (3) anthophyllite "asbestos" fibers in 800 grid openings in a second set of lymph node grid preparations. He provided an image, EDS (energy dispersive spectroscopy), and SAED (select area electron diffraction) for each of the seven (7) "asbestos" fibers. He also provided to defense counsel a count sheet where he identified both grid number and grid opening where each of the three alleged asbestos fibers observed in the Lung tissue preparations. Likewise, count sheets were provided for the Lymph Node preparations identifying the location of the four alleged asbestos fibers. Dr. Gordon also reported two (2) talc particles on his count sheet, which were able to be relocated with the provided information (see Appendix).

Due to the lack of zone axis diffraction patterns and the quality of the photocopies of the observed diffraction patterns, it was necessary to gain access to the grids in order to verify Dr. Gordon's findings. Furthermore, based on the EDS data provided by Dr. Gordon, many of his mineral identifications were problematic. These points will be discussed more fully on a particle-by-particle basis in this report, along with diffraction and EDS analysis.

The minerals Dr. Gordon alleged to have found in both the lung and lymph node tissue are tremolite and anthophyllite, these minerals have the following end member formulas: tremolite, $Ca_2Mg_5Si_8O_{22}(OH)_2$ and anthophyllite $Mg_7Si_8O_{22}(OH)_2$ (see Hawthorne et al. 2012). It should be noted that the only near end member anthophyllite (near Fe free) that I know of that was used commercially, comes from the tremolitic talc mines in the Gouverneur area of New York State (McNamee and Gunter 2014). To my knowledge these tremolitic talc mines were never used as a source mine for Johnson & Johnson cosmetic talc in the US.

The common commercially used amphibole asbestos types in the US were amosite and crocidolite. End member formula for these amphiboles are $Fe_7Si_8O_{22}(OH)_2$ and $Na_2Fe_5Si_8O_{22}(OH)_2$ respectively. The specific composition of these commercially common amphibole asbestos types are known (NIST 1866). Furthermore, NIST reference amosite and crocidolite EDS from each were collected by RJLG personnel during the MAS site visit on March 29th and 30th (See Appendix).

The images taken by RJLG were taken with the "dull" side of the grid up. Based on the orientation of the particles and background particulate Dr. Gordon loads his grid "shiny" side up. Results of each particle are given in Table 1 and specific details for each specific particle are given below and referenced in the corresponding Figures.

Where possible both single and dual zone axis diffraction patterns, EDS, and TEM micrographs were taken for each of the alleged amphibole particles observed by Dr. Gordon. Zone axis patterns were analyzed and indexed using published crystal structures and the commercially available software program Single Crystal™.

Lung Tissue Analysis

<u>Particle 1 alleged "tremolite" fiber Lung tissue Grid 1, Grid Opening G6, Structure 1.</u>

This particle was identified both on the count sheet and in deposition as tremolite by Dr. Gordon. As shown above the end member composition of tremolite does not contain significant amounts of Fe, but does contain substantial amounts of Mg. Figures 1a, 1b, and 1c illustrated the identification of this particle as the amphibole mineral riebeckite, riebeckite in the asbestiform habit is called crocidolite and was used commercially as asbestos in the United States. Figure 1a, illustrates the image of the particle as the same as that recorded by Dr. Gordon. The diffraction pattern is a zone axis and was indexed as a monoclinic amphibole.

In order to identify the type of monoclinic amphibole the composition of the particle must be determined. Figure 1b illustrates the EDS of the particle as well as the contribution of the surrounding background materials. Note that Na is only observed for the EDS from the particle itself and is not found in the background material, thus Na is exclusively coming from the particle. Also, note that the Mg peak is never significant while the Fe peak is and that the Ca peak is always paired with P. Thus, the Ca is not from the particle in question, thus excluding the possibility that this particle is tremolite. As Na is inherent to this particle and the Fe content far exceeds the Mg,

this particle is consistent with crocidolite, a common commercially used type of amphibole asbestos. Figure 1c compares the EDS from the particle -with the least influence from the background EDS noise- with the NIST SRM 1866 crocidolite standard.

This particle is crocidolite not tremolite. Crocidolite to my knowledge was never added to Johnson & Johnson products nor is it associated with any talc mine used by Johnson & Johnson.

Particle 2 alleged "unknown" fiber on count sheet Lung tissue, Grid 4, Grid Opening E10, Structure 1. Identified as "tremolite" in deposition.

They looked at the wrong grid square, should have looked at C10 not E10

This particle was not possible to relocate as the grid opening E10 from Grid 4 was blown see Figure 2. However, based on the EDS data obtained by Dr. Gordon, this particle is compositionally similar to that of the fiber in Figure 1 and is thus likely also crocidolite.

Particle 3 alleged "tremolite" fiber Lung tissue Grid 6 Grid Opening C1 Structure 1.

Similar to particle 1 this particle is also consistent with crocidolite. Figure 3a illustrates the image and dual zone axis SAED solutions for this particle consistent with a monoclinic amphibole. Further the angle observed between the two collected diffraction patterns is 20° and the calculated angle between [5-1-3] and [20-1] zones is 21°. Compositionally this particle again is consistent with both Particles 1 and 2 and is crocidolite not tremolite.

Particle 4 alleged "anthophyllite" fiber Lung tissue Grid 7, Grid Opening C10, Structure 1.

Zone axis diffraction analysis of this particle showed structural coherency along the b-crystallographic axis of talc and chesterite, the zones indexed as the [112] and [102] zones respectively see Figure 4a. Chesterite is a wide chain pyribole and is not amphibole. No double chain or amphibole component was observed in the diffraction pattern analysis or this particle. Thus, this particle is not anthophyllite or amphibole and thus cannot be asbestos. Compositionally this particle contains no Fe and is not consistent with any wide chain pyribole observed in historic Johnson & Johnson talc products derived from Vermont. To my knowledge no one has reported chesterite-talc particle types with nearly end member formula from any of the known talc mines used by Johnson & Johnson. However, McNamee et al. 2015 reports wide chain pyriboles observed using high resolution TEM in Gouverneur tremolitic talc samples related to the crystallization of asbestiform talc from that deposit. The chesterite and other biopyribole types reported by Veblen et al. 1978a and 1978b in blackwall rocks at Chester Vermont contain a significant amount of Fe compared to this particle and that of the Gouverneur deposits. The provenance of this particle with this composition is more likely to have originated from the Gouverneur deposits than a southern Vermont talc deposit.

Particle 5 alleged "anthophyllite" fiber Lung tissue Grid 7, Grid Opening D5, Structure 1.

Zone axis diffraction analysis of this particle showed structurally coherent talc and anthophyllite along the b-crystallographic analysis. The respective zones observed were [001] and [100] for talc and anthophyllite respectively. Figure 5a illustrates the particle with both the talc and anthophyllite indexed solutions. Figure 5b illustrates the observed EDS for this particle and compositionally this particle contains no significant Fe and is thus consistent with particle types found in the Gouverneur tremolitic talc deposits.

Lymph Node

Particle 1 alleged "tremolite" fiber Lymph Node tissue Grid 2, Grid Opening E5, Structure 1.

Figure 6a illustrates the relocated particle identified as tremolite by Dr. Gordon. Dual zone axis analysis confirms the particle as a monoclinic amphibole. Note the consistent inter-zonal angle observed of 19° and the calculated angle of 21° for the [512] and [201] observed zone axes. The composition of this particle is illustrated in Figure 6b compared with the EDS of winchite from ISO 22262-1. This particle is not tremolite but winchite. Winchite is not an amphibole mineral that occurs in the known talc deposits used by Johnson & Johnson. Commercially, the only mineral products that I am aware-of that contains winchite would be the vermiculite mined near Libby Montana (Meeker et al. 2003) and some of the talc deposits in Southern Death Valley have reported sodic-calcic amphiboles (Van Gosen et al. 2004). To my knowledge these latter talc deposits are not a source of talc used by Johnson & Johnson. Winchite also occurs in Italy and other countries

Particle 2 alleged "anthophyllite" in Grid 2, Grid Opening D5, Structure 1.

This particle was not able to be relocated, thus we were unable to confirm or refute the finding of Dr. Gordon. During a thorough search of this grid opening a less than 5.0 µm in length particle was observed with similar aspect ratio of the reported "anthophyllite" particle that was identified as crocidolite. Since we were unable to relocate the reported particle based on the reported length, we began searching for particles with similar aspect ratio to ensure we were not missing the particle. As Dr. Gordon generally does not count particles with this length it is not surprising this particle would not have been counted. I include this particle in Figures 7a and 7b solely to document another commercial type of asbestos observed in the Lymph Node Tissue consistent with that which was observed in the Lung Tissue.

Particle 3 alleged "anthophyllite" in Grid 6, Grid Opening J4, Structure 1.

Figure 8a illustrates the electron micrograph of the particle with zone axis solutions. Note that the left-hand region of the particle is anthophyllite while the right-hand area that appears "splayed" is a coherent along the b-crystallographic axis talc-anthophyllite particle. The diffraction observed from this particular particle was insensitive to tilting suggesting very thin coherent talc-anthophyllite lamellae. Figure 8b illustrates the compositions of this particle as containing an insignificant amount of Fe. This particle is consistent with the tremolitic talcs from Gouverneur, New York. ← Tremolitic talcs from New York have no detectable iron by EDS

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Particle 4 alleged "anthophyllite" from count sheet on Grid 7, Grid Opening E10, Structure 1. Identified as tremolite in deposition testimony.

Dr. Gordon provides uncertain identification for this particle between his report and his deposition testimony. In his report it is identified as anthophyllite and his deposition testimony was that it could be a tremolite particle. Because no Ca is present this particle cannot be tremolite. Anthophyllite is the Mg rich end member of the anthophyllite and ferro-anthophyllite orthorhombic amphibole series. This particle has a significantly greater amount of Fe than Mg and if in fact is an ortho-amphibole it would be ferro-anthophyllite. SAED from Dr. Gordon is not a zone axis and thus diffraction analysis is not possible. Figure 9a illustrates the relocation of this particle. Unfortunately, the Formvar support film has torn and rolled the particle near the grid bar. Due to the close proximity of the grid bar, instability of the Formvar, and particle orientation, no electron diffraction analysis was possible. Figure 9b illustrates the observed EDS pattern for this particle. The composition of this particle is consistent with amosite, another commercially used amphibole asbestos. Amosite to my knowledge was never added to Johnson & Johnson products nor is it associated with any talc mine used by Johnson & Johnson.

Summary

For the misidentified crocidolite particles, based on the peak labels in the EDS spectra, Dr. Gordon erroneously either did not recognize or interpreted the observable Na peak as Ne. Ne is a noble gas and would not be present in amphibole group minerals in any amount detectable by EDS analysis.

The recognition and identification of wide chain and coherent mineral intergrowths as exhibited by biopyriboles is a crystal structural analysis that requires zone axis diffraction patterns and indexing of those patterns. Dr. Gordon does not perform this level of electron diffraction pattern analysis; thus, these types of particles could not accurately be identified by his methodology.

In review of the EDS for the winchite particle, Dr. Gordon failed to recognize and label both the Na and K peaks in the EDS. Failure to recognize these two cations could lead to an erroneous conclusion that this particle is tremolite.

It is unclear to me why the amosite particle observed was not recognized as such by Dr. Gordon; the Mg:Si and Mg:Fe ratios are consistent with this commercial asbestos type.

The particle types observed by Dr. Gordon in the Lung and Lymph Node tissue of the Plaintiff consisted of crocidolite (3 lung, 1 lymph), amosite (1 lymph node), winchite (1 lymph node), and a variety of coherent biopyribole particles consistent with those found in the tremolitic talcs of the Gouverneur region of New York State. Table 1 summarized each particle identification. None of the particles identified are consistent with mineral types from the known talc deposits used

by Johnson & Johnson or found in testing of purported product from historic Johnson & Johnson talc products.

If you have any questions related to this report, please feel free to contact me.

Sincerely,

Matthew S. Sanchez, PhD
Principal Investigator
msanchez@rjlg.com
724 387-1947

Attachments:

Appendix A TEM Data Collected at MAS by RJLG

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Reference Cited:

NIST 1866 certificate

International Standard Organization Standard Method (ISO) 22262-1: Air quality – Bulk materials – Part1: Sampling and qualitative determination of asbestos in commercial bulk materials.

Hawthorne et al. (2012) Nomenclature of the amphibole supergroup, Am. Min. Vol. 97, pgs. 2031-2048.

Van Gosen et al. (2004) A USGS Study of Talc Deposits and Associated Amphibole Asbestos Within Mined Deposits of the Southern Death Valley Region, California U.S Geological Survey Open-File Report 2004-1092

McNamee et al. (2015) ASBESTIFORM TALC FROM A TALC MINE NEAR TALCVILLE, NEW YORK, U.S.A.: COMPOSITION, MORPHOLOGY, AND GENETIC RELATIONSHIPS WITH AMPHIBOLES. The Canadian Mineralogist Vol. 53, pp. 1049-1060

McNamee and Gunter (2014) Compositional Analysis and Morphological Relationships of Amphiboles, Talc and Other Minerals Found in the Talc Deposits from the Gouverneur Mining District, New York* (Part 2 of 2). THE MICROSCOPE Vol. 62:1, pp 3–13.

Veblen, D.R. and Burnham C.W. (1978) New biopyriboles from Chester, Vermont: I Descriptive Mineralogy. American Mineralogist. Vol. 63. pp. 1000-1009.

Veblen, D.R. and Burnham C.W. (1978) New biopryiboles from Chester, Vermont: II The crystal chemistry of jimthompsonite, clinojimthompsonite, and chesterite, and the amphibole mica reaction. American Mineralogist. Vol. 63. pp. 1053-1073.

Crystal Structures:

Talc – Reviews in Mineralogy Vol. 18, p233. Mineralogical Society of America.

Anthophyllite – Walitzi, E.M., Walter, F., Ettinger, K. Verfeinerung der Kristallstruktur von Anthophyllite vom Ochsenkogel/Gleinalpe, Oesterreich.

Chesterite- Veblen, D.R. and Burnham C.W. (1978) New biopyriboles from Chester, Vermont: II The crystal chemistry of jimthompsonite, clinojimthompsonite, and chesterite, and the amphibole-mica reaction. American Mineralogist. Vol. 63. pp. 1053-1073.

Amosite - Finger, L. W. (1969). The crystal structure and cation distribution of a grunerite. Mineralogical Society of America Special Paper, 2, 95-100.

Crocidolite - Whittaker, E. J. W. (1949). The structure of Bolivian crocidolite. Acta Crystallographica, 2(5), 312-317.

Winchite - Sokolova E V, Hawthorne F C, Gorbatova V, McCammon C, Schneider J (2001) Ferrian winchite from the Ilmen mountains, southern Urals, Russia and some problems with the current scheme for amphibole nomenclature. The Canadian Mineralogist 39:171 - 177.

Tremolite - Yang H, Evans B W (1996) X-ray structure refinements of tremolite at 140 and 295 K: Crystal chemistry and petrologic implications. American Mineralogist 81:1117 - 1125.

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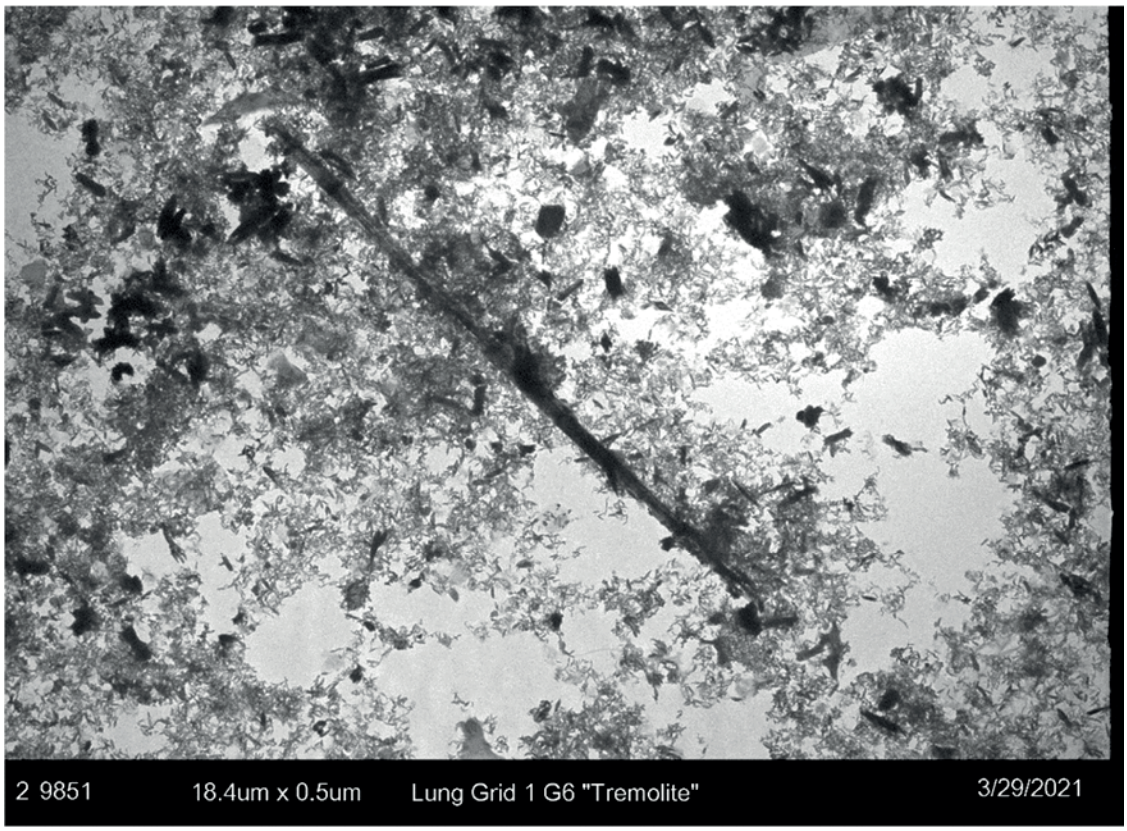
Table 1. Matrix of Grid Opening with Fiber Type According to Dr. Gordon, both in his report and deposition testimony, and the Results of Particle Relocation Analysis correlated to Figure number.

Grid	Grid Opening	Structure Type Count Sheet	Deposition Type	Able to Be Relocated?	RJLG Identification	Figures
Lung 1	G6	Tremolite	Tremolite	Y	Crocidolite	1
Lung 4	E10	?	Tremolite	N	Likely Crocidolite	2
Lung 6	C1	?	Tremolite	Y	Crocidolite	3
Lung 7	C10	Anthophyllite	Anthophyllite	Y	Possible Gouverneur	4
Lung 7	D5	Anthophyllite	Anthophyllite	Y	Possible Gouverneur	5
LN 2	E5	Tremolite	Tremolite	Y	Winchitic	6
LN 2	D5	Anthophyllite	Anthophyllite	N	Particle with similar aspect ratio was crocidolite	7
LN 6	J4	Anthophyllite	Anthophyllite	Y	Possible Gouverneur	8
LN 7	E10	Anthophyllite	Tremolite	Y	Amosite	9



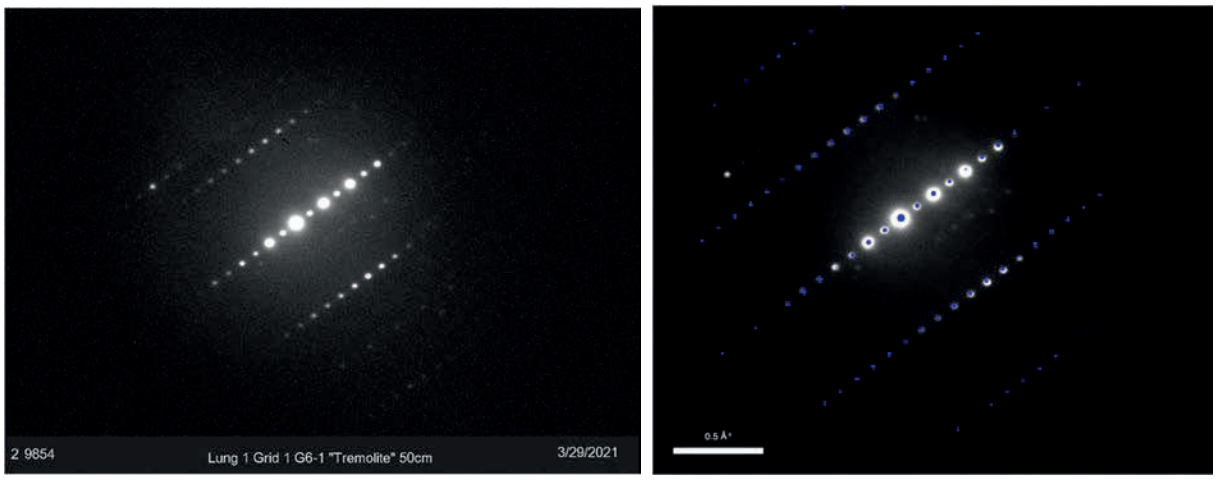


Figure 1a. TEM image and zone axis SAED obtained by RJLG on the "tremolite" particle identified by Dr. Gordon from the Lung preparation located in grid 1, grid opening G6. The lower right-hand image is the index match for a monoclinic amphibole [20-5] zone solution.

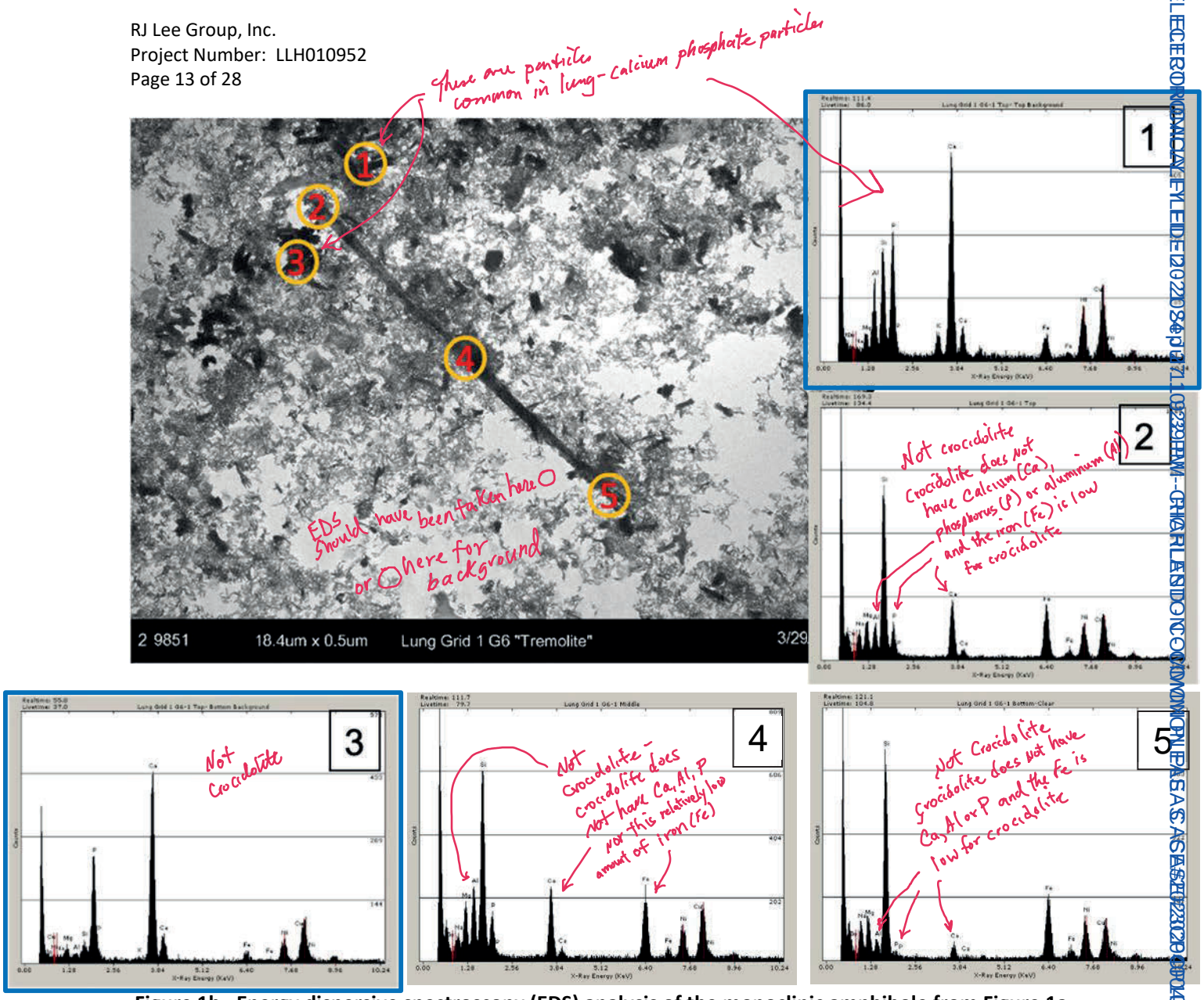


Figure 1b. Energy dispersive spectroscopy (EDS) analysis of the monoclinic amphibole from Figure 1a. The numbers from the electron micrograph are the locations of the labeled EDS. Note the background signal of Ca, P, Al, K, in EDS 1 and 3 (in blue). For EDS labeled 2, 4, and 5 we see the composition of the particle contains Na, a small component of Mg and a large component of Fe. These elements identify this particle as crocidolite, not tremolite as stated by Dr. Gordon. Tremolite by definition contains a very small quantity of Fe.

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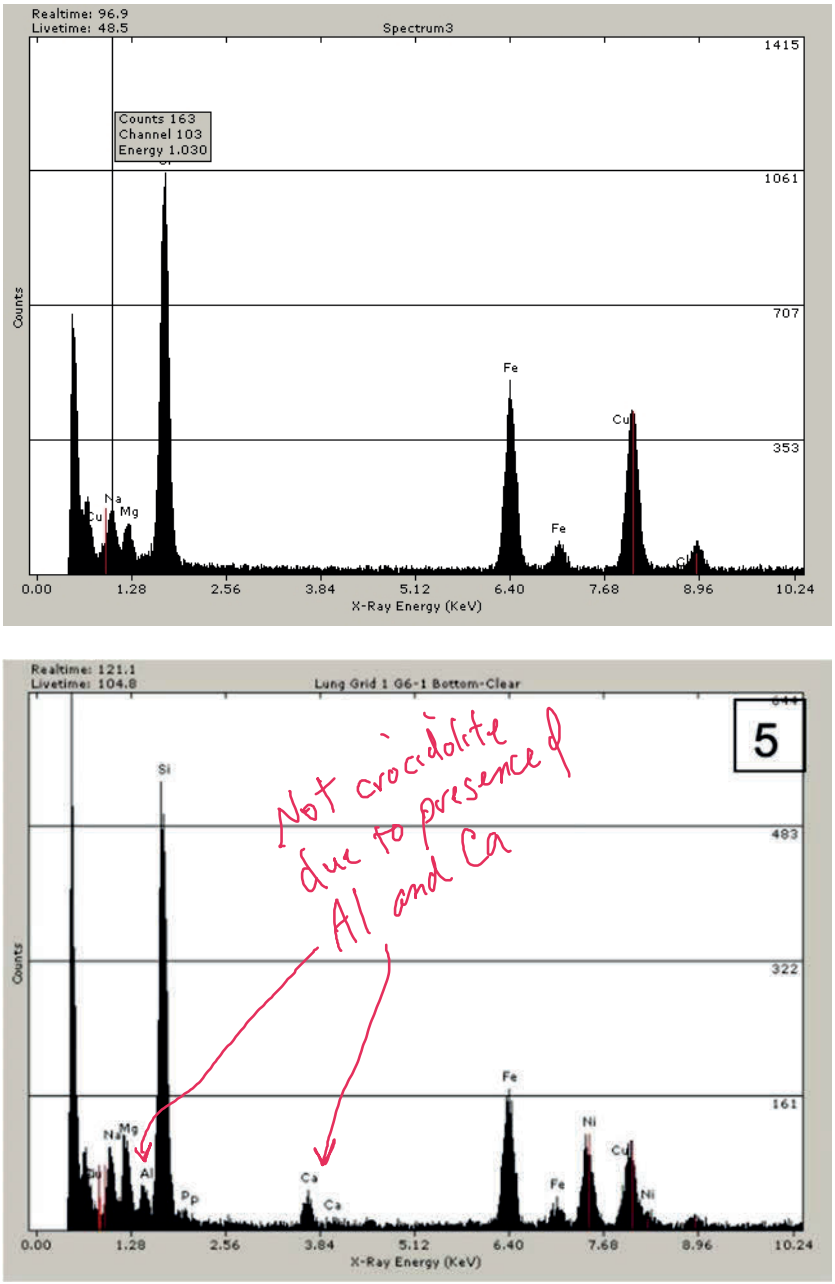

Figure 1c. Comparison of NIST SRM 1866 crocidolite (Top) taken at MAS during calibration work performed by RJLG compared with the crocidolite particle in the Lung tissue with the least influence from the background particulate.

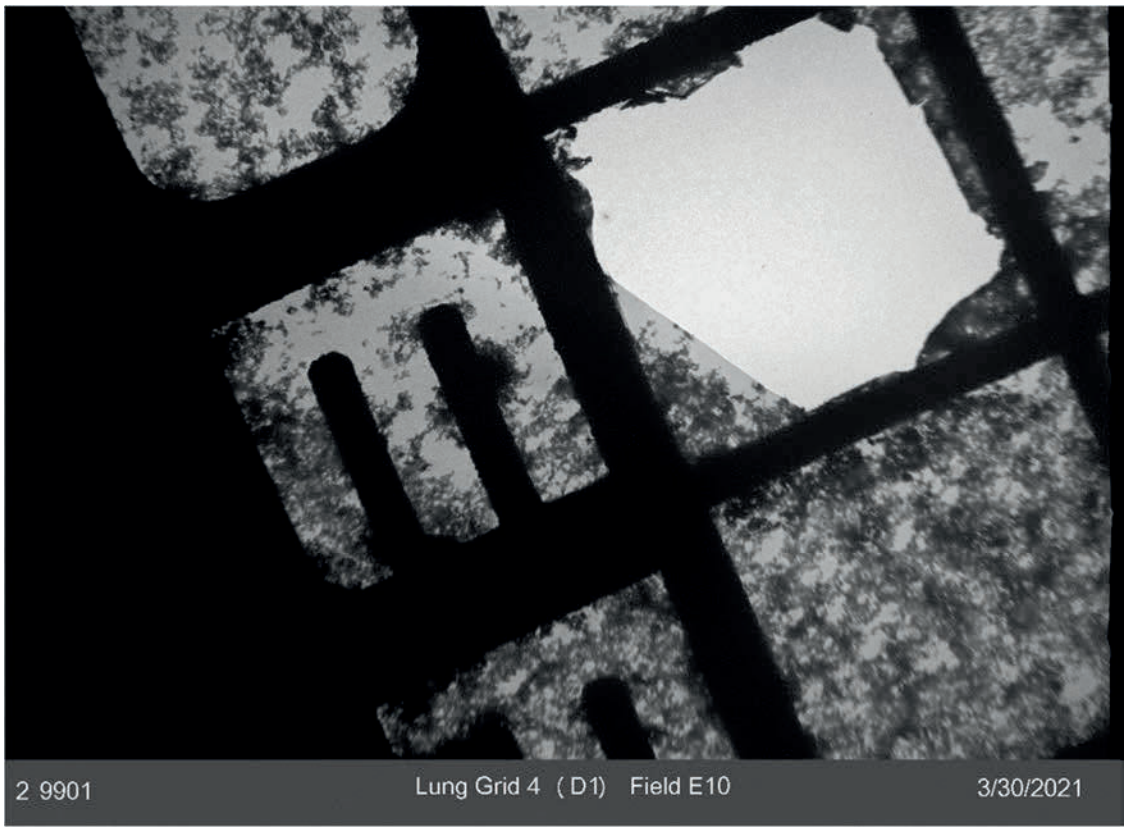

Figure 2. Torn Formvar support film. Particle identified in deposition as "tremolite" could not be relocated.

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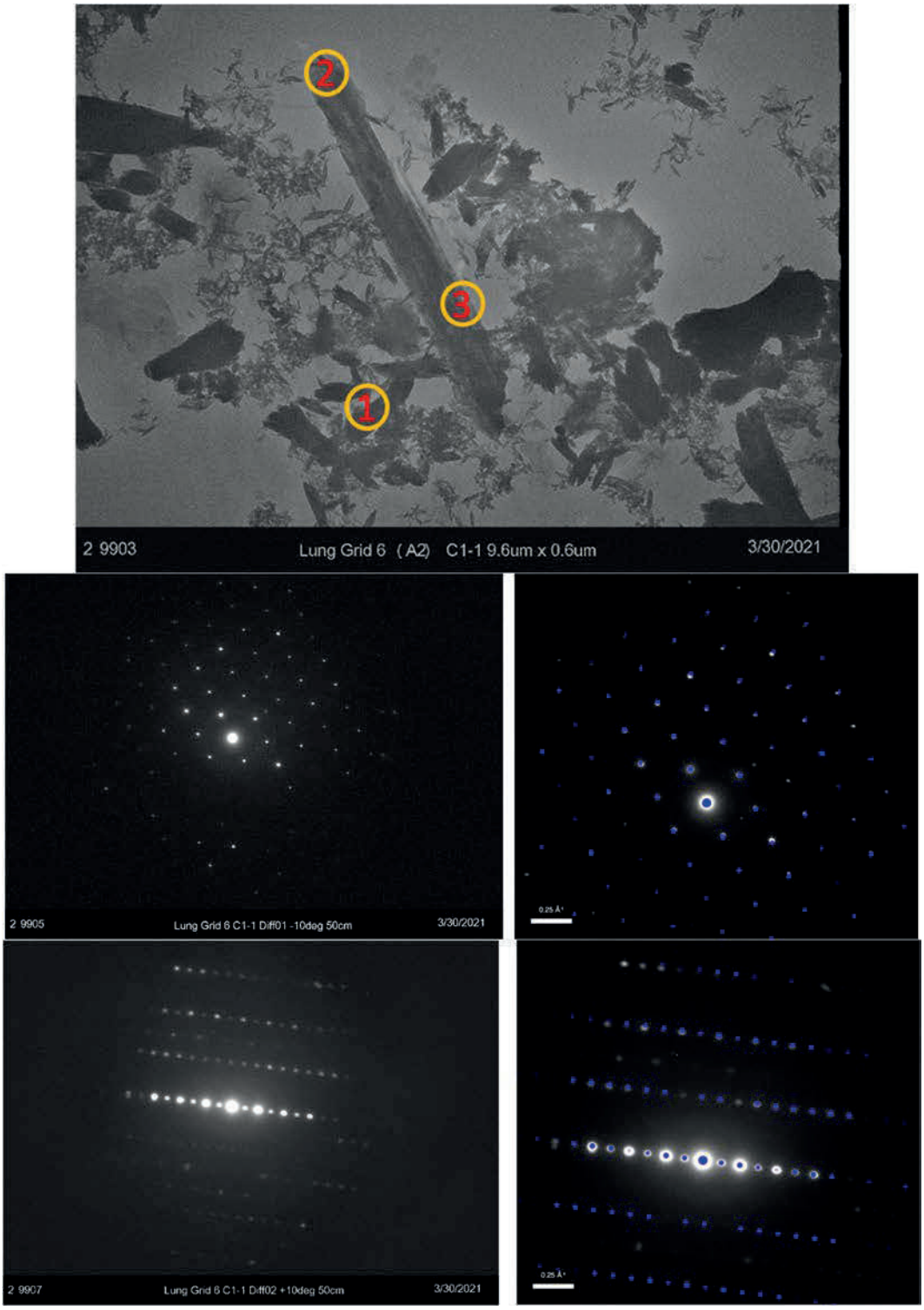


Figure 3a. TEM image and dual zone axis SAED obtained by RJLG on the "tremolite" particle identified by Dr. Gordon from the Lung preparation located in grid 6, grid opening C1 showing the locations of obtained EDS (see Figure 3b for EDS). The middle and lower right-hand image are the index match for a monoclinic amphibole [5-1-3]and [20-1] zone solutions.

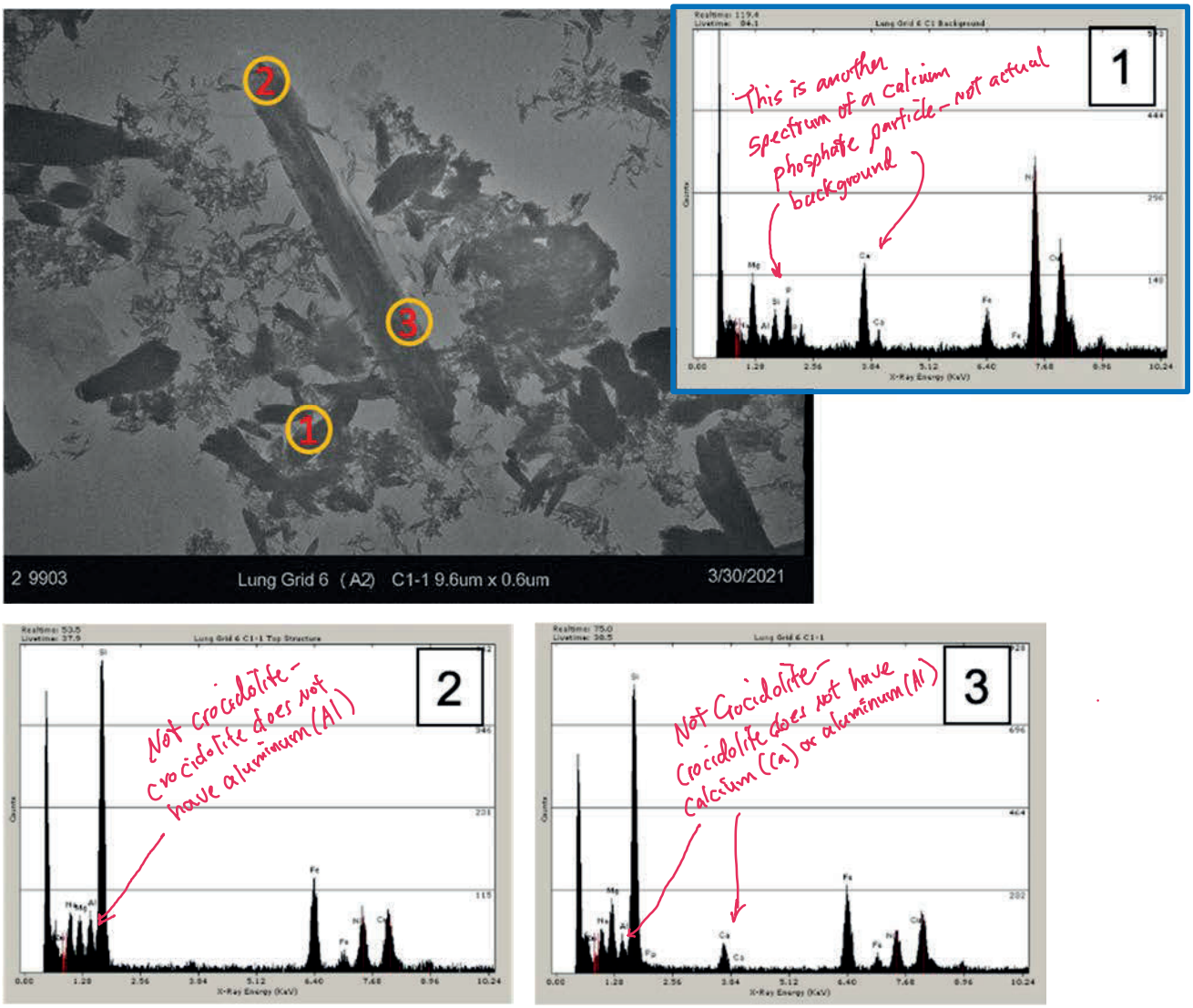
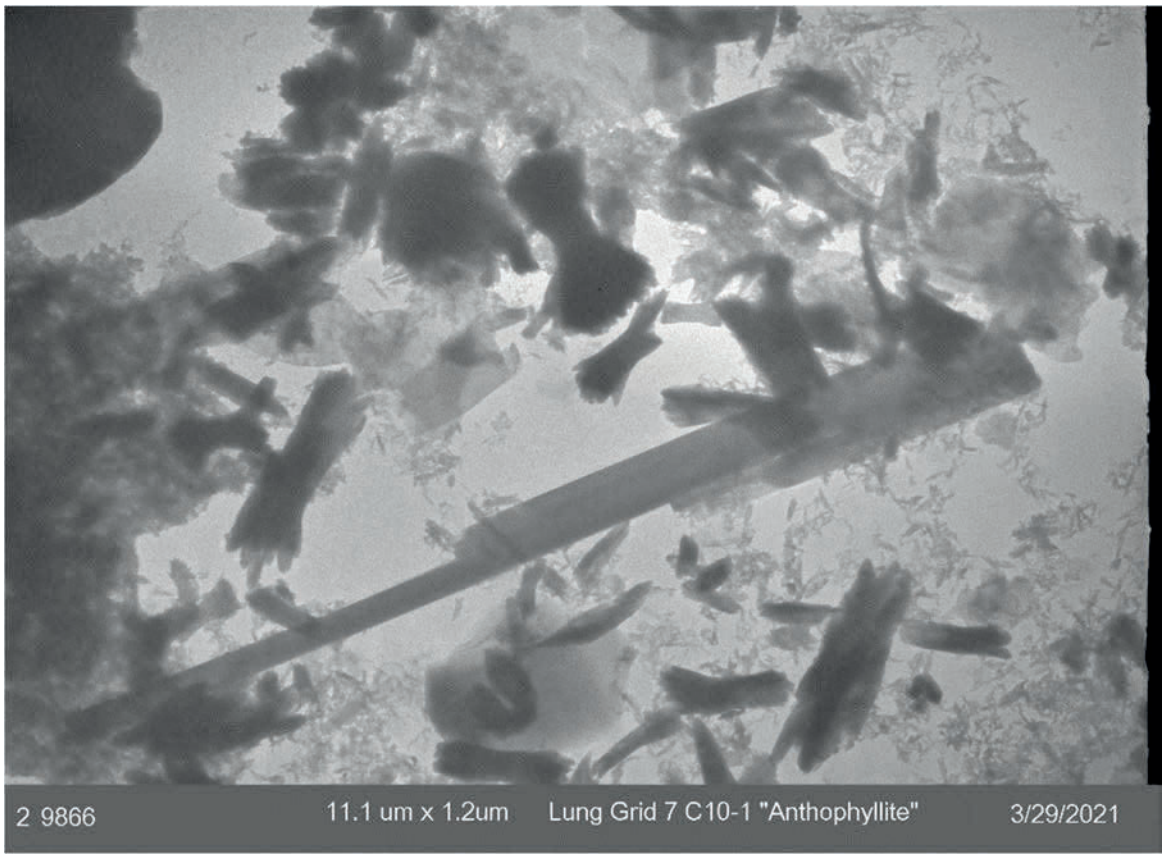
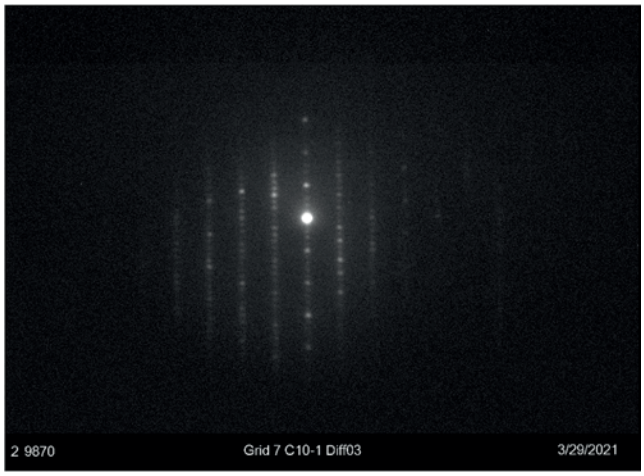


Figure 3b. Energy dispersive spectroscopy (EDS) analysis of the monoclinic amphibole from Figure 3a. The numbers from the electron micrograph are the locations of the labeled EDS. Note the background signal of Ca, P, Al, K, in EDS 1 (in blue). For EDS labeled 2 and 3 we see the composition of the particle contains Na, a small component of Mg and a large component of Fe. These elements identify this particle as crocidolite, not tremolite as stated by Dr. Gordon. Tremolite by definition contains Ca, and a very small quantity of Fe.





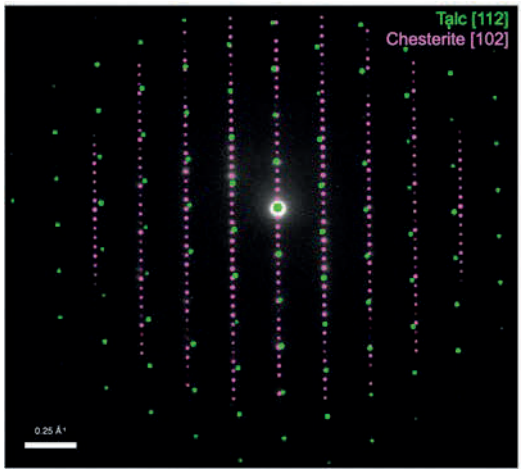
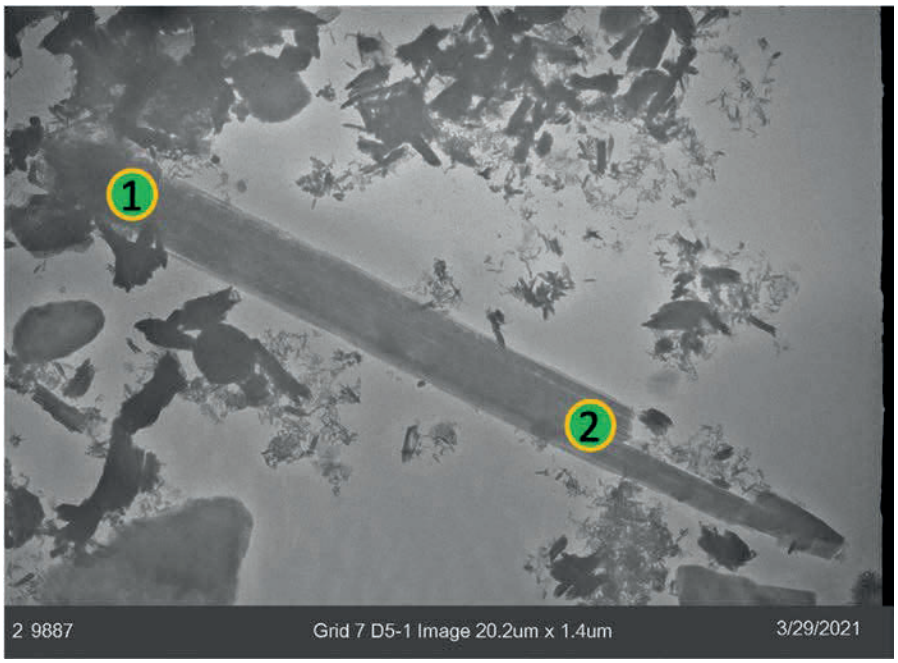


Figure 4a. TEM image and zone axis SAED obtained by RJLG on the "anthophyllite" particle identified by Dr. Gordon from the Lung preparation located in grid 7, grid opening C10. The lower right-hand image is the index match for a coherent talc and chesterite transitional particle.

Chesterite is a transitional form between talc and anthophyllite originally discovered in talc formations near Chester, Vermont.



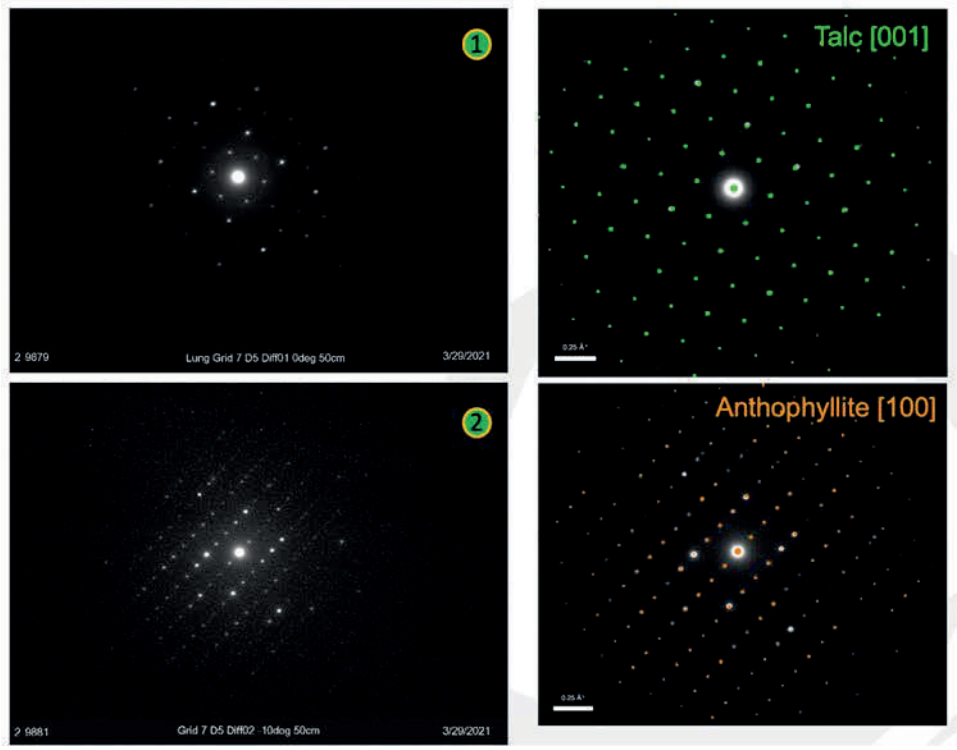


Figure 5a. TEM image and zone axis SAED obtained by RJLG on the "anthophyllite" particle identified by Dr. Gordon from the Lung preparation located in grid 7, grid opening D5. The locations 1 and 2 are where the respective diffraction patterns were obtained. The middle right-hand image is the index match for talc [001] zone solution while the bottom right hand image is the index match for anthophyllite [100] zone solution (see appendix for dual zone solution of the orthorhombic amphibole.

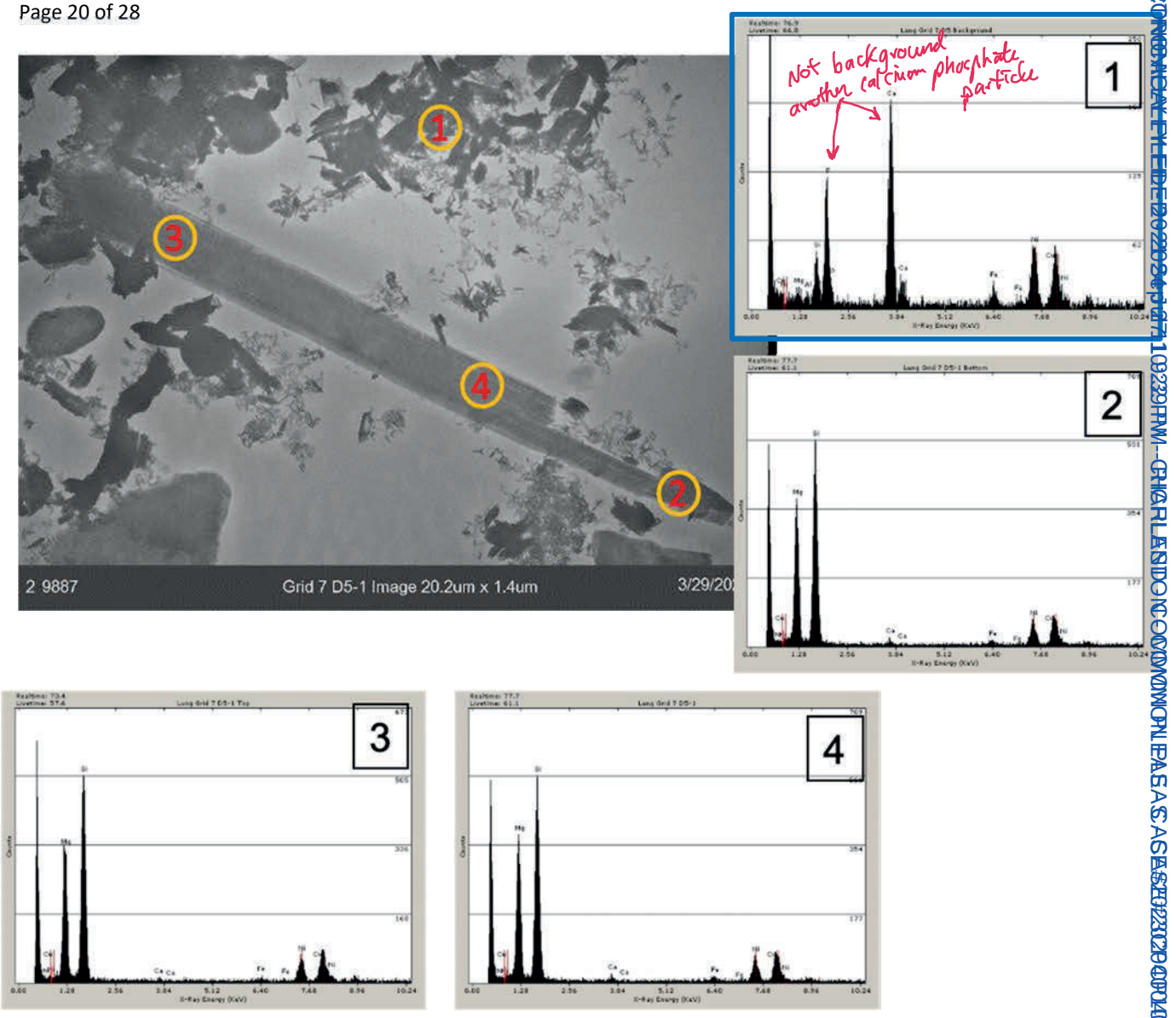


Figure 5b. Energy dispersive spectroscopy (EDS) analysis of the coherent talc-anthophyllite particle from Figure 5a. The numbers from the electron micrograph are the locations of the labeled EDS. Note the background signal taken in 1 (in blue) contributes a small amount of Ca and Fe to the EDS of the particle. For EDS labeled 2, 3, and 4 we see the composition of the particle contains Mg and Si with no significant Fe.

This is misleading and not correct for this particle. They have taken an EDS of a group of calcium (Ca) phosphate (P) particles which are nowhere near the particle being analyzed and could not contribute calcium or iron to the particle. This is an anthophyllite particle.

RoA_04017

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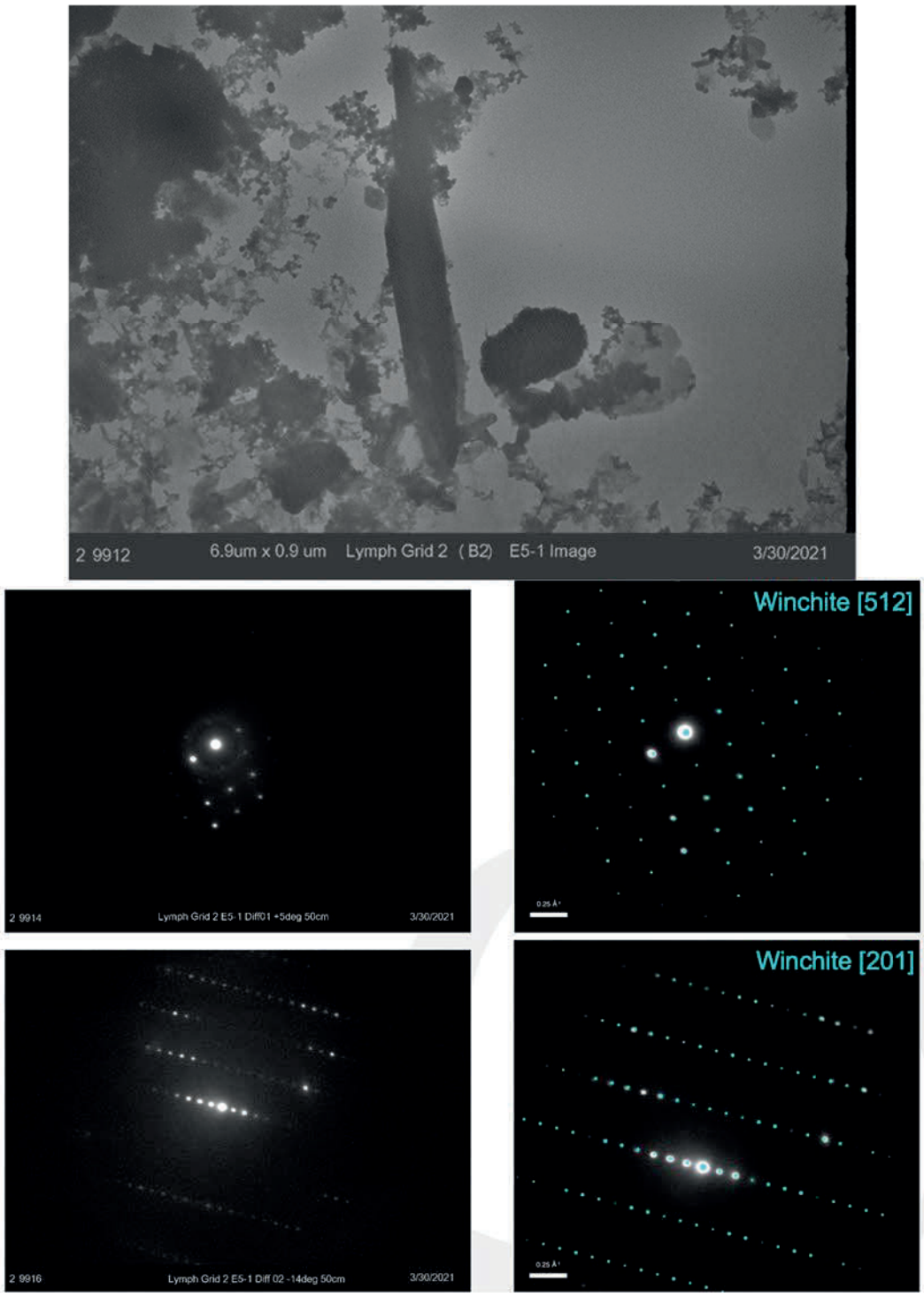
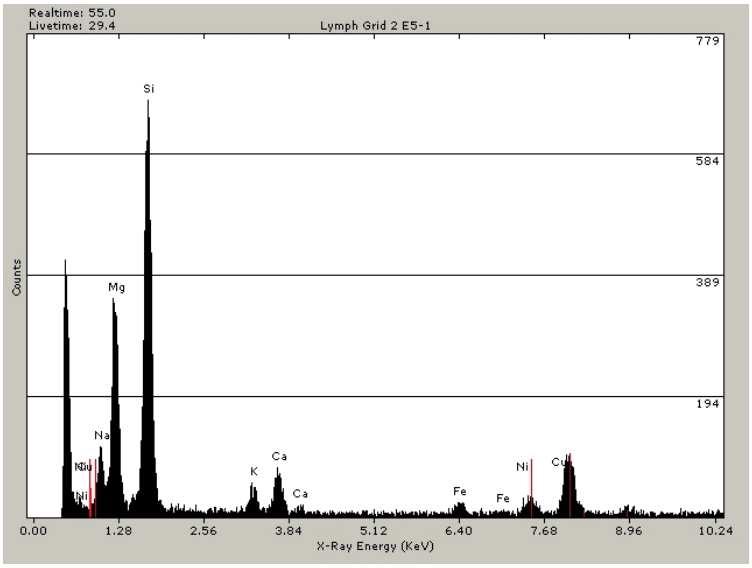


Figure 6a. TEM image and dual zone axis SAED solutions obtained by RJLG on the "tremolite" particle identified by Dr. Gordon from the Lymph Node preparation located in grid 2, grid opening E5. The middle and bottom right-hand images are the index matches for a monoclinic amphibole [512] and [201] zone axis solution. Compositionally this particle is winchitic amphibole.

Winchite is a part of the tremolite solid solution series, formerly known as sodium tremolite or sodic-tremolite. This particle is tremolite



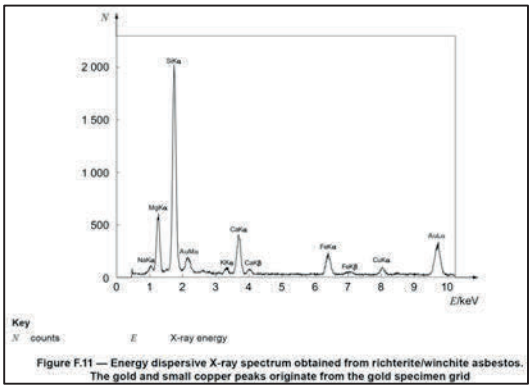


Figure F.11 — Energy dispersive X-ray spectrum obtained from richterite/winchite asbestos. The gold and small copper peaks originate from the gold specimen grid

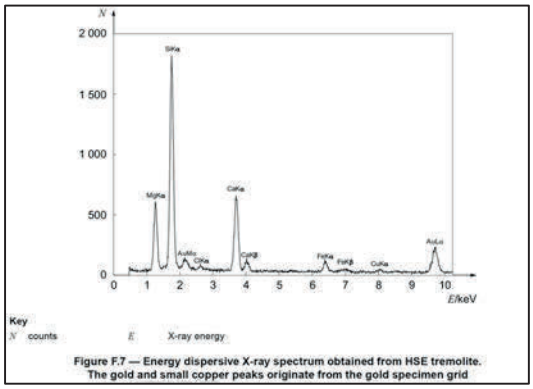
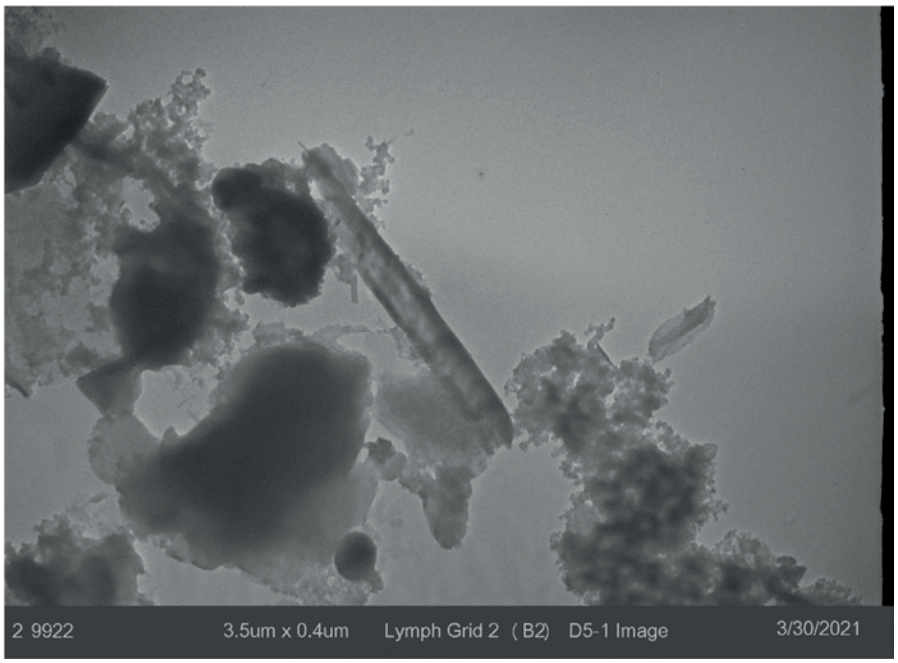


Figure F.7 — Energy dispersive X-ray spectrum obtained from HSE tremolite. The gold and small copper peaks originate from the gold specimen grid

Figure 6b. EDS observed from the particle in Figure 6a (Top). This particle compositionally is a sodic-calcic amphibole (note presence of both Na, K, and Ca) and thus cannot be tremolite. Winchite is likely the sodic-calcic amphibole identification. The lower pair of images are taken from ISO 22262-1 illustrating an EDS for winchite (left) and tremolite (right). Note the presence of Na, Mg, Si, K, Ca, and Fe peaks for the winchite. The Copper (Cu) and gold (Au) are from the sample media and conductive coating used.

Winchite and Richterite are terms for sodic tremolite. All of the early peer reviewed studies of tremolite were also describing tremolite with sodium (Na) and called it sodic tremolite. These are all tremolite solid solution series types.



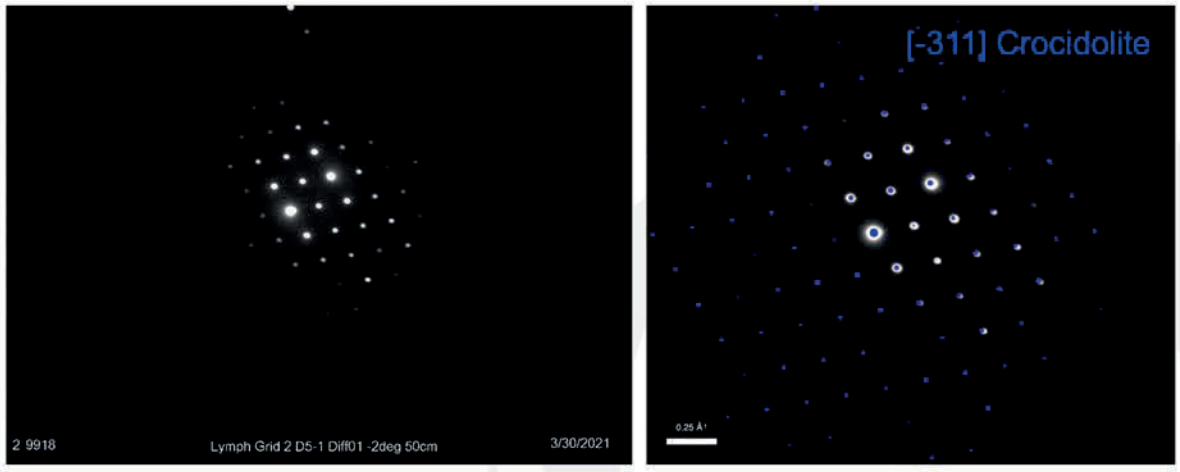
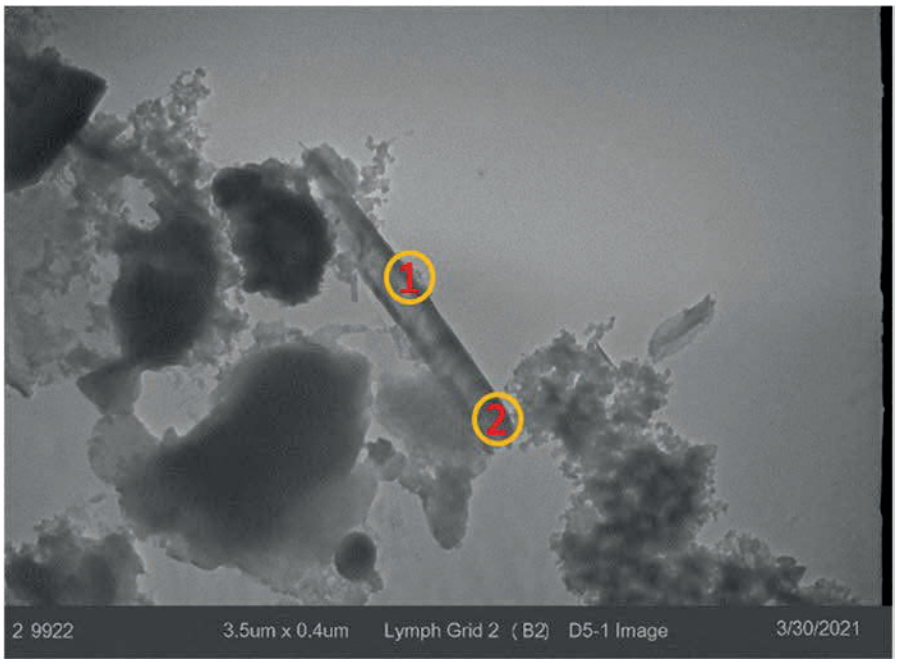


Figure 7a. TEM image and zone axis SAED obtained by RJLG on an uncounted particle less than 5.0 um in length not noted by Dr. Gordon from the Lymph preparation located in grid 2, grid opening D2. The lower right-hand image is the index match for a monoclinic amphibole [-311] zone solution. EDS shows this particle to be consistent with crocidolite (see Figure 7b).

The EDS chemistry of this particle does not match crocidolite due to the presence of aluminium



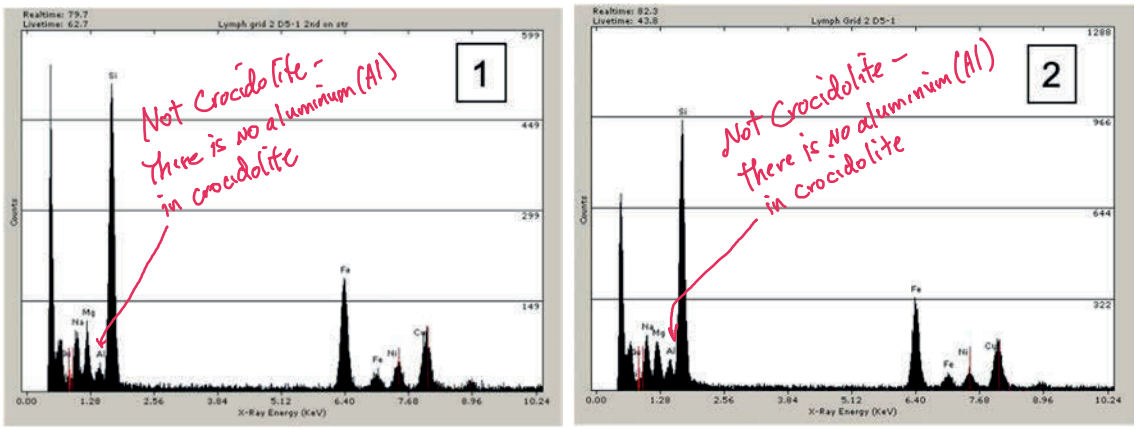


Figure 7b. TEM micrograph of particle in Figure 7a with locations of EDS. The composition of this amphibole is consistent with crocidolite. (Compare with top image in Figure 1c)

This is not the same particle as Dr. Gordon found. This particle is 3.4 µm x 0.4 µm. The particle Dr. Gordon found measured 7 µm x 0.86 µm and the chemistry was different.
This particle is some type of aluminum/iron silicate, not crocidolite.

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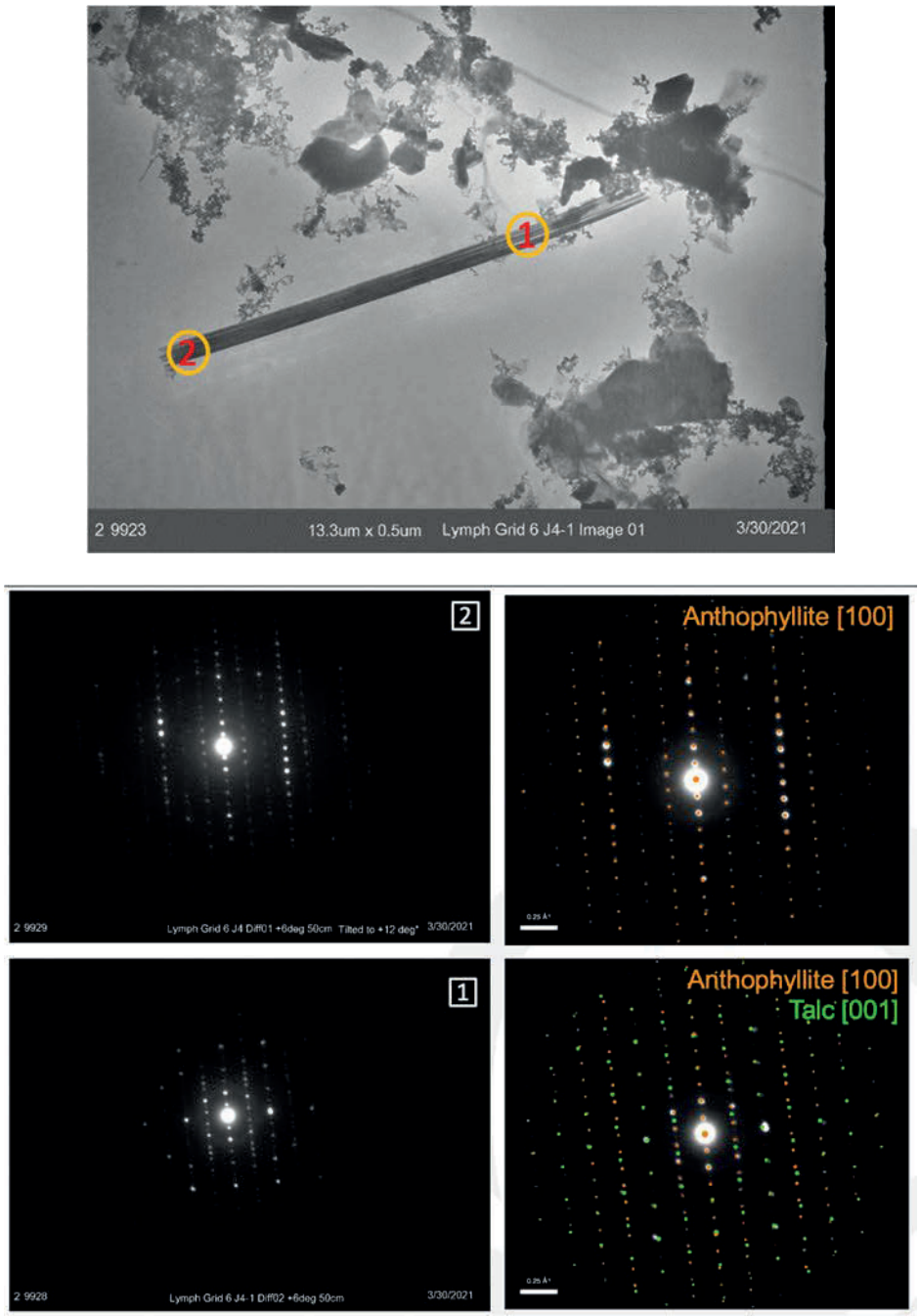


Figure 8a. TEM image and zone axis SAED obtained by RJLG on the "anthophyllite" particle identified by Dr. Gordon from the Lymph Node preparation located in grid 6, grid opening J4. The locations 1 and 2 are where the respective diffraction patterns were obtained. The middle right-hand image is the index match for anthophyllite [100] zone solution while the bottom right hand image is the index match for anthophyllite [100] and talc [001] zone solution.

This particle is anthophyllite based on the EDS chemistry and diffraction

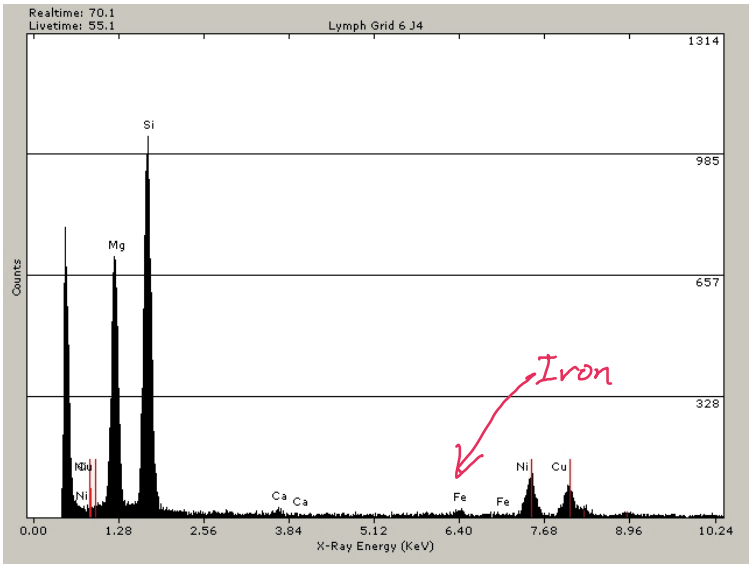


Figure 8b. Energy dispersive spectroscopy (EDS) analysis of the coherent talc-anthophyllite particle from Figure 8a. Observe a relatively Fe free talc-anthophyllite particle consistent with those of the Gouverneur tremolitic talcs from New York.

This structure is not iron(Fe) free and should not be labeled as consistent with Gouverneur tremolitic talcs from New York. Those Gouverneur trans. fibrous talc/anthophyllite structures have no detectable iron

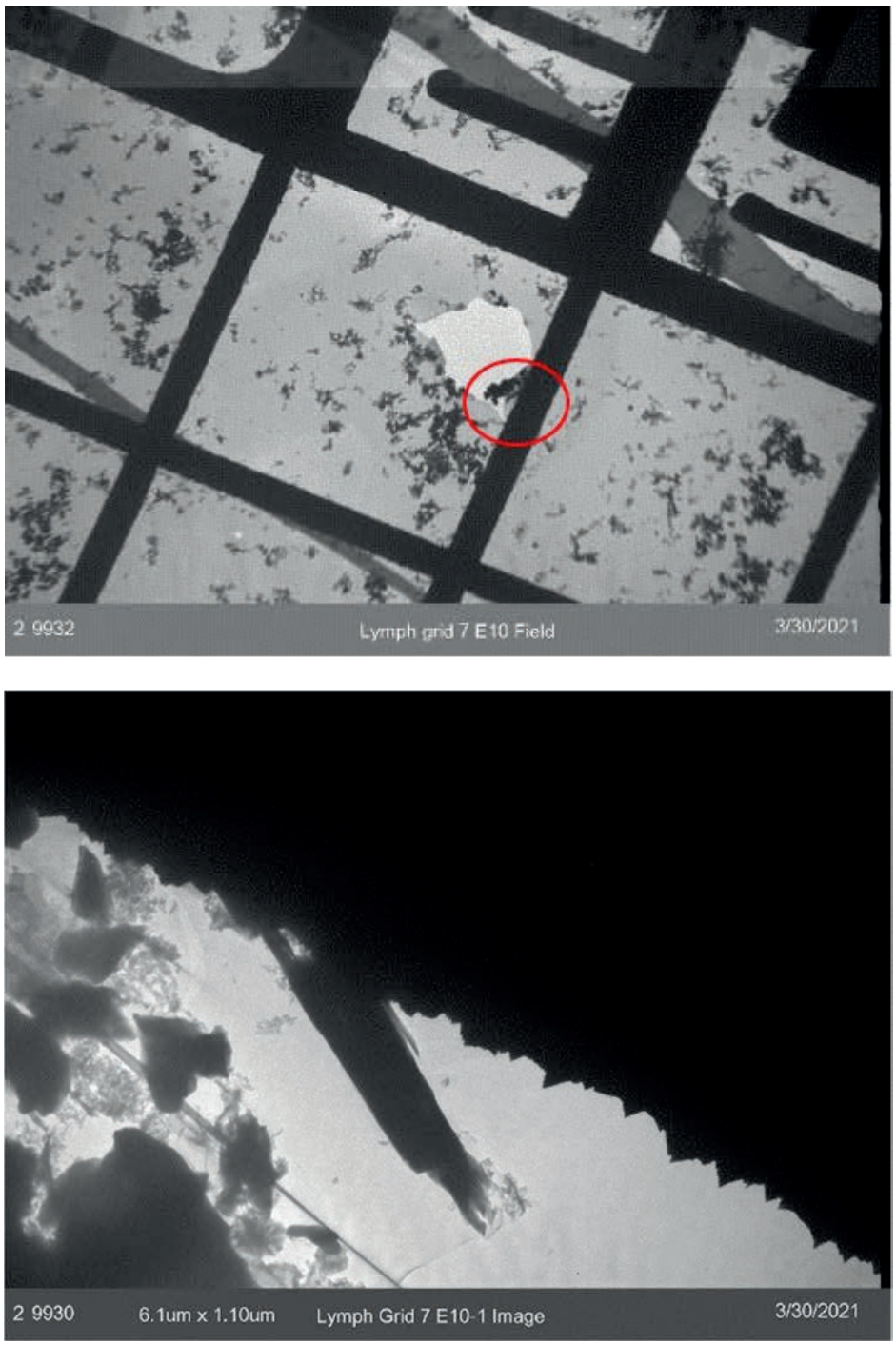
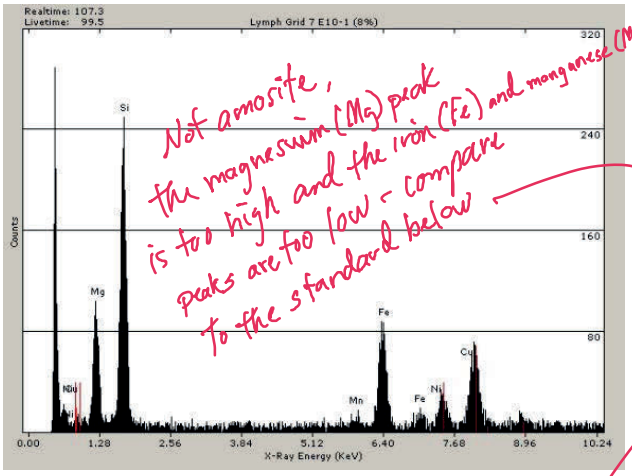


Figure 9a. TEM micrograph of Lymph Node Grid 7, Grid Opening E10 (top), note the red circle is folded Formvar. The alleged "anthophyllite" is within this fold. The lower electron micrograph is the particle in question. Due to the fold in the Formvar electron diffraction analysis was not possible.

RoA_04024



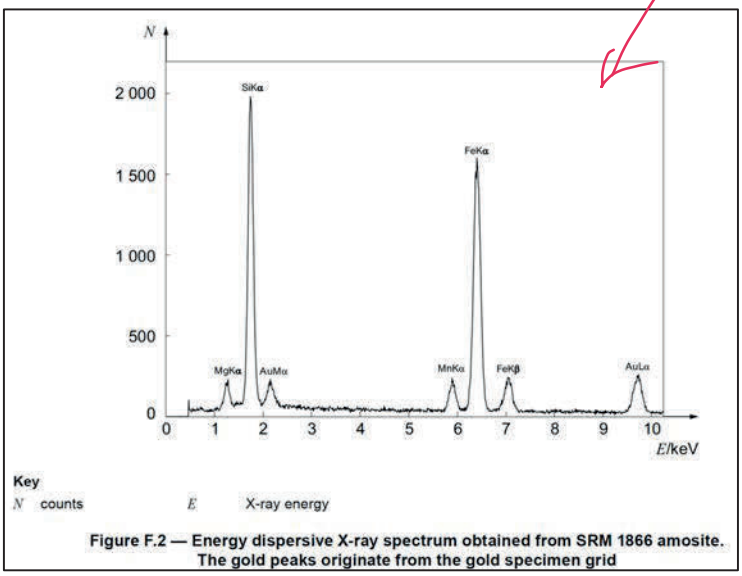


Figure F.2 — Energy dispersive X-ray spectrum obtained from SRM 1866 amosite. The gold peaks originate from the gold specimen grid

Figure 9b. EDS from the particle in Figure 9a shown in the top (low dead-time 8%). The observed EDS is consistent with amosite. The bottom image is taken from ISO 22262-1, note the presence of Mn.

EXHIBIT 88

ELECTRONICALLY FILED 2022-08-24 07:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1402946

JNJ000269849

Metadata

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ELECTRONICALLY FILED 2022 Sep 27 11:09 AM - CHARLESTON COMMON PLEAS - CASE# 2022CP1402946

R. ROLLE Research Work

COLORADO SCHOOL OF MINES RESEARCH INSTITUTE
P.O. BOX 112
GOLDEN, COLORADO 80401

August 13, 1971

Project 310704

Mr. William H. Ashton
Johnson & Johnson
Research Division
New Brunswick, NJ 08901

Dear Mr. Ashton:

Following are the results of a 500x point count on the sample of Medicated Powder Code No. 5M:

	% (Sq. mm. area basis)
Diatom fragments	0.63
Nontalc glassy needles (possibly diatom origin)	0.36
Talc needles	0.73
Talc shards	1.15
Nontalc needles (possibly amphibole)	0.04
Talc and/or chlorite plates	96.54
Carbonate	0.09
Quartz	0.02
Other (nearly submicroscopic particles)	0.004
Other (larger nondescript particles; not needle-like)	0.43

There is an abnormally large percent of needle-like and shard-like particles in this sample as compared to talc samples previously examined. Any particle having a length/width ratio of 5:1 or greater was considered a needle.

A 500x microscopic point count of the Micro-Cel E, (Index No. 80180 J; 2676-46-B) showed 44 glassy needles out of the 500 grains counted. X-ray powder camera analysis of the Medicated Powder (Lot No. 41k) yielded no evidence of any amphibole or serpentine type mineral phases.

Sincerely,

M. G. Pattengill
Project Engineer
Mining Division

MGP/km

Mineral Industry Research

ELECTRONICALLY FILED 02/03/2023 07:10:32 PM - CHARLESTON COUNTY - COMMON PLEAS - CASE# 2023CP1400346

EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
8815	10/16/1979 Letter from Rick Ellis to Helen J. Grayson re: Using Electron Microscopy Analyzed 18 Talc Samples with attachment	10/16/1979	Ellis, Jr., R.	Grayson, H.	JNJTALC000387334	JNJTALC000387335
8816	12/20/1979 Letter from Richard M. Ellis, Jr. to Helen Grayson re: Using Electron Microscopy Analyzed 18 Talc Samples with attachment	12/20/1979	Ellis, Jr., R.	Grayson, H.	JNJ 000347203	JNJ 000347205
8817	9/8/1972 Letter from John Wehrung to A.J. Goudie re Examination of Talc Particles	9/8/1972	Wehrung, J.	Goudie, A.	JNJ 000248953	JNJ 000248954
8818	Memo re Talc Summary for CTFA Scientific Advisory Committee	5/10/1976	Petterson, D.		JNJTALC000169622	JNJTALC000169622
8819	Document re Technological Forecast - Powders				JNJ 000085127	JNJ 000085139
8820	1/11/1973 Letter from Gene R. Grieger to A. Goudie re: Analysis of Two Samples of Talc Labeled HC Talc and V124 Talc with Handwritten Notes	1/11/1973	Grieger, G.	Goudie, A.	JNJTALC000218768	JNJTALC000218768
8821	Grantham Talc - Comprehensive Report	1/1971			JNJTALC000518014	JNJTALC000518063
8822	8/21/1972 Letter from Ian Stewart to A. Goudie re X-ray Data on Shower -to-Shower with attachments	8/21/1972	Stewart, I.	Goudie, A.	JNJTALC000060986	JNJTALC000060998
8823	World Cancer Research Fund International - Ovarian Cancer Statistics					
8824	5/19/2008 Memo from E. Kurtz to Todd re Response to Tewel Email Concerning Talc Safety	5/19/2008	Kurtz, E.	Todd	JNJ 000448866	JNJ 000448866
8845	3/23/1976 Memo from T. Chalmers re Recent Media Reports Concerning Research on Talcum Powder with attachments	3/23/1976				
8846	3/26/1976 Letter from I. Selikoff to M. Burros re Washington Post Article with attachments	3/26/1976	Selikoff, I.	Burros, M.		
8847	3/30/1976 Letter from T. Chalmers to D. D. Johnston re The Washington Post and New York Post Articles	3/30/1976				
8848	New York Time Article: Beauty; A Dusting of Powder (Produced)	10/28/1984	Blumenthal, D.		JNJTALC001125698	JNJTALC001125699
8849	Boundy, M.G., Gold, K., KP Martin, K.P., Jr., Burgess, W.A., and JM Dement, J.M. (1979) Occupational exposures to non-asbestiform talc in Vermont. In: Dusts and Diseases. R. Lemen & JM Dement (eds). Pathotox Publishers, Inc., Park Forest, IL. pp. 365-378 (Cover and TOC)	1979	Pooley, F.			
8850	Rohl, A. N., et al., "Consumer Talcums and Powders: Mineral and Chemical Characterization," Journal of Toxicology and Environmental Health, 2:255-284	1976			JNJ 000567988	JNJ 000568017
8851	3/10/1976 The New York Times archived article, Asbestos Found In Ten Powders (Produced)	3/10/1976	The New York Times		JNJ 000004381	JNJ 000004381
8852	Blount, A.M. “Amphibole Content of Cosmetic and Pharmaceutical Talcs,” 94 Envtl. Health Perspectives, 94:225-30 (1991), in Industrial Minerals and Rocks (Kogel, J.E., et al., eds.) (Produced)	1991			JNJ 000393348	JNJ 000393353
8853	1976 Rubino GF, Scansetti G, Piolatto G, Romano C. Mortality study of talc miners and millers. J Occup Med 18(3):186-193. (Produced)	1976			JNJ 000865666	JNJ 000865673
8854	Paoletti, Caiazza, Donnell and Pocchiari “Evaluation by Electron Microscopy Techniques of Asbestos Contamination in Industrial, Cosmetic and Pharmaceutical Talcs," Regulatory Toxicology and Pharmacology 4, 222-235 (1984) (Produced)	1984			JNJTALC000327486	JNJTALC000327499
8855	11/9/1977 Memo to G. Hildick-Smith re Draft of Rubino and Piolatto's Study and Related Tables	11/9/1977		Hildick-Smith, G.	JNJTALC000062461	JNJTALC000062462
8856	3/22/1988 Letter from W.H. Ashton to H. Nishimura re talc/asbestos - Dr. Norihiki Kohyama	3/22/1988	Ashton, W.	Nishimura, H.	JNJTALC000128666	JNJTALC000128666
8857	6/12/1974 Letter from D. Hamer to A. Schulze re evaluation optical microscope method for determination of asbestos fibers in talc	6/12/1974	Hamer, D.	Shulze, A.	JNJ 000258040	JNJ 000258042
8858	2/13/1975 Memo from G. Lee to Distribution re CTFA Talc Subcommittee Meeting with FDA, Washington, D.C., February 7, 1975	2/13/1975	Lee, G.		JNJ 000254147	JNJ 000254149
8859	Findings on Johnson & Johnson Products from a Report by Dr. S. Lewin	9/26/1972	Lewin, S.		JNJ 000232996	JNJ 000233002
8860	8/10/1971 Memo from R. Norwood and H. Stanley re Asbestos in Talc - "Analytical Methodology," Conference at FDA, Washington, DC, August 3, 1971	8/10/1971	Norwood, R. Stanley, H.		PFI_KA_0000001	PFI_KA_0000010
8861	Specification Change Request Form - to include a requirement for the absence of asbestos in Windsor 66 Talc	6/27/1977			JNJ 000336191	JNJ 000336192
8862	3/13/1974 Letter from J. Schelz to F.R. Rolle re asbestos and quartz in talc	3/13/1974	Schelz, J.	Rolle, F.	JNJ000260725	JNJ000260725
8863	4/19/1973 Memo from D. Hamer to F.R. Rolle re dispersion-staining examination of retained samples of Johnson's Baby Powder - Project No. 503	4/19/1973	Hamer, D.	Rolle, F.	JNJ 000245155	JNJ 000245155
8864	6/6/1973 Letter from F. Rolle to F. Pooley re testing of production samples of Vermont Talc via the British Toilet Preparations Federation density concentration technique	6/6/1973	Rolle, F.	Pooley, F.	JNJTALC000290476	JNJTALC000290476
8865	7/7/1971 Letter from M. Pattengill to W. Ashton re results of re x-ray analyses on Vermont talc samples	7/7/1971	Pattengill, M.	Ashton, W.	JNJTALC000291175	JNJTALC000291178
8866	Reports of E.W. Magnus of President, Eastern Magnesia Talc Co. to Stockholders (1962 -1964)		Magnus, E.		WTALC00001595	WTALC00001610
8867	11/15/1984 FDA Request for Quantitative Analysis of Risk from Potential Exposure to Asbestos from Cosmetic Talc Use re Citizen's Petition 83P-0404	11/15/1984	Taylor, L.	Lorentzen, R.	FDA00003648	FDA00003760
8868	4/23/1971 Letter from G. Hildick-Smith to R. Fuller re action indicated in relation to report of talc in biological tissues	4/23/1971	Hildick-Smith, G.	Fuller, R.	JNJTALC000290177	JNJTALC000290179
8869	5/25/1971 Protocols for Studying the Biological Reactivity of Talc	5/25/1971			JNJTALC000290184	JNJTALC000290186
8870	5/25/1971 Letter from T. Shelley to R. Fuller re program set up re the study of the question of talc in tissue	5/25/1971	Shelley, T.	Fuller, R.	JNJTALC000290181	JNJTALC000290183
8871	7/30/1971 Biological Reactivity - Asbestos vs Talc	7/30/1971			JNJ 000233053	JNJ 000233053

EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
8872	Draft #3 Letter from J. Walcott to D. Clare re talc program		Walcott, J.	Clare, D.	JNJTALC000290202	JNJTALC000290204
8873	2/9/1978 Letter from G. Lee to D. Johnston & R. Stites re status report - defense of talc safety with attachment	2/9/1978	Lee, G.	Johnston, D. Stites, R.	JNJ 000295352	JNJ 000295355
8874	3/30/1973 Letter from W. Nashed to R. Schaffner referencing Dr. Lewin's letter to the editor of Wall Street Journal on 3/12/1973	3/30/1973	Nashed, W.	Schaffner, R.	JNJ 000232297	JNJ 000232298
8875	2/8/1978 Letter from N. Estrin to J. Schelz re instructions for dissemination of results of the Talc Round Robin with attachment	2/8/1978	Estrin, N.	Schelz, J.	JNJ 000325951	JNJ 000325952
8876	9/30/2003 Luzenac correspondence to J&J Consumer Products re qualification of the Olympic H 8162 Talc	9/30/2003	Zazenski, R.	Payeur, J.	JNJ000375304	JNJ000375305
8877	4/2011 RJ Lee Group Site Visit: Guilin Talc - Project TLH 102104	4/2011			JNJ000133309	JNJ000133333
8878	7/16/2013 Letter from J. Poston to A. Vera re Interek Audit Response with attachment	7/16/2013	Poston, J.	Vera, A.	IMERYS 401425	IMERYS 4014259
8879	7/8/1971 Memorandum of Meeting between J&J and FDA re: Asbestos Particles in Talc	7/8/1971	Wenninger, J.		JNJTALC000411518	JNJTALC000411521
8880	Johnson & Johnson Transmittals on Talc to the Food and Drug Administration				JNJ 000330587	JNJ 000330588
8881	2/13/2017 Cumulative Review of Cases Reporting Mesothelioma With the Use of Johnson's Baby Powder, prepared by Office of Consumer Medical Safety	2/13/2017			JNJ 000803201	JNJ 000803222
8882	3/5/2009 Johnson's Best for Baby Standards: Safety	3/5/2009			JNJTALC000488990	JNJTALC000488992
8883	1/10/1978 Letter from W. Ashton to U. Stefano responding to December 25 letter re: Rubino's Proposal	1/10/1978	Ashton, W.	Stefano, U.	JNJTALC000062402	JNJTALC000062402
8884	6/30/1968, R. Sundberg, Quarterly Report - Second Quarter 1968	6/30/1968	Sundberg, R.		JNJ 000085878	JNJ 000085897
8885	6/30/1967, R. Sundberg, Quarterly Report - Second Quarter 1967	6/30/1967	Sundberg, R.		JNJ 000085948	JNJ 000085963
8886	6/4/1971 Memo from A. Marks to H. Callum re Shower to Shower Deodorant Claims, Project No. 166	6/4/1971	Marks, A.	Callum, H.	JNJ 000221335	JNJ 000221335
8887	8/21/2019 Letter from K. Morris to E. Moltz re Inspection Records 11/17/ MAS LLC	8/21/2019	Morris, E.	Moltz, E.		
8888	11/13/2017 Witcher, L., Establishment Inpection Report - MAS LLC (Redacted)	11/13/2017	Witcher, L.			
8889	11/13/2017 Witcher, L., Summary of Establishment Inpection Report - MAS LLC (Redacted)	11/13/2017	Witcher, L.			
8890	10/27/2019 Letter from A. Segrave to V. Piper-Givler re Johnson's Baby Powder Finished Goods Lot #22318RB (Protocol INV-106924-002); A1910246 (Preliminary Update/Results)	10/27/2019	Segrave, A.	Piper-Givler, V.		
8891	10/28/2019 Letter from D. Van Orden to M. Zappa re Analysis of Submitted Talc Samples RJ Lee Group Project Number TLH910472 - FDA with attachments	10/28/2019	Van Orden, D.	Zappa, M.		
8892	10/28/2019 Letter from D. Van Orden to M. Zappa re Analysis of Submitted Talc Samples RJ Lee Group Project Number TLH910477 - FDA with attachments	10/28/2019	Van Orden, D.	Zappa, M.		
8893	10/29/2019 Letter from D. Van Orden to M. Zappa re Analysis of Six Talc Samples RJ Lee Group Project Number TLH910472 with attachments	10/29/2019	Van Orden, D.	Zappa, M.		
8894	11/5/2019 Letter from D. Van Orden to M. Zappa re INV-106924-005 RJ Lee Group Project Number TLH910477 with attachments	11/5/2019	Van Orden, D.	Zappa, M.		
8895	11/27/2019 Letter from A. Segrave to Johnson & Johnson re Five Samples from October 24 Report for Analyses with attachments (Redacted)	11/27/2019	Segrave, A.	J&J		
8896	10/11/2019 AMA Analytical Services, Inc. Final Report for Sample D-58 FDA; Certificate of Analysis - Summary of Analysis (Redacted)	10/11/2019				
8901	12/3/2019 Johnson & Johnson Consumer Inc. Baby Powder Lot #22318RB Full Investigation Report	12/3/2019			JNJTALC001284148	JNJTALC001286279
8902	3/11/1976 Memorandum of Telephone Conversation between Heinz Eiermann and Reporters re Washington Post Story	3/11/1976				
8903	8/19/1983 Letter from R. Arzapalo to D. Palenik re #4-HV66 for TEM-serpentine analysis	8/19/1983	Arzapolo, R.	Palenik, D.	JNJ 000237335	JNJ 000237335
8904	1/6/1989 Talc Supply Agreement between Windsor Minerals Inc. and Johnson & Johnson Baby Product Company a Division of Johnson & Johnson Consumer Products, Inc.	1/6/1989			JNJ 000066674	JNJ 000066758
8905	Raw Material Specification RM-008967 Revision 0	10/26/2009			JNJ 000133469	JNJ 000133478
8906	Raw Material Specification RM-08031 Revision 8	5/30/2006			JNJTALC000205528	JNJTALC000205542
8907	CSMRI Report re Methodology with Attachments				JNJTALC000291146	JNJTALC000291163
8908	6/24/1971 CSMRI Report on Particle Size and Shape Distribution of Grantham, Italian and Vermont Talc Final Products	6/24/1971			JNJ 000234805	JNJ 000234812
8909	Materials Evaluation Laboratory Incorporated - Sample: Re 73 - 166, Analysis Requested by W. T. Caneer with attachments	1973			JNJTALC000128496	JNJTALC000128502
8910	10/18/2019 FDA News Release - Baby powder manufacturer voluntarily recalls products for asbestos	10/18/2019				
8911	12/3/2019 J&J Press Release re 155 Additional Tests	12/3/2019				
8912	12/3/2019 J&J Summary of Investigation	12/3/2019				
8913	10/29/2019 15 New Tests from the Same Bottle of Johnson's Baby Powder Previously Tested by FDA Find No Asbestos	10/29/2019				
8914	10/28/2019 RG Lee Incidence Report RJ Lee Group Project Number TLH910472	10/28/2019				
8915	10/18/2019 Baby Powder Manufacturer Voluntarily Recalls Products for Asbestos - Constituent Update	10/18/2019				
8918	12/15/2017 Letter from D. Van Orden to A. Yaganti re Analysis of Five Talc Samples (4Q17) RJ Lee Group Project No. TLH601640 with attachments	12/15/2017	Van Orden, D.	Yaganti, A.	JNJTALC001079382	JNJTALC001079388

EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
8919	3/14/2018 Letter from D. Van Orden to A. Yaganti re Analysis of Six Talc Samples (1Q18) - Amended RJ Lee Group Project No. TLH601640 with attachments	3/14/2018	Van Orden, D.	Yaganti, A.	JNJTALC001084921	JNJTALC001084928
8920	6/8/2018 Letter from D. Van Orden to A. Yaganti re Analysis of Seven Talc Samples (2Q18) Amended RJ Lee Group Project No. TLH601640 with attachments	6/8/2918	Van Orden, D.	Yaganti, A.	JNJTALC001054034	JNJTALC001054042
8921	9/11/2018 Letter from D. Van Orden to A. Yaganti re Analysis of Five Talc Samples (3Q18) RJ Lee Group Project No. TLH601640 with attachments	9/11/2018	Van Orden, D.	Yaganti, A.	JNJTALC001082577	JNJTALC001082587
8922	12/19/2018 Letter from D. Van Orden to A. Yaganti re Analysis of Seven Talc Samples (4Q18) RJ Lee Group Project No. TLH601640 with attachments	12/19/2018	Van Orden, D.	Yaganti, A.	JNJTALC001083855	JNJTALC001083869
8923	12/5/1978 Letter from R. Clifton to J. Beaman re the Relationships of Talc, Tremolite and Asbestos	12/5/1978	Clifton, R.	Beaman, J.	JNJ 000269811	JNJ 000269812
8924	7/9/1979 Letter from R. Corcoran to A. Romero re Comments and Suggestions on the Criteria Document on Talc Prepared by SRI International	7/9/1979	Corcoran, A.	Romero, A.	JNJ 000262420	JNJ 000262425
8925	Windsor Minerals Inc. Document titled NIOSH Sponsored Talc Study				JNJ 000309861	JNJ 000309880
8926	1/19/1972 Memo from T. Shelley to R. Fuller re Talc-Asbestos	1/19/1972	Shelley, T.	Fuller, R.	JNJTALC000290264	JNJTALC000290264
8927	10/2019 Letter from L. Szczepaniak to S. Mayne re October 2019 AMA Report and FDA's Response	10/2019	Szczepaniak, L.	Mayne, S.	JNJTALC001282315	JNJTALC001282324
8928	10/29/2019 Press Release: 15 New Tests from the Same Bottle of Johnson's Baby Powder Previously Tested by FDA Find No Asbestos	10/29/2019				
8929	10/18/2019 Health Hazard Evaluation (HHE) FDA Notification of Aberrant Test Results for Johnsons Baby Powder 22 oz., Lot 22318R - FDA Reports Chrysotile Detected in Johnson's Baby Powder	10/18/2019			JNJTALC001282155	JNJTALC001282166
8930	10/17/2019 QRB Meeting Minutes for Johnson's Baby Powder 22 oz	10/17/2019	Henderson, D.		JNJTALC001282306	JNJTALC001282306
8931	11/6/1981 Letter from H. Nishimura to W. Newman re Chinese Talc	11/6/1981	Nishimura, H.	Newman, W.	JNJTALC000376429	JNJTALC000376431
8932	3/1983 Preliminary Investigation of Cosmetic Talc Potential Lungsheng Operations Kwangsi China	3/1983	Ashton, W.		JNJTALC000084906	JNJTALC000084935
8933	5/29/1990 Memo from W. Ashton to B. Semple re China Talc Update with attachment	5/29/1990	Ashton, W.	Semple, B.	JNJTALC000423536	JNJTALC000423545
8934	6/21/1990 Letter from W. Ashton to J&J (Philippines) Inc. re Data on Jizhua	6/21/1990	Ashton, W.		JNJTALC000128630	JNJTALC000128630
8935	11/12/1990 Letter from W. Ashton to O. Cariaso re Alternate Chinese Talc Jizhua Deposit Cosmetic Grade with attached Report dated 11/5/1990	11/12/1990	Ashton, W.	Cariaso, O.	JNJTALC000223548	JNJTALC000223549
8936	6/11/2012 Raw Material Analytical Qualification Report # AN-Q-8885-1 with attachments including 7/20/2011 RJ Lee Analysis of Three Samples, Amended Report	6/11/2012			JNJTALC000041056	JNJTALC000041084
8937	5/31/2018 Intertek Report of Analysis - Ore Test (USP)	5/31/2018	Cairampoma, D.		JNJTALC001341209	JNJTALC001341210
8938	7/27/2018 Technical Report from D. Zhu to S. Wulf re TEM Asbestos Analysis of Houston Composites May 2018 with attachment	7/27/2018	Zhu, D.	Wulf, S.	JNJTALC001334337	JNJTALC001334339
8939	11/5/2019 Technical Report from J. Pier to S. Wulf re TEM Asbestos Analysis of Houston Composites June 2018 with attachment	11/5/2019	Pier, J.	Wulf, S.	JNJTALC001341098	JNJTALC001341100
8940	10/29/2019 Imerys Corrected Certificate of Analysis - H05168-D7	10/29/2019			JNJTALC001335645	JNJTALC001335646
8941	10/29/2019 Imerys Corrected Certificate of Analysis - H05148-D7	10/29/2019			JNJTALC001335647	JNJTALC001335648
8942	10/29/2019 Imerys Corrected Certificate of Analysis - H05158-D7	10/29/2019			JNJTALC001335649	JNJTALC001335650
8943	10/29/2019 Imerys Corrected Certificate of Analysis - H06228-D7	10/29/2019			JNJTALC001335651	JNJTALC001335652
8944	Talc on FDA webpage	10/2/2019				
8945	7/24/2019 Affidavit of Komos, S. in Shulman and Kurtkovich v. Brenntag North America, et al. re Authenticating Screenshot - "Naturally Occurring Asbestos" EPA Webpage	7/24/2019				
8946	7/24/2019 Affidavit of Komos, S. in Shulman and Kurtkovich v. Brenntag North America, et al. re Authenticating Screenshot FDA Cosmetic Ingredients Webpage	7/24/2019				
8947	7/24/2019 Affidavit of Komos, S. in Shulman and Kurtkovich v. Brenntag North America, et al. re Authenticating Screenshot - LinkedIn Profile of Rachel Berkness	7/24/2019				
8948	4/29/1977 Letter from R.C. Reynolds, Jr. to R. Miller re Attached Preliminary Draft Pitfalls in X-Ray Diffraction Methods of Analysis for Impurities in Talc Powders	4/29/1977	Reynolds, Jr., R.C.	Miller, R.	WTALC00005504	WTALC00005521
8949	4/26/1977 Pitfalls in X-Ray Diffraction Methods of Analysis for Impurities in Talc Powders	4/26/1977			JNJ 000090165	JNJ 000090177
8950	10/22/1971 Letter from M. Pattengill to W. Ashton re X-Ray Diffraction and Point Count Analyses with attachment	10/22/1971	Pattengill, M.	Ashton, W.	JNJTALC000291226	JNJTALC000291227
8951	8/1/1984 Letter from A. Wylie to C. Thompson re List of Sample Numbers Published by Stanton, et al.	8/1/1984	Wylie, A.	Thompson, C.	JNJ 000003507	JNJ 000003507
8952	Document titled Review and Commentary on the Seminar on The Biology of Talc Used in Health Products, held at the MRC Pneumoconiosis Unit in Penarth, Wales, May 13 and 14, 1976	5/25/1976	Hildick-Smith, G.		JNJ 000038283	JNJ 000038292
8953	1/12/1972 Memo from R. Mortimer to D. Clare re Sales of Windsor Talc to Outside Customers	1/12/1972	Mortimer, R.	Clare, D.	JNJTALC0000216893	JNJTALC0000216894
8954	3/19/1973 Memo from W. Ashton to D. Petterson re Worldwide Talc	3/19/1973	Ashton, W.	Petterson, D.	JNJTALC0000216895	JNJTALC0000216896
8955	3/23/1977 Memo from W. Ashton to G. Lee re J&J Worldwide Talcs Confidence Ratings with attachment	3/23/1977	Ashton, W.	Lee, G.	JNJTALC0000216897	JNJTALC0000216900
8956	12/19/1991 Memo from W. Ashton to J. Leebaw and B. Semple re Johnson's Baby Powder Use	12/19/1991	Ashton, W.	Leebaw, J. Semple, B.	JNJ 000312709	JNJ 000312709

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8957	10/11/1972 Memo from Hildick-Smith, G. re Meeting with Representatives of the Medical Research Council of England on Proposed Animal and Human Studies of Talc	10/11/1972	Hildick-Smith, G.	Johnston, D.	JNJ 000231259	JNJ 000231263
8958	9/8/1978 Suggested Mine Layout on Hammondsville Mine, VT of Windsor Minerals INC. submitted by K. Stout	9/8/1978	Stout, K.		WTALC00010327	WTALC00010348
8959	Windsor Minerals, INC. Quality Standards - Requirements Regarding Production and Testing of Grade 66 Talc with Material Safety Data Sheet Attached				JNJ 000066656	JNJ 00006665
8960	McCrone Report - Cosmetic Talc - Asbestiform Habit		McCrone, W.		JNJ 000273583	JNJ 000273597
8961	6/11/1972 Letter from F. Rolle to A. Goudie re Characterization of Johnson's Baby Powder, Lot 228p	6/11/1972	Rolle, F.	Goudie, A.	JNJ 000877808	JNJ 000877835
8999.0001	Certificate of Analysis - 1-0039	1/4/1991			JNJ 000070696	JNJ 000070696
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8999.0139	Certificate of Analysis - 3-0140	1/3/1993			JNJ 000069835	JNJ 000069835
8999.0140	Certificate of Analysis - 3-0173	1/4/1993			JNJ 000315835	JNJ 000315835
8999.0141	Certificate of Analysis - 3-0172	1/4/1993			JNJ 000315838	JNJ 000315838
8999.0142	Certificate of Analysis - 3-0021	1/4/1993			JNJ 000315850	JNJ 000315850
8999.0143	Certificate of Analysis - 3-0020	1/4/1993			JNJ 000315853	JNJ 000315853
8999.0144	Certificate of Analysis - 3-0020	1/4/1993			JNJ 000069847	JNJ 000069847
8999.0145	Certificate of Analysis - None	1/6/1993			JNJ 000315832	JNJ 000315832
8999.0146	Certificate of Analysis - None	1/11/1993			JNJ 000069826	JNJ 000069826
8999.0147	Certificate of Analysis - 3-0173	1/11/1993			JNJ 000069829	JNJ 000069829
8999.0148	Certificate of Analysis - 3-0172	1/11/1993			JNJ 000069832	JNJ 000069832
8999.0149	Certificate of Analysis - 3-0322	1/13/1993			JNJ 000315826	JNJ 000315826
8999.0150	Certificate of Analysis - 3-0323	1/14/1993			JNJ 000315823	JNJ 000315823
8999.0151	Certificate of Analysis - 3-0323	1/14/1993			JNJ 000069817	JNJ 000069817
8999.0152	Certificate of Analysis - 3-0372	1/15/1993			JNJ 000315820	JNJ 000315820
8999.0153	Certificate of Analysis - 3-0372	1/15/1993			JNJ 000069814	JNJ 000069814
8999.0154	Certificate of Analysis - 3-0426	1/18/1993			JNJ 000315817	JNJ 000315817
8999.0155	Certificate of Analysis - 3-0426	1/18/1993			JNJ 000069811	JNJ 000069811
8999.0156	Certificate of Analysis - 3-0322	1/18/1993			JNJ 000069820	JNJ 000069820
8999.0157	Certificate of Analysis - 3-0494	1/22/1993			JNJ 000315814	JNJ 000315814
8999.0158	Certificate of Analysis - 3-0502	1/25/1993			JNJ 000315811	JNJ 000315811
8999.0159	Certificate of Analysis - 3-0502	1/25/1993			JNJ 000069805	JNJ 000069805
8999.0161	Certificate of Analysis - 3-0619	2/1/1993			JNJ 000315802	JNJ 000315802
8999.0162	Certificate of Analysis - 3-0618	2/1/1993			JNJ 000315805	JNJ 000315805
8999.0163	Certificate of Analysis - 3-0619	2/1/1993			JNJ 000069796	JNJ 000069796
8999.0164	Certificate of Analysis - 3-0618	2/1/1993			JNJ 000069799	JNJ 000069799
8999.0165	Certificate of Analysis - 3-0750	2/8/1993			JNJ 000315790	JNJ 000315790
8999.0166	Certificate of Analysis - 3-0750	2/8/1993			JNJ 000069784	JNJ 000069784
8999.0167	Certificate of Analysis - 3-0561	2/10/1993			JNJ 000315808	JNJ 000315808
8999.0168	Certificate of Analysis - 3-0818	2/11/1993			JNJ 000315793	JNJ 000315793
8999.0169	Certificate of Analysis - 3-0818	2/11/1993			JNJ 000069787	JNJ 000069787
8999.0171	Certificate of Analysis - 3-0855	2/17/1993			JNJ 000315781	JNJ 000315781
8999.0172	Certificate of Analysis - 3-0855	2/17/1993			JNJ 000069775	JNJ 000069775
8999.0173	Certificate of Analysis - 3-0653	2/18/1993			JNJ 000315799	JNJ 000315799

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EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
8999.0174	Certificate of Analysis - 3-0653	2/18/1993			JNJ 000069793	JNJ 000069793
8999.0176	Certificate of Analysis - 3-0715	2/23/1993			JNJ 000315796	JNJ 000315796
8999.0177	Certificate of Analysis - 3-0715	2/23/1993			JNJ 000069790	JNJ 000069790
8999.0178	Certificate of Analysis - 3-0927	2/25/1993			JNJ 000315778	JNJ 000315778
8999.0179	Certificate of Analysis - 3-0927	2/25/1993			JNJ 000069772	JNJ 000069772
8999.0180	Certificate of Analysis - 3-0820	3/3/1993			JNJ 000315784	JNJ 000315784
8999.0181	Certificate of Analysis - 3-0819	3/3/1993			JNJ 000315787	JNJ 000315787
8999.0182	Certificate of Analysis - 3-0820	3/3/1993			JNJ 000069778	JNJ 000069778
8999.0183	Certificate of Analysis - 3-0819	3/3/1993			JNJ 000069781	JNJ 000069781
8999.0184	Certificate of Analysis - 3-1034	3/5/1993			JNJ 000315766	JNJ 000315766
8999.0185	Certificate of Analysis - 3-1034	3/5/1993			JNJ 000069760	JNJ 000069760
8999.0186	Certificate of Analysis - 3-0987	3/5/1993			JNJ 000069763	JNJ 000069763
8999.0187	Certificate of Analysis - 3-0987	3/10/1993			JNJ 000315769	JNJ 000315769
8999.0188	Certificate of Analysis - 3-1037	3/11/1993			JNJ 000069754	JNJ 000069754
8999.0189	Certificate of Analysis - 3-0910	3/11/1993			JNJ 000069769	JNJ 000069769
8999.0190	Certificate of Analysis - 3-1111	3/15/1993			JNJ 000315757	JNJ 000315757
8999.0191	Certificate of Analysis - 3-1111	3/15/1993			JNJ 000069751	JNJ 000069751
8999.0192	Certificate of Analysis - 3-0946	3/16/1993			JNJ 000315772	JNJ 000315772
8999.0193	Certificate of Analysis - 3-0986	3/16/1993			JNJ 000069766	JNJ 000069766
8999.0194	Certificate of Analysis - 3-1178	3/17/1993			JNJ 000315751	JNJ 000315751
8999.0195	Certificate of Analysis - 3-1178	3/17/1993			JNJ 000069745	JNJ 000069745
8999.0196	Certificate of Analysis - 3-1033	3/22/1993			JNJ 000315763	JNJ 000315763
8999.0197	Certificate of Analysis - 3-1117	3/22/1993			JNJ 000069748	JNJ 000069748
8999.0198	Certificate of Analysis - 3-1033	3/22/1993			JNJ 000069757	JNJ 000069757
8999.0200	Certificate of Analysis - 3-1188	3/23/1993			JNJ 000315748	JNJ 000315748
8999.0201	Certificate of Analysis - 3-1188	3/23/1993			JNJ 000069742	JNJ 000069742
8999.0202	Certificate of Analysis - 3-1297	3/26/1993			JNJ 000315745	JNJ 000315745
8999.0203	Certificate of Analysis - 3-1297	3/26/1993			JNJ 000069739	JNJ 000069739
8999.0204	Certificate of Analysis - 3-1336	3/31/1993			JNJ 000315742	JNJ 000315742
8999.0205	Certificate of Analysis - 3-1336	3/31/1993			JNJ 000069736	JNJ 000069736
8999.0206	Certificate of Analysis - 3-1337	4/1/1993			JNJ 000315736	JNJ 000315736
8999.0207	Certificate of Analysis - 3-1296	4/1/1993			JNJ 000315739	JNJ 000315739
8999.0208	Certificate of Analysis - 3-1337	4/1/1993			JNJ 000069730	JNJ 000069730
8999.0209	Certificate of Analysis - 3-1389	4/6/1993			JNJ 000315733	JNJ 000315733
8999.0210	Certificate of Analysis - 3-1389	4/6/1993			JNJ 000069727	JNJ 000069727
8999.0212	Certificate of Analysis - 3-1362	4/8/1993			JNJ 000315730	JNJ 000315730
8999.0213	Certificate of Analysis - 3-1362	4/8/1993			JNJ 000069724	JNJ 000069724
8999.0214	Certificate of Analysis - 3-1531	4/14/1993			JNJ 000315721	JNJ 000315721
8999.0215	Certificate of Analysis - 3-1460	4/14/1993			JNJ 000315727	JNJ 000315727
8999.0216	Certificate of Analysis - 3-1531	4/14/1993			JNJ 000069715	JNJ 000069715
8999.0217	Certificate of Analysis - 3-1461	4/14/1993			JNJ 000069718	JNJ 000069718
8999.0218	Certificate of Analysis - 3-1676	4/20/1993			JNJ 000315712	JNJ 000315712
8999.0219	Certificate of Analysis - 3-1530	4/20/1993			JNJ 000315715	JNJ 000315715
8999.0220	Certificate of Analysis - 3-1676	4/20/1993			JNJ 000069706	JNJ 000069706
8999.0221	Certificate of Analysis - 3-1530	4/20/1993			JNJ 000069709	JNJ 000069709
8999.0223	Certificate of Analysis - 3-1709	4/22/1993			JNJ 000315709	JNJ 000315709
8999.0224	Certificate of Analysis - 3-1709	4/22/1993			JNJ 000069703	JNJ 000069703
8999.0226	Certificate of Analysis - 3-1719	4/29/1993			JNJ 000315706	JNJ 000315706
8999.0227	Certificate of Analysis - 3-1719	4/29/1993			JNJ 000069700	JNJ 000069700
8999.0228	Certificate of Analysis - 3-1866	5/3/1993			JNJ 000315700	JNJ 000315700
8999.0229	Certificate of Analysis - 3-1866	5/3/1993			JNJ 000069694	JNJ 000069694
8999.0230	Certificate of Analysis - 3-1867	5/5/1993			JNJ 000315697	JNJ 000315697
8999.0231	Certificate of Analysis - 3-1867	5/5/1993			JNJ 000069691	JNJ 000069691
8999.0233	Certificate of Analysis - 3-2102	5/12/1993			JNJ 000315688	JNJ 000315688
8999.0234	Certificate of Analysis - 3-2102	5/12/1993			JNJ 000069682	JNJ 000069682
8999.0236	Certificate of Analysis - 3-1731	5/17/1993			JNJ 000315718	JNJ 000315718
8999.0237	Certificate of Analysis - 3-1731	5/17/1993			JNJ 000069712	JNJ 000069712
8999.0239	Certificate of Analysis - 3-1952	6/3/1993			JNJ 000315694	JNJ 000315694
8999.0240	Certificate of Analysis - 3-1952	6/3/1993			JNJ 000069688	JNJ 000069688
8999.0241	Certificate of Analysis - 3-1974	6/4/1993			JNJ 000315691	JNJ 000315691
8999.0242	Certificate of Analysis - 3-1969	6/4/1993			JNJ 000315703	JNJ 000315703
8999.0243	Certificate of Analysis - 3-1974	6/4/1993			JNJ 000069685	JNJ 000069685
8999.0244	Certificate of Analysis - 3-1969	6/4/1993			JNJ 000069697	JNJ 000069697
8999.0246	Certificate of Analysis - 3-2059	6/10/1993			JNJ 000069676	JNJ 000069676
8999.0247	Certificate of Analysis - 3-2103	6/16/1993			JNJ 000315685	JNJ 000315685
8999.0248	Certificate of Analysis - 3-2103	6/16/1993			JNJ 000069679	JNJ 000069679
8999.0249	Certificate of Analysis - 3-2243	6/22/1993			JNJ 000315676	JNJ 000315676
8999.0250	Certificate of Analysis - 3-2243	6/22/1993			JNJ 000069670	JNJ 000069670
8999.0251	Certificate of Analysis - 3-2242	6/22/1993			JNJ 000069673	JNJ 000069673
8999.0252	Certificate of Analysis - 3-2269	6/24/1993			JNJ 000315673	JNJ 000315673
8999.0253	Certificate of Analysis - 3-2269	6/24/1993			JNJ 000069667	JNJ 000069667
8999.0254	Certificate of Analysis - 3-2442	6/28/1993			JNJ 000315649	JNJ 000315649
8999.0255	Certificate of Analysis - 3-2316	6/28/1993			JNJ 000315670	JNJ 000315670
8999.0256	Certificate of Analysis - 3-2316	6/28/1993			JNJ 000069664	JNJ 000069664
8999.0257	Certificate of Analysis - 3-2334	6/30/1993			JNJ 000069661	JNJ 000069661
8999.0260	Certificate of Analysis - 3-2441	7/12/1993			JNJ 000315646	JNJ 000315646
8999.0261	Certificate of Analysis - 3-2372	7/12/1993			JNJ 000315655	JNJ 000315655
8999.0262	Certificate of Analysis - 3-2323	7/12/1993			JNJ 000315658	JNJ 000315658
8999.0263	Certificate of Analysis - 3-2441	7/12/1993			JNJ 000069637	JNJ 000069638
8999.0264	Certificate of Analysis - 3-2442	7/12/1993			JNJ 000069641	JNJ 000069641
8999.0265	Certificate of Analysis - 3-2372	7/12/1993			JNJ 000069647	JNJ 000069647
8999.0266	Certificate of Analysis - 3-2373	7/12/1993			JNJ 000069650	JNJ 000069650

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EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
8999.0267	Certificate of Analysis - 3-2467	7/15/1993			JNJ 000069644	JNJ 000069644
8999.0268	Certificate of Analysis - 3-2494	7/19/1993			JNJ 000315643	JNJ 000315643
8999.0269	Certificate of Analysis - 3-2494	7/19/1993			JNJ 000069633	JNJ 000069634
8999.0270	Certificate of Analysis - 3-2493	7/19/1993			JNJ 000069657	JNJ 000069658
8999.0272	Certificate of Analysis - 3-2573	7/26/1993			JNJ 000069653	JNJ 000069654
8999.0273	Certificate of Analysis - 3-2729	8/3/1993			JNJ 000315637	JNJ 000315637
8999.0274	Certificate of Analysis - 3-2729	8/3/1993			JNJ 000069627	JNJ 000069627
8999.0275	Certificate of Analysis - 3-2664	8/4/1993			JNJ 000315640	JNJ 000315640
8999.0276	Certificate of Analysis - 3-2664	8/4/1993			JNJ 000069630	JNJ 000069630
8999.0277	Certificate of Analysis - 3-2728	8/10/1993			JNJ 000069621	JNJ 000069621
8999.0280	Certificate of Analysis - 3-2728	8/16/1993			JNJ 000315631	JNJ 000315631
8999.0281	Certificate of Analysis - 3-2785	8/19/1993			JNJ 000315628	JNJ 000315628
8999.0282	Certificate of Analysis - 194-203	8/19/1993			JNJ 000069606	JNJ 000069606
8999.0283	Certificate of Analysis - 3-2785	8/19/1993			JNJ 000069618	JNJ 000069618
8999.0284	Certificate of Analysis - 3-2829	8/23/1993			JNJ 000315634	JNJ 000315634
8999.0285	Certificate of Analysis - 3-2829	8/23/1993			JNJ 000069624	JNJ 000069624
8999.0286	Certificate of Analysis - 3-1846	8/24/1993			JNJ 000315619	JNJ 000315619
8999.0287	Certificate of Analysis - 3-2844	8/24/1993			JNJ 000315622	JNJ 000315622
8999.0288	Certificate of Analysis - 3-2841	8/24/1993			JNJ 000315625	JNJ 000315625
8999.0289	Certificate of Analysis - 3-2846	8/24/1993			JNJ 000069609	JNJ 000069609
8999.0290	Certificate of Analysis - 3-2844	8/24/1993			JNJ 000069612	JNJ 000069612
8999.0291	Certificate of Analysis - 3-2841	8/24/1993			JNJ 000069615	JNJ 000069615
8999.0292	Certificate of Analysis - 194-203	8/26/1993			JNJ 000315616	JNJ 000315616
8999.0294	Certificate of Analysis - 3-2927	8/31/1993			JNJ 000315613	JNJ 000315613
8999.0295	Certificate of Analysis - 3-2927	8/31/1993			JNJ 000069603	JNJ 000069603
8999.0296	Certificate of Analysis - 3-2984	9/7/1993			JNJ 000315610	JNJ 000315610
8999.0297	Certificate of Analysis - 3-2985	9/7/1993			JNJ 000069597	JNJ 000069597
8999.0298	Certificate of Analysis - 3-2984	9/7/1993			JNJ 000069600	JNJ 000069600
8999.0299	Certificate of Analysis - 3-3019	9/8/1993			JNJ 000315604	JNJ 000315604
8999.0300	Certificate of Analysis - 3-3019	9/8/1993			JNJ 000069594	JNJ 000069594
8999.0301	Certificate of Analysis - 3-3074	9/13/1993			JNJ 000315601	JNJ 000315601
8999.0302	Certificate of Analysis - None	9/13/1993			JNJ 000069582	JNJ 000069582
8999.0303	Certificate of Analysis - 3-3074	9/13/1993			JNJ 000069591	JNJ 000069591
8999.0305	Certificate of Analysis - 3-3145	9/17/1993			JNJ 000069588	JNJ 000069588
8999.0306	Certificate of Analysis - None	9/20/1993			JNJ 000315592	JNJ 000315592
8999.0307	Certificate of Analysis - 3-3155	9/20/1993			JNJ 000315595	JNJ 000315595
8999.0308	Certificate of Analysis - 3-3155	9/20/1993			JNJ 000069585	JNJ 000069585
8999.0310	Certificate of Analysis - 2026, 3007, 3039	9/23/1993			JNJTALC000165870	JNJTALC000165870
8999.0312	Certificate of Analysis - 3-3288	9/27/1993			JNJ 000315589	JNJ 000315589
8999.0313	Certificate of Analysis - 3-3288	9/27/1993			JNJ 000069579	JNJ 000069579
8999.0315	Certificate of Analysis - 3-3346	9/28/1993			JNJ 000315580	JNJ 000315580
8999.0316	Certificate of Analysis - 3-3294	9/28/1993			JNJ 000315586	JNJ 000315586
8999.0317	Certificate of Analysis - 3-3346	9/28/1993			JNJ 000069570	JNJ 000069570
8999.0318	Certificate of Analysis - 3-3294	9/28/1993			JNJ 000069576	JNJ 000069576
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8999.0323	Certificate of Analysis - 3-3347	10/4/1993			JNJ 000069567	JNJ 000069567
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8999.0328	Certificate of Analysis - 3-3477	10/12/1993			JNJ 000315571	JNJ 000315571
8999.0329	Certificate of Analysis - 3-3477	10/12/1993			JNJ 000069561	JNJ 000069561
8999.0330	Certificate of Analysis - 3-3562	10/14/1993			JNJ 000315562	JNJ 000315562
8999.0331	Certificate of Analysis - 3-3560	10/19/1993			JNJ 000315568	JNJ 000315568
8999.0332	Certificate of Analysis - 3-3562	10/19/1993			JNJ 000069552	JNJ 000069552
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8999.0339	Certificate of Analysis - 3-3765	11/2/1993			JNJ 000069549	JNJ 000069549
8999.0343	Certificate of Analysis - 3-3888	11/11/1993			JNJ 000315550	JNJ 000315550
8999.0344	Certificate of Analysis - 3-3888	11/11/1993			JNJ 000069540	JNJ 000069540
8999.0345	Certificate of Analysis - 3-4323	11/12/1993			JNJ 000315526	JNJ 000315526
8999.0346	Certificate of Analysis - 3-4178	11/12/1993			JNJ 000315532	JNJ 000315532
8999.0347	Certificate of Analysis - 3-4171	11/12/1993			JNJ 000315535	JNJ 000315535
8999.0348	Certificate of Analysis - 3-4323	11/12/1993			JNJ 000069516	JNJ 000069516
8999.0349	Certificate of Analysis - 3-4178	11/12/1993			JNJ 000069522	JNJ 000069522
8999.0350	Certificate of Analysis - 3-4171	11/12/1993			JNJ 000069525	JNJ 000069525
8999.0351	Certificate of Analysis - 3-3948	11/15/1993			JNJ 000315544	JNJ 000315544
8999.0352	Certificate of Analysis - 3-3749	11/15/1993			JNJ 000315547	JNJ 000315547
8999.0353	Certificate of Analysis - 3-3948	11/15/1993			JNJ 000069534	JNJ 000069534
8999.0354	Certificate of Analysis - 3-3949	11/15/1993			JNJ 000069537	JNJ 000069537
8999.0355	Certificate of Analysis - 3-4048	11/22/1993			JNJ 000315538	JNJ 000315538
8999.0356	Certificate of Analysis - 3-4048	11/22/1993			JNJ 000069528	JNJ 000069528
8999.0357	Certificate of Analysis - 3-4050	11/22/1993			JNJ 000069531	JNJ 000069531
8999.0358	Certificate of Analysis - 3-4050	11/23/1993			JNJ 000315541	JNJ 000315541
8999.0359	Certificate of Analysis - 3-4278	12/6/1993			JNJ 000315529	JNJ 000315529
8999.0360	Certificate of Analysis - 3-4278	12/6/1993			JNJ 000069519	JNJ 000069519
8999.0362	Certificate of Analysis - 3-4411	12/14/1993			JNJ 000315523	JNJ 000315523
8999.0363	Certificate of Analysis - 3-4411	12/14/1993			JNJ 000069513	JNJ 000069513

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8999.0365	Certificate of Analysis - 3-4424	12/15/1993			JNJ 000069510	JNJ 000069510
8999.0366	Certificate of Analysis - 3-4473	12/20/1993			JNJ 000315517	JNJ 000315517
8999.0367	Certificate of Analysis - 3-4473	12/20/1993			JNJ 000069507	JNJ 000069507
8999.0368	Certificate of Analysis - None	12/30/1993			JNJ 000316111	JNJ 000316111
8999.0369	Certificate of Analysis - None	12/30/1993			JNJ 000070318	JNJ 000070318
8999.0372	Certificate of Analysis - 4-0034	1/3/1994			JNJ 000314865	JNJ 000314865
8999.0373	Certificate of Analysis - 4-0034	1/3/1994			JNJ 000070339	JNJ 000070339
8999.0374	Certificate of Analysis - 4-0084	1/4/1994			JNJ 000314862	JNJ 000314862
8999.0375	Certificate of Analysis - 4-0259	1/4/1994			JNJ 000070321	JNJ 000070321
8999.0376	Certificate of Analysis - 4-0084	1/4/1994			JNJ 000070336	JNJ 000070336
8999.0377	Certificate of Analysis - 4-0120	1/7/1994			JNJ 000314858	JNJ 000314858
8999.0378	Certificate of Analysis - 4-0119	1/7/1994			JNJ 000314859	JNJ 000314859
8999.0379	Certificate of Analysis - 4-0120	1/7/1994			JNJ 000070330	JNJ 000070330
8999.0380	Certificate of Analysis - 4-0119	1/7/1994			JNJ 000070333	JNJ 000070333
8999.0381	Certificate of Analysis - 4-0199	1/11/1994			JNJ 000314852	JNJ 000314852
8999.0382	Certificate of Analysis - 4-0200	1/11/1994			JNJ 000314855	JNJ 000314855
8999.0383	Certificate of Analysis - 4-0199	1/11/1994			JNJ 000070324	JNJ 000070324
8999.0384	Certificate of Analysis - 4-0200	1/11/1994			JNJ 000070327	JNJ 000070327
8999.0386	Certificate of Analysis - 4-0259	1/14/1994			JNJ 000314849	JNJ 000314849
8999.0387	Certificate of Analysis - 4-0708	1/17/1994			JNJ 000070300	JNJ 000070300
8999.0388	Certificate of Analysis - 4-0524	1/17/1994			JNJ 000070303	JNJ 000070303
8999.0389	Certificate of Analysis - 4-0347	1/20/1994			JNJ 000316107	JNJ 000316107
8999.0390	Certificate of Analysis - 4-0347	1/20/1994			JNJ 000070312	JNJ 000070312
8999.0391	Certificate of Analysis - 4-0346	1/20/1994			JNJ 000070315	JNJ 000070315
8999.0392	Certificate of Analysis - 4-0526	1/21/1994			JNJ 000316095	JNJ 000316095
8999.0393	Certificate of Analysis - 4-0526	1/21/1994			JNJ 000070297	JNJ 000070297
8999.0395	Certificate of Analysis - 4-0861	1/24/1994			JNJ 000070294	JNJ 000070294
8999.0397	Certificate of Analysis - 4-0907	1/27/1994			JNJ 000316089	JNJ 000316089
8999.0398	Certificate of Analysis - 4-0909	1/27/1994			JNJ 000070291	JNJ 000070291
8999.0400	Certificate of Analysis - 4-0525	2/1/1994			JNJ 000316101	JNJ 000316101
8999.0401	Certificate of Analysis - 4-0523	2/1/1994			JNJ 000316104	JNJ 000316104
8999.0402	Certificate of Analysis - 4-1014	2/1/1994			JNJ 000070288	JNJ 000070288
8999.0403	Certificate of Analysis - 4-0525	2/1/1994			JNJ 000070306	JNJ 000070306
8999.0404	Certificate of Analysis - 4-0523	2/1/1994			JNJ 000070309	JNJ 000070309
8999.0406	Certificate of Analysis - 4-1054	2/2/1994			JNJ 000316083	JNJ 000316083
8999.0407	Certificate of Analysis - 4-1054	2/2/1994			JNJ 000070285	JNJ 000070285
8999.0408	Certificate of Analysis - 4-1119	2/8/1994			JNJ 000316076	JNJ 000316076
8999.0409	Certificate of Analysis - 4-1119	2/8/1994			JNJ 000070278	JNJ 000070278
8999.0410	Certificate of Analysis - 4-1229	2/11/1994			JNJ 000070275	JNJ 000070275
8999.0411	Certificate of Analysis - 4-1207	2/16/1994			JNJ 000316079	JNJ 000316079
8999.0412	Certificate of Analysis - 4-1207	2/16/1994			JNJ 000070281	JNJ 000070281
8999.0413	Certificate of Analysis - 4-1531	2/17/1994			JNJ 000070268	JNJ 000070268
8999.0416	Certificate of Analysis - 4-1490	2/22/1994			JNJ 000316070	JNJ 000316070
8999.0417	Certificate of Analysis - 4-1490	2/22/1994			JNJ 000070272	JNJ 000070272
8999.0418	Certificate of Analysis - 4-1054	2/24/1994			JNJMX68_000001618	JNJMX68_000001618
8999.0419	Certificate of Analysis - None	2/25/1994			JNJ 000316058	JNJ 000316058
8999.0420	Certificate of Analysis - None	2/25/1994			JNJ 000070260	JNJ 000070260
8999.0421	Certificate of Analysis - 4-1602	3/2/1994			JNJ 000316061	JNJ 000316061
8999.0422	Certificate of Analysis - 4-1602	3/2/1994			JNJ 000070263	JNJ 000070263
8999.0423	Certificate of Analysis - 4-1763	3/4/1994			JNJ 000316046	JNJ 000316046
8999.0424	Certificate of Analysis - 4-1747	3/4/1994			JNJ 000316049	JNJ 000316049
8999.0425	Certificate of Analysis - 4-1763	3/4/1994			JNJ 000070248	JNJ 000070248
8999.0426	Certificate of Analysis - 4-1747	3/4/1994			JNJ 000070251	JNJ 000070251
8999.0427	Certificate of Analysis - 4-1897	3/7/1994			JNJ 000316040	JNJ 000316041
8999.0428	Certificate of Analysis - 4-1897	3/7/1994			JNJ 000070242	JNJ 000070242
8999.0429	Certificate of Analysis - 4-1229	3/7/1994			JNJ 000316073	JNJ 000316073
8999.0430	Certificate of Analysis - 4-1679	3/14/1994			JNJ 000316052	JNJ 000316052
8999.0431	Certificate of Analysis - 4-1679	3/14/1994			JNJ 000070254	JNJ 000070254
8999.0437	Certificate of Analysis - 4-1965	3/24/1994			JNJ 000316037	JNJ 000316037
8999.0438	Certificate of Analysis - 4-1849	3/24/1994			JNJ 000316043	JNJ 000316043
8999.0439	Certificate of Analysis - 4-1965	3/24/1994			JNJ 000070239	JNJ 000070239
8999.0440	Certificate of Analysis - 4-1849	3/24/1994			JNJ 000070245	JNJ 000070245
8999.0441	Certificate of Analysis - 4-2029	3/29/1994			JNJ 000316031	JNJ 000316031
8999.0442	Certificate of Analysis - 4-2029	3/29/1994			JNJ 000070232	JNJ 000070232
8999.0443	Certificate of Analysis - 4-2074	3/31/1994			JNJ 000316022	JNJ 000316022
8999.0444	Certificate of Analysis - 4-2074	3/31/1994			JNJ 000070223	JNJ 000070223
8999.0445	Certificate of Analysis - None	3/31/1994			JNJ 000070236	JNJ 000070236
8999.0446	Certificate of Analysis - 4-2183	4/5/1994			JNJ 000316013	JNJ 000316013
8999.0447	Certificate of Analysis - 4-2076	4/5/1994			JNJ 000316017	JNJ 000316017
8999.0448	Certificate of Analysis - 4-2272	4/5/1994			JNJ 000316026	JNJ 000316026
8999.0449	Certificate of Analysis - 4-2183	4/5/1994			JNJ 000070214	JNJ 000070214
8999.0450	Certificate of Analysis - 4-2076	4/5/1994			JNJ 000070218	JNJ 000070218
8999.0451	Certificate of Analysis - 4-2272	4/5/1994			JNJ 000070227	JNJ 000070227
8999.0453	Certificate of Analysis - 4-2382	4/8/1994			JNJ 000316009	JNJ 000316009
8999.0454	Certificate of Analysis - 4-2382	4/9/1994			JNJ 000070210	JNJ 000070210
8999.0455	Certificate of Analysis - 4-2405	4/11/1994			JNJ 000316004	JNJ 000316004
8999.0456	Certificate of Analysis - 4-2405	4/11/1994			JNJ 000070205	JNJ 000070205
8999.0457	Certificate of Analysis - 4-2482	4/12/1994			JNJ 000315994	JNJ 000315994
8999.0458	Certificate of Analysis - 4-2463	4/12/1994			JNJ 000315998	JNJ 000315998
8999.0459	Certificate of Analysis - 4-2482	4/13/1994			JNJ 000070195	JNJ 000070195
8999.0460	Certificate of Analysis - 4-2463	4/13/1994			JNJ 000070199	JNJ 000070199

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8999.0462	Certificate of Analysis - 4-2518	4/15/1994			JNJ 000315981	JNJ 000315981
8999.0463	Certificate of Analysis - 4-2500	4/15/1994			JNJ 000315990	JNJ 000315990
8999.0465	Certificate of Analysis - 4-2518	4/18/1994			JNJ 000070182	JNJ 000070182
8999.0466	Certificate of Analysis - 4-2500	4/18/1994			JNJ 000070191	JNJ 000070191
8999.0467	Certificate of Analysis - 4-2520	4/21/1994			JNJ 000315986	JNJ 000315986
8999.0468	Certificate of Analysis - 4-2519	4/21/1994			JNJ 000316000	JNJ 000316000
8999.0469	Certificate of Analysis - 4-2520	4/21/1994			JNJ 000070187	JNJ 000070187
8999.0470	Certificate of Analysis - 4-2519	4/22/1994			JNJ 000070203	JNJ 000070203
8999.0472	Certificate of Analysis - 4-2709	4/26/1994			JNJ 000315970	JNJ 000315970
8999.0473	Certificate of Analysis - 4-2590	4/26/1994			JNJ 000315977	JNJ 000315977
8999.0474	Certificate of Analysis - 4-2709	4/27/1994			JNJ 000070169	JNJ 000070169
8999.0475	Certificate of Analysis - 4-2590	4/27/1994			JNJ 000070178	JNJ 000070178
8999.0476	Certificate of Analysis - 4-2716	4/28/1994			JNJ 000315974	JNJ 000315974
8999.0477	Certificate of Analysis - 4-2753	4/29/1994			JNJ 000315963	JNJ 000315963
8999.0478	Certificate of Analysis - 4-2753	4/29/1994			JNJ 000070162	JNJ 000070162
8999.0479	Certificate of Analysis - 4-2716	4/29/1994			JNJ 000070173	JNJ 000070173
8999.0487	Certificate of Analysis - 1046-1052	3/21/1996			IMERYS 010271	IMERYS 010271
8999.0488	Certificate of Analysis - 1065-1075	4/15/1996			IMERYS 010267	IMERYS 010267
8999.0489	Certificate of Analysis - 1075-1081	4/19/1996			IMERYS 010268	IMERYS 010268
8999.0490	Certificate of Analysis - 1081-1085, 1087	4/29/1996			IMERYS 010263	IMERYS 010263
8999.0491	Certificate of Analysis - 1093-1098	5/10/1996			IMERYS 010264	IMERYS 010264
8999.0492	Certificate of Analysis - 1122-1127	6/12/1996			IMERYS 010260	IMERYS 010260
8999.0493	Certificate of Analysis - 1134-1139	7/2/1996			IMERYS 010257	IMERYS 010257
8999.0494	Certificate of Analysis - 1139-1140; 1153-55	7/22/1996			IMERYS 010258	IMERYS 010258
8999.0495	Certificate of Analysis - 1397-1398	5/1/1997			IMERYS 010766	IMERYS 010766
8999.0496	Certificate of Analysis - 1353-1388	5/8/1997			IMERYS 010762	IMERYS 010762
8999.0497	Certificate of Analysis - 1399-1400	5/9/1997			IMERYS 010767	IMERYS 010767
8999.0498	Certificate of Analysis - 1400-1401	5/9/1997			IMERYS 010768	IMERYS 010768
8999.0499	Certificate of Analysis - 1416-1417	5/14/1997			IMERYS 010769	IMERYS 010769
8999.0500	Certificate of Analysis - 1417-1419	5/16/1997			IMERYS 010770	IMERYS 010770
8999.0501	Certificate of Analysis - 1430-1431	6/2/1997			IMERYS 010771	IMERYS 010771
8999.0502	Certificate of Analysis - 1431-1433	6/3/1997			IMERYS 010760	IMERYS 010760
8999.0503	Certificate of Analysis - 1437-1442	6/16/1997			IMERYS 010763	IMERYS 010763
8999.0504	Certificate of Analysis - 1453-1455	6/24/1997			IMERYS 010761	IMERYS 010761
8999.0505	Certificate of Analysis - 1442-1451	6/26/1997			IMERYS 010764	IMERYS 010764
8999.0506	Certificate of Analysis - 1471-1475	7/21/1997			IMERYS 010757	IMERYS 010757
8999.0507	Certificate of Analysis - 1475-1480	7/29/1997			IMERYS 010758	IMERYS 010758
8999.0508	Certificate of Analysis - 1485-1489	8/4/1997			IMERYS 010754	IMERYS 010754
8999.0509	Certificate of Analysis - 1501-1504	8/25/1997			IMERYS 010751	IMERYS 010751
8999.0510	Certificate of Analysis - 1504-1521	9/11/1997			IMERYS 010752	IMERYS 010752
8999.0511	Certificate of Analysis - 1539-1543	10/2/1997			IMERYS 010748	IMERYS 010748
8999.0512	Certificate of Analysis - 1548-1553	10/13/1997			IMERYS 010749	IMERYS 010749
8999.0513	Certificate of Analysis - H11263	11/13/2003			IMERYS 142246	IMERYS 142246
8999.0514	Certificate of Analysis - H12263	12/22/2003			IMERYS 142247	IMERYS 142247
8999.0515	Certificate of Analysis - H01054	1/16/2004			IMERYS 018000	IMERYS 018000
8999.0516	Certificate of Analysis - H12263	1/16/2004			IMERYS 017977	IMERYS 017978
8999.0517	Certificate of Analysis - H11263	1/22/2004			IMERYS 018036	IMERYS 018036
8999.0518	Certificate of Analysis - H01164	1/23/2004			IMERYS 017983	IMERYS 017983
8999.0519	Certificate of Analysis - H01184	1/23/2004			IMERYS 018100	IMERYS 018100
8999.0520	Certificate of Analysis - H01224	1/28/2004			IMERYS 019188	IMERYS 019188
8999.0521	Certificate of Analysis - H012524	1/28/2004			IMERYS-A_0019189	IMERYS-A_0019189
8999.0522	Certificate of Analysis - H01284	2/2/2004			IMERYS 017778	IMERYS 017778
8999.0523	Certificate of Analysis - H02034	2/9/2004			IMERYS 018176	IMERYS 018176
8999.0524	Certificate of Analysis - H02104	2/13/2004			IMERYS 142261	IMERYS 142261
8999.0525	Certificate of Analysis - H02104	2/16/2004			IMERYS 017804	IMERYS 017804
8999.0526	Certificate of Analysis - H02154	2/19/2004			IMERYS 017810	IMERYS 017810
8999.0527	Certificate of Analysis - H02244	2/27/2004			IMERYS 017835	IMERYS 017835
8999.0528	Certificate of Analysis - H02284	3/2/2004			IMERYS 017839	IMERYS 017839
8999.0529	Certificate of Analysis - H03064	3/9/2004			IMERYS 017863	IMERYS 017863
8999.0530	Certificate of Analysis - H03114	3/13/2004			IMERYS 142271	IMERYS 142271
8999.0531	Certificate of Analysis - H03114	3/16/2004			IMERYS 017869	IMERYS 017869
8999.0532	Certificate of Analysis - H03264	3/26/2004			IMERYS 142273	IMERYS 142273
8999.0533	Certificate of Analysis - H03264	3/30/2004			IMERYS 017897	IMERYS 017897
8999.0534	Certificate of Analysis - H03294	4/5/2004			IMERYS 017930	IMERYS 017930
8999.0535	Certificate of Analysis - H04104	4/10/2004			IMERYS 142282	IMERYS 142282
8999.0536	Certificate of Analysis - H04084	4/12/2004			IMERYS 018195	IMERYS 018195
8999.0537	Certificate of Analysis - H04104	4/13/2004			IMERYS 018215	IMERYS 018215
8999.0538	Certificate of Analysis - H04174	4/21/2004			IMERYS 018491	IMERYS 018491
8999.0539	Certificate of Analysis - H04204	4/22/2004			IMERYS 018506	IMERYS 018506
8999.0540	Certificate of Analysis - H04274	4/30/2004			IMERYS 018542	IMERYS 018542
8999.0541	Certificate of Analysis - H04294	5/3/2004			IMERYS 018558	IMERYS 018558
8999.0542	Certificate of Analysis - H05024	5/6/2004			IMERYS 018520	IMERYS 018520
8999.0543	Certificate of Analysis - H05254	5/25/2004			IMERYS 142290	IMERYS 142290
8999.0544	Certificate of Analysis - H05294	6/1/2004			IMERYS 018279	IMERYS 018279
8999.0545	Certificate of Analysis - H05314	6/3/2004			IMERYS 018253	IMERYS 018253
8999.0546	Certificate of Analysis - H05234	6/6/2004			IMERYS 018574	IMERYS 018574
8999.0547	Certificate of Analysis - H06024	6/7/2004			IMERYS 018294	IMERYS 018294
8999.0548	Certificate of Analysis - H06044	6/7/2004			IMERYS 018313	IMERYS 018313
8999.0549	Certificate of Analysis - H05234	6/8/2004			IMERYS 111531	IMERYS 111535
8999.0550	Certificate of Analysis - H06114	6/11/2004			IMERYS 142320	IMERYS 142323
8999.0551	Certificate of Analysis - H06114	6/14/2004			IMERYS 018329	IMERYS 018329
8999.0552	Certificate of Analysis - H06184	6/21/2004			IMERYS 018358	IMERYS 018358

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8999.0556	Certificate of Analysis - H06214	6/24/2004			IMERYS-A_0018378	IMERYS-A_0018378
8999.0557	Certificate of Analysis - H07044	7/6/2004			IMERYS 018407	IMERYS 018407
8999.0558	Certificate of Analysis - H07064	7/12/2004			IMERYS 018426	IMERYS 018426
8999.0559	Certificate of Analysis - H07104	7/13/2004			IMERYS 018446	IMERYS 018446
8999.0561	Certificate of Analysis - H07174	7/20/2004			IMERYS 018465	IMERYS 018465
8999.0562	Certificate of Analysis - H07204	7/20/2004			IMERYS 142352	IMERYS 142352
8999.0563	Certificate of Analysis - H07204	7/23/2004			IMERYS 018480	IMERYS 018480
8999.0564	Certificate of Analysis - H07264	8/2/2004			IMERYS 017528	IMERYS 017528
8999.0565	Certificate of Analysis - H07284	8/2/2004			IMERYS 111642	IMERYS 111642
8999.0566	Certificate of Analysis - H07314	8/3/2004			IMERYS 017549	IMERYS 017549
8999.0567	Certificate of Analysis - H08024	8/5/2004			IMERYS 017560	IMERYS 017560
8999.0568	Certificate of Analysis - H08134	8/16/2004			IMERYS 017575	IMERYS 017575
8999.0569	Certificate of Analysis - H07174	8/19/2004			IMERYS 017497	IMERYS 017497
8999.0570	Certificate of Analysis - H08214	8/26/2004			IMERYS 017603	IMERYS 017603
8999.0571	Certificate of Analysis - H09264	9/1/2004			IMERYS-A_0017684	IMERYS-A_0017684
8999.0572	Certificate of Analysis - H08284	9/2/2004			IMERYS 017623	IMERYS 017623
8999.0573	Certificate of Analysis - H09064	9/10/2004			IMERYS 017640	IMERYS 017640
8999.0574	Certificate of Analysis - H09114	9/15/2004			IMERYS 017652	IMERYS 017652
8999.0575	Certificate of Analysis - H08134	9/20/2004			IMERYS 017594	IMERYS 017594
8999.0576	Certificate of Analysis - H09164	9/20/2004			IMERYS 017670	IMERYS 017670
8999.0577	Certificate of Analysis - H09194	9/22/2004			IMERYS 017719	IMERYS 017719
8999.0578	Certificate of Analysis - H09264	9/28/2004			IMERYS 017683	IMERYS 017683
8999.0579	Certificate of Analysis - H10024	10/5/2004			IMERYS 017743	IMERYS 017743
8999.0580	Certificate of Analysis - H10054	10/8/2004			IMERYS 017715	IMERYS 017715
8999.0581	Certificate of Analysis - H09284	10/18/2004			IMERYS 017764	IMERYS 017764
8999.0582	Certificate of Analysis - H10124	10/18/2004			IMERYS 017094	IMERYS 017094
8999.0583	Certificate of Analysis - H10154	10/19/2004			IMERYS 017105	IMERYS 017105
8999.0584	Certificate of Analysis - H10214	10/25/2004			IMERYS 017126	IMERYS 017126
8999.0585	Certificate of Analysis - H10244	10/27/2004			IMERYS 017144	IMERYS 017144
8999.0586	Certificate of Analysis - H10304	10/30/2004			IMERYS 129167	IMERYS 129168
8999.0587	Certificate of Analysis - H11054	11/9/2004			IMERYS 017154	IMERYS 017154
8999.0588	Certificate of Analysis - H11134	11/13/2004			IMERYS 172427	IMERYS 172428
8999.0589	Certificate of Analysis - H11134	11/16/2004			IMERYS 017171	IMERYS 017172
8999.0590	Certificate of Analysis - H11194	11/22/2004			IMERYS 017189	IMERYS 017189
8999.0591	Certificate of Analysis - H11224	11/22/2004			IMERYS 142430	IMERYS 142430
8999.0592	Certificate of Analysis - H11284	11/28/2004			IMERYS 142434	IMERYS 142434
8999.0593	Certificate of Analysis - H11224	11/29/2004			IMERYS 017417	IMERYS 017417
8999.0594	Certificate of Analysis - H11284	12/3/2004			IMERYS 017443	IMERYS 017443
8999.0595	Certificate of Analysis - H12094	12/15/2004			IMERYS 017468	IMERYS 017468
8999.0596	Certificate of Analysis - H12134	12/20/2004			IMERYS 017487	IMERYS 017487
8999.0597	Certificate of Analysis - H12194	12/27/2004			IMERYS 016942	IMERYS 016942
8999.0598	Certificate of Analysis - H12134	1/5/2005			IMERYS 017485	IMERYS 017485
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8999.0601	Certificate of Analysis - H01095	1/24/2005			IMERYS 016982	IMERYS 016982
8999.0602	Certificate of Analysis - H01215	1/24/2005			IMERYS 017005	IMERYS 017005
8999.0603	Certificate of Analysis - H01275	1/31/2005			IMERYS 017029	IMERYS 017029
8999.0604	Certificate of Analysis - H01305	2/3/2005			IMERYS 017051	IMERYS 017051
8999.0605	Certificate of Analysis - H02045	2/9/2005			IMERYS 017073	IMERYS 017073
8999.0606	Certificate of Analysis - H02085	2/14/2005			IMERYS 017209	IMERYS 017209
8999.0607	Certificate of Analysis - H02255	2/25/2005			IMERYS 142752	IMERYS 142763
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8999.0609	Certificate of Analysis - H02285	3/3/2005			IMERYS 017254	IMERYS 017254
8999.0610	Certificate of Analysis - H03115	3/11/2005			IMERYS 142784	IMERYS 142800
8999.0611	Certificate of Analysis - H03115	3/14/2005			IMERYS 017269	IMERYS 017269
8999.0612	Certificate of Analysis - H03145	3/16/2005			IMERYS 017286	IMERYS 017286
8999.0613	Certificate of Analysis - H03175	3/21/2005			IMERYS 017300	IMERYS 017300
8999.0614	Certificate of Analysis - H03285	3/28/2005			IMERYS 222537	IMERYS 222547
8999.0615	Certificate of Analysis - H03285	4/1/2005			IMERYS 017330	IMERYS 017330
8999.0616	Certificate of Analysis - H04085	4/11/2005			IMERYS 017348	IMERYS 017348
8999.0617	Certificate of Analysis - H04105	4/13/2005			IMERYS 017361	IMERYS 017361
8999.0618	Certificate of Analysis - H04235	4/26/2005			IMERYS 017376	IMERYS 017376
8999.0619	Certificate of Analysis - H04265	4/29/2005			IMERYS 017394	IMERYS 017394
8999.0620	Certificate of Analysis - H05015	5/3/2005			IMERYS 018779	IMERYS 018779
8999.0621	Certificate of Analysis - H05105	5/13/2005			IMERYS 016464	IMERYS 016464
8999.0622	Certificate of Analysis - H05125	5/23/2005			IMERYS 016490	IMERYS 016490
8999.0623	Certificate of Analysis - H05235	5/23/2005			IMERYS 142822	IMERYS 142831
8999.0624	Certificate of Analysis - H05235	5/25/2005			IMERYS 016452	IMERYS 016452
8999.0625	Certificate of Analysis - H06015	6/6/2005			IMERYS 016545	IMERYS 016545
8999.0626	Certificate of Analysis - H06035	6/6/2005			IMERYS 016519	IMERYS 016519
8999.0627	Certificate of Analysis - H06085	6/13/2005			IMERYS 016561	IMERYS 016561
8999.0628	Certificate of Analysis - H06115	6/13/2005			IMERYS 016709	IMERYS 016709
8999.0629	Certificate of Analysis - H06175	6/20/2005			IMERYS 016722	IMERYS 016722
8999.0630	Certificate of Analysis - H06245	6/28/2005			IMERYS 016747	IMERYS 016747
8999.0631	Certificate of Analysis - H07015	7/5/2005			IMERYS 016756	IMERYS 016756
8999.0632	Certificate of Analysis - H07035	7/5/2005			IMERYS 016774	IMERYS 016774
8999.0633	Certificate of Analysis - H07055	7/5/2005			IMERYS 142846	IMERYS 142850
8999.0634	Certificate of Analysis - H07055	7/7/2005			IMERYS 016793	IMERYS 016793
8999.0635	Certificate of Analysis - H07155	7/18/2005			IMERYS 016810	IMERYS 016810
8999.0636	Certificate of Analysis - H07175	7/20/2005			IMERYS 112617	IMERYS 112617

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EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
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8999.0640	Certificate of Analysis - H07255	8/1/2005			IMERYS 016864	IMERYS 016864
8999.0641	Certificate of Analysis - H07305	8/1/2005			IMERYS 016883	IMERYS 016883
8999.0642	Certificate of Analysis - H08185	8/22/2005			IMERYS 016923	IMERYS 016923
8999.0643	Certificate of Analysis - H08195	8/22/2005			IMERYS 016911	IMERYS 016911
8999.0644	Certificate of Analysis - H08215	8/24/2005			IMERYS 016438	IMERYS 016438
8999.0645	Certificate of Analysis - H08275	8/27/2005			IMERYS 142864	IMERYS 142866
8999.0646	Certificate of Analysis - H08275	8/31/2005			IMERYS 016156	IMERYS 016156
8999.0647	Certificate of Analysis - H09025	9/2/2005			IMERYS 142873	IMERYS 142873
8999.0648	Certificate of Analysis - H09025	9/8/2005			IMERYS 016178	IMERYS 016178
8999.0649	Certificate of Analysis - H09105	9/12/2005			IMERYS 016189	IMERYS 016189
8999.0650	Certificate of Analysis - H09155	9/20/2005			IMERYS 016216	IMERYS 016216
8999.0651	Certificate of Analysis - H10085	10/11/2005			IMERYS 016222	IMERYS 016222
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8999.0653	Certificate of Analysis - H10135	10/14/2005			IMERYS 016271	IMERYS 016271
8999.0654	Certificate of Analysis - H10145	10/17/2005			IMERYS 016284	IMERYS 016284
8999.0655	Certificate of Analysis - H10195	10/25/2005			IMERYS 016301	IMERYS 016301
8999.0656	Certificate of Analysis - H10215	10/26/2005			IMERYS 016323	IMERYS 016323
8999.0657	Certificate of Analysis - H10305	10/30/2005			IMERYS 142889	IMERYS 142889
8999.0658	Certificate of Analysis - H10265	10/31/2005			IMERYS 016340	IMERYS 016340
8999.0659	Certificate of Analysis - H11025	11/10/2005			IMERYS 016364	IMERYS 016364
8999.0660	Certificate of Analysis - H10235	11/14/2005			IMERYS 016390	IMERYS 016390
8999.0661	Certificate of Analysis - H11185	11/18/2005			IMERYS 142895	IMERYS 142895
8999.0662	Certificate of Analysis - H11185	11/21/2005			IMERYS 016567	IMERYS 016567
8999.0663	Certificate of Analysis - H1165	11/21/2005			IMERYS 016406	IMERYS 016406
8999.0664	Certificate of Analysis - H11085	11/29/2005			IMERYS 016582	IMERYS 016582
8999.0665	Certificate of Analysis - H11256	11/29/2005			IMERYS 016623	IMERYS 016623
8999.0666	Certificate of Analysis - H11295	11/30/2005			IMERYS 016604	IMERYS 016604
8999.0667	Certificate of Analysis - H11305	11/30/2005			IMERYS 144528	IMERYS 144528
8999.0668	Certificate of Analysis - H12075	12/8/2005			IMERYS 016661	IMERYS 016661
8999.0669	Certificate of Analysis - H12205	12/21/2005			IMERYS 016684	IMERYS 016684
8999.0670	Certificate of Analysis - H12205A	12/21/2005			IMERYS 016668	IMERYS 016668
8999.0671	Certificate of Analysis - H12205A	12/21/2005			IMERYS-A_0018985	IMERYS-A_0018985
8999.0672	Certificate of Analysis - H12205A	12/21/2005			JNJ 000356204	JNJ 000356204
8999.0673	Certificate of Analysis - H12205A	12/21/2005			JNJ 000356232	JNJ 000356232
8999.0674	Certificate of Analysis - H12205A	12/21/2005			JNJ 000357359	JNJ 000357359
8999.0675	Certificate of Analysis - H12205A	12/21/2005			JNJ 000369649	JNJ 000369649
8999.0676	Certificate of Analysis - H12205A	12/21/2005			JNJ 000557904	JNJ 000557904
8999.0677	Certificate of Analysis - H01226	1/22/2006			IMERYS 144539	IMERYS 144539
8999.0678	Certificate of Analysis - H01196	1/31/2006			IMERYS 116523	IMERYS 116523
8999.0679	Certificate of Analysis - H02186	2/21/2006			IMERYS 144541	IMERYS 144541
8999.0680	Certificate of Analysis - H02246	2/24/2006			IMERYS 144549	IMERYS 144549
8999.0681	Certificate of Analysis - H04036	4/3/2006			IMERYS 144561	IMERYS 144561
8999.0682	Certificate of Analysis - H05046	5/4/2006			IMERYS 144583	IMERYS 144583
8999.0683	Certificate of Analysis - H05016	6/21/2006			IMERYS 086866	IMERYS 086866
8999.0684	Certificate of Analysis - H06196	7/19/2006			IMERYS 060359	IMERYS 060359
8999.0685	Certificate of Analysis - H07096	7/19/2006			IMERYS 116650	IMERYS 116650
8999.0686	Certificate of Analysis - H07266	7/31/2006			IMERYS 116661	IMERYS 116661
8999.0687	Certificate of Analysis - H08096	8/17/2006			IMERYS 060376	IMERYS 060376
8999.0688	Certificate of Analysis - H08286	9/1/2006			IMERYS 116689	IMERYS 116689
8999.0689	Certificate of Analysis - H10046	10/9/2006			IMERYS 116715	IMERYS 116715
8999.0690	Certificate of Analysis - H10066	10/9/2006			IMERYS 116717	IMERYS 116717
8999.0691	Certificate of Analysis - H10126	10/16/2006			IMERYS 144650	IMERYS 144650
8999.0692	Certificate of Analysis - H10146	10/16/2006			IMERYS 134388	IMERYS 134389
8999.0693	Certificate of Analysis - H10146	10/20/2006			IMERYS 117196	IMERYS 117196
8999.0694	Certificate of Analysis - H10166	10/20/2006			IMERYS 116721	IMERYS 116721
8999.0695	Certificate of Analysis - H11096	11/13/2006			IMERYS 116736	IMERYS 116736
8999.0696	Certificate of Analysis - H11116	11/14/2006			IMERYS 144659	IMERYS 144659
8999.0697	Certificate of Analysis - H11156	11/21/2006			IMERYS 224836	IMERYS 224836
8999.0698	Certificate of Analysis - H11186	11/22/2006			IMERYS 224838	IMERYS 224838
8999.0699	Certificate of Analysis - H11216	12/4/2006			IMERYS 060438	IMERYS 060438
8999.0700	Certificate of Analysis - H12036	12/5/2006			IMERYS 144668	IMERYS 144668
8999.0701	Certificate of Analysis - H11266	12/18/2006			IMERYS 116757	IMERYS 116757
8999.0702	Certificate of Analysis - H12146	12/18/2006			IMERYS 060444	IMERYS 060444
8999.0703	Certificate of Analysis - H10167	10/19/2007			IMERYS 078609	IMERYS 078609
8999.0704	Certificate of Analysis - H02218	2/24/2008			IMERYS 142538	IMERYS 142538
8999.0705	Certificate of Analysis - H02268	2/28/2008			IMERYS 142471	IMERYS 142484
8999.0706	Certificate of Analysis - H02118	3/24/2008			IMERYS 057095	IMERYS 057107
8999.0707	Certificate of Analysis - H03258	3/31/2008			IMERYS 111884	IMERYS 111897
8999.0708	Certificate of Analysis - H03298	4/1/2008			IMERYS 111899	IMERYS 111911
8999.0709	Certificate of Analysis - H03318	4/2/2008			IMERYS 142486	IMERYS 142497
8999.0710	Certificate of Analysis - H04028	4/8/2008			IMERYS 111912	IMERYS 111924
8999.0711	Certificate of Analysis - H04048	4/28/2008			IMERYS 222221	IMERYS 222233
8999.0712	Certificate of Analysis - H04198	4/29/2008			IMERYS 057115	IMERYS 057129
8999.0713	Certificate of Analysis - H04198	4/30/2008			IMERYS 222235	IMERYS 222248
8999.0714	Certificate of Analysis - H05128	5/14/2008			IMERYS 142499	IMERYS 142512
8999.0715	Certificate of Analysis - H05148	5/22/2008			IMERYS 057144	IMERYS 057156
8999.0716	Certificate of Analysis - H05208	5/23/2008			IMERYS 057130	IMERYS 057143
8999.0717	Certificate of Analysis - H06078	6/10/2008			IMERYS 222249	IMERYS 222261
8999.0718	Certificate of Analysis - H06098	6/13/2008			IMERYS 111930	IMERYS 111942

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8999.0719	Certificate of Analysis - H06118	6/15/2008			IMERYS 142515	IMERYS 142528
8999.0720	Certificate of Analysis - H06258	6/30/2008			IMERYS 111944	IMERYS 111955
8999.0721	Certificate of Analysis - H06278	7/2/2008			IMERYS 057157	IMERYS 057168
8999.0722	Certificate of Analysis - H06308	7/8/2008			IMERYS 057171	IMERYS 057179
8999.0723	Certificate of Analysis - H07168	7/21/2008			IMERYS 111962	IMERYS 111977
8999.0724	Certificate of Analysis - H07308	8/4/2008			IMERYS 111992	IMERYS 111992
8999.0725	Certificate of Analysis - H08058	8/18/2008			IMERYS 057207	IMERYS 057207
8999.0726	Certificate of Analysis - H08138	8/18/2008			IMERYS 112031	IMERYS 112031
8999.0727	Certificate of Analysis - H08278	9/2/2008			IMERYS 222313	IMERYS 222313
8999.0728	Certificate of Analysis - H09068	9/10/2008			IMERYS 057218	IMERYS 057218
8999.0729	Certificate of Analysis - H09098	9/16/2008			IMERYS 222309	IMERYS 222309
8999.0730	Certificate of Analysis - H09188	9/22/2008			IMERYS 112063	IMERYS 112063
8999.0731	Certificate of Analysis - H10028	10/5/2008			IMERYS 142561	IMERYS 142561
8999.0732	Certificate of Analysis - H10048	10/8/2008			IMERYS 057232	IMERYS 057232
8999.0733	Certificate of Analysis - H10128	10/15/2008			IMERYS 222332	IMERYS 222332
8999.0734	Certificate of Analysis - H10178	10/20/2008			IMERYS 142576	IMERYS 142576
8999.0735	Certificate of Analysis - H10208	10/23/2008			IMERYS 057239	IMERYS 057239
8999.0736	Certificate of Analysis - H10258	10/28/2008			IMERYS 222341	IMERYS 222341
8999.0737	Certificate of Analysis - H10278	10/30/2008			IMERYS 222346	IMERYS 222346
8999.0738	Certificate of Analysis - H11068	11/9/2008			IMERYS 142591	IMERYS 142591
8999.0739	Certificate of Analysis - H11098	11/11/2008			IMERYS 142593	IMERYS 142593
8999.0740	Certificate of Analysis - H11208	11/25/2008			IMERYS 112129	IMERYS 112136
8999.0741	Certificate of Analysis - H12018	12/5/2008			IMERYS 222360	IMERYS 222360
8999.0742	Certificate of Analysis - H12048	12/8/2008			IMERYS 057281	IMERYS 057281
8999.0743	Certificate of Analysis - H12128	12/15/2008			IMERYS 057287	IMERYS 057296
8999.0744	Certificate of Analysis - H01039	1/8/2009			IMERYS 057298	IMERYS 057298
8999.0745	Certificate of Analysis - H01059	1/16/2009			IMERYS 222379	IMERYS 222379
8999.0746	Certificate of Analysis - H01199	1/28/2009			IMERYS 112176	IMERYS 112177
8999.0747	Certificate of Analysis - H02079	2/12/2009			IMERYS 057323	IMERYS 057323
8999.0748	Certificate of Analysis - H02119	2/18/2009			IMERYS 057326	IMERYS 057326
8999.0749	Certificate of Analysis - H02189	2/25/2009			IMERYS 057332	IMERYS 057332
8999.0750	Certificate of Analysis - H03099	3/13/2009			IMERYS 057338	IMERYS 057338
8999.0751	Certificate of Analysis - H03139	3/25/2009			IMERYS 142637	IMERYS 142637
8999.0752	Certificate of Analysis - H03259	3/30/2009			IMERYS 142646	IMERYS 142646
8999.0753	Certificate of Analysis - H04149	4/17/2009			IMERYS 057348	IMERYS 057348
8999.0754	Certificate of Analysis - H04229	4/27/2009			IMERYS 222411	IMERYS 222411
8999.0755	Certificate of Analysis - H05069	5/8/2009			IMERYS 142654	IMERYS 142654
8999.0756	Certificate of Analysis - H05139	5/18/2009			IMERYS 222424	IMERYS 222424
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8999.0758	Certificate of Analysis - H05189-21	5/21/2009			IMERYS 057382	IMERYS 057382
8999.0759	Certificate of Analysis - H06109-21	6/15/2009			IMERYS 057399	IMERYS 057399
8999.0760	Certificate of Analysis - H06199-21	6/24/2009			IMERYS 112283	IMERYS 112283
8999.0761	Certificate of Analysis - H06239-21	6/26/2009			IMERYS 222440	IMERYS 222440
8999.0762	Certificate of Analysis - H07969-21	7/9/2009			IMERYS 057409	IMERYS 057409
8999.0763	Certificate of Analysis - H07089-21	7/15/2009			IMERYS 112299	IMERYS 112299
8999.0764	Certificate of Analysis - H07149-21	7/17/2009			IMERYS 057422	IMERYS 057422
8999.0765	Certificate of Analysis - H07229-21	7/27/2009			IMERYS 142693	IMERYS 142693
8999.0766	Certificate of Analysis - H07279-21	7/29/2009			IMERYS 057424	IMERYS 057424
8999.0767	Certificate of Analysis - H07299-21	8/3/2009			IMERYS 142700	IMERYS 142700
8999.0768	Certificate of Analysis - H07319-21	8/5/2009			IMERYS 222456	IMERYS 222456
8999.0769	Certificate of Analysis - H08049-21	8/7/2009			IMERYS 112328	IMERYS 112328
8999.0770	Certificate of Analysis - H08169-21	8/20/2009			IMERYS 112337	IMERYS 112337
8999.0771	Certificate of Analysis - H08189-21	8/21/2009			IMERYS 112339	IMERYS 112339
8999.0772	Certificate of Analysis - H08209-21	8/27/2009			IMERYS 112343	IMERYS 112343
8999.0773	Certificate of Analysis - H08269-21	9/2/2009			IMERYS 112348	IMERYS 112348
8999.0774	Certificate of Analysis - H09039-21	9/14/2009			IMERYS 142719	IMERYS 142719
8999.0775	Certificate of Analysis - H12099	10/10/2009			JNJTALC000283403	JNJTALC000283403
8999.0776	Certificate of Analysis - H10131-21	10/15/2009			IMERYS 142731	IMERYS 142731
8999.0777	Certificate of Analysis - H09039-21	10/27/2009			IMERYS 112353	IMERYS 112353
8999.0778	Certificate of Analysis - H09219-21	10/27/2009			IMERYS 057459	IMERYS 057459
8999.0779	Certificate of Analysis - H09039-21	11/6/2009			IMERYS 078477	IMERYS 078477
8999.0780	Certificate of Analysis - H09219-21; H09039-21	11/6/2009			IMERYS 085486	IMERYS 085487
8999.0781	Certificate of Analysis - H09219-21	11/6/2009			IMERYS 037198	IMERYS 037198
8999.0782	Certificate of Analysis - H11109-21	11/17/2009			IMERYS 112373	IMERYS 112373
8999.0783	Certificate of Analysis - H11239-21	12/4/2009			IMERYS 222478	IMERYS 222478
8999.0784	Certificate of Analysis - H12049-21	12/10/2009			IMERYS 112387	IMERYS 112387
8999.0785	Certificate of Analysis - H12099	12/10/2009			JNJ 000218978	JNJ 000218978
8999.0786	Certificate of Analysis - H12149-21	12/18/2009			IMERYS 222485	IMERYS 222485
8999.0787	Certificate of Analysis - H12239-21	1/5/2010			IMERYS 116060	IMERYS 116066
8999.0788	Certificate of Analysis - H01070-21	1/11/2010			IMERYS 116068	IMERYS 116082
8999.0789	Certificate of Analysis - H01160-21	1/16/2010			IMERYS 144352	IMERYS 144356
8999.0790	Certificate of Analysis - H01100-21	1/19/2010			IMERYS 116093	IMERYS 116100
8999.0791	Certificate of Analysis - H01300-21	2/1/2010			IMERYS 144357	IMERYS 144362
8999.0792	Certificate of Analysis - H02010-21	2/5/2010			IMERYS 224545	IMERYS 224558
8999.0793	Certificate of Analysis - H02050-21	2/19/2010			IMERYS 116110	IMERYS 116123
8999.0794	Certificate of Analysis - H03080-21	3/11/2010			PHA 000002566	PHA 000002566
8999.0795	Certificate of Analysis - H03170-21	3/22/2010			PHA 000002575	PHA 000002575
8999.0796	Certificate of Analysis - H03230-21	3/26/2010			PHA 000002555	PHA 000002555
8999.0797	Certificate of Analysis - H03300-21	4/5/2010			PHA 000002545	PHA 000002545
8999.0798	Certificate of Analysis - H04080-21	4/12/2010			IMERYS 060029	IMERYS 060042
8999.0799	Certificate of Analysis - H04150-21	4/19/2010			PHA 000002537	PHA 000002537
8999.0800	Certificate of Analysis - H04280-21	4/30/2010			PHA 000002519	PHA 000002519

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8999.0803	Certificate of Analysis - H05070-21	5/10/2010			PHA 000002510	PHA 000002510
8999.0804	Certificate of Analysis - H05120-21	5/10/2010			PHA 000002501	PHA 000002501
8999.0805	Certificate of Analysis - H05160-21	5/19/2010			PHA 000002492	PHA 000002492
8999.0806	Certificate of Analysis - H05190-21	5/24/2010			PHA 000002479	PHA 000002479
8999.0807	Certificate of Analysis - H006040-21	6/8/2010			PHA 000002735	PHA 000002735
8999.0808	Certificate of Analysis - H06060-21	6/9/2010			PHA 000002715	PHA 000002715
8999.0809	Certificate of Analysis - H06080-21	6/11/2010			PHA 000002724	PHA 000002724
8999.0810	Certificate of Analysis - H06100-21	6/22/2010			PHA 000002698	PHA 000002698
8999.0811	Certificate of Analysis - H06160-21	6/23/2010			PHA 000002707	PHA 000002707
8999.0812	Certificate of Analysis - H06240-21	6/28/2010			PHA 000002688	PHA 000002688
8999.0813	Certificate of Analysis - H06260-21	6/29/2010			PHA 000002653	PHA 000002653
8999.0814	Certificate of Analysis - H06280-21	7/1/2010			PHA 000002665	PHA 000002665
8999.0815	Certificate of Analysis - H07010-21	7/12/2010			PHA 000002677	PHA 000002677
8999.0816	Certificate of Analysis - H07110-21	7/13/2010			IMERYS 430126	IMERYS 430136
8999.0817	Certificate of Analysis - H07110-21	7/29/2010			PHA 000002642	PHA 000002642
8999.0818	Certificate of Analysis - H07090-21	8/5/2010			PHA 000002632	PHA 000002632
8999.0819	Certificate of Analysis - H07280-21	8/11/2010			PHA 000002611	PHA 000002611
8999.0820	Certificate of Analysis - H08050-21	8/11/2010			PHA 000002592	PHA 000002592
8999.0821	Certificate of Analysis - H08100-21	8/16/2010			PHA 000002624	PHA 000002624
8999.0822	Certificate of Analysis - H08130-21	8/18/2010			PHA 000002601	PHA 000002601
8999.0823	Certificate of Analysis - H08230-21	9/6/2010			PHA 000002582	PHA 000002582
8999.0824	Certificate of Analysis - H08150-21	9/13/2010			PHA 000002469	PHA 000002469
8999.0825	Certificate of Analysis - H09070-21	9/16/2010			PHA 000002458	PHA 000002458
8999.0826	Certificate of Analysis - H09130-21	9/27/2010			PHA 000002451	PHA 000002451
8999.0827	Certificate of Analysis - H09150-21	9/27/2010			PHA 000002421	PHA 000002421
8999.0828	Certificate of Analysis - H09260-21	10/1/2010			PHA 000002440	PHA 000002440
8999.0829	Certificate of Analysis - H10010-21	10/7/2010			PHA 000002433	PHA 000002433
8999.0830	Certificate of Analysis - H10090-21	10/18/2010			PHA 000002401	PHA 000002401
8999.0831	Certificate of Analysis - H10050-21	10/25/2010			PHA 000002389	PHA 000002389
8999.0832	Certificate of Analysis - H10190-21	10/25/2010			PHA 000002410	PHA 000002410
8999.0833	Certificate of Analysis - H10250-21	11/5/2010			PHA 000002380	PHA 000002380
8999.0834	Certificate of Analysis - H05250-97	11/12/2010			IMERYS 130682	IMERYS 130682
8999.0835	Certificate of Analysis - H10300-21	11/19/2010			PHA 000002020	PHA 000002020
8999.0836	Certificate of Analysis - H11050-21	11/22/2010			PHA 000002003	PHA 000002003
8999.0837	Certificate of Analysis - H11190-21	12/6/2010			PHA 000002013	PHA 000002013
8999.0838	Certificate of Analysis - H11210-21	12/8/2010			PHA 000001992	PHA 000001992
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8999.0842	Certificate of Analysis - H12300-21	1/17/2011			PHA 000001956	PHA 000001956
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8999.0854	Certificate of Analysis - H04171-21	4/21/2011			PHA 000001815	PHA 000001815
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8999.0882	Certificate of Analysis - H09041-21	9/9/2011			PHA 000001501	PHA 000001501

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8999.0903	Certificate of Analysis - H12281-21	2/2/2012			IMERYS 142959	IMERYS 142973
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8999.0909	Certificate of Analysis - H02192-21	3/20/2012			IMERYS 112944	IMERYS 112957
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8999.0914	Certificate of Analysis - H04112-21	4/16/2012			IMERYS 222727	IMERYS 222727
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8999.0916	Certificate of Analysis - H04172-C4	4/17/2012			IMERYS 047030	IMERYS 047030
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8999.0931	Certificate of Analysis - H05122-C4	5/14/2012			IMERYS 047028	IMERYS 047028
8999.0932	Certificate of Analysis - H05172-21	5/22/2012			IMERYS 047034	IMERYS 047034
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8999.0961	Certificate of Analysis - H09272-21	10/5/2012			PHA 000002178	PHA 000002178
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8999.0964	Certificate of Analysis - H10012-21	10/15/2012			IMERYS 047601	IMERYS 047601
8999.0965	Certificate of Analysis - H10122-21	10/16/2012			PHA 000002169	PHA 000002169

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EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
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8999.1052	Certificate of Analysis - H02264-C4	2/27/2014			PHA 000000062	PHA 000000062
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EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
8999.1130	Certificate of Analysis - H07295-D7	7/29/2015			PHA 000000328	PHA 000000329
8999.1131	Certificate of Analysis - H08205-D7	8/24/2015			PHA 000000316	PHA 000000317
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8999.1161	Certificate of Analysis - H05126-D7	5/13/2016			PHA 000003122	PHA 000003123
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8999.1172	Certificate of Analysis - H10256-D7	10/27/2016			PHA 000002804	PHA 000002805
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8999.1175	Certificate of Analysis - H12186-D7	12/20/2016			PHA 000002763	PHA 000002764
8999.1176	Certificate of Analysis - H12196-D7	12/21/2016			PHA 000002957	PHA 000002958
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8999.1178	Certificate of Analysis - H01177-D7	1/19/2017			PHA 000002777	PHA 000002778
8999.1179	Certificate of Analysis - H02077-D7	2/9/2017			PHA 000002740	PHA 000002741
8999.1180	Certificate of Analysis - H02197-D7	2/22/2017			PHA 000002979	PHA 000002980
8999.1181	Certificate of Analysis - H02177-D7	2/24/2017			PHA 000002970	PHA 000002971
8999.1182	Certificate of Analysis - H03147-D7	3/16/2017			PHA 000002992	PHA 000002993
9000	Abelmann, A., M. E. Glynn, J. S. Pierce, P. K. Scott, S. Serrano, and D. J. Paustenbach. 2015. Historical ambient airborne asbestos concentrations in the United States - an analysis of published and unpublished literature (1960s-2000s). Inhalation Toxicology 27 (14):754-766.	2015				
9001	ACGIH (American Conference of Governmental Industrial Hygienists). 2010. Talc. In Respirable Particulate Matter (Containing No Asbestos and <1% Crystalline Silica). Cincinnati, OH: American Conference of Governmental Industrial Hygienists. p. 1-11.	2010				
9002	Agency for Toxic Substances and Disease Registry (ATSDR). 2001. Toxicological profile for asbestos. U.S. Department of Health and Human Services (DHHS), Public Health Service, Agency for Toxic Substances and Disease Registry (ATSDR).	2001				
9003	Agudo A, González CA, Bleda MJ, Ramirez J, Hernández S, López F, Calleja A, Panadès R, Turuguet D, Escolar A, Baltrán M, González-Moya JE. 2000. Occupation and risk of malignant pleural mesothelioma: A case-control study in Spain. Am J Ind Med 37:159–168.	2000				
9004	Aguilar-Madrid G, Robles-Perez E, Juarez-Perez CA, Alvarado-Cabrero I, Rico-Mendez FG, K-G Javier K-G. 2010. Case-control study of pleural mesothelioma in workers with social security in Mexico. Am J Ind Med 53:241–251.	2010				
9005	Albert RE, Train RE, Anderson EL. 1977. Rationale developed by the Environmental Protection Agency for the assessment of carcinogen risks. J Natl Cancer Inst 58:1537-1541	1977				
9006	Anderson, D.L., Mogk, D.W., and Childs, J.F. (1990) Petrogenesis and timing of talc formation in the Ruby Range, southwestern Montana. Economic Geology, 85, 585-600	1990				

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EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
9007	Andersson M, Wallin H, Jönsson M., Nielsen LL, Visfeldt J, Vyberg M, Bennett WP, De Benedetti VMG, Travis LB, Storm HH. 1995. Lung carcinoma and malignant mesothelioma in patients exposed to Thoratrast: Incidence, histology and *p53* status. Int J Cancer 63:330–336.	1995				
9008	Armitage P, Doll R. 1954. The age distribution of cancer and a multistage theory of carcinogenesis. Br J Cancer 8:1–12.	1954				
9010	Aylott, R. I., G. A. Byrne, J. D. Middleton, and M. E. Roberts. 1979. Normal use levels of respirable cosmetic talc: Preliminary study. International Journal of Cosmetic Science 1 (3):177-86.	1979				
9011	Bailey, K. F., J. Kelse, A. G. Wylie, and R. J. Lee. 2003. The Asbestiform and Nonasbestiform Mineral Growth Habit and Their Relationship to Cancer Studies. April 2003. Accessed June 2, 2016: http://www.capcoa.org/Docs/noa/%5B26%5D%20Pictorial%20Guide%20Asb%20and%2 0non-asb.pdf.	2003				
9012	Balzer, J. L., and W. C. Cooper. 1968. The work environment of insulating workers. Am Ind Hyg Assoc J 29 (3):222-7.	1968				
9013	Bandli, B. and Gunter. M. - Scanning Electron Microscopy and Transmitted Electron Backscatter Diffraction Examination of Asbestos Standard Reference Materials, Amphibole Particles of Differing Morphology, and Particle Phase Discrimination from Talc Ores, Microsc. Microanal. 20, 1805-1816 (2014)	2014				
9014	Bang KM, Kim JH. 2001. Prevalence of cigarette smoking by occupation and industry in the United States. Am J Ind Med 40:233–239.	2001				
9015	Bariş YI, Grandjean P. 2006. Prospective study of mesothelioma mortality in Turkish villages with exposure to fibrous zeolite. J Natl Cancer Inst 98(6):414–417.	2006				
9016	Barlow CA, Lievense L, Gross S, Ronk CJ, Paustenbach DJ. 2013. The role of genotoxicity in asbestos-induced mesothelioma: An explanation for the differences in carcinogenic potential among fiber types. Inhalat Toxicol 25(9):553–567.	2013				
9017	Barnicoat, A.C. and Fry, N. (1986) High-pressure metamorphism of the Zermatt-Saas ophiolite zone, Switzerland. Journal of the Geological Society, London, 143, 607-618	1986				
9018	Barsky SH, Roth MD, Kleerup EC, Simmons M, Tashkin DP. Histopathologic and molecular alterations in bronchial epithelium in habitual smokers of marijuana, cocaine, and/or tobacco. J Natl Cancer Inst. 1998 Aug 19;90(16):1198-205	1998				
9019	Bazire L, De Rycke Y, Asselain B, Fourquet A, Kirova YM. 2017. Risks of second malignancies after breast cancer treatment: Long-term results. Cancer / Radiothérapie 21:10–15.	2017				
9020	Berg, R.B. (1979) Talc and chlorite deposits in Montana. Memoir 45, Montana Bureau of Mines and Geology, Butte, Montana, 66 pp [Textbook]	1979				
9021	Berg, R.B. (1990) Montana's industrial minerals. Special Paper 23, Proceedings of the 25th Forum on the Geology of Industrial Minerals, Portland, Oregon, 37-44	1990				
9022	Berg, R.B. (1991) Geology of talc and chlorite deposits in Montana. Proceedings of the 27th Forum on the Geology of Industrial Minerals, British Columbia Geological Survey Branch Open File 1991-23, 81-92	1991				
9023	Berg, R.B. (1995) Geology of western U.S. talc deposits. Special Publication 110, Proceedings of the 29th Forum on the Geology of Industrial Minerals, Long Beach, California, 69-79	1995				
9024	Berg, R.B. (1997) Montana's changing industrial minerals industry. Wyoming State Geological Survey Public Information Circular, 38, 167175	1997				
9025	Berman DW, Crump KS. 2003. Environmental Protection Agency. Final draft: Technical support document for a protocol to assess asbestos-related risk. EPA# 9345.4-06. U.S. Environmental Protection Agency (EPA), Office of Solid Waste and Emergency Response, Washington, DC. October.	10/2003				
9026	Berman DW, Crump KS. 2008a. Update of potency factors for asbestos-related lung cancer and mesothelioma. Crit Rev Toxicol 38(S1): 1–47.	8/12/2008				
9027	Berman DW, Crump KS. 2008b. A meta-analysis of asbestos-related cancer risk that addresses fiber size and mineral type. Crit Rev Toxicol 38(S1): 49–73.	8/21/2008				
9028	Bernstein D, Dunnigan J, Hesterberg T, Brown R, Velasco JAL, Barrero R, Hoskins J, and Gibbs A. 2013. Health risk of chrysotile revisited. Crit Rev Toxicol 43(2): 154–183.	2013				
9029	Bernstein DM, Rogers R, Sepulveda R, Kunzendorf P, Bellmann B, Ernst H, Phillips JI. 2014. Evaluation of the deposition, translocation and pathological response of brake dust with and without added chrysotile in comparison to crocidolite asbestos following short term inhalation: Interim results. Toxicol Appl Pharmacol 276(1):28–46.	2014				

EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
9030	Bernstein DM, Rogers R, Sepulveda R, Kunzendorf P, Bellmann B, Ernst H, Phillips JI. 2015. Evaluation of the fate and pathological response in the lung and pleura of brake dust alone and in combination with added chrysotile compared to crocidolite asbestos following short-term inhalation exposure. Toxicol Appl Pharmacol 283(1):20–34.	2015				
9031	Bernstein DM, Rogers R, Smith P, Chevalier J. 2006. The toxicological response of Brazilian chrysotile asbestos: A multi-dose sub-chronic 90-day inhalation toxicology study with 92 day recovery to assess cellular and pathological response. Inhalat Toxicol 18:313–332.	2006				
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9033	Berrington de Gonzalez A, Curtis RE, Gilbert E, Berg CD, Smith SA, Stovall M, Ron E. 2010. Second solid cancers after radiotherapy for breast cancer in SEER cancer registries. Br J Cancer 102:220–226.	11/24/2009				
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9035	Blount, A.M. “Amphibole Content of Cosmetic and Pharmaceutical Talcs,” 94 Envtl. Health Perspectives, 94:225-30 (1991), in Industrial Minerals and Rocks (Kogel, J.E., et al., eds.)	1991				
9036	Blount, A.M. and Vassilou, A.H., Identification of chlorite and serpentine in cosmetic or pharmaceutical talc, Environ Health Perspect. 51:379-385, 1983	1983				
9037	Blount, A.M., Williams, D., Jenkins, J., and Warner, B. (1983) Expandable layer silicates associated with the hydrothermal talc deposits of Murphy, North Carolina. Economic Geology, 78, 486-497	1983				
9038	Boffetta P. 2007. Epidemiology of peritoneal mesothelioma: A review. Ann Oncol 18:985–990.	2007				
9039	Bosetti C, La Vecchia C, Lipworth L, McLaughin JK. 2003. Occupational exposure to vinyl chloride and cancer risk: A review of the epidemiologic literature. Eur J Cancer Prev (5):427–430.	2003				
9040	Bott M, Brevet M, Taylor BS, Shimizu S, Ito T, Wang L, Creaney J, Lake RA, Zakowski MF, Reva B, Sander C, Delsite R, Powell S, Zhou Q, Shen R, Olshen A, Rusch V, Ladanyi M. 2011. The nuclear deubiquitinase BAP1 is commonly inactivated by somatic mutations and 3p21.1 losses in malignant pleural mesothelioma. Nat Genet 43:668–672.	2011				
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9042	Bourdes - Environmental exposure to asbestos and risk of pleural mesothelioma: review and meta-analysis					
9043	Brenner DJ, Doll R, Goodhead DT, Hall EJ, Land CE, Little JB, Lubin JH, Preston DL, Preston RJ, Puskin JS, Ron E, Sachs RK, Samet JM, Setlow RB, Zaider M., Cancer risks attributable to low doses of ionizing radiation: Assessing what we really know, 2003	2003				
9044	British Thoracic Association Medical Research Council. 1979. A survey of the long-term effects of talc and kaolin pleurodesis. Br J Dis Chest 73:285–288.	1979				
9045	Brown, B.M. and Gunter, M.E. (2003) Morphological and optical characterization of amphiboles from Libby, Montana U.S.A. by spindle stage assisted polarized light microscopy. The Microscope, 51, 3, 121-140	2003				
9046	Browne K. 2001. The quantitative risks of mesothelioma and lung cancer in relation to asbestos exposure: Asbestos and cancer. Ann Occup Hyg 45(4):327–329.	2001				
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9048	Bruno C, Tumino R, Fazzo L, Cascone G, Cernigliaro A, De Santis M, Giurdanella MC, Nicita C, Rollo PC, Scondotto S, Spata E, Zona A, Comba P. 2014. Incidence of pleural mesothelioma in a community exposed to fibres with fluoro-edenitic composition in Biancavilla (Sicily, Italy). Ann Ist Super Sanita 50(2):111–118.	2014				
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9050	Buzon, M.E. (2016) Talc Characterization: A Provenance Study. PhD dissertation, University of Idaho, Moscow, Idaho, pp. 39, 202.	2016				
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EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
9052	Campbell - Bureau of Mines Report of Investigations - Relationship of Mineral Habit to Size Characteristics for Tremolite Cleavage Fragments and Fibers	1979				
9053	Campbell, W. J., R. L. Blake, L. L. Brown, E. E. Cather, and J. J. Sjoberg. 1977. Selected Silicate Minerals and Their Asbestiform Varieties: Mineralogical Definitions and Identification-Characterization. Information Circular 8751. Washington, D.C.: U.S. Department of the Interior, U.S. Bureau of Mines Report of Investigations.	1977				
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9515	30 Fed. Reg. 15,855, 15,856, & 15,861 – Rules and Regulations					
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10137	8/20/1973 Memo from R. Schaffner to Acting Commissioner, FDA re asbestos in cosmetic talc - action memorandum (Final Draft) with attachments	8/20/1973	Schaffner, R.		Kazan_FDA_FOIA 011654	Kazan_FDA_FOIA 011660
10138	12/5/2012 Memo from Chemist, Cosmetics Staff (DHHS) to J. Gasper re: Chemistry Review of Citizen Petition FDA-2008-P-0309 & Citizen Petition FDA-1994-P-0067-DRAFT-0001	12/5/2012		Gasper, J.		
10139	12/6/2012 Memo from J. Corrado to J. Gasper re Gynecology Consulting Review on Citizen Petitions 94P-0420 and FDA-2008-P-0309-001	12/6/2012	Corrado, J.	Gasper, J.		

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10142	10/31/2018 Affidavit of Robert K. Denton with Exhibit 1 - 11/23/1993 Memo from R. Denton to W. Ashton re Trip Report Talc Validation Meeting	10/31/2018	Denton, R.			
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10173	3/7/1974 Letter from W. Nashed to R. Schaffner re arranging brief session between J&J and Commissioner regarding talc/asbestos with attachments	3/7/1974	Nashed, W.	Schaffner, R.		
10174	12/16/2018 Twitter post by Saudi FDA, "Arabia is free of asbestos"	12/16/2018				
10175	12/17/2018 Press Release by JFDA, Johnson's Baby Powder is free from carcinogens	12/17/2018				
10176	12/17/2018 Press Release by Kuwaiti Health official: Asbestos-containing cosmetic products banned in Kuwait and GCC	12/17/2018				
10177	12/19/2018 Press Release, MOH uncovers the truth about "Talcum Powder" containing carcinogenic substances	12/19/2018				
10178	The Straights Times, No asbestos found in Johnson & Johnson's baby powder in Singapore: HSA (Accessed 12/27/2018, https://www.straitstimes.com/singapore/no-asbestos-found-in-johnson-johnsons-baby-powder-in-singapore-health-sciences-authority)	12/22/2018				

ELECTRONICALLY FILED 2022 Sep 27 10:22 PM - CHARLESTON COUNTY, SOUTH CAROLINA - CASE #2018CP1002946

EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
10179	Clinical Safety Data Management: Definitions and Standards for Expedited Reporting (Int'l Conference on Harmonisation of Technical Requirements for Registration of Pharmaceuticals for Human Use)	10/27/1994				
10180	21 CFR Ch. 1, Part 701: Cosmetic Labeling (4-1-16 Edition)	4/1/2016				
10181	FDA, Good Manufacturing Practice (GMP) Guidelines/Inspection Checklist for Cosmetics (Accessed 8/15/2019, https://www.fda.gov/cosmetics/cosmetics-guidance-documents/good-manufacturing-practice-gmp-guidelinesinspection-checklist-cosmetics)					
10182	Timbrell, V., et al., The Effect of Shape on Particle Penetration and Retention in Animal Lungs. Inhaled Particles III, Ed. W.H. Walton, Proceedings of an Int'l Symposium organized by the British Occupational Hygiene Society in London, 14-23 September 1970	1970				
10183	Draft Guidance for Industry: Cosmetic Good Manufacturing Practices, dated 2/12/1997, revised 4/24/2008 and June 2013	1997				
10184	U.S. Department of Commerce, Asbestos Standards: Materials and Analytical Methods. NBS Special Publication 619, Proceedings of the NBS/EPA Asbestos Standards Workshop held at the Nat'l Bureau of Standards, Gaithersburg, MD, October 1-3, 1980	1980				
10185	PowerPoint Presentation: Johnson's Baby Powder Health of Business					
10186	ATSDR, Asbestos and Health: Frequently Asked Questions					
10187	Kang, D., et al., Systematic Review of the Effects of Asbestos Exposure on the Risk of Cancer between Children and Adults. Ann Occup and Environ Med 2013: 25:10	2013				
10188	Gibbs, A., et al., The "Helsinki Criteria" for Attribution of Lung Cancer to Asbestos Exposure. Arch Pathol Lab Med, Vol. 131, Feb. 2007	2007				
10189	Rubino, G., et al., Talc Miners and Millers Mortality: Further Investigations (May 1976) -- Draft, Subject to Revision	1976			JNJ 000026447	JNJ 000026455
10190	Kanarek, M., et al., Mesothelioma from Asbestos Exposure in Brake Mechanics: Epidemiology in Context. Epi (Sunnyvale), 8:2 (2018)	2018				
10191	Lee, R., Letter to the Editor: Response to Gordon 2016. Int'l J Occup and Environ Health, 23(2):172-176 (2017)	2017				
10192	Gordon, R., Letter to the Editor: Response to Second Letter by Lee et al. of 2016. Int'l J Occup and Environ Health, 23(2):177-180 (2017)	2017				
10193	Roggli, V., et al., Analysis of Tissue Mineral Fiber Content. Pathology of Asbestos - Associated Diseases, 3rd Ed. Ed. Oury, T, et al. (2014)	2014				
10194	Lippmann, M., Deposition and retention of inhaled fibers: effects on incidence of lung cancer and mesothelioma. Occup and Environ Med, 51:793-798 (1994)	1994				
10195	Kohyama, N., et al., Mineral Phases and Some Reexamined Characteristics of the International Union Against Cancer Standard Asbestos Samples. Am J Indus Med, 30:515-528 (1996)	1996				
10196	Wagner, J., et al., Recent Investigations in Animals and Humans. Accomplishments in Oncology, 1(2):111-120 (Dec. 1986)	1986				
10197	Cook, D., et al., 'Mucin-positive' epithelial mesothelioma of the peritoneum: an unusual diagnostic pitfall. Histopath, 37:33-36 (2000)	2000				
10198	Ostrander, G., et al., Shark Cartilage, Cancer and the Growing Threat of Pseudoscience. Cancer Research 64:8485-8491 (Dec. 1, 2004)	2004				
10199	Weiss, B., et al., Commercial Talc and Talcosis. Arch Environ Health 14:304-308 (Feb. 1967)	1967				
10200	Mao, W., et al., Letters: Research Letter re: Association of Asbestos Exposure with Malignant Mesothelioma Incidence in Eastern China. JAMA Oncology 3(4):562-564 (Apr. 2017)	2017				
10201	Finkelstein, M., et al., Letter to the Editor: Malignant Mesothelioma and Its Nonasbestos Causes. Arch Pathol Lab Med, 143:659-660 (June 2019)	2019				
10202	Marsh, G., et al., Occupational exposures to cosmetic talc and risk of mesothelioma: an updated pooled cohort and statistical power analysis with consideration of latency period. Inhalation Tox 2019.	2019				
10203	Gibbs, A., et al., Talc Pneumoconiosis: A Pathologic and Mineralogic Study. Hum Pathol 23:1344-1354 (1992)	1992				
10204	Lemen, R., et al., Mesothelioma from asbestos exposures: Epidemiologic patterns and impact in the United States. J Tox and Environ Health, Part B, 19(5-6):250-265 (2016)	2016				
10205	Dragon, J., et al., Differential Susceptibility of Human Pleural and Peritoneal Mesothelial Cells to Asbestos Exposure. J Cell Biochem 116:1540-1552 (2015)	2015				
10206	Finkelstein, M., et al., Letter: Response to 'The epidemiology of malignant mesothelioma in women: gender differences and modalities of asbestos exposure' by Marinaccio et al. Occup Environ Med 75:844 (2018)	2018				
10207	Mensi, C., et al., Differences between peritoneal and pleural mesothelioma in Lombary, Italy. Cancer Epi 51:68-73 (2017)	2017				
10208	Kazan, S., The U.S. Asbestos Ban That Wasn't, posted on July 16, 2014 on Kazak, McClain Satterley & Greenwood website	2016				
10209	Conroy, J., Fate and Transport of Landfill Contaminants, Naval Amphibious Base Little Creek, VA. Departmental Report Civil Engineering. December 1993	1993				

EXHIBIT NUMBER	DESCRIPTION	DATE	FROM	TO	BATES BEGIN	BATES END
10210	Kindler, H., Peritoneal Mesothelioma: The Site of Origin Matters. Am Soc Clin Onc, 49th Annual Meeting, Vol. 33, May 31-June 4, 2013, at pp. 182-188	2013				
10211	Panou, V., et al., Frequency of Germline Mutations in Cancer Susceptibility Genes in Malignant Mesothelioma. J Clin Oncol, 36(28):2863-2871 (Oct. 1, 2018)	2018				
10212	Reid, H., et al., Letter to the editor: Potential public health problems of asbestos in Jamaica. Occup and Environ Med 52:214 (1995)	1995				
10213	Lowers, H., et al., USGS Tabulation of Asbestos-Related Terminology, Open File Report 02-458 (2002)	2002				
10214	Clifton, R. A., "What Is Talc?" Definitions for Asbestos and Other Health-Related Silicates, ASTM STP 834, Benjamin Levadie, Ed., American Society for Testing and Materials, Philadelphia, 1984, pp. 158-174	1984			JNJ 000224493	JNJ 000224509
10215	British Thoracic Association Medical Research Council. 1979. A survey of the long-term effects of talc and kaolin pleurodesis. Br J Dis Chest 73:285–288	1979			JNJ 000003482	JNJ 000003485
10216	Viskum K, Lange P, Mortensen J. Long term sequelae after talc pleurodesis for spontaneous pneumothorax. Pneumologie 43:105–106 (1989)	1989			JNJ 000003487	JNJ 000003488
10217	Lange P, Mortensen J, Groth S. Lung function 22-35 years after treatment of idiopathic spontaneous pneumothorax with talc poudrage or simple drainage. Thorax 43:559–561 (1988)	1988			JNJ 000003490	JNJ 000003492
10218	Stanton, M.F. et al. "Relation of Particle Dimension to Carcinogenicity in Amphibole Asbestoses and Other Fibrous Minerals," JNCI, pp. 67(5): 965-975 (1981)	1981			JNJ 000003494	JNJ 000003505
10219	Wagner, J.C., G. Berry, T. J. Ce, R. J. Hill, F. D. Pooley, and J. W. Skidmore. 1977. Animal experiments with talc. In Inhaled Particles IV: Proceedings of an International Symposium organized by the British Occupational Hygiene Society, Edinburgh, Part 2, edited by W. H. Walton and B. McGovern. New York: Pergamon Press. p. 647-654 (1977)	1977			JNJ 000003509	JNJ 000003516
10220	Wagner, J.C. , et al., The Comparative Effects of Three Chrysotiles by Injection and Inhalation in Rats; IARC Sci Publ, (30), 363-72 (1980)	1980			JNJTALC000095103	JNJTALC000095112
EXPERT MATERIALS						
11000						
CASE SPECIFIC EXHIBITS						
12000						

Additional Exhibits for Johnson & Johnson - to be Supplemented

EXHIBIT 90

ELECTRONICALLY FILED 2022 Sep 21 11:09 AM -- CHEROKEE -- CASE NUMBER: PR-2022-40

COLORADO SCHOOL OF MINES RESEARCH INSTITUTE
P.O. BOX 112
GOLDEN, COLORADO 80401

TO W. H. Ashton

DATE June 8, 1973

FROM W. T. Caneer

PROJECT NO. C10704

SUBJECT Meeting with Bowling Green State University Geological Staff

A paper entitled "Asbestosform Impurities in Commercial Talcum Powders," published in the January 1972 issue of The Compass of Sigma Gamma Epsilon (Vol. 49, No. 2) stated that 18 commercial talcum powders examined contained from 4% to 46% asbestiform minerals. The average asbestiform content was 18%. The data in this paper has subsequently been quoted and has been a source of inquiry by interested individuals both in and outside of government agencies. The amount of asbestiform minerals reported is so large that the data could initiate costly FDA hearings on the matter. Since our general observations at the Research Institute relative to asbestiform minerals in talc are at such a large variance to those reported in the paper, an investigation of the paper was undertaken. To date we have reviewed the paper and have discussed the data with the authors. The people involved in the investigation were W. T. Caneer and Dr. Jerry Krause of the Research Institute and Dr. Maynard Slaughter of the Colorado School of Mines.

REVIEW OF THE PAPER

A review of the paper suggested that a number of errors are present. Some of these apparent errors may be illustrated by the following table which appeared in the paper:

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Table I

Qualitative Mineral Analyses by X-ray Diffraction

Sample Number	Talc	Asbestosform Minerals (Serp.	Trem-Act.	Anth.)	Carbonates	Anhydrite	Clay (Mica)	Misc. Mins.*
1	x	x	x			x	x	x
2	x	x				x	x	x
3	x	x				x	x	x
4	x	x	x	x	x	x	x	x
5	x	x	x			x	x	x
6	x	x		x	x	x	x	x
7	x	x				x	x	x
8	x	x	x	x	x	x	x	x
9	x	x					x	x
10	x	x				x	x	x
11	x		x		x	x	x	x
12	x				x	x	x	x
13	x		x	x	x		x	x
14	x	x			x	x	x	x
15	x	x	x			x	x	x
16	x		x					x
17	x		x	x		x	x	x
18	x	x		x		x	x	x

*Additives and inert minerals and compounds.

According to this table, asbestiform minerals were identified by X-ray diffraction. By the method of X-ray diffraction used, one could only expect to identify mineral groups to which asbestiform minerals belong. Numerous common non-asbestiform minerals also occur in these groups.

A differentiation is shown for tremolite-actinolite and anthophyllite. It is not likely that these minerals could be differentiated by the X-ray methods used.

The mineral anhydrite ($CaSO_4$) is also reported by X-ray diffraction for all except three of the samples. We have never found anhydrite in any talc samples examined at the Research Institute. Furthermore, from the standpoint of geological occurrences and rock genesis, one would not expect to find anhydrite associated with talc. With these factors in mind, a study was made to determine how one may possibly make an identification of anhydrite in talc.

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ELECTRONICALLY FILED 2022-08-01 10:39 PM CHARLESTON COUNTY 1407946

It soon became apparent that a talc k-beta diffraction peak was being interpreted as belonging to anhydrite. A filter is used to screen out k-beta radiation in X-ray diffraction analysis. However, the filter is not 100% efficient and some of the k-beta passes through the filter and can lead to erroneous interpretation.

The table also shows serpentine as one of the asbestiform minerals identified by X-ray diffraction for most of the samples. This is usually based on the occurrence of a 7-angstrom peak. However, chlorite also gives a 7-angstrom peak and chlorite is a common constituent of talc. A differentiation of the two minerals can usually be made based on other diffraction peaks. Since chlorite is a common constituent of talc and none was reported for the 18 samples, it is likely that chlorite was misidentified as serpentine.

Table II was presented in the paper and shows quantitative mineral analyses by petrographic microscopic techniques.

Table II

Quantitative Mineral Analyses by Petrographic Microscope
(Volume Percent)

Sample Number	Percent Talc Flakes	Percent Carbonate Grains	Percent Asbestosform Minerals
1	73	5	22
2	92	*trace	8
3	**79	trace	21
4	57	20	23
5	82	trace to 1	18
6	72	13	15
7	89	5	6
8	61	5	34
9	80	4	16
10	92	4	4
11	86	trace	14
12	76	20	4
13	48	6	46
14	90	4	6
15	74	4	22
16	80	trace	20
17	70	6	24
18	76	trace	24

*Less than 1 percent. **Includes muscovite.

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It is perhaps significant that no anhydrite was observed by microscopic techniques even though it was reported in 15 of the 18 samples by X-ray diffraction. It is perhaps also significant that no specific asbestiform minerals were reported in Table II -- only a total percent of asbestiform minerals. This led us to suspect that any grain with a high length to thickness ratio observed under the microscope would be classified as asbestiform. This could lead to the misidentification of the edges of talc plates and of talc shards as asbestiform minerals.

DISCUSSIONS WITH THE AUTHORS

Of the three authors, two were graduate students (Snider and Pfeiffer) at the time the paper was written. J. Mancuso is on the Geology Department staff and acted as advisor for the research and the paper. Snider is presently with the Michigan Geological Survey in Mt. Pleasant, Michigan, and Pfeiffer is a geologist for Texaco in Midland, Texas. We discussed the paper with Mancuso in Bowling Green and held telephone conversations with Snider and Pfeiffer. We made it clear to these people that the data presented in their paper could lead to very serious charges against the products. They readily agreed that their data could easily have errors, and if so it would save them much possible embarrassment at a later date by correcting their errors now.

Apparently the paper was submitted for publication to fill an issue of the journal which was being devoted entirely to the Bowling Green Geology Department. Apparently a Dr. I. I. Oster (a fruit fly expert in the Biology Department) told them that he had been conducting experiments related to the injection of talc products into mice for the purpose of determining the effects of the injections upon the mice. He requested that the Geology Department make mineralogical determinations of the asbestiform minerals in the talc products. None of the three authors had had any previous experience with talc mineralogy, but they decided that it would be a suitable subject for a paper. Our discussions yielded the following significant results.

1. All three authors readily admitted that they did a "rush-job." About 2 weeks was spent in gathering data for the paper.

2. They agreed that asbestiform minerals cannot be identified by X-ray diffraction. X-ray diffraction is capable only of identification of a mineral group which contains both asbestiform and non-asbestiform minerals.

3. They admitted that they did not adequately check the "talc edge effect" which could lead to the misidentification of talc plate edges as asbestiform minerals by microscopic analysis.

4. They did not take into account the possible presence of chlorite in the talc and could have well misidentified chlorite as serpentine (which of course includes chrysotile).

5. Relative to the identification of anhydrite, they admitted that they probably misidentified a k-beta talc peak.

6. They counted only 100 grains for their quantitative microscopic analyses. Though their data is presented in terms of volume percent they neither measured the size of the grains counted nor considered the difference in the volume of a fiber as opposed to a plate. We pointed out that the statistics involved are totally unacceptable.

7. They admitted that they probably made many errors in conducting the project and seem anxious to rectify them before there is a possible accounting with the FDA or some other agency.

8. The following list identifies the talc products examined in the Bowling Green Study.

Sample No.	Brand Name	Quoted % Asbestiform Minerals
1	Mennen Talc Powder	22
2	J&J Baby Powder	8
3	Corn Silk	21
4	Estee Lauder	23
5	Cuticura (South Africa)	18
6	Coty-Muquist de Boio	15
7	April Showers (N.Y.)	6
8	Remington Shave Talc	34
9	Cashmere Bouquet	16
10	Imprevu	4
11	Avons Sachete Occur	14
12	Heaven's Scent	4
13	Excalibur Spray (Avon)	46
14	Loves Fresh Lemon	6
15	Mennens Baby Magic	22
16	Ammens Medicated Powder (ZnO)	20
17	ZBT Baby Powder	24
18	Cuticura (U.S.A.)	24

9. About a year ago Howard Jack, who was with the American Geological Institute at the time, requested and got the list of various brands of talc examined in the Bowling Green study. His motivation is unknown to us. We have determined that Jack is now apparently with some governmental agency and we are trying to determine his interest in the samples.

We asked to see their X-ray diffraction patterns and also requested splits of the samples. They could not locate the diffraction patterns and found only two samples (Nos. 8 and 13) while we were there. They are still trying to locate the others and said that they would send them to us when and if they find them.

They spent an inadequate amount of time and have admitted to making errors relative to the identification and amount of asbestiform minerals. They apparently will not stand behind the data presented in the paper if they are pressed to do so. I also believe that they will retract the data after we present them our data and after they have had time to do some checking on their own.

/nkr

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EXHIBIT 91

ELECTRONICALLY FILED 2022 Sep 21 11:09 AM -- CHERYL ANDO, COMMON PLEAS, ASSET FORFEITURE 2022 CV 04073946

Dr. A. J. Goudie
Johnson and Johnson
Research Center
501 George Street
New Brunswick, New Jersey 08901

EXAMINATION

OF

JOHNSON AND JOHNSON'S BABY POWDER

Date: 27 October 1972

MA Number: 2546

Copy 2 of 4

walter c. mc crone associates, inc.
2820 SOUTH MICHIGAN AVENUE • CHICAGO, ILLINOIS 60616

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EXHIBIT
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EXAMINATION OF JOHNSON AND JOHNSON'S BABY POWDER

Summary

Two samples of Johnson and Johnson's Baby Powder, batch number 108T and 109T, which correspond to the samples examined by Professor Seymour Z. Lewin of New York University on behalf of the FDA have been examined by x-ray diffraction, light microscopy, transmission electron microscopy and electron diffraction to determine whether they contain any asbestiform minerals.

Both samples contained an insignificant amount of tremolite — a few isolated crystals. Neither sample contained chrysotile.

Introduction

On behalf of the FDA, Professor Seymour Z. Lewin of New York University is examining a number of commercial talcum powders for the presence of asbestiform minerals. Two of the samples which he has examined are samples of Johnson and Johnson's Baby Powder, batch number 108T and batch number 109T. Johnson and Johnson therefore requested Walter C. McCrone Associates to examine samples from the same batches to determine whether they contained any asbestiform minerals.

Materials and Method of Conducting Tests

Two samples were submitted, identified as Johnson and Johnson's Baby Powder, batch numbers 108T and 109T.

For x-ray diffraction examination, the samples were examined on a Phillips-Norelco verticle diffractometer using CuKα radiation and a scanning speed of 1° per minute. The dispersion staining technique was used for the light microscopical examination and the electron microscopy-electron diffraction examination was carried out using procedures previously described (MA report 2330-1; dated 10 August 1971).

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Results

X-ray Diffraction

The diffractograms were carefully examined in the vicinity of the major peaks of chrysotile and tremolite. Neither mineral was present. The presence of peaks in the vicinity of 12.0-12-5° 2θ, the region in which one of the principal lines of chrysotile may be found, was correlated with peaks in the vicinity of 6° 2θ and are thus attributable to chlorites. No significant peaks were observed in the 24° region which would be required were chrysotile present.

Light Microscopy

Using the dispersion staining technique and a liquid of refractive index 1.550, the samples were examined for chrysotile particles and fibers, but none could be found. Using a similar technique with a liquid of refractive index 1.605, the samples were similarly examined for the presence of tremolite and a few individual crystals were found, some rod shaped.

Electron Microscopy and Electron Diffraction

Several electron microscope grids from both samples were examined in their entirety and although some fibers were observed these were shown by electron diffraction to be shards of talc or rolled talc. No chrysotile fibers were found.

Conclusion

A detailed examination of two samples of Johnson and Johnson's Baby Powder, batch numbers 108T and 109T has shown this material to be substantially free of asbestiform minerals. A few tremolite rods were observed in both samples. No chrysotile has been detected.

Respectfully submitted,

Ian M. Stewart

Ian M. Stewart
Manager, Electron Optics Group

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EXHIBIT 92

ELECTRONICALLY FILED 2022-08-29 17:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1007946

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

TINA HERFORD and DOUGLAS HERFORD,

Plaintiffs

vs Case No. BC646315

AT&T CORP., a subsidiary of AT&T INC. and its subsidiary PACIFIC BELL TELEPHONE COMPANY, et al.,

Defendants.

VIDEO DEPOSITION OF DR. JOHN HOPKINS

Day 2

Wednesday, August 16, 2017

at: 10:03 am

Taken at:

Shook Hardy & Bacon LLP

25 Old Broad Street

London EC2N 1HQ

United Kingdom

Court Reporter:

DEIRDRA JORDAN

Job No. 2657979

asbestos dust he carries a burden that will provide a latent potential for the development of cancer for the rest of his life'".

Did I read that right?

A You did.

Q And what he means by "latent potential" is the idea of latency; right, sir?

A Yes. Long term.

Q And latency -- of course, Johnson & Johnson probably understood since the early 1900s that asbestos diseases were latent; true?

A In factory workers, who were exposed to making asbestos-based products, there could be a ten, 20 year time lag, yes.

Q Okay.

Certainly, by '71, Johnson & Johnson understood that if someone got an asbestos disease, it would be -- could be decades after the exposure; correct?

A Theoretically, yes.

Q Are there cases of asbestos disease that occur immediately after exposure?

A I'm not aware of any, no.

Q Right.

A The asbestos diseases that are most familiar in

CERTIFICATE OF COURT REPORTER

I, DEIRDRA JORDAN, an Accredited Court Reporter, hereby certify that the testimony of the witness, JOHN HOPKINS, in the foregoing transcript taken on Wednesday, August 16, 2017, was recorded by me in machine shorthand and was thereafter transcribed by me; and that the foregoing transcript is a true and accurate verbatim record of the said testimony.

I further certify that I am not a relative, employee, counsel or financially involved with any of the parties to the within cause, nor am I an employee or relative of any counsel for the parties, nor am I in any way interested in the outcome of the within cause.

Signed: .....

Name: DEIRDRA JORDAN

Date: August 28, 2017

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EXHIBIT 93

ELECTRONICALLY FILED 2022-08-24 07:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1002946

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA
---O0O---

TERESA ELIZABETH LEAVITT
and DEAN J. MCELROY,
Plaintiffs,
vs.
JOHNSON & JOHNSON, et al.,
Defendants.
_____/

No. RG17882401

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
---O0O---

PUI FONG and THAI WONG,
Plaintiff,
vs.
JOHNSON & JOHNSON, et al.,
Defendants.
_____/

JCCP CASE NO. 4674
No. BC675449

TRIAL PRESERVATION
VIDEOTAPED DEPOSITION OF JAMES PETER MITTENTHAL
(PMQ/COR Johnson & Johnson; Johnson & Johnson Consumer, Inc.)

VOLUME II, Pages 219 - 443

Taken before EARLY K. LANGLEY, B.A., RMR, RSA, CLR
CSR No. 3537

October 18, 2018

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I N D E X

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DEPOSITION OF JAMES PETER MITTENTHAL

BE IT REMEMBERED, that pursuant to Notice, and on October 18, 2018, commencing at the hour of 9:05 a.m., in the offices of Kazan, McClain, Satterley & Greenwood, 55 Harrison Street, Suite 400, Oakland, California 94607, before me, EARLY LANGLEY, a Certified Shorthand Reporter, State of California, personally appeared JAMES PETER MITTENTHAL, produced as a witness in said action, and being previously duly sworn, was thereupon examined as a witness in said cause.

---oOo---

APPEARANCES:

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P R O C E E D I N G S

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THE VIDEOGRAPHER: We're on the record. My name is Jim Partridge. I'm a qualified video technician video recording on behalf of Tele-Video Production Services.

The court reporter today is Early Langley of Aiken Welch Reporters.

Today's date is October 18, 2018. The time is now 9:05 a.m. The location of this deposition is the Kazan and McClain law firm in Oakland, California.

Today's witness is James Mittenthal. This is Volume Number II in the case of Leavitt and McElroy, et al. v. Johnson & Johnson and Fong, et al. v. Imerys Talc America, Inc.

This is Case Number RG17882401 filed in the Superior Court of California in and for the County of Alameda.

This deposition was noticed by the Kazan law firm for the plaintiff.

Would the counsel for the parties please identify themselves and for whom they are appearing.

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MR. SWANSON: Mark Swanson appearing on behalf of the plaintiffs.

MR. CARPENTER: Good morning, sir. Erin Carpenter appearing on behalf of Imerys Talc America, Inc.; Imerys Talc Vermont; and Cyprus Mines Corporation.

MR. COX: Christopher Cox on behalf of defendants Johnson & Johnson and Johnson & Johnson Consumer, Inc.

THE VIDEOGRAPHER: And on the telephone, please.

MR. BERNARDO: Richard Bernardo, also counsel for the Johnson & Johnson defendants.

JAMES PETER MITTENTHAL

previously sworn as a witness,

testified as follows:

THE VIDEOGRAPHER: Would the counsel please state any stipulations or statements they would like on the record.

None.

Counsel, you may proceed.

DIRECT EXAMINATION BY MR. SWANSON (Cont'd):

Q. Good morning, Mr. Mittenthal.

A. Good morning.

Q. You understand that you're still under oath?

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A. Yes, I do.

Q. Okay. What work have you done in connection with the Fong and/or Leavitt cases since I deposed you on September 21st in the first volume?

A. So I gathered additional materials, retention schedules. I conducted follow-on interviews with Pamela Downs and Laura Giacino, and a woman named Tina French was also present for that other interview for the purpose of understanding additional information about Fong and Leavitt collection activities.

Q. Okay.

A. I obtained -- requested and obtained a list of legal holds that encompassed consumer talc and I made a list of those holds.

Q. From whom did you --

MR. SWANSON: Before I ask the question, Early could you read that entire answer back to me please.

(Record read by the court reporter.)

BY MR. SWANSON:

Q. Okay. And those retention schedules that you gathered, did you actually do the search for those and obtain those or did you get those from counsel?

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A. I got those from counsel.

Q. Okay. And those holds are for what period of time?

A. The holds cover -- the earliest hold that I received was dated 1999.

Q. And these were additional holds that had not previously been produced to the plaintiffs; is that correct?

A. These were holds that were related to, to my understanding, issues other than mesothelioma.

Q. Now, these legal holds that you're talking about -- well, let me -- let me -- because I think I got myself confused or maybe you confused me. The additional materials that you gathered were retention policies; right?

A. I -- I gathered -- that was one of the things I got, yes, were additional retention schedules.

Q. And you gathered those -- you got those from counsel; correct?

A. Yes.

Q. And why did you get those?

A. I was -- in an effort to respond to issues

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periods in them as we went through. And I think, as I mentioned when we first started talking about this, the legal holds would also specify testing as a category to be held.

BY MR. SWANSON:

Q. Now, on retention schedules, we talked about 1997 being the first actual retention schedule. And you couldn't really tell from looking at that whether that applied to the talc testing, correct, at least from the preliminary look that you took a couple of hours ago when we looked at that; right?

MR. COX: Object to the form.

THE WITNESS: My understanding is that those schedules would cover those intervals. I would just need further study to tie the specific references made by Mr. Hicks, Ms. Downs, Mr. Zhu, Mr. Zappa, Mr. Verma, and others back to their accompanying periods in the schedules themselves.

BY MR. SWANSON:

Q. Do you have any information -- and I may ask you that tomorrow, because I don't want to continue your deposition indefinitely into the future, and I'm sure you probably agree with me there. So I may come back on that to see if we

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can specifically locate those.

But setting that aside, do you have any information that there was any kind of formal retention policy as to testing -- now you've said the first hold was in 1999; correct?

A. Yes.

Q. And the first policy we have for retention is 1997; correct?

A. Yes.

Q. So do you have any information that there was -- that Johnson & Johnson had a retention schedule or retention hold prior to 1997 that would dictate the retention of any kind of testing of Johnson's Baby Powder, or cosmetic talc products, or the talc ore, or the milled talc that was used in those products for asbestos?

MR. COX: Object to the form.

THE WITNESS: Insofar as holds, I have no knowledge of anything before that. Insofar as retention schedules, I have information from the company that there were retention schedules created in the early '90s. The earliest one made available to me has been 1997. It's my understanding that the retention schedules are intended to cover topics such as retention of

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testing documentation.

I have not seen anything earlier to 1997. I have just a general understanding that the -- the very purpose of the retention schedules is to -- is to address the retention of materials that would be classified in the company's business operations which would include testing.

I haven't seen anything prior to 1997.

BY MR. SWANSON:

Q. Okay. And we had -- and I wish I could remember who it was you spoke to -- and we spoke at length about a retention policy that was referred -- retention, some kind of retention policy that was referred to in your notes as of the early 1990s. Remember that? And it was supposedly based on the McNeil subsidiary's retention policy?

A. That was -- well, that was authored by Rosina Sheerin. There may have been references to it, both from her discussion and possibly Michelle Anderson.

Q. And when I asked you about that at that time, you told me you didn't know the particulars of that retention policy.

Do you remember that?

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A. That's right.

Q. And you still don't know the particulars of the retention policy; true?

A. That's right.

Q. And Lorena, she didn't tell you that this retention policy was for testing results of the talc for asbestos, did she?

A. I believe you mean Rosina?

Q. Rosina, yes.

A. Correct.

Q. You mentioned earlier, before I started asking you these questions, that you -- you had that understanding that that policy would be.

Are you speculating those earlier -- the earlier policy from the earlier 1990s?

A. I'm simply saying that the purpose of a retention policy is to cover the documents that the company uses in the course of its business. I -- I haven't seen them. I don't know one way or the other whether testing is on there. I have seen the 1997 schedule, which makes reference to some types of testing. I'm not able to interpret every category of testing and what that means. I just know I've seen testing in the '97 schedule.

Q. What I want to do tomorrow so that I

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Q. From Lorena Telofski's notes, it would appear that these manufacturing facilities receiving testing records and generating their own, that would have included the Kolmar facility, too; correct?

MR. COX: Object to the form. Beyond the scope of the notice. Other than what's in his notes.

BY MR. SWANSON:

Q. Page 24.

A. Oh, thank you. I can't confirm that -- which facilities she's talking about, as I mentioned, whether it's Kolmar, North Brunswick, or Georgia, or all of them.

Q. And again, I understand that you're not here as the PMQ on where all the manufacturing sites were, but these are all records questions. I'm just asking a foundational question here.

Do you know when Kolmar Laboratories started and during what period of time it was manufacturing Johnson's Baby Powder?

MR. COX: Objection. Beyond the scope of the notice.

BY MR. SWANSON:

Q. And if you don't know, that's fine.

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A. I don't know.

Q. Okay. And do you know whatever records it had regarding certificates of analysis, testing records for asbestos, manufacturing specifications, those sorts of records, do you know how they were archived at that facility?

A. I have a general comment from Ms. Telofski that there was material put into, I believe it was Iron Mountain, but I'm not sure which -- which materials she is referring to.

Q. And where is that?

A. Looking on page 2. Let me see if I can find it. Oh. She was talking about APRs, so I know that some of records she referenced are in Iron Mountain. I don't know which other ones besides the APRs.

Q. APRs is authorization for product release?

A. Yes.

Q. That's not testing records, is it?

A. Not that I'm aware of.

Q. And it says it includes formula safety.

Do you know what plant that is applying to or what plants?

A. Well, the discussion at that time was about Skillman, but I don't know the scope of what was stored in Iron Mountain under her jurisdiction.

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Q. Okay. So as to Kolmar, let me get back to the question, do you know at the Kolmar manufacturing packaging facility what they did with respect to the retention and archiving of records?

A. No.

Q. And do you know when that facility no longer was manufacturing Johnson's Baby Powder, what it did with whatever records it had?

A. No.

Q. Were those records destroyed?

MR. COX: Objection. Asked and answered.

THE WITNESS: I don't know.

BY MR. SWANSON:

Q. I touched on this earlier, but I want to go into this just briefly: Do you have any information regarding the Johnson & Johnson's policies, if any, with respect to what are called "grids" associated with transmission electron microscopy testing?

MR. COX: Objection. Asked and answered.

THE WITNESS: I don't --

BY MR. SWANSON:

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Q. I apologize if I asked. But --

A. I don't have information on grids.

Q. Do you have information with respect to what the current retention schedule period is for talc samples? And that would be talc ore, milled talc, or baby powder samples that are tested?

A. My understanding is based on the legal hold notice, which is -- which is -- specifies that samples are to be retained.

Q. And the legal hold notice -- now, there's been a sequence of legal hold notices going back to 1999, correct, with respect to talc litigation?

A. Yes.

Q. Okay. And is it your understanding that those -- that's essentially been continuously in effect since 1999 with respect to anything that was under that original hold?

A. I read each of the notices. They have descriptions of subject matter. I've noted that those subject matter descriptions have evolved over time.

Q. Okay. But with respect to samples. And we will talk a little bit more about holds. But just -- well, let me -- let me get off of that and just stay on the retentions for a second.

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I noticed in Exhibit 2D, or Tab 2D, which is Exhibit 2D, the PTI agreement appeared to be for retention of talc samples for four years. And perhaps we should look at that and I'll ask you about that. And that's at page 9 of 2D. Oh, we get into this page issue with this, don't we?

Did you see it in there?

A. Yes. 7 of 16 and below that, 9 of 19. So it's Section 12.4.

Q. Okay. And what is the -- first of all, what samples is this referring to? This is -- these are product samples that they're referring to?

A. Yes. So this -- this Section 12.4 falls under 12.0 product controls, which relate to the identification sampling and testing of finished product.

Q. Okay. And so the retention on finished product was for what period?

A. Four years from date of manufacture or one year after expiration date.

Q. What's the -- that's the expiration date, for example, that you'd see on the actual bottle or container? Is that what that refers to?

A. I don't know.

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Q. What's the date of this quality system procedure or quality responsibility agreement?

A. February 2005.

Q. Do you know -- at this point in 2005, there had already been talc litigation hold in place as early as 2' -- sorry, 1999.

Do you know if it affected this retention as to the talc that was -- the Johnson -- the baby powder that was being manufactured by Pharma Tech Industries in 2005?

MR. COX: Object to the form.

BY MR. SWANSON:

Q. In other words, did the legal hold sort of suspend this policy?

MR. COX: You're asking as to the samples described in that document?

MR. SWANSON: Yes.

THE WITNESS: I'm -- I would want to check the legal holds. I'm not aware that the holds in that time referred to samples.

BY MR. SWANSON:

Q. Okay. Do you have any information other than -- and we'll get to the legal holds shortly.

Do you have any other information in terms of retention policies with respect to retention of

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talc samples, either, you know, the talc ore or the milled talc that may have been tested on a quarterly or some other basis, or of actual product test -- finished product test samples?

A. I have a general understanding that samples -- that the universe of samples comprised those that were associated with a batch or a lot and retained in accordance with -- with the company's retention schedules.

As a second category was samples that were used specifically for testing purposes, and those samples were not retained until the last year.

And a third category would be historical samples that would be obtained from the museum and other sources.

Q. Thank you for that answer.

So I think that was pretty clear. So let me just -- as to the samples related to testing of the talc, you said until a year ago those were not retained; correct?

A. That's correct.

Q. So they were destroyed?

A. The samples used specifically for creating test results were not retained.

Q. Okay. And now they are being retained?

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A. Yes.

Q. And do you know why that policy was changed in the last year?

A. My understanding is that within the past year a request was made to the testing body to retain that information.

Q. And what testing body is that?

A. Well, that would include RJ Lee, anyone else doing testing.

Q. Okay. So --

MR. SWANSON: Do you want one last break?

MR. COX: Sure.

MR. SWANSON: And then we'll go until the end of the day?

MR. COX: Yeah.

MR. SWANSON: And if we need to discuss anything, we can discuss it.

MR. COX: Sounds good.

MR. SWANSON: Let's go off the record.

THE VIDEOGRAPHER: This marks the end of Media Number 4 in the deposition of James Mittenthal.

Going off the record at 4:13 p.m.

(Recess taken.)

THE VIDEOGRAPHER: On the record at

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4:49 p.m. This marks the start of Media Number 5 in the deposition of James Mittenthal.

You may continue, Counsel.

BY MR. SWANSON:

Q. Okay, Mr. Mittenthal, I'm going to try to be real efficient here for the rest of the part of the day that we have, and we're going to get into talking about holds now which we've touched on a few times, but I want to go over some information about that.

THE VIDEOGRAPHER: Is your microphone on?

Okay.

BY MR. SWANSON:

Q. So, in the most basic sense, a legal hold is an instruction to custodians or possessors of certain kinds of specified documents to preserve them and not destroy those documents as long as -- documents and information as long as the hold is in effect; is that correct?

A. I would agree.

Q. And a hold stays in effect until a hold -- a release notice is issued; is that right?

A. I would generally agree. There may be other circumstances besides a release by which a receiver of a hold could be relieved of that

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obligation.

But certainly the counterpart to a hold is a release.

Q. Okay. And you've got -- you've prepared a history of holds, which is Exhibit 21; correct?

A. Is that -- just make sure I've got my version in front of me somewhere.

Q. You should have your copy there. I know you've got a lot of stuff. You know, maybe we can get some of your things there out of the way and put them in a stack.

A. Here it is.

Q. Okay. So Exhibit 21 is a list of Johnson & Johnson holds with respect to talc litigation that you've compiled; correct?

A. Yes.

Q. Okay. And the first one that you've got there is Theresa Krushinski on November 11, 19199, and that was a talcosis case; correct?

A. Yes.

Q. And then the next one you've got is 2000, which is a mesothelioma case; correct?

A. Yes.

Q. And both Johnson & Johnson's Baby Powder; true?

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A. Johnson's Baby Powder.

Q. Sorry. Johnson's Baby Powder. And I think the third one listed there is 2003, the Hozeny case.

Do you see that?

A. Yes.

Q. And I know that's been produced to us. Let me find this. At Exhibit 1B.

Do you have that with you? Oh, it's in your -- those exhibits are marked per tab.

A. Okay.

Q. Exhibit 1B. So in Exhibit 1, you have several holds and then some were produced after that. And you see there, in that hold, this was hold notice issued by the legal department; correct?

A. Yes.

Q. And this puts folks on notice in the company that if you fail to preserve materials that are under a hold, it can result in the court imposing penalties or sanctions; right?

A. Yes.

Q. Now, you had previously testified that you had acted as consultant and a witness in the Ethicon litigation for Johnson & Johnson; correct?

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A. Consultant and a witness meaning the same -- the same role?

Q. Yeah. In the same -- in the Ethicon litigation. Yeah. In other words, you were a witness and you were also their consultant in that litigation; true?

A. I was a witness.

Q. A witness.

A. Not a --

Q. Were you working? Were you hired by Johnson & Johnson?

A. I was hired to be a 30(b)(6) only.

Q. Okay. All right. And you testified in the case; right?

A. Yes.

Q. And you know that there was an allegation by the plaintiffs in the case that there was a failure to preserve evidence that had been subject to a hold; right?

A. I -- I recall that those issues arose, yes.

Q. And you investigated that issue; correct?

A. Yes.

Q. And you gave a deposition about it?

A. Yes.

the records personnel about the mechanism for holds. I did not personally audit any compliance.

Q. Did you audit any of the cleanout? Remember, we talked about the annual cleanout procedure. Did you audit any cleanout notices or documents documenting the cleanout procedures to see if any records had been destroyed that were under legal holds or retention schedules?

A. No. That was not part of my investigation.

Q. Now, the 1999, let's start with the first one here. Let me see if I can locate this. Here we go.

(Whereupon, Plaintiff's Exhibit 32 was marked for identification.)

BY MR. SWANSON:

Q. I'm handing you Exhibit Number 32 to your deposition. And for the record, what is Exhibit 32?

A. A document preservation notice dated November 11, 1999.

Q. And that's the one in the Krushinski case; correct?

A. Yes.

Q. And that is the first one that you're

aware of; true?

A. Yes.

Q. And this one was directed as pertaining to Johnson's Baby Powder. It says that on the second page of this. And it says on the first page that it just -- in the first paragraph there it says "JJCP" --

That would be Johnson & Johnson Consumer products; is that right?

A. That's my read.

Q. -- "is party to a lawsuit involving allegations of manufacturing or design defect or failure to warn in connection with the below product." And it mentions Johnson's Baby Powder.

To which companies, Johnson & Johnson companies, operating units, divisions was this document preservation notice directed?

A. It's not specified.

Q. Do you have any information as to this hold whether or not it applied, for example, to operating units overseas such as in Hong Kong and the Philippines?

A. I don't have information as to who it was distributed to.

Q. Do you know any of the individual

recipients of this hold notice?

A. That was not part of my investigation.

Q. Does that information still exist as to who the recipients were of the hold in 1999?

A. I don't know.

Q. In 1999, what was the policy of Johnson & Johnson with respect to distribution of holds, if it had one?

A. I can check my notes with respect to that. I'm noting on page 34 in the Renay Lawson section, simply that Renay would send holds and releases as directed by legal and upload to Web site. Had different distribution lists.

Q. And she had been there since 2009; correct? It says nine years --

A. Okay.

Q. -- at Consumer.

This is Renay Lawson, the records information management lead; right?

A. Yes.

Q. Okay.

A. I have further information on page 36 from Rosina Sheerin that both she and Renay would send hold notices at different times and that they maintained distribution lists based on a cover

page.

Q. Okay. And do you know if those distribution lists still exist?

A. I know that I have seen distributions on some of the hold notices.

Q. Okay. And we're going to go through each one in a little bit, so we'll get to that, if there's a distribution list.

With respect to 1999 Krushinski case hold, you don't have a distribution list for that, do you?

A. Correct.

Q. And again, as the Johnson & Johnson's representative on this issue, this is the first talc litigation hold that was issued in 1999; correct?

A. Consumer talc.

Q. Consumer talc.

All right. So you're not aware of any -- well, let me ask you this way: And not to get off on another sort of substantive issues too much. But do you have information that there were holds related to talc that wasn't consumer talc?

A. No.

Q. If you look at your binder there, Tab 1C.

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This is the January 7, 2000 document preservation notice in the Barbara Bloch case.
Do you see that?
A. Yes.
Q. And this was, says "JJCPI, et al. is a party to a lawsuit involving allegations of manufacturing or design defect or failure to warn in connection with the below product."
And, again, this is in regards to the Johnson's Baby Powder; true? It's on the next page there? Oh, you've got it in your summary.
A. Yes. Yes.
Q. And by the way, just to make this clear on the record, "document preservation notice" means the same thing as a legal hold notice; correct?
A. Generally, yes.
Q. And Johnson & Johnson at some point just changed the language that they used to refer to it? They called it -- later they called it a "legal hold notice"; true? We can get to those later.
So, as far as this one, do you know who -- which operating units or companies of Johnson & Johnson received that, whether or not it was anybody beyond just Johnson & Johnson Consumer

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Products, Inc.?
A. I do not.
Q. Okay. And do you know to whom -- what individuals received this notice?
A. I do not.
Q. Do you have any information about what training was done of individuals about how to effectuate this notice?
MR. COX: Object to the form.
THE WITNESS: I have a general understanding from the records officer that there was training in the records program and that that included legal hold instructions.
BY MR. SWANSON:
Q. And did you say "records manager"?
A. Training in records management issues.
Q. Who was it that you were speaking to about that issue?
A. Possibly Lisa Kaiser. Let me...
Q. Before I make you look that up -- and if you need to look it up to get into the heart of it, what did she tell you about what the training was?
A. Actually, I'm looking at the Joann Dodd information.

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Q. Can you give me a page number on that, please?
A. Oh, yes. 29. Sure.
So Ms. Dodd spoke about the training that was -- that was provided.
Q. Can you direct me to that, please?
A. Yes. The bottom of -- near the bottom of page 1. "Training included legal hold, departing associates, retention procedures, roles."
Q. And she was the -- she is this analyst records management, J&J Consumer, Inc.; right?
A. Yes.
Q. And do you know -- she started in 2007 or '8?
A. Yes.
Q. Do you know at what point those -- the training started that she's referring to?
A. Not the exact start date, no.
Q. And do you know how -- do you have any information about how far that training goes back and whether there was any training in the year 2000 at the time of the Barbara Bloch case?
A. I don't have specifics on that.
Q. At Tab 1B there's a hold in the Hozeny -- Hozeny case versus Johnson & Johnson Consumer

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Companies, Inc.
Do you see that?
A. Yes.
Q. And, again, this is called the "document preservation notice." The date is May 16, 2003.
And this is Exhibit 1B, for the record.
And what was -- this looks similar to the '99 and 2000 holds that we've seen. But does it -- it looks like it may add something additional. Can you tell me what is the subject of this hold?
A. You mean what is the -- the --
Q. Well, what product was at issue and --
A. It generally referred to talc products.
Q. And the basic language is the same, correct, of the hold? As the holds we had discussed for the 1999 and 2000 cases?
MR. COX: Object to the form.
BY MR. SWANSON:
Q. But then you get to the details of what materials are to be held, and there's a bit more detail. It's fleshed out a bit more; correct?
A. The language has evolved. There are eight categories as opposed to four categories with earlier notices. It is -- it is somewhat

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one.
BY MR. SWANSON:
Q. Oh, this isn't. Okay. Well, this is the talc ovarian cancer litigation hold that I handed you; correct?
A. Yes.
MR. SWANSON: Chris, do you have a copy of this other one?
MR. COX: It should be in the binder, 1C.
MR. SWANSON: Thank you.
MR. COX: Sure.
MR. SWANSON: Appreciate that.
BY MR. SWANSON:
Q. Well, let's just -- since I've attached this 37, this legal hold, was it -- that's attached as 37 as a talc ovarian cancer litigation hold; correct?
A. Yes.
Q. Do you know what year -- is this the current -- this is the current one?
A. This is the most recent one for ovarian cancer of which I'm aware.
Q. Okay. And if you look at Exhibit 1A to your deposition, which is Tab 1A, we can go to the one that you referred to in your list as the talc

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asbestos litigation hold.
Do you have that in front of you?
A. Yes, I do.
Q. Is this the current legal hold for talc asbestos litigation?
A. This is the most recent one I've received that I'm aware of.
Q. And I don't know if you use this word, but I think you indicated earlier that your understanding was this was sort of an attempt to consolidate the various holds; is that right?
A. With respect to those mesothelioma-related matters, yes.
Q. Now, in terms of what information is being held either under ovarian talc litigation hold or a case that was a talcosis case like the Krushinski case, these are all holds since 1999 that we're talking about that are related to the Johnson & Johnson's Baby Powder and Shower to Shower; correct?
A. Yes.
Q. And -- so in terms of the sort of universe of documents, types of documents and records that would be held, it's pretty much the same universe, correct --

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MR. COX: Object to the form.
BY MR. SWANSON:
Q. -- from what your evaluation of these holds has been in terms of looking at what records and information are supposed to be held?
MR. COX: Object to the form.
THE WITNESS: I -- I would concur that the body of documents being held generally relates to both families of cases. I would not agree that every document from one family is connected to the other family of cases. I -- I'm not competent to decide that, but they are being held. Both -- both sets of holds concern a body of information.
BY MR. SWANSON:
Q. Right. And the body of information is about -- in terms of what's actually being held, people are being instructed to hold and preserve, it's essentially almost the exact same body of information; correct?
A. Yes.
MR. COX: Object to the form.
BY MR. SWANSON:
Q. Okay. Now, the 2017 talc asbestos litigation hold is the first one that specifically references talc, but there were prior holds that

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were issued in cases where the injury being alleged was mesothelioma; correct?
A. I'm sorry. The first one that references talc?
Q. No. Did I say that? If so.
It's the first one that specifically references asbestos; is that right? From what you saw?
A. You know, I don't recall that. I did not look for the word "asbestos" in earlier holds.
Q. Okay. But in any case, regardless, the 2000 and 2002 to 2003 holds were done in cases where there was an allegation of mesothelioma by the plaintiff; right?
A. Yes.
Q. And this talc asbestos litigation hold, the current one that we have here, or the most recent one you're aware of, what Johnson & Johnson entities is that one directed to?
A. This hold notice is directed at individual custodians rather than specific entities.
Q. And is there a list of custodians anywhere that you've seen that this is directed to?
A. Not that I've seen.
Q. Have you -- do you have information about

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with, we'll hammer it out.

MR. COX: Yes. First, the Johnson & Johnson defendants object to the continuation of the deposition given the two days of testimony of this witness has already sat for, given the number and nature of the subject matters for which this witness has been tendered, and the limited relevance to the claimed defenses in the case, we don't believe additional time is necessary or appropriate.

Nevertheless, in the spirit of compromise, as Mr. Swanson indicated, because the witness and counsel are here, we've agreed to continue the deposition tomorrow under the following circumstances: The deposition will begin at 9:00 a.m. There will be reasonable breaks. Plaintiffs will conclude their questioning by 1:45 p.m. at which time the J&J defendants will have an opportunity to ask direct -- pose the direct testimony from the witness and after which plaintiffs will be permitted a recross that's limited to the issues raised on the direct.

MR. SWANSON: That's our agreement, yes. We can go off the record.

THE VIDEOGRAPHER: The marks the end of

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Media Number 5 in the deposition of James Mittenthal and we are going off the record and adjourning for the day at 6:02 p.m.

(Whereupon, the deposition was adjourned at 6:02 p.m.)

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SIGNATURE OF DEPONENT

I, the undersigned, JAMES PETER MITTENTHAL, do hereby certify that I have read the foregoing deposition and find it to be a true and accurate transcription of my testimony, with the following corrections, if any:

PAGE	LINE	CHANGE
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_____

JAMES PETER MITTENTHAL, Date

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STATE OF CALIFORNIA)
) ss.
COUNTY OF ALAMEDA)

I, EARLY LANGLEY, a Certified Shorthand Reporter, State of California, do hereby certify:

That JAMES PETER MITTENTHAL, in the foregoing deposition named, was present and by me sworn as a witness in the above-entitled action at the time and place therein specified;

That said deposition was taken before me at said time and place, and was taken down in shorthand by me, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed into typewriting, and that the foregoing transcript constitutes a full, true and correct report of said deposition and of the proceedings that took place;

IN WITNESS WHEREOF, I have hereunder subscribed my hand on October 22, 2018.

_____

EARLY LANGLEY, CSR NO. 8537
State of California

EXHIBIT 94

ELECTRONICALLY FILED 2022-08-24 07:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1402946

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA
---O0O---

TERESA ELIZABETH LEAVITT
and DEAN J. MCELROY,
Plaintiffs,
vs.
JOHNSON & JOHNSON, et al.,
Defendants.
_____/

No. RG17882401

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
---O0O---

PUI FONG and THAI WONG,
Plaintiff,
vs.
JOHNSON & JOHNSON, et al.,
Defendants.
_____/

JCCP CASE NO. 4674
No. BC675449

TRIAL PRESERVATION
VIDEOTAPED DEPOSITION OF JAMES PETER MITTENTHAL
(PMQ/COR Johnson & Johnson; Johnson & Johnson Consumer, Inc.)

VOLUME III, Pages 444 - 602

Taken before EARLY K. LANGLEY, B.A., RMR, RSA, CLR
CSR No. 3537

October 19, 2018

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DEPOSITION OF JAMES PETER MITTENTHAL

BE IT REMEMBERED, that pursuant to Notice, and on October 19, 2018, commencing at the hour of 9:01 a.m., in the offices of Kazan, McClain, Satterley & Greenwood, 55 Harrison Street, Suite 400, Oakland, California 94607, before me, EARLY LANGLEY, a Certified Shorthand Reporter, State of California, personally appeared JAMES PETER MITTENTHAL, produced as a witness in said action, and being previously duly sworn, was thereupon examined as a witness in said cause.

---oOo---

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ESI Consultant
Jim Partridge
Tele-Video Production Services

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--oOo--

P R O C E E D I N G S

--oOo--

THE VIDEOGRAPHER: We are on the record at 11 -- excuse me. We are on the record at 9:01 a.m.

This marks -- today's date is October 19, 2018.

This is the continuation of the deposition of James Mittenthal. This is Volume III, Disk Number 1.

Counsel, you may proceed.

MR. SWANSON: Thank you.

JAMES PETER MITTENTHAL

previously sworn as a witness,

testified as follows:

DIRECT EXAMINATION BY MR. SWANSON (Cont'd):

Q. Good morning, Mr. Mittenthal.

A. Good morning.

Q. Your deposition is continuing now, and are you ready to go forward today?

A. Yes.

Q. Any reason you can't give your best testimony?

A. No.

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Q. Okay. So I want to ask you a couple follow-ups on one of the legal holds. So if you'd go to Exhibit 1A, and that's Tab 1A in your binder.

Do you have that in front of you?

A. Yes, I do.

Q. Now, this is the 2' -- I think it's the current or most recent Johnson & Johnson legal hold notice in asbestos-related talc litigation; correct?

A. Yes.

Q. And I wanted -- I want to go through a little bit on this notice. It looks like there is some kind of software that notes -- a notice is sent via an email, I guess; is that right? This notice that -- is that how it gets sent to recipients?

A. Yes.

Q. Okay. And there is some kind of software that's related to this in terms of them acknowledging receipt in various things; is that right?

A. Yes.

Q. And does that software track certain kinds of information in terms of when they receive it and acknowledge receipt and that sort of thing?

A. Yes.

Q. And does the software -- and what's the name of the software?

A. Exterro.

Q. And it says, "Visit the legal hold manager compliance portal, legal hold manager."

And does the software track who the intended recipient -- recipients are?

A. Of what?

Q. Of the hold. In other words, to whom it's sent?

A. Yes.

Q. And I notice there's a section in here that tells recipients that they can suggest other recipients of the hold.

Did you see that?

A. Can you reference me to that section? Yes. I see it.

Q. Yes. "Suggest other custodians."

Do you see that?

A. Yes.

Q. And does the software track who gets suggested?

A. It's my understanding that the company can add those people to the list and that they would be tracked.

Q. Does the software track when each recipient acknowledges receipt of the hold?

A. I believe it does.

Q. Okay. And does the software track who was trained on legal holds, or what the -- anything -- information about the recipients of the hold's training?

A. From my fact finding, I have other vehicles, eUniversity, other modules unrelated to Exterro that track training. And I can pull out my notes for those.

Q. We may do that later.

But so that the -- you're not aware that this software actually would have that information; correct?

A. Correct.

Q. Okay. I noticed that it -- it states here in the first page that "the instruction is within seven days, please visit the legal hold manager compliance portal," and "review and acknowledge this notice."

Now, what is triggered with -- what triggers the seven days? At the point they open

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BY MR. SWANSON:
Q. Was this document, Exhibit 38, created in the regular course of Johnson & Johnson's business?
A. I simply don't have the information to answer that. It -- the -- based on the fact that it appears to be a document produced in this litigation, the company does not doubt -- have any special reason to question its authenticity, but I cannot speak to whether it's -- how it was created, whether it was in the ordinary course of business, whether it was in any sense of how the company chose to create its documents. It is -- the document population certainly contains many records created in the course of business. I'm not able to make a judgment as to this particular document as to the circumstances by which it was created.
Q. Do you have any reason to believe that any documents that are created that were produced in this case, in Leavitt or Fong, that are on Johnson & Johnson letterhead are not records that were created in the regular course of Johnson & Johnson's business?
MR. COX: Object to the form.

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THE WITNESS: I -- if -- to the extent that the regular course of business assumes a legal judgment, I'm not able to say one way or the other. I can say that amongst the information produced where there are records created in the course of the company's business operations, I cannot speak to the providence, the context, or the classification of this particular document.
BY MR. SWANSON:
Q. But it was created in Johnson & Johnson's business; correct? You just said that.
A. It was created in such a manner that the company has no reason to doubt its authenticity, to the extent that it was produced in this -- in this litigation.
Q. As a Johnson & Johnson record; correct?
A. I don't know what -- what does that mean, Johnson & Johnson?
Q. It means this is a Johnson & Johnson letter, correct, sent in their -- in the course of their business. This isn't somebody else's business; right? This is Johnson & Johnson's business we're talking about; right?
A. I -- I can agree with you that the words at the top say "Johnson & Johnson," but I'm not here, nor would I be able to make a judgment as to whether it's a business record created in the course of business and any other categorization of it.

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Q. Okay.
MR. SWANSON: We're going to have to meet and confer on that. He's not an adequate witness on this issue. These are really simple questions and he is tasked with doing that and he's not able to do it.
MR. COX: I disagree. I mean, I think he answered your question about authenticity and he answered your question about whether it was created in -- in connection with Johnson & Johnson's business. I think he's appropriately making a distinction in terms of the legal import of the term "business record," but I think he answered the question -- the other two questions you asked.
MR. SWANSON: Well, I left out the term "business record" and I started asking if it was created in the regular course of their business. That's not a highly legal term.
MR. COX: No. And I think he answered that question and said it was.

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MR. SWANSON: You're agreeing that it was, correct, as counsel for Johnson & Johnson, on this document?
MR. COX: That that was -- that that's a Johnson & Johnson -- created in Johnson & Johnson's business, yes. Yes.
MR. SWANSON: Okay.
BY MR. SWANSON:
Q. All right. So, with regard to this document, is there -- was -- let me ask you this: Legal holds can be issued either because a lawsuit has been filed, correct, or because a company anticipates litigation; correct?
MR. COX: Object to the form of the question to the extent it calls for a legal conclusion.
BY MR. SWANSON:
Q. Those are two situations in which a legal hold could be...
A. And -- and I would concur, but there's many situations where a legal hold could be issued, and the law department makes that determination as to what to issue and when.
Q. But the legal holds themselves talk about anticipated, and, Johnson & Johnson's

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documentation that I've seen, and I can't point you to the exact document, mention both litigation and anticipated litigation in terms of when holds are appropriate; correct?

A. Well, I've seen language like Johnson & Johnson -- or so and so is party to litigation. That I recall seeing in the notice.

Q. But you agree that anticipated litigation is sometimes a trigger for issuing a hold, correct, for a company?

A. In the hypotheticals, yes. Absolutely.

Q. Do you have any information that Johnson & Johnson issued a legal hold in 1969 in instructing Johnson & Johnson employees not to destroy documents relating to the testing of Johnson's Baby Powder or talc that was used in Johnson's Baby Powder for the presence of asbestos?

A. I have no information as to that.

Q. Is there anything that you're aware of that prevented anybody at Johnson & Johnson from issuing a hold on testing documents at this time in 1969?

A. I have -- I have no information one way or the other. That was not part of my research.

(Whereupon, Plaintiff's Exhibit 39 was

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marked for identification.)

BY MR. SWANSON:

Q. Mr. Mittenthal, I'm handing you Exhibit Number 39.

Let your counsel see that for a moment.

Do you have Exhibit Number 39 in front of you?

A. Yes, I do.

Q. And these are Defendant Johnson & Johnson Consumer, Inc.'s September 2018 Amended Responses to Plaintiff's LAOSD Standard Interrogatories in the Fong case; correct?

A. I see that, yes.

Q. Okay. And if you go to page 21 of this document, Interrogatory Number 36, do you see the question is, "When did you first receive notice that any person including any agent" -- "employee or agent claimed injury as a result of exposure to asbestos or asbestos-containing product supplied by you?"

Do you see that?

A. Yes, I do.

Q. And then starting at the second sentence of the answer, "After reasonable investigation, defendant states that it has reasonable and good

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faith belief that it first became aware of a claim of alleged exposure to asbestos with respect to defendant's talc in connection with Westfall v. Whittaker, Clark & Daniels, et al., Case Number 79-0269, in the United States District Court for the District of Rhode Island in which plaintiffs alleged injury was mesothelioma, and plaintiff was represented by Decoff & Grimm of Providence, Rhode Island. Defendant states that the J&J entity Windsor Minerals was voluntarily dismissed from the case."

Have you seen this before?

A. I've seen the interrogatory responses, yes.

Q. So you were aware that Johnson & Johnson, or its operating entity company, Windsor Minerals, was sued in the Westfall case; correct?

A. I'm aware of the question and the answer.

Q. Okay. Were you aware that -- were you aware that Johnson & Johnson's Windsor Minerals had been sued in the Westfall case?

A. I have a general understanding of that.

Q. And to your knowledge, when was that?

A. I'm not familiar with the precise date.

(Whereupon, Plaintiff's Exhibit 40 was

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marked for identification.)

BY MR. SWANSON:

Q. Let me hand you Exhibit Number 40 to your deposition.

MR. COX: Do you have an extra copy of that, Mark?

Thank you.

BY MR. SWANSON:

Q. Do you have Exhibit 40 in front of you?

A. Yes.

Q. Okay. And I've just given you the -- here the first few pages of a transcript of a Roger Miller in the Westfall case.

Do you see that?

A. Yes.

Q. And you see that's the same case number, 790269?

A. Yes, I do.

Q. And what was the date of that deposition?

A. October 29, 1982.

Q. And if you go to the second page of this on appearances, do you see that Windsor Minerals was represented at the deposition?

A. I do.

Q. And you know that Windsor Minerals, Inc.

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was a subsidiary of Johnson & Johnson that supplied talc to Johnson & Johnson for Johnson's Baby Powder and cosmetic talc products; correct?

A. That's my general understanding.

Q. And from this information it's clear that Johnson & Johnson was aware of the lawsuit; true?

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

BY MR. SWANSON:

Q. From the interrogatory response that I provided you?

A. Well, it -- by inference it would appear that the company was aware by virtue of counsel.

Q. Okay. Right.

And -- okay. Did Johnson & Johnson instruct anyone at Windsor Minerals at that time to preserve or not destroy documents, information, or physical evidence related to talc from Windsor Minerals, Inc. Vermont mines --

MR. COX: Object to form.

BY MR. SWANSON:

Q. -- or related to products manufactured from talc that came from Windsor Minerals mines?

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

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THE WITNESS: That was outside the scope of my investigation.

BY MR. SWANSON:

Q. Well, the scope of your investigation was to investigate talc hold issues; correct?

MR. COX: Object to the form of the question misstates the scope of the notice for which this witness has been tendered.

BY MR. SWANSON:

Q. You know from looking at the notice that we asked what efforts were made by Johnson & Johnson to preserve documents, correct --

MR. COX: Object to the form.

BY MR. SWANSON:

Q. -- as well as samples?

MR. COX: Object to the form of the question. Misstates what the notice says.

THE WITNESS: My understanding was that the -- my investigation was concerning consumer talc products.

BY MR. SWANSON:

Q. And what distinction are you making here about Westfall?

A. I have a general and limited understanding that Westfall did not involve a consumer talc product.

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Q. And you got this from the lawyers, right, this understanding?

A. Yes.

Q. Did you also get an understanding that this came from the same mines where cosmetic talc was being mined?

MR. COX: Object to the form.

THE WITNESS: That was outside the scope of my investigation.

BY MR. SWANSON:

Q. I see. So you didn't ask that question or find the answer to that?

A. I asked -- I asked -- which question?

Q. Whether or not the mines that were involved in -- in the Westfall case issues were the same mines that were producing cosmetic talc for cosmetic talc products for Johnson & Johnson.

A. I -- I would not have viewed that as within the scope of my investigation.

Q. Speaking on behalf of Johnson & Johnson on the issue of legal holds and preservation of documents, are you aware of any legal hold being issued with respect to the Westfall case?

A. I'm -- I'm not aware of holds. I

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requested holds that related to consumer talc. I received those holds. I'm not aware of other holds.

Q. Okay. You are aware of the Westfall case? You were made aware of that and you were specifically made aware of the fact that the case allegations itself weren't about a cosmetic talc product; true?

A. I have general knowledge of that, yes.

Q. But you didn't bother to find out whether or not the talc issues were related to these cases; true?

MR. COX: Object to the form.

THE WITNESS: I -- looking at the deposition notice and my responsibilities, I did not see that my investigation included understanding where talc came from. I was focused on responding to the deposition topics.

BY MR. SWANSON:

Q. You would agree with me, though, that if the area where the talc was being mined that's at issue in the Johnson case was an area where cosmetic talc was being mined and in addition it's a mesothelioma case, that there would be many, many overlapping issues with the cosmetic talc

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case; correct?
MR. COX: Object to the form.
THE WITNESS: I know that -- that's a legal conclusion. I -- I think I'm being asked to provide, and I -- I just can't speak to that.
BY MR. SWANSON:
Q. You understand that mesothelioma results from inhalation typically; correct?
MR. COX: Object to the form. Beyond the scope of the notice.
THE WITNESS: I'm not an expert on the causes of mesothelioma.
BY MR. SWANSON:
Q. In any case, you're not aware of any legal hold notice, you've never heard of any legal hold notice being issued with respect to any type of talc prior to 1999; true?
A. I am not aware of any notices prior to 1999.
(Whereupon, Plaintiff's Exhibit 41 was marked for identification.)
BY MR. SWANSON:
Q. Handing you Exhibit 41 to your deposition. Do you have that in front of you?
A. I do.

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Q. Have you seen -- now, Exhibit 41, you can see that this is a Johnson & Johnson Bates number at the bottom; correct?
A. Yes. I see what appear to be two different Bates numbers.
Q. And you recognize those are Bates numbers that Johnson & Johnson uses; you've seen those on other documents that they've produced from their records; correct?
A. Correct.
Q. And this is -- appears to be a complaint in a case called Anthony Gambino and Rose Marie Gambino, his wife v. Johnson & Johnson Baby Products Company; correct?
A. I see that.
Q. Were you aware of the Gambino case?
A. I don't recall it specifically.
Q. And if you go to the last -- if you go to -- well, on the first page, first claim of relief, and you can see that the product at issue is Johnson's Baby Powder Purest Protection.
Do you see that?
A. Yes.
Q. And, then, if you go to the second page, there is a mention in paragraph 2 that the

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plaintiff alleges that they purchased the product.
Do you see that?
A. Yes.
Q. And do you see that Number 4, the plaintiff alleges talcosis from long-term use of Johnson's Baby Powder?
A. I see it.
Q. And in Number 5, they are alleging severe and permanent injuries from that exposure.
Do you see that?
A. Yes.
Q. Okay. If you go to the last page, you see the date of the complaint?
A. Yes.
Q. And what was the date of the complaint?
A. October 11, 1983.
Q. And Johnson & Johnson obviously was aware of this lawsuit; correct?
MR. COX: Object to the form.
THE WITNESS: Well, I have not seen this document before and can't speak to it. By -- by common sense, it would appear that Johnson & Johnson was aware of this.
BY MR. SWANSON:
Q. Right. Because this document -- I didn't

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make this up or even get it off the Court's Web site or anything; I got it from Johnson & Johnson because that's their Bates number; right?
A. I see the Bates number, yes.
Q. And speaking on behalf of Johnson & Johnson on the issue of legal holds and preservation of documents and evidence, you are not aware of any legal hold being issued at the time of this Gambino case with respect to talc litigation issues and Johnson's Baby Powder; true?
MR. COX: Object to the form.
THE WITNESS: I have no information as to whether a hold was issued or not issued or what the circumstances were.
BY MR. SWANSON:
Q. Now, the reality is you're not aware of any legal hold being issued in any kind of talc litigation case prior to 1999. So, as the spokesperson for Johnson & Johnson, Johnson & Johnson did not issue a legal hold in response to this complaint; correct?
MR. COX: Object to the form of the question.
THE WITNESS: I'm sorry, are you asking me to -- to verify that statement or are you asking

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me if I know it?
BY MR. SWANSON:
Q. I'm asking you to verify that.
A. I don't --
MR. COX: Object to the form.
THE WITNESS: I'm sorry.
I am not aware of holds prior to 1999, but I'm not speaking as to whether there were or were not holds issued.
BY MR. SWANSON:
Q. Well, sure you are. You are the representative. You are Johnson & Johnson sitting here speaking as Johnson & Johnson today, and I'm asking you about legal holds, and it's a noticed topic.
So did Johnson & Johnson issue a legal hold as a result of the Gambino case --
MR. COX: Object to the form of the question.
BY MR. SWANSON:
Q. -- in 1983?
MR. COX: Same objection.
THE WITNESS: That was -- that was not part of my investigation. I don't have that information.

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BY MR. SWANSON:
Q. So the answer is you don't know, it was your assignment, so there's two options: Either you don't know -- you did your investigation and there wasn't one, or it hasn't been produced or it's been destroyed or they never issued one.
Are there any other options I'm not thinking of?
MR. COX: Object to the form.
THE WITNESS: My objective was to identify the holds that were available. As far as the holds that weren't available, if there were any, I -- I can't speak to the absence of something as to why it was or wasn't there. I don't know one way or the other if there was a hold issued or not. I simply asked for the holds that were available.
BY MR. SWANSON:
Q. As Johnson & Johnson speaking today here, do you have any evidence of a hold as a result of the Gambino case in 1983?
A. I do -- I have not received a hold associated with that case.
Q. Okay. That's all I have about that. Put that in the stack.

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MR. SWANSON: Whoever's on the phone, one of you, please mute your phone.
MR. BERNARDO: This is Rich. Mine has been on mute.
MR. SWANSON: Okay.
This is a Fong privilege log.
(Whereupon, Plaintiff's Exhibit 42 was marked for identification.)
BY MR. SWANSON:
Q. Do you have Exhibit 42 in front of you?
A. Yes, I do.
Q. And you can see that this is a privilege log that was produced by Johnson & Johnson in the Fong case; correct?
A. Appears to be, yes.
Q. Have you seen this privilege log before?
A. I have not.
Q. So you didn't have anything to do with making it a privilege log; correct?
A. That's correct.
Q. Now I want to go through some -- you understand what the general purpose of a privilege log is; correct?
A. Yes.
Q. Okay. If you go to page 2 of this -- and

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I know the writing is small, but I -- you're pretty young and I assume you can read it.
A. Okay.
Q. Page 2. Tell me when you're there.
A. I'm on page 2.
Q. You see on page 2 it lists the document. There's various columns for this, and you can see there's -- including privilege log number, the Bates number, the date of the document, the author, the recipient, people who were copied, very -- sometimes a little bit of information about subject matter but not so much, and a privilege description and a privilege claim; correct?
MR. COX: Object to the form.
THE WITNESS: Yeah. I see those are the column headings on page 1.
BY MR. SWANSON:
Q. Okay. And if you go to page 2, you see the third one down, there's a document that -- about which Johnson & Johnson's claiming privilege dated 7/22/1981 from William Ashton to Frank Bolden.
Do you see that entry?
A. Yes, I do.

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Q. If you just go to the right there, you see it says, "Memorandum prepared at the request of counsel pursuant to pending and anticipated talc litigation."
Do you see that?
A. Yes, I do.
Q. I don't know what pending talc litigation they're referring to.
Do you know if any legal holds were issued with respect to the pending talc litigation that's being referred to in that item from 1981?
MR. COX: Object to the form.
THE WITNESS: I don't know and I simply didn't investigate those types of notations from the privilege log.
BY MR. SWANSON:
Q. Okay. You're not aware of any being privilege log from 1981 related to talc litigation, are you?
A. I'm sorry. One more time, please.
Q. You're not aware of any talc litigation related legal hold being issued in 1981; correct?
A. I'm not aware of one. I did not receive one when I requested.
Q. Okay. The next item down, do you see

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there's an entry for May 5, 1989?
A. Yes.
Q. And there's some kind of communication between Ira Dembro and William Ashton.
Do you see that?
A. I do.
Q. And, again, this indicates there's a memorandum prepared by counsel pursuant to pending and anticipated litigation prepared by counsel pursuant to pending and anticipated talc litigation; correct?
A. I see that, yes.
Q. Are you aware of any legal holds with respect to pending talc litigations being issued by Johnson & Johnson or one of its -- Johnson & Johnson broadly speaking, in 1989 as a result of whatever pending litigation is being referred to there?
MR. COX: Object to the form.
THE WITNESS: I'm not aware.
BY MR. SWANSON:
Q. Okay. Going to Page Number 4. Tell me when you're there.
A. Yes.
Q. Do you see at the top there are multiple

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references to communications dated November 30, 1982, between a George Lee and an Edward Leibensperger?
A. I see that, yes.
Q. And date of communication is 11/30/1982; correct?
A. Well, the first four --
Q. That's what I am --
A. Yeah.
Q. Okay. And it refers to -- the first one says, "Letter from client to counsel providing materials in anticipation of litigation for counsel to provide legal advice regarding talc sample evidence."
Do you see that?
A. Yes.
Q. And then the next one says, "Attachment between counsel and client sent at counsel's request seeking legal advice regarding ongoing talc litigation."
Do you see that?
A. I do.
Q. So, as of November 30, 1982, whatever case they're referring to these issues in, or anticipated cases, was any legal hold issued by

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Johnson & Johnson?
MR. COX: Object to the form.
BY MR. SWANSON:
Q. For talc litigation-related information and documents?
MR. COX: Same objection.
THE WITNESS: I -- I simply don't have that information. I didn't view it as my scope to investigate these -- these privilege log notations.
BY MR. SWANSON:
Q. Well, you understood that we were asking you about Johnson & Johnson's attempt to preserve evidence related to talc issues; correct?
MR. COX: Object to the form.
THE WITNESS: Yes. With respect to the Fong and Leavitt cases.
BY MR. SWANSON:
Q. Okay. But you just didn't look at this thing.
But you asked for holds; right?
A. Yes, I did.
Q. Okay. And from what you saw, you're not aware of any holds before 1999; true?
A. That's true.

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several former Hammondsville miners are still employed at the Ham mine, and they provided us with useful information as to the nature of the underground works."

Q. Now, you're aware from your research that Windsor Minerals did testing of talc; true?

A. I recall that I have some notes to that effect.

Q. And you're also aware that Hammondsville was one of the main mines where the talc for Johnson & Johnson's baby powder was mined; correct?

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

THE WITNESS: I don't know the specific names of the mines.

BY MR. SWANSON:

Q. Okay. And do you know -- did you do any research -- had you been aware of this destruction of records from your research?

MR. COX: Object to the form.

THE WITNESS: I'm generally aware that records are destroyed from time to time in accordance with retention practices.

BY MR. SWANSON:

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Q. Okay. That wasn't the question. I specifically -- I understand that you say you hadn't seen this document before, but were you aware from your research that at the time of the J&J divestiture in the Cyprus purchase or prior to that, which was 1989, for the record, there were -- that the most of the records were destroyed by the mine management staff?

MR. COX: Object to the form.

THE WITNESS: Well, I can read this document on first impression that it refers to pre-Luzenac records being destroyed by mine management. I did not investigate that issue. I don't know the circumstances of the destruction and under what business circumstances it was -- it was conducted.

BY MR. SWANSON:

Q. Okay. Do you know of all the testing records that have been there up until that point had been destroyed as of 1989 that were in the possession of the mine?

MR. COX: Object to the form.

THE WITNESS: Yeah. I have general notes as we've gone through on testing records. I cannot speak to any specific instances that would

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be in this document which I'm just seeing.

BY MR. SWANSON:

Q. And from your research on legal holds, you're not aware of any legal holds being in place at that time in 1989; correct?

MR. COX: Object to the form.

THE WITNESS: I'm not aware any.

BY MR. SWANSON:

Q. And the reason why there was no legal hold in place at that time is because Johnson & Johnson chose not to issue legal holds with respect to its talc litigation up to that point; true?

MR. COX: Object to the form. Mischaracterizes the earlier testimony.

THE WITNESS: I would disagree on two points. Number one, I'm not -- I believe I made it clear, I don't know if holds were issued or not, and I'm also aware that historic cases may be dispositions settled, litigated, come to their conclusion. I -- I'm not aware of relevant holds that would be in effect prior to 1999.

BY MR. SWANSON:

Q. And if there had been a hold in place for testing records and mining records prior to 1989 when these records were destroyed, they would have

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been preserved and retained at that point; correct?

MR. COX: Object to the form.

THE WITNESS: I mean, that -- that -- that calls for some degree of speculation. I -- the records you're speaking about I can't speak to there what happened to them. I know that what it says on the page here as you've had me read it, but I have not investigated the circumstances of this particular matter.

BY MR. SWANSON:

Q. You're not aware -- I mean, you keep raising the specter that you just aren't aware of any holds as if there could have been some holds from before. But you've told us that you're not -- you're not aware of any holds being destroyed by Johnson & Johnson; correct?

A. I'm not aware of any, no.

Q. That's right. And you're not aware of any hold releases being issued on talc litigation holds; correct?

A. Correct.

MR. SWANSON: That's all I have about that. Thank you.

MR. COX: Want to take a five-minute break

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things, including that you engage in the production, manufacture, and/or packaging of Johnson's Baby Powder?

Do you see that Request Number 1?

A. Yes.

Q. Okay. And if you look at Request Number 2, it says, "You are aware that the plaintiffs requesting that Johnson & Johnson admit that they're aware that the aspiration of Johnson's Baby Powder may lead to bronchoconstriction."

Do you see that?

A. Yes.

Q. And then if you go to the fourth page, you see where the plaintiff is asking Johnson & Johnson to admit that you were aware that the aspiration of Johnson's Baby Powder may lead to fibrosis.

Do you see that?

A. Yes.

Q. Did Johnson & Johnson issue a legal hold notice in the Selby case in 1994, or at any time for the Selby case?

A. I'm not aware of whether or not a hold was issued for the Selby case.

Q. You have no information that a hold was

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issued; correct?

A. One way or the other.

Q. When you say "one way or the other," again, you're not aware of any holds being destroyed, correct, by Johnson & Johnson?

A. Correct.

Q. And you're not ahold -- aware of a hold release ever being issued by Johnson & Johnson related in any way to talc litigation; correct?

A. I'm not aware that the -- of releases to the holds that I requested. In other words, the 1999 through 2017 holds that I requested I am not aware of releases applicable to those holds.

Q. Are you aware of releases applicable to other holds related to talc litigation for Johnson & Johnson?

A. I requested all holds applicable to cosmetic talc. I -- I don't recall if I requested every release ever issued.

Q. Okay. Well, this is clearly cosmetic talc issue, right, the Selby case; true? Johnson's Baby Powder is what they're talking about.

A. Yes.

Q. And so was the Gambino case. Remember that was a talcosis case --

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A. Yes.

Q. -- back in 1983?

A. Yes.

Q. So those are consumer talc holds if there was a hold related to those talc -- let me start over.

If there was a hold related to those cases, it would be a cosmetic talc litigation hold; true?

A. True.

Q. Okay. And you asked for all those; right?

A. Yes, I did.

Q. And the oldest one you got is 1999?

A. Correct.

Q. And you're not aware of any hold releases ever being issued by Johnson & Johnson related to cosmetic talc litigation; correct?

A. Correct.

Q. Or any other talc litigation; true?

A. I have not seen any releases.

Q. Okay. That's all I have about that. Thank you.

I want to ask you a few questions about Johnson & Johnson International, and I probably should have asked some of these in the context of

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what we were doing yesterday, but I've looked at the holds again in preparation for today, and we went over them in some detail yesterday, and I'd asked you questions about recipients of those legal holds for talc -- in talc litigation going back to 1999.

And do you have any information that Johnson & Johnson International ever received any of those holds?

A. As an entity?

Q. Yes.

A. I -- I don't have information with respect to that. I do understand that the 2017 hold was directed at people in international entities.

Q. And that was at the first hold that you're aware of that was directed to individuals at Johnson & Johnson International?

MR. COX: Object to the form.

THE WITNESS: Well, I'm not -- in terms of the precise name of the entity, I would have to double-check those entities. But I -- it's certainly in international locations for over -- overseas or OUS locations. That is the first ones I am aware of.

BY MR. SWANSON:

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the Leavitt case?
MR. COX: Object to the form.
BY MR. SWANSON:
Q. And I'm not talking about the documents that just exist now but of all the testing that was done from '65 to the present, those testing results, how many of those have actually been produced?
MR. COX: Objection.
BY MR. SWANSON:
Q. What percentage, anything like that.
MR. COX: Object to the form. Beyond the scope of the notice.
THE WITNESS: I'm not sure how I would have -- be able to understand what percentage were produced. Certainly the ones were produced that were -- the company could find.
BY MR. SWANSON:
Q. Right. So you -- right. And that's fine. And you can say you don't know. I mean, that's a perfectly fine answer in a deposition, as you know.
Okay. But they produced everything they had, according to their diligent search, according to that answer; right?

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A. Yes.
Q. Okay. So if any document -- if any testing documents are missing that there is reason to believe existed, those documents would have been destroyed; correct?
MR. COX: Object to the form.
THE WITNESS: I -- I didn't understand the last question, I'm sorry.
BY MR. SWANSON:
Q. Well, hypothetically -- you said they produced all the documents in their possession, custody, or control. And they said that under oath; Johnson & Johnson said that and you've verified that.
My question is, if -- first of all, can you say what percentage of the documents reflecting all testing results from those periods were produced, whether it was more or less than 5 percent?
MR. COX: Object to the form.
THE WITNESS: I'm in no position to -- based on research or even research that I could do, I don't know how I could say what a percentage would be. I think the company's methodology, as in much discovery, is to look for the information

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that it can find to identify it, or review it and produce it. I don't know how one would go about knowing what percentage of a hypothetical, historical population would have -- would have been calculated.
BY MR. SWANSON:
Q. Okay. So, to the extent that testing results have not been produced by Johnson & Johnson, that -- where the testing was done and at some point there was a testing result, that would be the result of destruction of the testing results; correct?
MR. COX: Object to the form.
THE WITNESS: I don't think that inevitably follows a "to be." That could be a -- that's a potential reason for why something wasn't produced if it was a disposition in the course of business.
BY MR. SWANSON:
Q. Right. Which means it would be -- and if those documents -- and we -- I'm not going to go back into all the holds and the retention schedules, but we talked about this yesterday. If something is not under a hold and it's no longer under retention by the retention schedule, it's

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actually supposed to be disposed of; correct?
MR. COX: Object to the form.
THE WITNESS: It becomes a candidate for destruction.
BY MR. SWANSON:
Q. Right. And if, for example, a company like Johnson & Johnson has a cleanout policy annually that's a mandatory possible -- procedure, then, in fact, it would get destroyed; true?
MR. COX: Object to the form.
THE WITNESS: To the extent that it was agreed upon and signed off on, yes.
BY MR. SWANSON:
Q. I'd like to ask you some questions about the Legacy collections of documents. And we touched on this a little bit in the first volume of your deposition. And let me ask you about -- first of all, are those listed in noncustodial sources, I believe? Is that right?
A. Yes, they are, which is Exhibit 4.
Q. Okay. And you've got some information in your notes about this.
Did you prepare this document, "Noncustodial sources"?
A. I did not.

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Q. It was prepared by counsel?
A. Yes.
Q. So looking at page 2 of Exhibit 4, it lists Legacy 1 and some information about that; correct?
A. Yes.
Q. And Legacy 1 was a document collection of talc-related documents that was put together in -- as a result or in connection with a 2009 South Dakota action, Berg v. Johnson & Johnson; correct?
A. That's my read of the description, yes.
Q. And that was a lawsuit alleging ovarian cancer as a result of the use of Johnson's Baby Powder; correct?
A. By its description.
Q. Do you -- do you know -- was a legal hold issued in that case? I think actually we may have seen -- is this Berg? Yeah, okay. I think we did see Berg from 2009. Yeah. Okay.
So I think I know the answer to that.
So that was a 2009 hold that we looked; is that right?
A. Yeah. You know, I'm going to actually just reach over and grab my list of holds so I've got that in front of me.

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Q. Oh, yeah. So what exhibit is that for the record?
A. That is 21.
Q. Thank you.
And the Berg case was under a legal hold; is that right?
A. I have a legal hold from December 15th, '09.
Q. And a collection of documents was put together at that time?
A. At some point it was put together.
Q. Do you know -- do you remember the last time we talked about in some detail how the various inquiry and search steps related to documents that had become part of the sort of -- I forget what we're calling it, but the large sort of omnibus talc collection of documents, and we talked about those procedures with respect to the 1600 boxes being pulled and the ERMS and the filtering terms.
You remember that?
A. Yes.
Q. And what I'd like to ask you is about what -- how the searches were done, the inquiry and searches related to Legacy -- the Legacy 1

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collection were done back in 2009 or '10 or whenever that was actually effectuated.
Do you have information about that?
A. I -- I don't. I have it represented that that was a monolithic collection that was preserved and carried forward. I don't have the search criteria for -- for that particular matter.
Q. Do you know how sources of documents were identified?
A. In Legacy 1?
Q. Yes.
A. No. As I mentioned, that was presented to me as a -- as a monolithic set. I mentioned in the first day that I had gone through and reviewed certain -- sampled and reviewed certain documents in a litigation review tool. I -- I pulled up a few Legacy 1 documents just to -- just to see them and get familiar with them. I certainly couldn't speak to where all -- they all came from.
Q. And it looks like -- interesting. I'm looking at these other Legacy collections and I think I'll just jump over to some of these others.
You see -- do you know why Legacy 4, for example, was -- how the numbering for the Legacy collections came about? For example, there were

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some documents, it appears from the description here that are part of Legacy 4, that were gathered in the Ritter case.
Do you see that?
A. Yes.
Q. Do you know when those were gathered?
A. No, I do not.
Q. It says "primarily collected in connection with the Ritter case."
And then you were aware of the Coker case and the collection that came out of that; is that right? That's Legacy Number 2?
A. That's right.
Q. Does the -- and I know you don't have any holds prior to 1999, but does the existence of these Legacy collections to you suggest that there were legal holds in place?
MR. COX: Object to the form.
THE WITNESS: It does not necessarily follow that. And I -- as a hypothetical and maybe they collected for the purposes of accomplishing a hold. I know from -- in some cases that happens. I don't know if that's an indication or not of whether holds were issued.
BY MR. SWANSON:

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Q. Looking at the Coker, the one that was collect -- the Legacy 2, it says it was a historical collection of materials primarily located in connection with the 1998 Texas action, Coker v. Bill Thames Pharmacy, Inc. et al.

Do you see that?

A. Yes.

Q. And that was a case where a woman had alleged that she developed malignant mesothelioma from airborne exposure to talcum powder, and that would be referring to either Johnson & Johnson Baby Powder or Shower to Shower; right?

A. I'd have to double-check, but apparently, yes.

Q. Okay. Speaking as to that collection that was gathered as a result of this Coker case that was filed in 1998, do you know what sources of -- do you know -- generally, can you talk about how the collection was created?

A. You know, I received a brief overview from counsel and then I was also referred to the letter that is marked as Exhibit 10 to familiarize myself with those materials.

Q. Okay. Without me reading this letter in detail right now, based on your understanding

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after having read it, do you know what sources were consulted to locate relevant documents that were collected and became Legacy 2?

A. Well, I did not personally verify this, but based on my read of the document, on page 2 there's a question about the document collection that occurred, and the text in the case that "the collection efforts involved identifying, collecting, and copying the reasonably available documents related to talc from employees identified in the memo," that collection which was referred to as "the '98 collection" contains a list of identified individuals below that.

Q. Okay. And you're looking at this list: John Hopkins, Bill Ashton, Regina Gallagher, Connie Seamen, James Molnar, Bob Russell, George Lee, and Bruce Semple?

A. Yes.

Q. Are you aware of anybody else who was consulted or -- for documents from whom documents were sought with respect to this -- the Coker case and the documents that became Legacy 2 collection?

A. Well, as I mentioned, I know basically my understanding comes from a read of the documents, and it does note that some documents came from

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other people. But beyond that, I don't have specific information, nor did I do a discrete investigation of this historical collection that was brought forward.

Q. And do you know specifically -- or what information do you have about the -- what was being sought and what indexes -- indices, electronic or paper, were consulted for that?

A. I don't have specific information beyond what -- what's in the letter.

Q. And do you know who actually did the search?

A. My understanding is that it was done under attorney supervision. Beyond that, I can't speak to who physically performed the search.

Q. Do you know if the search was done only through paper files or were there electronic searches done?

A. I'm reviewing the letter to see if there's any indications.

Yeah. It -- it's not clear from the letter what sources were consulted. There are -- there are certainly references to paper documents. I -- I can't ascertain the scope of the search from the letter.

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Q. And is your information about that collection limited to that letter?

A. There was a brief summary of it from -- from counsel, and then there's the materials that are in the Exhibit 4 table.

Q. Where it mentions the collection?

A. The noncustodial list, yes.

Q. When you say a summary from counsel, and I'm not specifically -- are you talking about some written summary as in, for example, what's written here in Exhibit 4, or something additional?

A. No. I was generally told that there was a case and I was being provided a letter about the case to educate me.

Q. Do you know whoever did the search, and I know -- whether, how narrowly or broadly their instruction was as to -- well, do you know how broadly or narrowly they interpreted what was relevant to the inquiry? For example, if there was a document with attachments and the attachments, for example, maybe one of the attachments doesn't match up some particular search terms or group of search terms, whether or not all of the attachments would be included?

A. I -- I don't have that information. I

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mean, I understand from the memo certain searches were conducted with certain custodians and other sources where the documents were reasonably calculated to be, that they were put in boxes at some point. They were rearranged and reorganized. But that that collection has been preserved historically in a monolithic way and only -- only what's in this letter is what I know about how the collection was performed.

Q. And in looking at your noncustodial sources here, Legacy, the Legacy 4 collection.

MR. SWANSON: Oh, let me stop for a second.

Is it about time for a little break?

MR. COX: That sounds good.

MR. SWANSON: I think that's about the right time. Okay. And we'll have lunch coming, so. But we'll do some more testimony first. I think it's -- isn't it 11:30?

MR. COX: It is.

MR. SWANSON: Yeah. That's fine. Okay. Good.

THE VIDEOGRAPHER: This marks the end of Media Number 2, Volume III in the deposition of James Mittenthal.

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Off the record at 11:29.

(Recess taken.)

THE VIDEOGRAPHER: We are on the record at 11:52 a.m.

This marks the start of Media Number 3, Volume III in the deposition of James Mittenthal.

Counsel, you may continue.

BY MR. SWANSON:

Q. Okay. Let's see. Gather myself up here.

You have that letter in front of you. That was Exhibit 10 we were talking about, the Legacy 2 collection in the Coker case.

You remember that?

A. Yes.

Q. And that indicates on the first page that the case was actually filed in 1997; correct?

A. Yes.

Q. Okay. And was a legal hold issued in that case?

A. I don't have information about that.

Q. Now, you knew about this document and you asked for legal holds in this case.

Did you ask if there was a legal hold for this case?

A. I recall asking for all relevant legal holds from the context of consumer talc. I didn't specify this case individually.

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Q. We had spoken about the Gambino case and the Westfall case. Were any Legacy document collections created in connection with those cases?

A. Well, I'm not aware of a precise definition of a Legacy document collection. I know that in the noncustodial sources there are four designated groups of documents called Legacy 1 through 4 that have been denoted that for various reasons.

I don't -- I also understand that -- that the global put out -- the global talc production and, in addition to that, the specific productions for Leavitt and Fong were based on documents that were available, both through the ongoing collection process as well as the incorporation of Legacy 1 through 4.

I'm not aware of any distinct sets that have been created that are called "Legacy," anything else. But I know that the company used its best efforts to collect the information from whatever relevant sources were available and incorporated those Legacy cases as well.

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MR. SWANSON: Move to strike as nonresponsive.

BY MR. SWANSON:

Q. Was there -- do you have any information that documents were gathered in connection with the Westfall litigation that are part of the global talc production of documents?

A. You know, I have no specific tie-back from a document to a case. I have an understanding that the documents that have been produced in this case go back and in some cases many, many years to the '60s before that. I -- I can't tie a particular document to a particular prior case.

Q. Well, I mean, that's not really the case, is it, because you've got these descriptions of the Legacy collections and they tell you what cases those were in connection with; correct?

A. Well, I was -- I believe I was speaking of Legacy 1 through 4 as a carve-out to the general approach that the company took to comply with its production obligations.

Q. But you can tell from those Legacy collections in connection with what case they were done; correct?

A. I believe -- well, I --

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wasn't sure what the question was on the table at that point.

Q. Okay. The bottom line is, your -- if you spoke to somebody about these talc-related issues in the work that you just described to Mr. Cox, that's reflected in your contemporaneous notes except for a little bit of your follow-up conversations; correct?

A. I would generally agree.

MR. COX: Object to the form.

BY MR. SWANSON:

Q. Okay. And how much have you billed Johnson & Johnson for your work in this case?

A. It will be -- you mean the bills that have actually gone out the door? I don't know. It will be about close to probably a hundred thousand.

Q. Okay. That's $500 an hour for 200 hours?

A. Yes.

Q. I'm terrible at math.

And that's a hundred -- that's a hundred thousand dollars just in these two cases; correct?

MR. COX: Object to the form.

BY MR. SWANSON:

Q. Or does that include the prior work that

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you were talking about?

A. That includes the prior work.

Q. Okay. Now, you mentioned that you -- and we talked about this last time a little bit -- that you actually looked through several hundred pages of documents that were responsive documents produced by Johnson & Johnson in Fong and Leavitt; correct?

A. Yes.

Q. And you're aware, though, that something like at least 250,000 different documents were produced; correct?

A. Yes.

Q. And, even though you've seen the responses to the requests for production and you've seen what was described abstractly in terms of the Excel spreadsheets and the various tabs and the Bates numbers, you didn't systematically go through the production and sort of audit the production and see if this was exactly what was produced in response to different requests, have you?

A. That's right. That was not something I viewed as my responsibility.

Q. And you have not audited -- even though

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you asked for the holds, you haven't audited holds for Johnson & Johnson to find out whether or not there's been good compliance with those holds, have you?

MR. COX: Object to the form.

THE WITNESS: I've spoken to people in the records functions to understand how hold programs are delivered, how compliance is measured. I haven't audited individual holds.

MR. SWANSON: Move to strike nonresponsive portions.

That's all I have. Thank you.

MR. COX: One question.

MR. SWANSON: Okay. Do you want to come over here for it?

MR. COX: No, that's fine.

MR. SWANSON: You can bounce it off me. And he can look at me when he's answering.

RECROSS-EXAMINATION BY MR. COX:

Q. Mr. Mittenthal, did all the work you did for the Hayes case inform the testimony you've given in response to the topics in the deposition notices in the Leavitt and Fong cases?

A. Yes, it did.

MR. COX: That's all I have.

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MR. SWANSON: Okay.

THE VIDEOGRAPHER: I'm afraid to say anything.

MR. SWANSON: You should be.

Let's go off the record.

THE VIDEOGRAPHER: This concludes the deposition of James Mittenthal.

Volumes II and III contain eight media disks. These originals are to be retained by Tele-Video Production Services. Telephone is (510) 893-0555.

Copies are available to interested parties unless otherwise stipulated.

Off the record at 2:05.

(Whereupon, the deposition was concluded at 2:05 p.m.)

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10/22/2018 4:09 PM
Steven D. Grierson
CLERK OF THE COURT

SIGNATURE OF DEPONENT

I, the undersigned, JAMES PETER MITTENTHAL, do hereby certify that I have read the foregoing deposition and find it to be a true and accurate transcription of my testimony, with the following corrections, if any:

PAGE	LINE	CHANGE
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JAMES PETER MITTENTHAL, Date

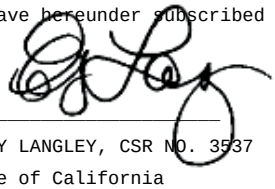
STATE OF CALIFORNIA)
) ss.
COUNTY OF ALAMEDA)

I, EARLY LANGLEY, a Certified Shorthand Reporter, State of California, do hereby certify:

That JAMES PETER MITTENTHAL, in the foregoing deposition named, was present and by me sworn as a witness in the above-entitled action at the time and place therein specified;

That said deposition was taken before me at said time and place, and was taken down in shorthand by me, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed into typewriting, and that the foregoing transcript constitutes a full, true and correct report of said deposition and of the proceedings that took place;

IN WITNESS WHEREOF, I have hereunder subscribed my hand on October 22, 2018.



_____

EARLY LANGLEY, CSR NO. 3537
State of California

EXHIBIT 95

ELECTRONICALLY FILED 2022-08-24 07:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1400946

ELECTRONICALLY FILED 2022 Sep 27 11:09 AM - CIRCUIT COURT OF COOK COUNTY, ILLINOIS - 2022L007946

RECEIVED
OCT 13 1997
REGULATORY AFFAIRS

Date: October 10, 1997

From: Hernando Arbelaez

RE: Document Preservation Notice

Distribution: John Hopkins
Rachel Grossman
James Molnar
Regina Gallagher
Margaret Aleles
Marjorie McTernan
Sharon D'Agostino
Jeff Slade
Steven Taylor
Vanessa Evans
Santosh Jiwrajka

RECEIVED
OCT 13 1997
MARJORIE McTERNAN

Johnson & Johnson

NEW BRUNSWICK, N. J.

October 6, 1997

RE: COKER V. JJCPI, ET AL

TO: Hernando Arbelaez

As indicated in the atached notice, it is imperative that the specified documents be preserved pending further written notice from the Law Department. Please disseminate, in hard copy, the attached notice to the appropriate personnel and return to me a listing of each person to whom the notice was distributed.

Thank you for your assistance.

John C. O'Shaughnessy

/ndrj

1129-213

ELECTRONICALLY FILED 2022-08-10 17:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1400946

J&J LAW DEPARTMENT
DOCUMENT PRESERVATION NOTICE
DO NOT DESTROY
SPECIFIED DOCUMENTS

Date: October 6, 1997

RE: COKER V. JJCPI, ET AL

JJCPI is a party to lawsuit involving allegations of manufacturing and/or design defect and/or failure to warn in connection with the below product.

In connection with this case, it is vital to preserve all documents relating in any way to the below listed subject matters until contrary written notice is received from the J&J Law Department. Failure to preserve these materials could result in harsh penalties or sanctions. "Document" includes all written materials, all electronic media (computer files) and all other means of recording information such as audio tapes, video tapes, etc. If you have any questions about what documents should be preserved as a result of this notice, please contact Lisa Warren at (908) 524-2472 . If you cannot locate that person, please contact Taysen Van Itallie at (908) 524-2075.

Subject matters of documents to be preserved:

All documents, memoranda, notes, files, etc., which relate to -

TALC

1. FDA Regulatory files (NDA, IND, IDE, 510k, PMA), FDA correspondence.
2. Design, development, testing, clinical evaluation, history files.
3. Product Complaint files, including MDRs, 3500 As.
4. Labeling files.
5. Advertising.
6. FDA records, 483s, etc.
7. Recall files.
8. All records of this plaintiff's product, complaint and incident, if known.
    a. Manufacturing lot records.
    b. Product complaint, correspondence, testing, etc.
    c. Sales history and records for the hospital and doctor involved, if known.
9. Dear Doctor letters.

ELECTRONICALLY FILED 2022-08-29 17:09:29 FM-CHARLESTON COUNTY COMMON PLEAS CA 2:22-cv-03946

JNJTALC000949679

Metadata

Applic	Portable Document Format	ORIGINAL
AttachCount	0	ORIGINAL
BegAttach	JNJTALC000949679	ORIGINAL
Confidentiality	N	ORIGINAL
Custodian	Legal Hold	ORIGINAL
DocExt	PDF	ORIGINAL
DocumentType	E-Doc	ORIGINAL
EndAttach	JNJTALC000949681	ORIGINAL
FileName	Coker Legal Hold.PDF	ORIGINAL
FileSize	315241.00	ORIGINAL
HashValue	b3dedc98b903aa49dd17b9f39e86cd40	ORIGINAL
ProdVol	TALC_PROD_207	ORIGINAL
Relative FilePath Append	Legal Hold\2019-02-25-Legal Holds	ORIGINAL

ELECTRONICALLY FILED 2022-08-17 09:29 PM -- CHARLESTON COUNTY - COMMON PLEAS - CASE# 2022CP1400946

EXHIBIT 96

ELECTRONICALLY FILED 2022-08-24 07:11:09 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1402946

J&J LAW DEPARTMENT

DOCUMENT PRESERVATION NOTICE

DO NOT DESTROY

SPECIFIED DOCUMENTS

Date: November 11, 1999

RE: Hold Notice for Theresa Krushinski v. JJCP

JJCP is party to a lawsuit involving allegations of manufacturing and/or design defect and/or failure to warn in connection with the below product.

In connection with that matter, it is vital to preserve all documents relating in any way to the below listed subject matters until contrary written notice is received from the J&J Law Department. Failure to preserve these materials could result in harsh penalties or sanctions. "Document" includes all written materials, including all drafts as well as finalized documents, all e-mails and other electronic media (computer files) and all other types of recorded information such as audiotapes, videotapes, etc. Electronic files such as e-mails and those materials that may reside on individual hard drives or the LAN should be preserved in personal folders or printed out and preserved in hard copy. This notice also pertains to all files (on the subjects specified below) you maintain in your office as well as those maintained in shared locations such as general and departmental files. If you have any questions about what documents should be preserved as a result of this notice, please contact John O'Shaughnessy at (732) 524-2474. If you cannot locate that person, please contact Taysen Van Itallie at (732) 524-2075.

Subject matters of documents to be preserved:

The following documents pertaining to: JOHNSON'S BABY POWDER

1. Product Development files, including documents pertaining to:
   Design, development, testing, clinical evaluation, fact books, product history.
2. Regulatory files, including documents pertaining to:
   NDA, IND, IDE, 510k, PMA (as applicable).
   FDA correspondence;
   FDA inspection records, 483s;
   MDRs, 3500As (as applicable);
   Product monograph files (as applicable);
   Recall files (as applicable).
3. Marketing, Sales, Consumer Affairs files, including documents pertaining to:
   Labeling;
   Advertising;
   Dear Doctor letters (Health Care Professional/Distributor/Pharmacy communications);
   Product Complaints/Inquiries;
4. Files dealing with this incident, plaintiff, or event, including documents pertaining to:
   All records of this plaintiff's complaint and incident, if known;
   The product actually involved, if returned or available;
   Manufacturing lot records for this product, if known;
   Retained samples, if lot is known;
   Product complaint, investigation, correspondence, testing for this product, plaintiff, or incident;
   Sales history and records for the hospital, health care facility, doctor, health care professional, distributor, retailer and/or consumer involved (as applicable), if known.

ELECTRONICALLY FILED 12/22/2021 03:29 PM - CHERRI ANDONOVICH - COUNTY CLERK - LOS ANGELES - CASE #21STCV46946

EXHIBIT 97

ELECTRONICALLY FILED 2022-08-23 07:11:09 PM Jacqueline Bryant Clerk of the Court Transaction # 9046946

11/30 cc: MA Cook
FYI, good report, Bob is learning and understanding pretty rapidly. [signature]

Johnson & Johnson
CONSUMER PRODUCTS, INC.
SKILLMAN, NJ 08558-9418

DATE: November 23, 1993

TO: W. Ashton, D. Jones

FROM: R. Denton

SUBJECT: **TRIP REPORT**
TALC VALIDATION TEAM MEETING - NOVEMBER 16, 1993
WINDSOR, VERMONT

TUESDAY MORNING MEETING HIGHLIGHTS:

- Flocculant was removed from the process as of 9/28/93 (i.e., just subsequent to farmhouse meeting).
- Luzenac will return to the exclusive use of "conventional" (i.e., horizontal) flotation cells.
- Luzenac has begun investigating possible alternative methods of particle size analysis (e.g., a "dry" coulter counter, etc.), but will continue to utilize the Micromeritics Corporation's "sedigraph" instrument. They have accumulated a large body of data on their talc with this device, and it is one of the most generally accepted methods for mineral particle size analysis in the 0.5 to 50 micron size range. It is also an accepted technique within the talc and mica industries. We expressed concern that the sedigraph, which analyzes samples as an aqueous dispersion, may not give data reflecting the respirable particle distribution. We also brought up the possibility of using an aerodynamic technique (e.g., Aerosizer).
- Luzenac has produced "high, loose bulk density" talc powder by minimal passage of material through the air classifier, thereby increasing the loose bulk density from 25.5 to approx. 27.0 lbs/cu ft..
- Luzenac is placing considerable emphasis on our acceptance of the V-96 special material (< 3.0% acid solubles). We have promised to continue reviewing the data, but expressed great caution in any hasty judgement as to the acceptability of the V-96 grade.
- Randy Corder gave a brief review of the effort to reduce microbial contamination of the talc. Prior to 1986, he mentioned that a large number of talc shipments were rejected due to contamination (spec. is ≤ 100 c.f.u.'s/gram and no harmfuls in 0.1 gram). After chlorination of the dewatering tank was begun (1986), there have been no rejections based on microbial content. However, due to technical problems with the chlorination (i.e., pH control, destruction of equipment due to corrosive HCl vapor, etc.) there continues to be emphasis on the acceptance of a brominating agent for microbial control. However Luzenac will keep the process as it currently is being run.

EXHIBIT
tabbies JJ 456

RoA_04141

JNJ 000240739

ELECTRONICALLY FILED 02/20/2020 by pj in 71032/FRW--CHARLESTON COUNTY, SC

- In order to create a "benchmark" talc for our characterization and specification work, we agreed that there will be a "moratorium" on any further process changes, to avoid chasing a "moving target" on particle size, odor changes, density, etc..

  Here is a summary of major ore reduction/purification ('front-end") processing changes over the past 16 years.

  Pre-1976
  Crusher-----Roller Mill----Delaminator-----Flotation*-----Dewatering-----Finishing

  1976-1991
  Crusher-----Roller Mill----Shear Disc------Flotation*-----Dewatering-----Finishing

  1991-1993
  Crusher-----Roller Mill----Shear Disc------Flotation-----Dewatering-----Vertical Mill-------Fin.

  1993 to present
  Crusher-----Roller Mill----Shear Disc----Flotation*---Dewatering-----Air Classifier Mill---Fin.

  Planned Changes (1994 Onward)
  Crusher-----Roller Mill----------Flotation*---Dewatering-----Air Classifier Mill---Fin.
  (*-indicates use of "conventional" flotation cells.)

- We will be provided with samples of the processing stream from immediately before and after the shear disc. Johnson & Johnson (Bob Denton) will analyze these samples for any changes in morphology, surface area, surface energy, and especially delamination or edge rounding. Until this analysis is carried out and the results evaluated, **the shear disc will not be removed** from the process stream.

PLANT AND MINE TOUR:

Ore Typology:

- High Grade, "A" Type - Platy, opaque, schist-like fracturing, wavelly banded ore with large talc crystal plates. Often with smoky quartz inclusions occurring as lens shaped pods. Very soft, and easily delaminated (sheets can be separated with a pocket knife or fingernail). Low carbonate level (< 35 percent solubles). Usually occurs at the margins of the ore body (shear zone).

- "B" Type - Fine platy to granular, grainy fracture, semi-translucent ore. Ham material is typically light green with dark magnetite and chlorite inclusions. Contains from 45 percent to 35 percent solubles (moderate carbonate level). Makes up the majority of the commercially useful cosmetic talc ore body at the Ham mine. Harder than high grade ore.

JNJ 000240740

- "C" Type - Dark colored, translucent, granular ore with a grainy fracture. Ham material is greenish gray with numerous dark inclusions of magnetite and chlorite. High carbonate level (>45 percent soluble material). Highest hardness of all commercially useful cosmetic ores due to high magnesite levels.

PLANT TOUR HIGHLIGHTS: (Conducted by M. Keener)

- Use of too much high grade ore has had a history of producing "slimes" which tended to block up the filters. This was attributed to the fact that the high grade ore delaminated easily into very thin, soft talc plates which tended to yield a large amount of fines during the grinding process. Both the fines and the thin plates contributed to the clogging of the filters and production of excessive foam during flotation.

- Higher carbonate rocks ("B" and "C" type ores) were easier to crush, float, filter, and processed more efficiently in general. Thus, quantities of the "B" and "C" type ore were blended into the high grade material even when Hammondsville was in operation, especially after the advent of continuous mining techniques. However, the exact percentages used in this blending at Hammondsville are currently unknown.

- The Ham production has consisted of primarily "B" grade ore, although as much as 10 to 15 percent of the "A" type ore continues to be mined there. The quantities of "A" ore incorporated into the grind could be even higher, but this facies often contains an unacceptable level of arsenides at this locality.

- All column flotation tanks were removed from process in late 1992. Column flotation was never used exclusively as the material produced by this technique tended to be inconsistent in quality.

MINE TOUR HIGHLIGHTS: (Conducted by Lance Meade)

- Polished thin sections are prepared as part of the prospecting routine to assess crystallinity and mineral types in the bench extensions.

- Hammondsville Mine (open pit/underground - Reading, Vermont) is at the north end of the Chester Dome structural zone. R. Denton collected a sample of a high grade (type A) ore. Lance explained that the underground mining operation was probably* more selective than the current surface mining techniques, and utilized a mixture of primarily high grade and "B" type ore.

*(Note- The specifics of the mining operation at Hammondsville are uncertain, as most of the pre-Luzenac records were destroyed by the mine management staff just prior to the J&J divestiture and the Cyprus purchase. However, several former Hammondsville miners are still employed at the Ham mine, and they provided us with useful information as to the nature of the underground works.)

JNJ 000240741

- Ham mine (Open pit- Windham, Vermont) is on the western flank of the Chester Dome. Although the ore body exhibits a steeper dip, the basic geological setting is similar to Hammondsville. The ore bodies at both localities are theorized to have originated as serpentinites which were altered by acidic aqueous intrusions to magnesite (magnesium carbonate). Then, the magnesite was partially altered to talc by the intrusion of water-containing dissolved silica into a process known as "steatization". This incomplete steatization gave rise to a biphasic rock containing both talc and magnesite, the so-called "Talc Carbonate".

- The country rock in both locations varies from a phyllosilicate schist (hanging wall) to a garnetiferrous gneiss (footwall), with the ore body lying in between. There is an adjacent deposit of serpentine, grading into the magnesite facies, which has been steatized outwards forming the commercially usable talc. At both locations the flaky high grade ore (A type) is a border deposit lying in the shear zones, especially near the contact with the schist (although there are intraformational shear zones as well).

c: **Skillman:**
R. Gallagher
A. Kulkarni
E. Lukenbach
V. McCluskey
J. Molnar
K. Scisorek

Royston:
R. Corder
D.Dye
J. Flaska
M. Roser

ELECTRONICALLY FILED 02/20/2018 01:10 PM - CHARLESTON COMMON PLEAS - CASE# 2018CP1400346

EXHIBIT 98

ELECTRONICALLY FILED 2022-08-24 07:11:09 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1402946

George Lee's TALC Files
Transferred to CIS July 1988

GLee Talc
Box 1

Alternate Sources of Talc 1976-1983

Ambient Respirable Talc

Analytical (Test Results) 1978-1983

Analytical (Method) 1979

Ashton - Gov't Liaison - 1975-1976
Gov't Liaison - 1977
Gov't Liaison - 1978
Gov't Liaison - 1979
Gov't Liaison - 1980 - 1983

ASTM, meeting April 9, 1984

Bi-Monthly Reports Talc/Powder

Consumer Product Safety Commission - EPA

Corporate Press - PR Statements 1976 - 1977
PR Statements 1978
PR Statements 1979 - 1980

CTFA General 1980-1983 Cosmetic Toiletry, Fragrance Association

CTFA Talc Specs

CTFA Sub-Committee - 1979 - 1983

FDA Regulatory - 1978 -1979

Joly - Talc Suit

GLee Talc
Box 2

Kwangsi Talc - Longsheng, China

Talc Literature

Newspaper Articles
Literature
Manuscripts

National Toxicology Program

EXHIBIT
tabbies
J&J453

J&J-0112968

ELECTRONICALLY FILED 02/03/2021 07:10 PM - CIRCUIT COURT OF COOK COUNTY, IL - 2021L001407 - 2946

Niosh Talc Criteria Document 1979 - 1980
1980
1981

Talc Ovarian Cancer

Professional Relations (White Paper) - JBP

Talc - Respirable/Fines Removal

Safety Brocure

U.S. Rubber Industrial Talc Suit

GLee Talc
Box 3

U.S. Rubber - Westphall Lawsuit continued

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TALC

FIRST DRAWER FILE

February, 1983

Alternate Sources of Talc 1976-1983

A.I.H.A. - American Industrial Hygiene Association - Sent to Central files 6/24/82

Analytical (Test Results) 1978-1983

Analytical (Methods)

Ashton - Gov't Liaison - 1975-1976
Gov't Liaison - 1977
Gov't Liaison - 1978
Gov't Liaison - 1979
Gov't Liaison - 1980-1983 (Also ASTM)

Baby Powder (Competitive)

Baby Powder Cornstarch - 1978

Baby Powder - 1979 - 1980 - 1981

Bi-Monthly Reports Talc/Powder

Consumer Product Safety Commision - EPA

Corporate Press - PR Statements 1976-1977
PR Statements 1978
PR Statements 1979-1980

CTFA General 1980-1983 - Cosmetic Toiletry, Fragrance Association

CTFA Specs

CTFA Sub-Committee - 1979-1983

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2322-CC00140

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FDA Regulatory - 1978-1979

Joly - Talc Suit

Kwangsi Talc - Longsheng, China

Literature - Talc
Newspaper Articles

Manuscripts

National Toxicology Program

Niosh Talc Criteria Document 1979-1980
1980
1981

OTC Panel On Contraceptives

Ovarian Cancer

Professional Relations (White Paper) - JBP

Prospective Evaluation Pulmonary Function In Windsor Talc Workers (Baylor)

Safety Brochure

Safety Drawer
U.S. Rubber Industrial Talc Suit
Union Carbide Corp. Lawsuit Others

Windsor Minerals - General

Windsor Minerals #7007

Protected Document--Subject to Protective Order

ELECTRONICALLY FILED 02/23/2018 by JA71103239 - CASE NUMBER: 18CH CV 00946

EXHIBIT 99

ELECTRONICALLY FILED 2022-08-04 07:11:09 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1400732946

Memo

To: William Ashton

cc: Regina Gallagher, Lorena Telofski, Mike Chudkowski

From: Joyce Payeur

Date: 10/20/00

Re: TALC CLOSET CLEANOUT & STORAGE

I was requested by Research Support Sciences to remove all powder items from the storage closet in Research North, second floor. The majority of items were from previous world talc surveys and Chinese competitor brands. These items were discarded today as standard chemical waste through Skillman Environmental Affairs.

I have relabeled and repackaged the following items for long-term storage in the Research North Sub-Basement Room, first corridor:

Historical Talc from Kilmer Museum - 1 Box
Asbestiform Mineral samples and purchased standards - 1 Box
Tremolite & Carbonate 95%- 1 Kilo Poly Jar
NY State Tremolite labeled XRD Std - 1 gallon paint can
Card File with Mine Locations and Photomicrographs of Talc

Please be aware of their presence and location.

Joyce

Joyce Payeur - Technical Assurance

Technical Assurance

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EXHIBIT
J&J-800

EXHIBIT 100

ELECTRONICALLY FILED 2022-08-23 17:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1402946

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-1030-19 AS

VIDEOTAPED
VIRTUAL
DEPOSITION UPON
ORAL EXAMINATION
OF
JOHN C. O'SHAUGHNESSY

ROY COKER, individually and as, Executor of the Estate of DARLENE COKER, Deceased, and CRYSTAL DECKARD and CATHRYN EVANS, Individually and as Individual Heirs of the Estate of DARLENE COKER,

Plaintiffs,

v.

JOHNSON & JOHNSON, et al.,

Defendants.

DAVID HAMMOCK, Individually and as Administrator of the Estate of SANDRA HAMMOCK,

MID-L-5103-18 AS

Plaintiffs,

v.

JOHNSON & JOHNSON, et al.,

Defendants.

CANDYSE STANFORD and JOHN STANFORD,

MID-L-8486-19 AS

Plaintiffs,

v.

JOHNSON & JOHNSON, et al.,

JOB NO.: 4580310

ELECTRONICALLY FILED 2022 Sep 27 11:09 AM -- CHARLESTON COUNTY -- CASE #2022CP1400946

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TRANSCRIPT of the stenographic notes of ANDREA F. NOCKS, a Certified Court Reporter and Certified Realtime Court Reporter of the State of New Jersey, Certificate No. XI01573, taken virtually on Tuesday, June 22, 2021, commencing at 9:57 a.m., Eastern Standard Time.

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BEFORE:
SPECIAL MASTER JOEL SCHNEIDER
MONTGOMERY McCRACKEN WALKER & RHOADS LLP
Liberty View
457 Haddonfield Road
Suite 600
Cherry Hill, NJ 08002

A P P E A R A N C E S:
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ROBERT ELLIS, ESQ.
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Houston, Texas 77002
Attorneys for Witness,
John C. O'Shaughnessy

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
BY: ALLISON M. BROWN, ESQ.
RICHARD BERNARDO, ESQ.
CATHERINE MULLALEY, ESQ.
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New York, New York 10001
Attorneys for Defendants,
Johnson & Johnson, Johnson & Johnson Consumer Products, Inc.

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A P P E A R A N C E S:
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Newark, New Jersey 07102-4056
Attorneys for Defendant,
Johnson & Johnson

FAEGRE DRINKER BIDDLE & REATH, LLP
BY: SUSAN M. SHARKO, ESQ.
600 Campus Drive
Florham Park, New Jersey 07932-1047
Attorneys for Johnson & Johnson
defendants

ALSO PRESENT: JIM ROBERTS,
VIDEOGRAPHER

RACHEL GOODMAN,
MONTGOMERY McCRACKEN WALKER & RHOADS LLP

CHRIS PLACITELLA, ESQ.
COHEN, PLACITELLA & ROTH

LEVIN PAPANTONIO RAFFERTY
CHRISTOPHER V. TISI

LEVY KONIGSBERG LLP
BRADY McLAUGHLIN, Paralegal
JOSH DISCHINGER, Paralegal

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WITNESS:
JOHN C. O'SHAUGHNESSY
EXAMINATION BY:
MR. BLOCK 9

ELECTRONICALLY FILED 2022 Sep 27 11:09 AM - CLERK - MIDDLESEX COUNTY - NEW JERSEY - CASE NO. 271-09-22

EXHIBITS

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7	Regulatory Toxicology and Pharmacology publication	61
7A	List of participants at the International Society of Regulatory Toxicology and Pharmacology and The United States Food and Drug Administration, A Workshop	63
8	March 18, 1994 memo	68
8A	Talc: Consumer Uses and Health Perspectives transcription	70
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13	Amphibole Content of Cosmetic And Pharmaceutical Talcs	222
14	Amphibole Content of Cosmetic And Pharmaceutical Talcs, Imerys Bates numbers	236
15	April 16, 1998 fax	246
31	February 22nd, 2000 fax	206
32	Krushinski: Defendants Johnson & Johnson Consumer Companies, Inc., and Johnson & Johnson's Answers to Plaintiffs' Supplemental Interrogatories	193
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32B	May 27, 2009 e-mail	214
34	February 4, 2003 letter	218

(Exhibits e-mailed to Certified Court Reporter.)

VIDEOGRAPHER: Good morning.

We are going on the record at approximately 9:57 a.m. on June 22nd, 2021.

Please silence any cell phones, computer tones or other electronic devices.

Audio and video recording will continue to take place unless all parties agree to go off the record.

This is Media Unit 1 of the remote video-recorded deposition of John C. O'Shaughnessy taken by counsel for plaintiffs in the matter of Roy Coker, et al., versus Johnson & Johnson, et al., filed in the Superior Court of New Jersey Law Division, Middlesex County, under multiple docket numbers.

My name is Jim Roberts here in association with Priority One, a Veritext company. I'm the videographer. The court reporter is Andrea Nocks, also with Veritext.

All counsel consent to this remote video arrangement, waive objections to this manner of recording and to the remote swearing in of the witness.

The court reporter has noted counsels' appearances and will now swear in the

witness, please.

JOHN C. O'SHAUGHNESSY,

C/o Skadden Arps, Slate, Meagher & Flom, LLP, One Manhattan West, New York, New York, having been first duly sworn, testifies as follows:

MS. BROWN: And good morning, this is Alli Brown for the J&J defendants, and I just wanted to start with a quick statement on the record before we begin here today.

I want to reiterate that the J&J defendants object to this deposition going forward at all for the reasons stated in our motion to quash. We are here today for the deposition of a long time in-house litigation counsel for Johnson & Johnson, and for reasons articulated in our motion to quash we believe that the likely subject matter of this deposition is heavily entwined with privileged information and attorney work product and, therefore, is not proper at all.

That being said, in the interest of compromise, we have agreed to this deposition for the purposes of counsel for plaintiff inquiring as to any non-privileged information, if any, Mr. O'Shaughnessy may have.

So with that objection to this

ELECTRONICALLY FILED 2022 Sep 27 11:09 AM -- CHARLESTON COUNTY, SOUTH CAROLINA 2022CP1400946

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deposition, understanding of the purpose of our compromise, we are ready to move forward. And I would just ask Mr. O'Shaughnessy if he could just pause for a moment following any questions to give me a moment to object if necessary. Thank you.

MR. BLOCK: Hi. This is Jerry Block from Levy Konigsberg.

I'll let the record speak for itself mostly in response to Miss Brown's statement.

I'll just say that Johnson & Johnson did file a motion to quash Mr. O'Shaughnessy's Subpoena in New Jersey State Court, they chose not to have that motion ruled upon. Instead, I, on behalf of the plaintiffs, entered into a written agreement with Johnson & Johnson's attorneys for Mr. O'Shaughnessy's deposition to take place starting here today.

Also, that agreement was conveyed to Judge Ana Viscomi in the New Jersey State Court, who then issued an order appointing Judge Joel Schneider as the special master who will preside over this deposition here today.

Thank you.

Okay. Are we ready to begin?

MS. BROWN: We are.

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MR. BLOCK: Okay.

DIRECT EXAMINATION BY MR. BLOCK:

Q. Mr. O'Shaughnessy, good morning.

A. Good morning, sir.

Q. And if you could do your best to keep your voice up, I'd appreciate it.

Where do you live, sir?

A. I live in Yardley, Pennsylvania.

Q. Are you an attorney licensed to practice law?

A. Currently I'm on retired status.

Q. When did you cease having your license to practice law?

A. 2018 when I retired from Johnson & Johnson.

Q. During what month and what years were you employed by Johnson & Johnson?

A. I was hired by Johnson & Johnson in June of 1987 and I retired on May 1st of 2018.

Q. Okay. And so doing the math, you worked for Johnson & Johnson for almost 31 years, correct?

A. That's right.

Q. What was your job title when you were hired by Johnson & Johnson?

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A. At the time I was a senior attorney.

MR. BLOCK: Could we pause and go off the record, please.

VIDEOGRAPHER: Sure. Stand by.

Off the record, 10:02 a.m.

(Discussion held off the record.)

VIDEOGRAPHER: Going back on the record, 10:12 a.m.

MS. BROWN: Hi, this is Alli Brown.

Just thanks, everyone, very much for your patience with the technical issues we tried to work out.

We did spend enormous time yesterday testing the system and I appreciate that we caused some delays here, so thanks very much for your patience.

MR. BLOCK: Okay. Are we back on the record?

VIDEOGRAPHER: Yes, you may proceed.

BY MR. BLOCK:

Q. Mr. O'Shaughnessy, when you were hired by Johnson & Johnson, what was your job title initially?

A. Senior Attorney, Litigation.

Q. What other job titles did you hold at

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Johnson & Johnson from the time you were hired in June of 1987 until the time of your retirement on May 1st, 2018?

A. One other title, Assistant General Counsel, after I was there about five years.

Q. So you became an assistant general counsel at Johnson & Johnson sometime in approximately 1992. Is that correct?

A. Yeah, around there.

Q. And how many other assistant general counsels were there at Johnson & Johnson at the same time in which you were assistant general counsel?

A. Many. Really what happened is after about five years, the titles became assistant and general counsel from senior attorney. So I think basically, except for the upper part of the law department, mostly everyone there after five years became assistant general counsel. The patent counsel, they may have had different titles. I'm not sure.

Q. When you started at Johnson & Johnson who was your direct supervisor or supervisors?

A. I was hired by Roger Fine, who's the head of litigation.

Q. And for how long was Roger Fine your

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direct supervisor at Johnson & Johnson?
A. I don't recall. I don't recall.
Q. Other than Roger Fine, can you identify any of your other direct supervisors during your employment at Johnson & Johnson?
A. Yes, so after Roger Fine, there was a Taysen Van Itallie, and I may get the order a little bit mixed up, Taysen Van Itallie, then Russ Deyo, then Joe Brauneuther. They all came into the position of head of litigation and I reported to them.
Q. And did you say Taysen Van Itallie was one of your supervisors?
A. Yes.
Q. Okay. And is the last name spelled V-a-n space Italy, like the country?
A. No, it's V-a-n space, capital I-t-a-l-l-i-e.
Q. Okay. And you said that Russ Deyo was another one of your supervisors at Johnson & Johnson.
Could you spell his last name, please?
A. His last name is D-e-y-o.
Q. All right. And then another one of

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your supervisors was Joe Braunreuther, B-r-a-u-n-r-e-u-t-h-e-r?
A. I think it's B-r-a-u-n-e-u-t-h-e-r.
Q. When you were --
A. I'm sorry, Mr. Block. There was one more supervisor, I also reported into John Kim in the last, I guess, four or five years of my employment.
Q. All right. Who were some of the attorneys that you supervised when you worked at Johnson & Johnson?
A. I didn't supervise any other attorneys.
Q. Okay. Did you have an annual written performance evaluation?
A. I did.
Q. And that would take place every year?
A. Yes.
Q. And would your annual written performance evaluation highlight some of your accomplishments that you had during that past year?
A. Yes, we would indicate what we worked on and the development of what we worked on, that sort of thing.
Q. Mr. O'Shaughnessy, have you ever

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given sworn testimony relating to any of your professional work?
A. Yes.
Q. On how many occasions?
A. I don't recall. A handful.
Q. Did any of those cases involve talc?
A. No.
Q. What did those cases involve in which you gave deposition testimony?
MS. BROWN: And I'll just instruct you, Mr. O'Shaughnessy, that if any of that testimony was confidential, I would instruct you not to reveal the specifics of the cases or the nature of the proceeding.
A. When I was a younger attorney I was an assistant district attorney in the Bronx district attorney's office and as part of my responsibilities there as a member of the homicide bureau I would often be on 24-hour call, and if there was a body at the scene we would go out and we would videotape the body.
If a suspect was arrested and willing to make a statement, I would take a statement from the suspect. And a few times those were introduced into court at the trial and I would testify as to

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the manner and circumstances of the video statement, that sort of thing.
Q. Have you ever given sworn testimony relating to any of your professional work at Johnson & Johnson?
A. Yes.
Q. And what type of matters were those?
A. One matter, an arbitration proceeding.
Q. Okay. And it did not involve talc, correct?
A. It did not.
Q. So, Mr. O'Shaughnessy, you understand that you're testifying here today because you were served with a Subpoena requiring you to give testimony, correct?
A. That's right.
Q. And Johnson & Johnson never asked you to give testimony in any case involving talc, right?
MS. BROWN: I object. And I would instruct you, Mr. O'Shaughnessy, not to answer questions about discussions you've had with Johnson & Johnson about litigation.
BY MR. BLOCK:
Q. Let's go to Exhibit 1 to your

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deposition.
A. I'll open the binder now?
Q. Yes. And, Mr. O'Shaughnessy, you have a binder in front of you with numbered tabs on them?
A. Yes.
Q. And they match the exhibits I'm going to be showing on the screen. And if we could just look at the first exhibit and you can see I've shown on the screen that, do you see the title of the document Exhibit 1 which says, "Second Amended Notice of Deposition."
You see that?
A. Yes, I do.
Q. Okay. And if we pan down we could see your name, John O'Shaughnessy, and we could see that this deposition is being taken place by Zoom starting today on Tuesday, June 22nd, right?
A. That's right.
Q. Okay. And if we go down further into the exhibit and if you just look at the screen, you could see the part of the exhibit which is the Subpoena and you see it says, "The State of New Jersey to John O'Shaughnessy," and it has your address, Yardley, Pennsylvania.

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Do you see that?
A. I do.
Q. All right. And you could see that according to the Subpoena, it states, "You are hereby commanded to appear at a deposition to give this testimony," right?
A. I see that, yes.
Q. Okay. All right. So, Mr. O'Shaughnessy, are you being represented by an attorney here today?
A. Yes.
Q. And who are the attorneys here today that are representing you in this deposition?
A. There's Alli Brown and Colin Cox.
Q. Okay. There's an attorney here today also named Richard Bernardo and he's also representing you in this deposition, correct?
A. Yes, I'm sorry, Richard's here.
Q. There's another attorney here today named Susan Sharko, correct?
A. Not here.
Q. Okay. Not at the location where you are, correct?
A. I don't know where she is, but she's not here.

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Q. Is Susan Sharko another attorney that is representing you for purposes of this deposition?
A. I believe just Miss Brown and Miss Cox -- Mr. Cox are representing me for the purpose of deposition. I understand Susan is a lawyer to Johnson & Johnson as well.
Q. In preparation for your deposition today, can you identify any attorneys that you had meetings or discussions with in preparation for your deposition?
A. Yes, Mr. Cox and Miss Brown and Mr. Bernardo.
Q. Did you have any discussions with any other attorneys in preparation for your deposition here today, including Susan Sharko?
A. I did not have any discussions with Susan Sharko. In some of the meetings there were, you know, other attorneys that were associated with Miss Cox (sic) and Miss Brown.
Q. And please identify any other attorneys that were present at the meetings in which you were preparing for this deposition that were in addition to Richard Bernardo, Allison Brown and Colin Cox?
A. They would have been the associates

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of Mr. Cox and Miss Brown. Forgive me, I just know their first names, Myra and Kate and Michael. And not every one was present at every meeting.
Q. So other than these six attorneys, Richard Bernardo, Allison Brown, Colin Cox and the attorneys Myra, Kate and Michael, did you meet with any other attorneys in preparation for your deposition here today?
A. No.
Q. How many meetings, which would include meetings by Zoom or in person or phone meetings, did you have with attorneys in preparation for your deposition here today?
A. About four or five.
Q. And how long was that first meeting?
A. I don't recall each particular meeting, but they were all 90 minutes to about two hours, two hours and 15 minutes.
Q. Okay. Did you meet with attorneys for more than ten hours in preparation for your deposition here today?
A. I mean, you can add the time up. It would be close probably, maybe not. I'm not sure.
Q. Did you review any documents in preparation for your deposition today?

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A. I did see some documents recently that the attorneys showed me.
Q. Okay. And could you just describe the volume of documents that you reviewed in preparation for your deposition, first in terms of, let's say the size of the documents in terms of a stack. Was it a thick binder? Was it multiple binders? What was the volume of documents you reviewed for your deposition here today?
A. I had no hard copy documents, but I would say in terms of pages, probably about 10 or 11.
Q. Okay. So your best estimate is that the attorneys showed you about 10 or 11 pages of documents in preparation for your deposition here today?
A. Yes.
Q. And were those documents or were those pages, did they relate to your work at Johnson & Johnson during the years you worked for the company?
MS. BROWN: And, Mr. O'Shaughnessy, I'm going to object and instruct you not to answer. Counsel is asking questions about attorney work product.

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BY MR. BLOCK:
Q. Mr. O'Shaughnessy, it is true that you were one of two people from Johnson & Johnson Corporate invited to serve on J&J's Worldwide Talc Steering Committee beginning in 1993, correct?
MS. BROWN: Objection to the form; foundation.
A. I don't know the answer to that. There were some committees that were formed that I gave advice to and they considered me a member of the committee. I really didn't look upon it as that. I was an attorney there to give advice, but I don't recall numbers, who was on there.
Q. Okay. Mr. O'Shaughnessy, let's look at Exhibit 2 to your deposition.
A. Yes.
Q. And Exhibit 2 to your deposition is a document dated September 22nd, 1993, correct?
A. That's right.
Q. And the subject of the document is: "J&J Worldwide Talc Steering Committee," correct?
A. That's right.
Q. And the document is a memo and it's from someone named Donald Jones from Johnson & Johnson Consumer Products, Inc., correct?

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A. That's -- that's right, yes.
Q. Okay. And what area was Donald Jones in at Johnson & Johnson Consumer Products Inc.; do you remember?
A. I remember Mr. Jones, but I don't recall what his function was.
Q. Okay. You don't recall even generally what his area of specialty is or what department he worked in?
A. I don't.
Q. Okay. And this memo was sent to you, John O'Shaughnessy, correct?
A. Yes.
Q. And you're identified as being with J&J Corporate, correct?
A. Yes.
Q. All right. And J&J Corporate is a term that was used at Johnson & Johnson to refer to Johnson & Johnson, correct?
MS. BROWN: Objection.
A. The parent company.
Q. Okay. So J&J Corporate was used to refer to Johnson & Johnson the parent company, right?
A. Yes.

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Q. Okay. And just for our jurors, the parent company Johnson & Johnson is Johnson & Johnson, right?
MS. BROWN: Objection; vague; foundation.
A. Yes.
Q. Right. When people see the name Johnson & Johnson alone, that refers to Johnson & Johnson which was also referred to as Johnson & Johnson Corporate, correct?
MS. BROWN: Same objection.
A. Yeah, I don't know what context you're talking about, but generally Johnson & Johnson is the parent company.
Q. Okay. And then when we see Johnson & Johnson and the word "Consumer" after it, we're talking about a subsidiary to Johnson & Johnson, right?
A. That's right.
Q. And Johnson & Johnson Consumer was formed in approximately 1979. Is that right?
MS. BROWN: Objection; foundation.
A. I don't know.
Q. Johnson & Johnson Consumer at one point took on the responsibility of manufacturing

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and selling Johnson's baby products, correct?
MS. BROWN: Objection; foundation.
A. I believe they were responsible. I'm not sure when that happened or how it happened corporate wise.
Q. Okay. So in this memo of September 22nd, 1993, that we're looking at, it is to four people, and one is a Dr. John Hopkins who was located in England at the time, correct?
A. That's right.
Q. It's also to Jeff Leebaw. Is that right?
A. Yes.
Q. And Jeff Leebaw was the head of public relations for Johnson & Johnson at this time, correct?
MS. BROWN: Objection; foundation.
A. He was in the corporate communications group. I don't know his title or role.
Q. So we have the recipients being John Hopkins from England, Jeff Leebaw who was in corporate communications for Johnson & Johnson, and then you, John O'Shaughnessy, correct?
A. Right.

Q. And then who is W. Slivka?
A. You know, I don't recall.
Q. And the memo says, "This requests your participation in the subject committee. The concept, objectives and membership were approved by Chan Simonds and John Nugent."
Who were they?
A. I don't recall.
Q. And then it says, "Mary Ann Cook and I were asked to organize the group at once."
Who is Mary Ann Cook?
A. I don't know. I recognize the name and I recognize the John Nugent name, but I forget who they were, who they worked for.
Q. Do you remember any department that John Nugent or Mary Ann Cook worked for at this time for the Johnson & Johnson Companies?
A. I don't.
Q. All right. Then the memo goes on to say, "As background, a group like this was organized in the mid '80s."
Do you see that?
A. I do.
Q. Then it says, "It brought our talc literature up to date, and established a White Paper

to be used if needed to communicate Johnson & Johnson's position on talc products."
Do you see that?
A. Yes.
Q. And then it says, further down, "The objectives/responsibilities of the committee are, 1, to monitor publications, studies, regulatory actions, legal cases, et cetera, regarding talc."
Do you see that?
A. I do.
Q. And it also says, "Another objective or responsibility of this Talc Steering Committee for Johnson & Johnson was to prepare and enforce Johnson & Johnson's positions and policies related to the sources, quality, manufacture, labeling, packaging and sale of talc."
Is that what it says?
A. Yes.
Q. And it also says this committee had an objective and responsibility to prepare and keep current an emergency response action plan.
Do you see that?
A. I do.
Q. And you knew at this time that you were invited onto this committee in 1993 that

Johnson & Johnson -- strike that.
You knew at this time you were asked to be on this committee in 1993 that Johnson's Baby Powder was made with talc, correct?
A. Yes.
Q. You knew at that time that talc was a mineral that was mined from the earth, correct?
A. Yes.
Q. You knew at this time that asbestos was a mineral that was mined from the earth, correct?
MS. BROWN: Objection; lacks foundation.
A. Yes.
Q. You knew at this time that talc had to be constantly tested for asbestos, correct?
MS. BROWN: Objection; lacks foundation.
A. I'm aware that the company tested on a regular basis its products for the presence of asbestos.
Q. And you were also aware, because you received this memo, that one of the responsibilities of the committee was to have an emergency response action plan regarding talc, correct?

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MS. BROWN: Objection. Misstates the document; lacks foundation.
A. That's what the document says.
Q. Okay. And in terms of this document, there's only two people from Johnson & Johnson Corporate that were invited to be on the Talc Steering Committee, correct?
MS. BROWN: Objection; misstates the document.
A. On this memo, yes.
Well, I do know that on the cc list there's a Mays, and I believe Mr. Mays was with the Johnson & Johnson corporation.
Q. Okay. There's two people on this document that are listed with J&J Corporate next to their names, correct?
A. Yes.
Q. One is Jeff Leebaw, and he was in communications, right?
A. That's right.
Q. And to your knowledge, Jeff Leebaw had no expertise in science or health, correct?
MS. BROWN: Objection; lacks foundation.
A. I don't know Jeff's background.

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Q. Okay. Well, he wasn't in the science department. He was in the communications department, right?
A. He was, yes.
Q. All right. And the only other person in this memo who was invited to be on J&J's talc steering committee that had J&J Corporate next to their name is a lawyer, correct?
MS. BROWN: Objection; misstates the document.
A. Yes.
Q. And that lawyer was you, correct?
A. Yes.
Q. Now, Mr. O'Shaughnessy, ultimately -- strike that.
Mr. O'Shaughnessy, before your first meeting on Johnson & Johnson's Talc Steering Committee, you received pre meeting materials, including a question and answer document to be used by Johnson & Johnson to respond to media questions about the safety of talc; true?
MS. BROWN: Objection; lacks foundation.
A. I don't recall what I received with the memo.

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Q. Let's look at Exhibit 3 to your deposition. And you can see I put on the screen a memo dated October 28, 1993.
Do you see that?
A. Yes.
Q. Okay. And the memo, once again, was sent to John O'Shaughnessy from J&J Corporate, correct?
A. Yes.
Q. To Dr. Hopkins, who's in England, correct?
A. Yes.
Q. And then it lists Mary Ann Cook, who you could see was with J&J Consumer, correct?
A. Yes.
Q. And just so everyone understands, CPWW, which stands for Consumer Products Worldwide, right?
A. I think that's what it stood for, yeah.
Q. And then we see that W. Slivka, this time we see that he was the baby franchise director of J&J Consumer at this time, correct?
A. Yes.
Q. And we now have another person who's

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listed for J&J Corporate who is R.F. Kniffin.
Do you see that?
A. Yes.
Q. And it's true that Mr. Kniffin was in the area of communications for Johnson & Johnson Corporate, correct?
MS. BROWN: Objection.
A. That's right.
Q. Okay. And this memo is from Donald Jones, and the subject is J&J Worldwide Talc Steering Committee Pre Meeting Materials, right?
A. Yes.
Q. And Mr. Jones writes to you and others, "Enclosed for your information and preparation for our meeting, November 11, are the following." And there's a list of materials that were enclosed, correct?
A. Yes.
Q. Okay. And one of the things that was enclosed was a copy of questions and answers/position papers developed in 1986.
Do you see that?
A. I do.
Q. And if we go into the document, we come to a page that says, "Johnson & Johnson Baby

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Powder Questions and Answers."
Do you see that on the screen?
MS. BROWN: Counsel, can you just tell us in the hard copy what page this is?
MR. BLOCK: It would be the page ending in Bates Number 827.
MS. BROWN: Thank you.
A. I have it.
Q. All right. And we could see that one of the documents that was sent to you is a document entitled, Johnson & Johnson Baby Powder Questions and Answers, correct?
A. Yes.
Q. And it says at the bottom, "Confidential, December, 1985," correct?
A. I'm on page Bates Number 4830?
Q. If you go to the Bates Number 827 at the end, you see the title, "Johnson & Johnson Baby Powder Questions and Answers"?
A. Yes.
Q. Okay. In the lower right, it says, "Confidential, December, 1985"; true?
A. Right.
Q. All right. And if we turn the page, it says, "The attached question and answer document

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has been developed for limited internal distribution in response to the need for clarification of issues relating to baby powder and talc. Specifically, its sole purpose at this time is to provide designated company spokespersons with answers to questions which could be raised by the press."
Do you see that?
A. Yes, I do.
Q. And then it says, "It is not meant for distribution to anyone other than the individuals who will act as company spokespersons as necessary."
Do you see that?
A. Yes.
Q. And it says, "Those recommended as spokespersons are." And then it lists four people.
Do you see that?
A. I do.
Q. And do you remember any of these four people that are listed as spokesperson, spokespeople on the issue of talc and baby powder?
A. I remember Mr. Utaski and Mr. Egan as executives with the company.
Q. And Mr. Utaski, in fact, was the president of the entire Johnson & Johnson baby

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products company, correct?
A. I don't know what he was in 1985.
Q. All right. And it says here, "The 82" -- are you finished, sir?
A. Yes, I am.
Q. Thank you.
Then in this document that was sent to you, it says, "The 82 answers in the document were written in anticipation of potential questions."
Do you see that?
A. Yes.
Q. All right. And now I'm going to go to the page ending in Bates 833. And I'm looking at the question in this document that was sent to you that says, "Haven't they found traces of asbestos in talcum powders?"
Do you see that?
A. Yes.
Q. And the answer in this Johnson & Johnson question and answer document that was sent to you is, "Not in Johnson's Baby Powder."
Is that what it says?
A. Yes.
Q. And then it goes on to state that,

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"Since the 1940s, when the technology first became available, Johnson & Johnson has been consistently examining its talc to ensure that it is free of asbestiform minerals."
Do you see that?
A. I do.
Q. And then it says, "Johnson & Johnson's talc is a pure, high grade talc, safe for proper use among infants and adults."
Do you see that?
A. I do.
Q. Okay. And the position stated here in this document that was sent to you is that there is no asbestos in Johnson's Baby Powder, correct?
A. Yes.
Q. And that was Johnson & Johnson's position to the public for the entire time that you worked at Johnson & Johnson, correct?
A. Yes.
Q. Going to another question and answer in this document that was sent to you, the page ending in 860 at the bottom, the question states, "Mineral talc and asbestos are often found in the same mines."
MS. BROWN: Jerry, can you hold on,

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I'm sorry to interrupt, can you just hold on a second while everyone gets to the page?
Mr. O'Shaughnessy, do you have that in your hard copy?
THE WITNESS: I do, 860.
MS. BROWN: Okay. Thank you, Jerry.
MR. BLOCK: All right.
BY MR. BLOCK:
Q. And looking further in the question and answer document that was sent to you, there's a question that states, "Mineral talc and asbestos are often found in the same mines."
Do you see that?
A. I do.
Q. And then the question goes on to ask, "What safety controls do you have to maintain purity of product?"
Do you see that?
A. I do.
Q. And Johnson & Johnson's answer is that, "Johnson & Johnson is one of the few consumer product companies in the U.S. that owns its talc mine."
Do you see that?
A. I do.

Q. And then it goes on to state, "This allows us to have complete control over the quality of talc used in our product."
Do you see that?
A. Yes.
Q. And then it says, "J&J talc source consistently has been examined and found to be free of asbestiform minerals."
Do you see that?
A. I do.
Q. And during the entire time that you worked at Johnson & Johnson, the position of Johnson & Johnson to the public was that the talc mines that Johnson & Johnson used for its talc products were free of asbestos, correct?
MS. BROWN: Objection; lacks foundation.
A. Yes, the talc source, yes.
Q. Okay. And looking just back at the top, another thing that was included in the pre meeting materials that were sent to you, in addition to the question and answer document that we just looked at, was a letter from Dr. Al Wehner describing the literature review strategy he is now pursuing for J&J.

Do you see that?
A. Yes.
Q. And I'm going to go to the page of the document that has in the bottom right, that's actually obscured, let me -- it's page 886, which, it's obscured, but it's the page above the letter from Dr. Wehner, so page 886 right above it.
A. I have it.
Q. Okay. And do you see that someone put a label on the folder here that says, "Dr. A. Wehner's strategy."
Do you see that?
A. I do.
Q. And it's true that this Dr. Al Wehner, in 1993, was helping J&J's Talc Steering Committee with strategy, correct?
MS. BROWN: Objection; lacks foundation.
A. I know he was a consultant to J&J. I'm not sure exactly what he did with the company, but what you're saying sounds accurate, that he was a consultant on the issue to J&J.
Q. And Dr. Al Wehner was a paid consultant for Johnson & Johnson certainly as of this time in 1993 and throughout the entire time

that you worked at Johnson & Johnson, correct?
MS. BROWN: I object; it lacks foundation.
A. I can't answer that question about his relationship with the company, other than I knew he was a consultant for the consumer product company, you know, during the time it refers to.
Q. And if we just look at the next page, it's a letter from Dr. Wehner, and this is part of the materials that were sent to you, correct?
A. It was, yeah.
Q. And Dr. Wehner is writing to a Mike Chudkowski from Johnson & Johnson Consumer at this time in 1993, correct?
A. Yes.
Q. All right. And he lists the names of other people at this company, including a Dr. Mossman and a Dr. Oberdorster on the left side.
Do you see that?
A. Yes.
Q. Okay. And Dr. Wehner, not only was Dr. Wehner a paid consultant for Johnson & Johnson, but you know that Drs. Mossman and Oberdorster were also paid consultants for Johnson & Johnson, correct?

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MS. BROWN: Objection; lacking foundation.
A. I don't know that.
Q. And if we look further into Dr. Wehner's letter, do you see that he says, "I, therefore, would like to propose $20,000 for my services."
Do you see where it says that?
A. Yes.
Q. All right. So when you say that Dr. Wehner was a paid consultant of Johnson & Johnson -- or, strike that.
When you say that Dr. Wehner was a consultant for Johnson & Johnson Consumer at this time in 1993, you mean a paid consultant, right?
A. I don't know his relationship with the company. I assume he was paid. I don't know. I don't have any knowledge of that, though.
Q. Okay. You were sent this letter where Dr. Wehner is proposing that he get paid 20,000, right?
A. The memo was part of whatever they sent me, yeah.
Q. Now, as a member of Johnson & Johnson's Talc Steering Committee in December of

1993, you know that one of the things the steering committee was working on at that time was preparing for a talc meeting which involved the FDA, correct?
MS. BROWN: Objection; lacks foundation.
A. Yeah, my recollection is, you know, when they had a meeting like an FDA meeting coming up, they would form a group that would work on whatever presentations the company was going to make to the media, that sort of thing, their participation.
Q. Let's look at Exhibit 4 to your deposition. And Exhibit 4 to your deposition is a memo dated December 10, 1993, to Talc Steering Committee, correct?
A. Yes.
Q. And you were on J&J's Talc Steering Committee, correct?
MS. BROWN: Objection; misstates testimony.
A. Yes, they considered me a member of this committee and that's fine, you know, but I was there as my role as an attorney.
Q. And next to your name, it does not say J&J legal, does it?

A. No, but all these people knew I was a lawyer handling the litigation for talc.
Q. Next to your name under the steering committee it lists two people with J&J Corporate, a person, Mr. Leebaw from communications and a lawyer which is you, correct?
A. That's right.
Q. The subject of this memo, December 10, 1993, is Highlights of CTFA Talc Interested Party Meeting.
Do you see that?
A. Yes.
Q. And the CTFA stood for Cosmetic Toiletries and Fragrance Association, correct?
A. I think that's right, yeah.
Q. And the CTFA was a trade association that Johnson & Johnson was a member of at that time, correct?
A. I believe so.
Q. The memo states, "Last week ten of the committee members met with Dr. Stephen Gettings to talk through details of the upcoming presentation."
Do you see that?
A. Yes.

Q. And this is Donald Jones from Johnson & Johnson Consumer who wrote this memo, correct?
A. Yes.
Q. And in this memo sent to you as a member of the Talc Steering Committee there's a section that says, "Industry presentation/manuscript."
Do you see that?
A. Yes.
Q. And then Mr. Jones states in this memo, "Objectives are for Steve to make a factual, scientific presentation. It will address our issues - talc sourcing, absence of asbestos, low inhalation risk."
Do you see that?
A. Yes.
Q. And one of J&J's issues that it wanted to make sure that Steve Gettings from the CTFA addressed in his presentation at the talc meeting was absence of asbestos, correct?
MS. BROWN: I object. I object as lacking foundation.
Go ahead, John.
A. That's listed there, yes.
Q. And just to be clear, you know that

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Dr. Steve Gettings was with the FDA at this time, correct?

MS. BROWN: Lacks foundation; objection.

A. I don't recall that.

Q. Okay. So then it says, "3, Gettings will redraft the presentation and manuscript based on the meeting input and send it to us by the end of the year."

Do you see that?

A. I do.

Q. This is September 10, 1993, and in this memo that was sent to you, it says that Gettings will redraft this presentation and then send it to J&J by the end of December 1993, correct?

A. Yeah, Number 3, yes.

Q. Okay. And it also mentions Dr. Wehner, who we talked about earlier, and it says, "The committee agreed to invite and sponsor Al Wehner to be there."

Do you see that?

A. I do.

Q. Okay. And as a member of J&J's Talc Steering Committee, you understood that Dr. Wehner was being paid to attend this talc meeting that was

involving FDA, correct?

MS. BROWN: I object, it lacks foundation and misstates his testimony.

A. I don't -- I see he's invited, but I don't know any financial arrangements for him to attend the meeting.

Q. Okay. And the word "sponsor," when it says, "to sponsor Al Wehner to be there," that means certainly to pay for him to be there, to pay for his expenses, if not pay him for his time?

MS. BROWN: I object, it misstates the document and lacks foundation.

A. I don't know what Mr. Jones meant by sponsor. I don't.

Q. Okay. You don't know what it means when it says, "sponsor Al Wehner"?

MS. BROWN: Objection; asked and answered.

A. I don't know what he meant by it.

Q. You do know, as a member of J&J's Talc Steering Committee, that J&J was actively involved in creating a presentation that Dr. Gettings was preparing to give at the talc meeting involving the FDA, correct?

MS. BROWN: I object; lacks

foundation.

A. No, I don't -- I don't recall knowing back then.

Q. Let's look at Exhibit 5 to your deposition.

Do you see that Exhibit 5 is a memo and it's dated January 6, 1994, in the upper right?

A. Yes.

Q. Do you see that it's another memo from Donald Jones from J&J Consumer?

A. It is, yes.

Q. Okay. And do you see that Mr. Jones says that, "J&J is actively participating with the CTFA Talc Interested Party Task Force."

Does it say that?

A. Yes.

Q. And it says, "The lead workshop presentation by Steve Gettings of CTFA is being prepared by Steve and the TF."

Do you see that?

A. I do. I thought you had said in a prior question that Gettings was from the FDA -- I misheard.

Q. You did mishear. Steve Gettings was with the CTFA, right?

MS. BROWN: I object.

A. I don't recall.

Q. All right. And then it says, with regard to the presentation by Steve Gettings, it states, "This presentation will not only inform the workshop about cosmetic talc sourcing, but also present our stand concerning safety in use."

Is that what it says?

A. Yes.

Q. And then Mr. Jones from Johnson & Johnson Consumer says, "I will continue to influence the presentation as it is being finalized."

Do you see that?

A. Yes.

Q. And do you now acknowledge that Johnson & Johnson was influencing the presentation that Steve Gettings of the CTFA was preparing to give at the talc conference involving the FDA?

MS. BROWN: I object. It lacks foundation, misstates the document and the evidence.

A. I am trying to recollect, you know, back then. I know, obviously, from the documents and I kind of recall the CTFA being involved, and I'm not sure what exactly their role is. I always thought they made positions based on all of the

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interested companies in that association with input from all of them. That's how I interpret that statement.

Q. Okay.

MR. BROWN: I just want to say, in response to many of Miss Brown's objections, that any objection beyond "objection to form" including arguments that the evidence is being misstated are speaking objections, they're improper, and they may improperly influence the witness, and I would ask Miss Brown to stop doing that and to comply with the rules and if she has an objection to form, only to say objection to form.

MS. BROWN: And, Jerry, you know, there are a couple reasons I'm doing it. One is to give you an opportunity to correct the form. I am not going on in giving a speaking objection. I am trying as succinctly as possible to state the basis.

And the reason is, as well, that this is a litigation that is taking place around the country, and you know that in many jurisdictions if you do not state the basis for your objection you have deemed to waive it.

And so as succinctly and efficiently as possible I am stating the basis with no other

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commentary, and it is certainly not my intention to coach the witness.

BY MR. BLOCK:

Q. Mr. O'Shaughnessy, the memo from Donald Jones from J&J Consumer goes on to say that the J&J Worldwide Talc Steering Committee members Bill Slivka and Julia Freedman," and they're identified as being employed by J&J Consumer, correct?

A. Yes.

Q. All right. And then it says, "Dr. John Hopkins and Mary Ann Cook from J&J Consumer R&D," correct?

A. Yes. Mr. -- I just want to make sure because I'm trying to look at both, I shouldn't, the document on the screen which is kind of cut off, and I just want to orient myself to the hard copy, if you don't mind.

Okay. And so you asked me, the last question was Hopkins and Mary Ann Cook identified as consumer product worldwide R&D, and I see that, yes.

Q. Hold on one moment.

A. Sure.

Q. Okay. All right. Can you see the screen in front of you where it says, "Dr. John

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Hopkins"?

A. I -- no, now it's just showing me on the main screen.

Q. Let's go off the record to cure a technology problem.

VIDEOGRAPHER: Stand by. Off the record, 11:01 a.m.

(Discussion held off the record.)

(Recess: 11:01 a.m. to 11:09 a.m., Eastern Standard Time.)

VIDEOGRAPHER: Going back on the record, 11:09 a.m.

This is the beginning of Media Unit 2. Okay.

BY MR. BLOCK:

Q. Mr. O'Shaughnessy, continuing to look at Exhibit 5, so do you see where it says, "Separately, the J&J Worldwide Talc Steering Committee has plans in place for the workshop."

Do you see that?

A. Yes.

Q. All right. And then there's a long parenthetical that lists the members of the J&J Talc Steering Committee, right?

A. That's right.

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Q. All right. Then it goes on to state -- and those members include Jeff Leebaw and Bob Kniffin from J&J public relations, right?

A. Yes.

Q. And John O'Shaughnessy, you, from J&J legal, correct?

A. Correct.

Q. And then there are these bullet points and it says, "Dr. John Hopkins, Jeff Leebaw, John O'Shaughnessy and I will attend the workshop."

That's what Mr. Jones said, correct?

A. Yes.

Q. And it talked about talc questions and answers which we use in communication with consumers, professionals and the media, right?

Do you see that?

A. Yes. Yes, I do.

Q. All right. And we looked earlier at questions and answers that were sent to you as a member of the Talc Steering Committee, right?

A. The ones from 1985, yes.

Q. All right. And at least as to the issue of asbestos in Johnson's Baby Powder, as you said earlier, Johnson & Johnson's position during the entire time you worked at the company was always

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the same, which was that there was no asbestos in baby powder, correct?
A. That's right.
Q. All right. And then here in this bullet, "In the absence of a full-time medical director at J&J Consumer" -- which is the acronym Consumer Products Worldwide.
Do you see that?
A. Yes.
Q. And it's true that J&J Consumer was the subsidiary of Johnson & Johnson at this time that was manufacturing and selling Johnson's Baby Powder, correct?
A. Yes.
Q. And certainly you knew at this time and the other members of the Talc Steering Committee knew at this time that Johnson's Baby Powder was a product that was used on babies, right?
A. Yes.
Q. There was no full-time medical director at J&J Consumer as of this time in 1994, correct?
MS. BROWN: I object. That misstates the document.
A. It says, "In the absence of a

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full-time." I don't know what "absence" means. I don't know if there was one and he was absent. But there was a pediatrician at the company at the time, Dr. Bruce Semple, I believe.
Q. All right. Dr. Bruce Semple had left the company by 1994, correct?
MS. BROWN: Objection to form; foundation.
A. I don't know.
Q. So it says, "In the absence of a full-time medical director at Consumer Products Worldwide, R&D, we are lining up talc medical experts."
Do you see that?
A. I do.
Q. And other than Dr. Al Wehner, can you identify any talc, what J&J considered to be an expert that Johnson & Johnson was using at this time in 1994?
MS. BROWN: Objection; lacks foundation.
A. I don't recall. And even at the time, I may not have known who they were consulting with.
Q. Johnson & Johnson's Talc Steering

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Committee, of which you were a member, compiled background information on scientists that were scheduled to present at the talc meeting involving the FDA, correct?
MS. BROWN: Objection; foundation.
A. I don't recall. I assume you're reading from something and I don't see it.
Q. Let's look at Exhibit 6 to your deposition. And Exhibit 6 to your deposition is a memo from J&J Consumer.
Do you see that?
A. I do.
Q. Okay. And the memo is labeled "CONFIDENTIAL," correct, in all caps?
A. Yes.
Q. And the date of the memo, January 12, 1994. The subject is ISRTP Talc Workshop Update.
Do you see that?
A. I do.
Q. And ISRTP stands for International Society of Respiratory (sic) Toxicology and Pharmacology, correct?
MS. BROWN: Objection.
A. Yes.
Q. And you understand that this talc

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meeting which involved the FDA that was taking place in 1994 was co-sponsored by this group, the ISRTP, correct?
A. I don't recall. I accept what you say and I see that they're mentioned here.
Q. And in terms of this memo that was sent to J&J's Talc Steering Committee, again, two people are identified from J&J Corporate, and it's Jeff Leebaw from corporate communications and it's you as a lawyer, John O'Shaughnessy, correct?
A. Yes, the same people on those other memos from Mr. Jones, yes.
Q. And there's a heading that says, "Presenter Background."
Do you see that?
A. I do.
Q. And it lists sort of a blurb or a few statements about each person under Presenter Background, correct?
A. Yes.
Q. So, for example, Oberdorster, it notes that he's a friend of Al Wehner's.
Do you see that?
A. I do.
Q. And then there's a list of other

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people, including Mossman.
Do you see that?
A. Yes.
Q. And it says, "Has become a fiber expert," in quotes.
Do you see that?
A. Yes.
Q. And there's other people that are listed there as well, right?
A. Right.
Q. All right. Then there's a section that says, "Industry experts in attendance."
Do you see that?
A. Yes.
Q. And it lists Dr. Al Wehner and it says, "CTFA sponsored."
Do you see that?
A. Yes.
Q. So in this memo sent to you, do you agree that sponsored means that the expert was being paid to attend the conference?
MS. BROWN: I object, lacks foundation.
A. Like I said, I don't know what that term means, but that's possible. I'm not trying to

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quibble. I don't know what it means.
Q. What else could sponsor mean under industry experts other than the industry, whether it be CTFA or J&J or anyone else listed, was providing money to that person? What else could sponsored mean?
MS. BROWN: I object; it's argument.
A. I don't know, but it could mean that, you know, there's slots at these meetings and that the CTFA had some and they're sponsoring this person. I don't know, I don't know the financial arrangements. I just don't. I wasn't aware of it at the time, I'm not aware of it now.
Q. Okay. And it also lists Art Langer, who was R.T. Vanderbilt sponsored.
Do you see that?
A. I do.
Q. And who is R.T. Vanderbilt?
MS. BROWN: Objection; foundation.
A. I'm not sure. I think they're another talc company.
Q. And do you recognize the name Art Langer?
A. I recognize the name, but I don't know, I don't -- I recognize the name. That's all I

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recall.
Q. Do you recall, during your work at Johnson & Johnson, learning about a Arthur Langer that identified asbestos in talcum powder?
A. I don't recall. I know that --
Q. I --
A. -- from time to time, but I don't recall the specifics.
Q. Then it lists Jeff Lord, who is J&J sponsored. Who is Jeff Lord?
A. I don't recall.
Q. You certainly remember Bill Ashton, correct?
A. I do remember Mr. Ashton, yes.
Q. And at the time, Mr. Ashton -- at this time in 1994, had Mr. Ashton retired from Johnson & Johnson and he was consulting with the company?
A. I'm not sure what his status was at the time.
Q. Okay. And then at the end of the memo it says, "Task force to complete the slides Gettings will use in presentation."
Do you see that?
A. Yes.

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Q. You attended the talc conference in 1994 that involved the FDA, correct?
A. I did.
Q. Isn't it true that you did not identify yourself in the conference proceedings as someone attending the conference on behalf of Johnson & Johnson?
A. I don't know -- I don't know that I was called to identify myself or anything else. I don't recall that at all. I certainly didn't hide the fact.
Q. Let's look at this publication in Regulatory Toxicology and Pharmacology. And do you see that it says, "Talc: Consumer Uses and Health Perspectives"? We're looking at Exhibit 7, for the record.
A. Yes.
Q. And do you see it says, "Co-sponsored by the International Society of Regulatory Toxicology and Pharmacology and the United States FDA."
Do you see that?
A. Right.
Q. If we look at the bottom of the page, it says, "Presented in part at the International

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Society of Regulatory Toxicology and Pharmacology/U.S. FDA workshop on talc."
Do you see that?
A. Yes.
Q. Okay. And you can see that there's, workshop participants are listed?
A. Yes.
Q. And we have Mr. Ashton, who's identified as being affiliated with Johnson & Johnson Consumer, correct?
A. Yes.
Q. We have Michael Chudkowski. He's identified as being with Johnson & Johnson Consumer, correct?
A. Yes.
Q. We have Dr. Stephen Gettings. He's identified as being with the Cosmetic, Toiletries and Fragrance Association, right?
A. Right.
Q. And we have people identified as being with other companies such as Jean-Pierre Grange from Luzenac America.
Do you see that?
A. Yes, I do.
Q. And we have other people from Johnson

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& Johnson who are identified next to the name J&J including John Hopkins, Donald Jones, Jeffrey Leebaw, Jeffrey Lord, Marjorie McTernan.
Do you see those names of those other people that are identified with Johnson & Johnson?
A. I do.
Q. And Bruce Semple was no longer with Johnson & Johnson at this time, he was with Procter & Gamble and he identified himself as being with Procter & Gamble, correct?
A. Yes.
Q. And next to John C. O'Shaughnessy, it doesn't identify as being there for Johnson & Johnson, does it?
A. No, it doesn't.
Q. Instead it just says, "Princeton Junction, New Jersey," right?
A. Right.
Q. Was that your personal residence, area of residence at the time?
A. Yes.
Q. And if we look at Exhibit 7A, page 2, there's a listing. And it says, "List of participants at the International Society of Regulatory Toxicology and Pharmacology and the

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United States Food and Drug Administration, A Workshop," and do you see this is a list of the participants, in a separate document?
A. Yes.
Q. Okay. If we just look through some of the participants that are listed, Bill Ashton is listed and Johnson & Johnson Consumer, with Johnson & Johnson Consumer's address, telephone number, fax, are listed there under Mr. Ashton, right?
A. Yes.
Q. Mr. Leebaw, he was on the Talc Steering Committee with you, right?
A. He was one of them, yes.
Q. And he listed that he was with Johnson & Johnson, 1 Johnson & Johnson Plaza, New Brunswick.
Do you see that?
A. Yes.
Q. That was his work address, right?
A. Yes.
Q. That was your work address, right?
A. It was, yes.
Q. But then when we look at the listing for you on the participant list, it just lists John C. O'Shaughnessy, and is that your personal street

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address that was listed?
A. Yes.
Q. And if you look at the others, all along the list next to you, people are identifying themselves and what company they're with. See this person from Kimberly-Clark?
A. I do.
Q. See this person from Luzenac America under your name?
A. Yes.
Q. So then if we look at some other people on the list, in the J&J memo remember it said that Arthur Langer was sponsored by R.T. Vanderbilt.
Do you remember that?
A. Yes.
Q. And on the list of workshop participants it doesn't say that, does it? It just lists Arthur Langer, Brooklyn College, right?
A. I see that, yes.
Q. Okay. And remember in the J&J internal memo it said that Dr. Wehner was sponsored by the CTFA, Johnson & Johnson's trade association?
A. Yes.
Q. But in the workshop participant proceedings in this publication, it doesn't say

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that, does it? It just lists Dr. Wehner's business, Biomedical and Environmental Consultants, Inc., correct?

A. Yes.

Q. And if we look at the writer of this article, C. Jelleff Carr, are you aware that he was paid to write this summary of the proceedings by the CTFA?

MS. BROWN: I object; foundation.

A. I don't have any knowledge of that.

Q. If we look at what the executive summary says about the conference, do you see in the first paragraph it refers to this workshop on talc that was jointly sponsored by the FDA, the Cosmetic Toiletries Association, and the ISRTP.

Do you see that?

A. Yes.

Q. So it's true that J&J's trade association, the CTFA, also sponsored this talc conference involving the FDA, correct?

A. That's what it says.

Q. All right. Then it says, in the summary, "A first and essential presentation by Dr. Steve Gettings, CTFA, addressed conclusively the nature of cosmetic talc."

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Do you see that?

A. I do.

Q. And then it goes on to summarize Dr. Gettings and what he said. Do you see the sentence starting with "Unique physical and chemical properties"?

A. Yes.

Q. All right. And then do you see the word "cosmetic talc"?

A. Yes.

Q. Okay. And then it says that Dr. Gettings said at the workshop that "today stringent safety and quality control measures ensure the absence of asbestos fibers formerly considered as a potential hazard, albeit not a defined one."

Do you see that?

A. Yes.

Q. And because you actually attended the conference, you know that Dr. Gettings of the CTFA told the audience that there was no asbestos in cosmetic talc, correct?

MS. BROWN: Object; lacks foundation.

A. I was at the conference, but I don't recall the presentations or anything else about it.

Q. And just to be clear, there were FDA officials at this talc conference who heard what Dr. Gettings said on behalf of the CTFA and its members, correct?

MS. BROWN: I object; foundation; speculation.

A. Yeah, if they were present, yes, they would have heard what he said.

Q. Okay. And it can be hard to remember exactly what was said at every conference you attended, right?

A. Sure.

Q. And for that reason, you might get a transcript sent to you so that you could read the transcript and that you have a record of it, right?

MS. BROWN: Objection.

A. I assume so. I'm not sure what they did here.

Q. Well, not only did you attend the talc conference where FDA officials were present, but you actually received the transcript of the proceedings documenting exactly what was said at that conference, correct?

A. I don't recall.

Q. Let's look at Exhibit 8 to your deposition.

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A. Okay.

Q. Exhibit 8 to your deposition is another memo from Johnson & Johnson Consumer, correct?

A. Yes.

Q. And it's Johnson & Johnson Consumer Products Worldwide, correct?

A. Yes.

Q. And they are responsible for Johnson's Baby Powder worldwide, right?

A. Yes.

Q. And this memo is from Donald Jones and it's to John O'Shaughnessy, correct?

A. And Charles Preuss, yes.

Q. Okay. And the date is March 18, 1994, right?

A. That's correct.

Q. And did Charles Preuss work at Johnson & Johnson?

A. No, Mr. Preuss was an outside lawyer we had retained to represent us in what I'm assuming was this talc litigation in California, so because he was representing us in the talc case, he -- I would have asked the company probably to provide him with the transcript so we could have that for our

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use in litigation.
MS. BROWN: And, Mr. O'Shaughnessy, I just want to interject an instruction for the record. I would instruct you not to reveal any actions that you took in connection with ongoing cases in your role as in-house litigation counsel, including any discussions you may have had with outside counsel for Johnson & Johnson in connection with those cases.
BY MR. BLOCK:
Q. Just to be clear, Mr. O'Shaughnessy, not only did you attend the talc conference involving the FDA in 1994, but Donald Jones from Johnson & Johnson Consumer actually sent you the transcript of the proceedings, correct?
A. Yeah, according to this memo, yes.
Q. Let's look at Exhibit 8A. And you see that Exhibit 8A is a document which lists the title of that talc conference in the top middle?
A. Um-hum. Yes.
Q. And do you see it lists January 31st, 1994, and it says, "Transcribed from provided tapes."
Do you see that?
A. Yes, I do.

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Q. Okay. And do you see that there's a table of contents, and the table of contents includes an introduction and then the first presentation being by Steve Gettings of the CTFA?
A. Yes.
Q. All right. And John Bailey at the time worked for the FDA.
Do you see that?
A. I see that.
Q. And he was the chairperson of this conference, right?
A. That's how he's identified, yes.
Q. And you know that John Bailey actually left the FDA and went to work for the CTFA that later became known as the PCPC, correct?
MS. BROWN: Objection; foundation.
A. I have no knowledge of that.
Q. Do you know John Bailey?
A. No.
Q. Okay. So in terms of the transcript, let me just ask you about a few things. It says in the transcript, "Our first speaker this morning is Stephen Gettings."
Do you see that?
A. I'm looking for the page on my hard

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copy. Can you give me the number there, please?
Q. Yeah, the number ending in 921.
A. Got it.
MS. BROWN: Counsel, for the record, do we have a complete copy of the proceedings as this exhibit or have you excerpted this?
MR. BLOCK: These are excerpts. It's hundreds of pages and I can get you a complete copy if you need one.
MS. BROWN: And for the record, the Bates, can you identify what the source is?
MR. BLOCK: The source -- I'd prefer you don't interrupt my questioning, but the source is Avon-produced document, so -- but I'd like to proceed with my questioning without interruption.
MS. BROWN: Yeah, I appreciate that. It was just to get my orientation on whether or not I needed to object, so I appreciate that clarification. Thanks, Jerry.
BY MR. BLOCK:
Q. So, Mr. O'Shaughnessy, do you see that the transcript of the conference that you attended says, "Our first speaker this morning is Stephen Gettings"?
A. Yes, I do.

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Q. And do you see it says, "Dr. Gettings: Thank you, John."
Do you see that?
A. Yes, I do.
Q. All right. And then Dr. Gettings says, "I am very pleased to have this opportunity to talk to you this morning. I represent the Cosmetic, Toiletry and Fragrance Association. So, as such I represent both producers of finished products containing talc, and also producers of the raw talc ingredient."
Do you see that?
A. Yes.
Q. And as a member of J&J's Talc Steering Committee that was helping Dr. Gettings prepare for this presentation and as someone who attended the conference, you understand and understood then that Dr. Gettings was speaking on behalf of Johnson & Johnson, which was a member of the CTFA, correct?
MS. BROWN: Objection; foundation.
A. No, you know, yes, they considered me a member of that committee. I didn't have any role in preparing Dr. Gettings's information for the committee. I was there in my role as an attorney

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because we had active litigation concerning this product, and this conference was an important event that would come up in the litigation.

Q. Sir, do you agree that Dr. Gettings was representing Johnson & Johnson and other companies in making his presentation at this talc conference involving the FDA?

MS. BROWN: Objection.

A. I see that -- I see where it says, yes.

Q. Okay. And you agree with that, based upon the memos we've looked at from the Talc Steering Committee, where Johnson & Johnson was, in fact, helping Dr. Gettings prepare this presentation, correct?

A. They were working with him, yes, from those memos.

Q. Okay. And if we look at the statement, a statement by Dr. Gettings, let's go to the page that ends with 936. And you see that this is part of Dr. Gettings's presentation at the conference that you attended?

A. So in summary, yes, I have it in front of me.

Q. And Dr. Gettings says, "So in summary

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then, talc purity is defined by the type of talc deposit, by appropriate selection of mine site and implementation of manufacturing controls, and also, very importantly the quality requirements of the application."

Do you see where Dr. Gettings said that at the conference you attended?

A. I do.

Q. And then Dr. Gettings says, "Cosmetic talcs are specifically processed to meet quality specifications."

Do you see where he said that at the conference?

A. Yes.

Q. And then Dr. Gettings said at this 1994 conference that you attended, "Quality assurance measures ensure the purity of the product and the absence of asbestos fibers."

Do you see that?

A. Yes.

Q. And what Dr. Gettings told the FDA officials at this meeting in 1994 is consistent with what you knew Johnson & Johnson's public position was, which is that there was no asbestos in cosmetic talc, correct?

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A. That's right.

Q. About a year later in 1995, do you recall that there was a citizen's petition requesting that the United States Government require cancer warnings on talc products?

A. I don't recall that. In my job over 30 years there's been many, many citizen petitions on the cases that were involved with me for litigation, so I don't recall this.

Q. As part of your work on J&J's Talc Steering Committee, you became aware, in June of 1995, of J&J's involvement in the CTFA's response to this citizen petition seeking to require cancer warnings, correct?

MS. BROWN: And, Mr. O'Shaughnessy, I'm going to object here and instruct you not to answer any questions involving your work on the Talc Steering Committee, as you've described that work on this transcript as legal in nature.

To the extent you can answer counsel's question about something you may have observed other people doing that was not either a request for your legal advice or you acting in connection with the lawyer supervising litigation, I have no objection to the question.

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MR. BLOCK: Let me withdraw that last question. Let's look at Exhibit 9.

BY MR. BLOCK:

Q. And Exhibit 9 is another memo that was sent to you and this one was June 23rd, 1995, so a year after that talc conference involving the FDA that we were just looking at, correct?

A. Yes.

Q. Okay. And just to be clear who wrote this, this is also from Donald Jones, right?

A. Right.

Q. And Dr. Al Wehner was copied on this internal Johnson & Johnson memo, right?

A. Yes, his name is there.

Q. All right. And the memo is, the subject in this 1995 memo, which is Exhibit 9, CTFA Response to Cancer Prevention Coalition Citizen's Petition. Is that right?

A. Yes.

Q. All right. And the people on the memo are you, John O'Shaughnessy, right?

A. Right.

Q. We've talked about Dr. Hopkins, who is still in the United Kingdom at this time, right?

A. I'm not sure when he came over to the

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U.S.
Q. We talked about Jeffrey Leebaw, who was in the communications area for Johnson & Johnson, right?
A. Yes.
Q. And who else do you remember from this list of people that are recipients of this memo, the two columns of people here; who else do you remember?
A. Nancy Musco was a person who worked at the consumer company and I believe she had a role in customer relations or medical issues. I believe she was a nurse. Matheson, I believe, was in R&D, although I'm not sure; McTernan was a regulatory executive with consumer products, and Kathy Schroeher was a regulatory attorney in the Johnson & Johnson law department.
Q. And the memo says, "With regard to the CTFA response to the cancer prevention coalition citizen's petition," it says, "the response was developed by members of the talc interested party task force, edited by Dr. Steve Gettings and reviewed by CTFA legal," right?
A. That's what it says, yes.
Q. And then this memo from Mr. Jones to

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you and others says, "As you might guess, we played a significant role in writing, editing, and providing references for the comments."
Do you see that?
A. Yes.
Q. And in this memo sent to you it says, "Mike Chudkowski and consultants Bill Ashton and Dr. Al Wehner all contributed a great deal to the final product."
Do you see that?
A. Yes.
Q. This response, let's go to -- so the response is attached to this memo, correct?
A. Yes, I have it.
Q. All right. And let's look at the cover page, the very next page, and it says, "Comments of the Cosmetic, Toiletry and Fragrance Association in response to a citizen's petition filed with the Food & Drug Administration on November 17, 1994, which would require carcinogenic labeling on all cosmetic talc products."
Do you see that?
A. I do.
Q. And at this time you understood that carcinogenic means cancer, right?

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A. Yes.
Q. And this was a citizen's petition filed with the FDA, right?
A. Yes.
Q. And so this response was being submitted to the FDA, correct?
A. They were going to submit the comments. I don't know if this is final form or not. I guess it is. I'm not sure.
Q. And there's even an FDA docket number listed on the cover page of the response that was sent to you, correct?
A. I don't see it. Oh, I see, yes.
Q. All right. And once again, the CTFA, that Johnson & Johnson was a member of, told the FDA that there is no asbestos in cosmetic talc, correct?
A. I'm assuming that's the document, but yes, that's been the position of the company, yes.
Q. And if we look at the response to the citizen's petition requesting that there be cancer labels put on all cosmetic talc products, if we go to the page ending in 160, if you look at the smaller number in the bottom right, do you see what I put on the screen, "careful mining procedures"?
A. Yes.

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Q. So in this response that Johnson & Johnson assisted with, it says, "Careful mining procedures enable the serpentinite core to be avoided, and thus, possible contamination of talc ore with asbestos is obviated."
Do you see that?
A. I do.
Q. And this response to the FDA also says, "Confirmation of the absence of asbestiform minerals in the finished talc product is established using X-ray diffraction, optical microscopy and electron microscopy techniques."
Do you see that?
A. Yes.
Q. And the response cites "CTFA, 1990," right?
A. Yes.
Q. And if you look at that reference further down in the document, and I put it up on the screen, do you see that CTFA, 1990 refers to CTFA method J4-1?
A. Yes.
Q. And so in this response to the FDA, the FDA is being told that the absence of asbestiform minerals is confirmed by the CTFA method

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J4-1?
MS. BROWN: Objection; foundation; misstates the document.
A. I can read what it says, Mr. Block, but I'm not sure -- this is a scientific issue and I'm not sure of all that it really says or means. I think you would have to ask someone with technical expertise.
Q. Okay. Let me just, as someone who did receive this document back in 1995, does it say "absence of asbestiform minerals"?
A. It says that.
Q. Does it cite the CTFA, does it cite to a CTFA reference?
A. The one you mentioned, yes.
Q. And if we go to that CTFA reference in the response, does it cite the CTFA method J4-1?
A. Yes, it does.
Q. Now, going back to the cover page of this memo, was it common for Dr. Al Wehner to be copied on internal Johnson & Johnson memos like this? I mean, he's listed as a cc at the bottom, right?
MS. BROWN: I object.
A. He is. He is. I don't know how

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often he was copied by the company. I wouldn't have any knowledge.
Q. You certainly knew Dr. Wehner, right?
A. I knew of him, yes.
Q. In the mid 1990s, when you were a member of the Talc Steering Committee, you were one of the people that was directing Dr. Wehner's work, correct?
MS. BROWN: Objection to form.
A. No, I was not.
Q. Dr. Wehner directly wrote you letters, didn't he?
A. I'm not sure. He might have.
Q. Do you remember Dr. Wehner writing you a letter where he referred to his work involving talc as talc versus the crazies?
A. I don't recall.
Q. Let's look at Exhibit 10 to your deposition, and this is another document from 1995.
Do you see it's a fax?
A. Yes.
Q. Okay. And at the top we could see page 1 of the fax, right?
A. Yes.
Q. All right. And the fax is to William

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Ashton, J&J Consumer Products, Inc., right?
A. Yes.
Q. All right. And if we just look at what Dr. Wehner says in the fax cover sheet, he says, "Dear Bill."
Do you see that?
A. I do.
MS. BROWN: I object to this line of questioning as lacking foundation of this witness who's not on the document.
MR. BLOCK: Please don't make a speaking objection, and you'll see that you're incorrect.
BY MR. BLOCK:
Q. Do you see where it says, "Dear Bill"?
A. I do.
Q. And do you see it says, "I am also faxing" -- do you see where it says, "I am also faxing a copy of my memo of November 20 to Mike Chudkowski, et al."?
A. Yes.
Q. "In a related matter."
Do you see that?
A. Yes.

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Q. Okay. And if we go to page 6 of the fax, do you see that there is a memo to three people?
A. Yes.
Q. And one is Mike Chudkowski, Michael Chudkowski from Johnson & Johnson Consumer, right?
A. That's right.
Q. One is Donald Jones, right?
A. Yes.
Q. And who is the other person?
A. That's me.
Q. All right.
A. John O'Shaughnessy.
Q. And by the way, do you see how it says e-s-q after your name?
A. Yes.
Q. As an attorney, you understand that sometimes attorneys will put E-S-Q after their name or other people will put E-S-Q after the name of an attorney?
A. Yes.
Q. To identify them as an attorney?
A. That's right.
Q. And when we looked at the participant list from that talc conference involving the FDA in

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1994, not only did it not identify you as being affiliated with Johnson & Johnson, but it did not identify you as an attorney in any way, right?

A. No, it didn't.

Q. Okay. And so looking at this memo from Dr. Wehner to you, he writes, "Gentlemen."

Do you see that?

A. I do.

Q. And he writes, "Outraged by CPC's and Dr. Epstein's reckless and irresponsible actions. I could not help but write the attached memo to whom it may concern for no other purpose than to bring my thoughts to paper for potential future use."

Do you see that?

A. I do.

Q. And remember in the prior document we looked at, the citizen's petition had been brought by the Cancer Prevention Coalition.

Do you see that?

A. Yes.

Q. Okay. And Dr. Wehner wrote you that he was outraged by the petition?

A. Yes.

Q. And if we read further down, he says, "Parenthetically, a year ago I accepted an

invitation by Chairman Dr. Garrey Carruthers, Governor of New Mexico, 1987 to 1990, to join his, The Advancement of Sound Science Coalition, TASSC."

Do you see that?

A. Yes, I do.

Q. And are you aware that The Advancement of Sound Science Coalition, the TASSC, was started by the tobacco industry?

A. No.

MS. BROWN: Objection.

BY MR. BLOCK:

Q. Do you know anything about The Advancement of Sound Science Coalition?

A. No.

Q. Do you know that Dr. Wehner worked for the tobacco industry at the same time he was working for Johnson & Johnson?

MS. BROWN: Object; lacks foundation.

A. I don't know that I knew that.

Q. Did Dr. Wehner ever tell you he worked for the tobacco industry?

MS. BROWN: Objection.

A. I don't recall the conversation with Dr. Wehner.

Q. Then Dr. Wehner writes in this memo

to you, "John might want to check out TASSC and if he then deems it appropriate, contact Governor Carruthers in matters Talc versus The Crazies."

Is that what it says?

A. Yes.

Q. And John is you, right?

MS. BROWN: Objection; speculation.

A. I assume it is. I'm the only John on the memo.

Q. And it says, "If John prefers, I could, with his permission, explore TASSC's potential interest and possible role in the health effects of cosmetic talc issue."

Do you see that?

A. I do.

Q. So at this time in the mid '90s, you were someone who would give Dr. Wehner permission to do things or not do things when it came to issues of talc science, correct?

MS. BROWN: Objection; misstates.

A. Absolutely not.

Q. Do you remember reading this memo where Dr. Wehner referred to the matter as "Talc versus The Crazies"?

A. I see where he says that, but I don't

recall this memo.

Q. Do you think that's something a scientist should say?

A. I don't have any opinion on it. You know, I can't explain Dr. Wehner's thinking.

Q. Okay. So you said earlier that you knew, during the time that you worked at Johnson & Johnson, that it was Johnson & Johnson's public position that there was no asbestos in Johnson's Baby Powder, correct?

A. Yes.

Q. But isn't it true, sir, that you obtained information when you worked at Johnson & Johnson that there was asbestos in Johnson's Baby Powder?

MS. BROWN: I object, and I will instruct you, Mr. O'Shaughnessy, if you can answer counsel's question outside of information that you learned in the context of working as a lawyer for Johnson & Johnson, please go ahead and do that.

If the question implicates information you received in your role as litigation counsel, I will instruct you not to answer the question.

MR. BLOCK: Let's have a read back of

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the question and I'd like an answer.
(The following Question is read back:
"QUESTION: But isn't it true, sir, that you obtained information when you worked at Johnson & Johnson that there was asbestos in Johnson's Baby Powder?")
BY MR. BLOCK:
Q. Please answer the question.
MS. BROWN: And --
MR. BLOCK: Your objection has already been noted.
MS. BROWN: Hold on, Jerry. I want to reiterate I have the same objection to the question and I will instruct you, Mr. O'Shaughnessy, if you cannot answer that question without implicating your work as a lawyer, I would instruct you not to answer it.
MR. BLOCK: Let's have the question read back and let's have an answer. Your objection has been stated for the record.
MS. BROWN: Jerry, he's not going to answer it. I'm not sure what you mean let's have him answer. I'm instructing him not to answer.
MR. BLOCK: Let's, I may need a ruling on that, but let's just go to my next

question.
BY MR. BLOCK:
Q. Mr. O'Shaughnessy, when you worked at Johnson & Johnson --
SPECIAL MASTER: Can I -- excuse me, I'm sorry, Mr. Block, but the objection was that if he could, if he -- I'm trying to make this clear.
The objection was, is that if he obtained this information in connection with his, I suppose, capacity as litigation counsel, there was an instruction not to answer, but I don't think the record answered the question whether and how he obtained -- one, if he has the information and how he obtained it.
So there's no foundation for whether or not there is an appropriate privilege objection.
MR. BLOCK: Your Honor, I appreciate your intervention. I'm going to go on to my next question just for the moment and then we'll see just where this goes, okay? If that's okay.
SPECIAL MASTER: Sure.
MR. BLOCK: Okay.
BY MR. BLOCK:
Q. Mr. O'Shaughnessy, when you worked at Johnson & Johnson, you knew that Dr. Alice Blount

repeatedly told Johnson & Johnson that there was asbestos in Johnson's Baby Powder.
Isn't that true, sir?
MS. BROWN: And once again I will object and instruct you, Mr. O'Shaughnessy, not, if you can answer any of counsel's questions about information you received outside of your role as working as a litigation lawyer for the company, please do go ahead and answer those questions.
If counsel's question calls upon information you learned during your role as litigation counsel, I will instruct you not to answer.
MR. BLOCK: Please answer the question.
A. My role with the company was litigation and as litigation counsel and that was my only role. So on the basis of the objection, I can't answer.
Q. Look at Exhibit 11 to your deposition, Mr. O'Shaughnessy. Exhibit 11 is a letter to you dated March 16, 1998; true?
A. That's right.
Q. And the letter is from the law firm of Mehaffy & Weber located in Texas, right?

A. Yes.
Q. And the letter is in regards to a case called "Darlene Coker," right?
A. That's right.
Q. And the letter is to Mr. John O'Shaughnessy of Johnson & Johnson, right?
A. That's right.
Q. That's you, right?
A. It is.
Q. You received this letter in March of 1998, correct?
A. I'm assuming, since it was addressed to me, yes, I received it.
Q. And it says, "Dear Mr. O'Shaughnessy."
You see that?
A. I do.
Q. Just to be clear, the person writing this letter is a person named M. Raymond Hatcher from the law firm of Mehaffy & Weber, right?
A. That's who's listed as the sender of the letter, yes.
Q. And Mr. Hatcher of Mehaffy & Weber writes, "Dear Mr. O'Shaughnessy, On Thursday, March 12, 1998, and Monday, March 16, 1998, I spoke with

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Dr. Alice Blount about the possibility of retaining her as an expert in the above titled case."

Is that what it says?

A. That's what it says.

Q. And the above titled case is Coker, right?

A. Yes.

Q. And then Mr. Hatcher from Mehaffy & Weber writes to you in March of 1998, "Dr. Blount is a geologist and mineralogist who has written extensively on talc and asbestos contamination in commercial talc preparations."

Do you see that?

A. I do.

Q. And Mr. Hatcher from Mehaffy & Weber told you this in this letter from March of 1998, correct?

A. That's what it says.

Q. And then it says, "Dr. Blount was formerly a professor at Rutgers University, but is now employed by Pluess-Staufer Industries Inc., a mining concern in Proctor, Vermont."

Do you see that?

A. I do.

Q. And all of the information in this

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letter you would have known about when you received it in March of 1998, correct?

A. I would have read the letter, yes.

Q. And it says, "Although Dr. Blount seemed less than ecstatic about the idea of testifying in a legal proceeding, she agreed to consult in the case if we desired her to do so, but stated that in her opinion, commercial talcum powder preparation, including Johnson & Johnson's Baby Powder, contain trace amounts of asbestos."

Did I read that correctly?

A. Yes.

Q. And that statement was in this letter to you dated March 16, 1998, correct?

A. That's right.

Q. And then it says, "However, Dr. Blount said that all powders she tested, including Johnson & Johnson Baby Powder, were well below acceptable limits as designed by OSHA and that she considered Vermont talc as some of the purest talc available."

Is that what it says?

A. Yes.

Q. Okay. So in this letter to you it says, "All powders Dr. Blount tested, including

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Johnson & Johnson's Baby Powder," correct?

A. Yes.

Q. So from this letter, you knew that Dr. Blount had tested Johnson & Johnson Baby Powder and determined that Johnson's Baby Powder contains trace amounts of asbestos, correct?

MS. BROWN: I object. This is a document that was inadvertently produced and I understand as such, Mr. O'Shaughnessy can testify to what the document states; however, it does not warrant a subject matter waiver. This is a EEA letter to Mr. O'Shaughnessy as in-house counsel at Johnson & Johnson from outside counsel for Johnson & Johnson in a pending case that is captioned in this letter.

And so I will instruct you, Mr. O'Shaughnessy, not to answer any questions that call upon work that you did or learned as litigation counsel in this case. You can testify to what this document states, as it was inadvertently produced.

MR. BLOCK: Your Honor, I think we're going to have to seek a ruling on this. We don't believe there's any evidence that it was inadvertently produced. It has a Bates number on it. It was produced. And I have a transcript that

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I could show right now that says that Johnson & Johnson waived privilege as to this document. And there was nothing stated in that record about inadvertent production.

We believe this is a document that was produced, this is selective disclosure and it does waive privilege as to the subject matter. But I think we have a sidebar room that was intended for these sorts of discussions.

SPECIAL MASTER: I agree it's appropriate for sidebar to discuss this particular issue in the absence of the witness.

MR. BLOCK: Okay. So we all are, anyone who's in the sidebar room is being invited to join and I am going to join. Thank you.

MS. BROWN: Thank you, your Honor.

VIDEOGRAPHER: Stand by. Going off the record, 12:06 p.m.

(Sidebar.)

SPECIAL MASTER: Jerry, can you hear me?

MR. BLOCK: I can. And I wanted to, since I'm the proponent of the document and the questions, make a proffer.

SPECIAL MASTER: Hold on. Can we

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make sure the appropriate people are in this sidebar?
MR. BLOCK: Sure.
SPECIAL MASTER: And I suppose we should have the court reporter as well.
CONCIERGE: The court reporter is here. This is Jason, the concierge. I will call out who's all in here. Alli Brown, Colin Cox, Jerry Block, Joel Schneider, Moshe, Rachel Goodman, Richard Bernardo, Susan Sharko and the court reporter.
Anybody else, or am I missing anybody?
MR. BERNARDO: Rachel Goodman should be in.
MS. GOODMAN: I'm here, judge.
MR. BLOCK: So, your Honor, may I just proceed with a proffer?
MS. BROWN: I'm sorry, is John Garde also in here?
CONCIERGE: John Garde? No, I will go --
MR. BLOCK: I have no objection to that, but we spent time organizing this and no one ever said to put John Garde in this room, but we'll

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have to make that switch.
SPECIAL MASTER: Mr. Block, for my benefit, can we have the question that is at issue so we're all on the same page? Could we ask the court reporter to repeat the question at issue, please?
MR. BLOCK: Of course.
(The following Question is read back:
"QUESTION: So from this letter, you knew that Dr. Blount had tested Johnson & Johnson Baby Powder and determined that Johnson's Baby Powder contains trace amounts of asbestos, correct?")
SPECIAL MASTER: Okay, Mr. Block, I think the floor is yours.
MR. BLOCK: Yes, your Honor. All right.
So this is a document that has been admitted in trials, many public trials. I don't think there's any dispute that it's in the public now. I think what's been asserted is a claim that it was inadvertently produced and I will just show you what I have here.
It's actually Exhibit 12A that I, was going to be part of some of the questioning, and

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that is a transcript from a case I tried called "Olson," "Donna Olson." And the transcript I'm showing on the screen is from May 2nd, 2019. Do you see that, your Honor?
SPECIAL MASTER: Absolutely.
MR. BLOCK: All right. And then at page 7478 of the transcript, there was a discussion about Exhibit 767. And Exhibit 767 in the Olson trial is the March 16, 1998, document on letterhead from Mehaffy & Weber. I could just show you that.
Well, let's go to 7532 of the Olson transcript, line 25. It says:
"QUESTION: And now Exhibit 767 from the previous month, March 16, 1998, correct?
"ANSWER: It says March 16, yes.
"QUESTION: It's on the letterhead of Mehaffy & Weber, that same law firm, right?
"ANSWER: Yes.
"QUESTION: Okay. And it's in regards to looking at 767 with regards to Darlene Coker, that lawsuit?
"Correct."
So I'm questioning at trial about this document. It goes on to say, this involved Mr. O'Shaughnessy.

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Before I asked about it, there was a proceeding, so we just looked at page 7532 and 33 of the Olson transcript. If we go back in the transcript to page 7478, Mr. Thomas Kurland was one of the attorneys for Johnson & Johnson at the trial from the Patterson Belknap law firm. And Mr. Kurland says, "We checked on it and we agree that it was privileged at one time, but that's been waived. So we're not asserting any privilege or work product arguments with regard to that document."
And to be clear, that was Exhibit 767.
So the exhibit to this deposition that I'm asking Mr. O'Shaughnessy about right now, Exhibit 11, is an exhibit that J&J has acknowledged in trials that they've waived privilege to and there's no showing that the waiver was inadvertent.
And I just want to cite your Honor to your decision in the Riddell case where it says that the holder of the privilege "bears the burden of establishing every element of attorney-client privilege, including that the communication was made in confidence and the privilege has not been waived."

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So it is not sufficient for a party to look at a document that has a Bates label on it that's been produced, it's been used in trial, and merely assert that the production was inadvertent. I believe that the presumption has to be that it was voluntarily produced unless they could establish otherwise because they have the burden. If it's equipoise, they haven't met their burden.

And I would just finally say, your Honor, why did they produce it? They very well may have produced it because they thought that parts of it benefited Johnson & Johnson. Dr. Blount says that although she believes there's trace amounts of asbestos, she says they're well below acceptable limits as defined by OSHA. And she goes on to say that she thought the concern about talc was blown out of proportion, that she has a very high opinion of Johnson & Johnson Baby Powder.

So Johnson & Johnson, knowing that we had other documents showing Dr. Blount's findings of asbestos in Johnson's Baby Powder, including her article in the key that shows that Johnson's Baby Powder Sample I may have made a, we believe, made a purposeful decision to produce this document, which, you know, I think they believe helped them.

So, and, you know, as we know, your Honor, selective disclosure as to the subject matter waives privilege as to that subject matter, the subject matter here being the issue of Dr. Blount's statements about asbestos in Johnson's Baby Powder that were received by Mr. O'Shaughnessy.

Thank you.

SPECIAL MASTER: Counsel for J&J, you want to be heard?

MS. BROWN: Yes, your Honor, please. Thank you.

I don't think actually Mr. Block and I are all that far away, if I could give just a little bit of background, judge.

This is a document, as your Honor can see, from outside counsel for J&J to inside litigation counsel at J&J. The re line is a case caption and the subject of the letter is a potential consulting expert in an ongoing lawsuit.

The memo is plainly work product, your Honor, and I can represent it was 100 percent inadvertently produced. This was not a strategic decision to selectively waive. This is a document that over a large scale document production that has taken place, you know, over the course of many years

was inadvertently produced and on its face, it is plainly work product.

I agree with Mr. Block, however, your Honor, that yeah, because it was produced, we have waived as to this document. And what that means is that at trials and at this deposition, because we inadvertently produced this document, counsel is entitled to put it in front of witnesses like Dr. Hopkins in the trial testimony we just looked at, and Mr. O'Shaughnessy, and ask questions about the four corners of the document.

We have waived, due to inadvertent production, the four corners of this document. But importantly, your Honor, this issue about whether or not that invokes a subject matter waiver has been raised in many courts around the country, including in the MDL Courts in New Jersey, because there was an attachment to this document, a report by Dr. Blount, and the issue of this letter and a similar letter has come up and Judge Wolfson held that the Blount report, the attachment, is clearly work product. And because this letter, the cover letter was produced, it did not invoke a subject matter waiver about everything regarding Dr. Blount, and certainly the same would apply here for

Mr. O'Shaughnessy.

And so my objection to the question, judge, and my instruction on the question is because counsel is asking now about what he learned, what he understood Dr. Blount to be telling or finding, and that goes beyond the four corners of this document.

I have no objection to him reading what the document says and asking Mr. O'Shaughnessy if the document says that. But anything beyond that, what Mr. O'Shaughnessy knew, learned, did, were all done in his capacity as litigation counsel for the company in this ongoing captioned case, your Honor.

It's plainly work product. The MDL Court has found that, as well as numerous courts around the country where Mr. Bernardo has argued this, including California and Kentucky.

SPECIAL MASTER: Thank you, counsel.

The Court's ruling as to this specific question -- the special master's ruling as to the specific question at issue is that the objection is overruled for the following reasons:

The Court disagrees with J&J that this particular question requires the witness to -- requires the special master to determine

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there's a, quote, unquote, "subject matter waiving." The special master is not holding that there is a subject matter waiving by the production of this particular document.

In my view, the particular question at issue is encompassed within the four corners of this document and is an appropriate area of inquiry.

I'm familiar with the case law in New Jersey and was prepared for this particular waiver issue and will address whether or not there is a subject matter waiver when and if the particular issue arises, but this particular question does not require the master to rule that there is a subject matter waiver.

I believe that J&J is reading the, quote, "four corner rule" a bit narrowly. In my view, this particular question does, in fact, come within the four corners of this particular document. The witness is being asked about something that's specifically said in this document, not generally his knowledge about what he knew about asbestos in talc that may have been privileged.

I also want to add, Miss Brown, that I believe that your objection to information that this witness learned in his capacity as litigation

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counsel is overbroad. It's unquestionably the case that Mr. O'Shaughnessy was litigation counsel. If the master accepted your view of what's privileged, every bit of information that the witness has would be privileged because everything he learned was in his capacity as litigation counsel.

We know that information that he has, some of the information he has is not privileged. We went over the meetings and the documents and the exhibits in the morning of this deposition. He certainly learned that information in his capacity as litigation counsel, but that doesn't necessarily mean that the information is privileged.

So I think you ought to put a little bit of a finer point on your objections with regard to this particular document. I agree it's work product. On the face of it you can just see that. But it's unquestionably the case that it was produced, it was used at trial; whether or not it was inadvertently produced, the Court doesn't have to determine that.

But even if it was inadvertently produced, the fact that J&J has, to this master's knowledge, has never made any effort to claw back this document is a clear indication that it waived

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the privilege. We have counsel's representation on the record that either they waive the privilege or they're not asserting it.

So this document, as far as I'm concerned, is fair game for discovery because although at one time on its face it was a work product document, for whatever reason, and it's not particularly important what reason J&J had, it decided not to claw back this document and to claim the privilege.

So this particular document and questions about this particular document are fair game as far as I'm concerned. But to be clear, in no way, shape or form is this Court addressing whether or not there's a quote, unquote, "subject matter waiver" because the particular question at issue doesn't require the Court to make that decision.

MR. BLOCK: Okay. Your Honor, unless you wanted to address anything else, on behalf of the plaintiffs we'd like to return to the exam and just, I'll have -- and have the last question restated and I'm going to ask for an answer from the witness.

MS. BROWN: And if I could ask for

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the question to be read back right now and if I could have two minutes to confer with my colleague about whether we will continue to instruct in light of the special master's ruling, I would appreciate that.

(The following Question is read back:

"QUESTION: So from this letter, you knew that Dr. Blount had tested Johnson & Johnson Baby Powder and determined that Johnson's Baby Powder contains trace amounts of asbestos, correct?")

MS. BROWN: Thank you, Andrea.

And, your Honor, if we could have just a few minutes to confer amongst ourselves and then we'll get right back on.

SPECIAL MASTER: I don't know, logistically I don't know how to do that. Put us someplace where we don't hear you or you --

MS. BROWN: We'll do that, judge. We'll just go in the hallway and mute ourselves.

MR. BLOCK: Your Honor, could we just get put back in the main room so that when Johnson & Johnson's counsel is ready, the question will be read back and they'll either object or they won't. Okay, thank you.

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SPECIAL MASTER: I think that's a good idea.
MS. BROWN: Thank you very much.
TECHNICIAN: I'm going to close the room now.
MR. BLOCK: Thank you.
(Sidebar ends.)
(Recess: 12:25 p.m. to 12:33 p.m., Eastern Standard Time.)
VIDEOGRAPHER: Going back on the record, 12:33 p.m.
This is the beginning of Media Unit 3. Okay.
MS. BROWN: This is Alli Brown for Johnson & Johnson.
I have objected to Exhibit 11, which is a document from outside counsel for Johnson & Johnson to Mr. O'Shaughnessy as assistant general counsel for Johnson & Johnson regarding his role as the lawyer, in-house lawyer responsible for the defense of the company in the captioned case Darlene Coker.
The letter involves information about a potential consulting expert. The letter is work product and was inadvertently produced. As such, we

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object to any questions that go beyond the four corners of this letter.
We've had the opportunity to discuss this with the special master. I understand the special master has ruled that the question as asked does not go beyond the four corners of the letter itself and while we respectfully disagree, we will allow Mr. O'Shaughnessy, in light of the special master's ruling, to answer the question as asked, subject to our continued objection to any testimony about work he did, information he learned in defense of the Coker case in connection with his role as assistant general counsel.
MR. BLOCK: Could we have the question read back, please.
(The following Question is read back:
"QUESTION: So from this letter, you knew that Dr. Blount had tested Johnson & Johnson Baby Powder and determined that Johnson's Baby Powder contains trace amounts of asbestos, correct?")
A. From this letter, yes, at the time I knew that's what she was reporting, yes.
Q. And as we discussed earlier, Dr. Blount did say that it was below acceptable

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limits.
You see that?
A. I do.
Q. As defined by OSHA, right?
A. Yes.
Q. And when you read this, you understood that OSHA is the Occupational Safety and Health Administration, correct?
A. Yes.
Q. You understood, when you read this, that that applies to the workplace, correct?
A. Yes. OSHA has rules and regulations on workplaces, yes.
Q. And you understood certainly when you read this that Johnson's Baby Powder was used in people's homes and in people's bathrooms, correct?
A. Yes.
Q. That it was being used on changing tables with infants, right?
A. I assume so, yes.
Q. You did know when you read this that Dr. Blount was a geologist and mineralogist, right?
A. Yes, that's what it says in the letter.
Q. And so you understood, when you read

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this, that Dr. Blount had expertise in the composition of talc and asbestos, but that she wasn't an expert in medicine or health, right?
MS. BROWN: I object. And, Mr. O'Shaughnessy, I will instruct you not to answer any questions that go beyond the four corners of this letter and would implicate information that you learned as the lawyer defending Johnson & Johnson in this particular Coker case, including conversations you would have had with outside counsel for Johnson & Johnson.
MR. BLOCK: Could we have a ruling, please? I'd ask for a ruling.
SPECIAL MASTER: Okay. Let's go into another room again and first thing I'd like to hear is the question repeated once we go into the room.
(Sidebar.)
(The following Question is read back:
"QUESTION: And so you understood, when you read this, that Dr. Blount had expertise in the composition of talc and asbestos, but that she wasn't an expert in medicine or health, right?")
SPECIAL MASTER: You have to rephrase the question, Mr. Block, and take it out of the context of this letter. Can't you just ask the

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witness did he have any knowledge of whether Dr. Blount, et cetera, et cetera, because if you take it out of the context of this particular letter then we don't have a privilege issue.

MR. BLOCK: I'll rephrase it to match what you just said, your Honor.

MS. BROWN: Your Honor, on that point, though, if I could be heard, you know, my objection is whether he learned information about Dr. Blount in connection with being a lawyer defending this case, I would object to a privilege.

I have no objection to information contained within the four corners of that letter, which does include some information about her expertise. The reason I objected to counsel's question is that he was asking about additional information about Alice Blount's training in the areas of medicine and health, and to the extent that Mr. O'Shaughnessy would have learned that information in connection with being the in-house lawyer defending the case and looking at and investigating experts, I would object as that being work product and attorney-client communication.

SPECIAL MASTER: Well, Mr. Block, maybe you ought to start with a foundation about

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whether the witness came to learn of the doctor's experience, expertise, and how he came to learn of that information.

Again, I just want to, we've got to be careful here because I think it's way overbroad to say anything that the witness learned in his capacity as litigation counsel is privileged. Then why are we taking this deposition? Everything would be privileged.

MS. BROWN: I appreciate your Honor's important clarification. I mean, certainly that was his job for 30 years and as you can see, your Honor, where there are inquiries into non-privileged subjects, like what other people said at the talc advisory meeting, we are certainly not objecting to those questions, and your Honor's point is well taken that everything he did was as litigation counsel.

And so more specifically here, he is acting as the litigation lawyer defending this ongoing talc lawsuit, including meeting with and discussing strategy and witness issues with outside counsel as evidenced in this letter, including making decisions about a number of different things in this ongoing litigation.

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SPECIAL MASTER: No, I don't disagree that -- I don't disagree that -- I do not disagree with the statement you made on the record that the production of this letter is a subject matter waiver as to anything he learned in connection with the Coker litigation. I agree with that.

But the question, this question taken out of the letter context, he may have known about, he may have learned about Dr. Blount at some society meeting or association. That's not privileged.

MS. BROWN: Sure.

SPECIAL MASTER: We don't know how he, one, we don't know if he has any knowledge regarding her background, that will be established; and two, let's find out how he learned it. If he says I only came to learn this because I was preparing for the Coker litigation, I'll rule that that's privileged.

MS. BROWN: Thank you.

MR. BLOCK: Your Honor, I don't know if it's going to come up in my questioning and I think we may be back talking about the issue, but I want to try to make some headway on the exam.

I would ask that at some point the Court look at New Jersey State rule of evidence 530,

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and sub 1 addresses when a disclosure is made in a New Jersey State Court proceeding, how far the waiver extends in terms of undisclosed communications in a state proceeding, and if the waiver is intentional and if the disclosed and undisclosed communications or information concern the same subject matter and if they are, in fairness, to be considered together, then that permits disclosure. And then you go down a different subsection if the disclosure is inadvertent.

So it's not necessary to address it right now in terms of my questioning because I'd like to make some headway and I think I can, given the guidance I already have from the Court. But at some point it may, we believe it will be necessary for Johnson & Johnson to prove, because they have the burden, that the disclosure was inadvertent and not purposeful.

And Miss Brown was hired by Johnson & Johnson within the last few years, so she has no personal knowledge about whether the disclosure of this document was purposeful or inadvertent.

But I don't, but I'd like to proceed with my questioning right now because I think I can.

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But I think perhaps at the lunch break we could look at that issue 'cause I think -- I mean, there's a New Jersey rule of evidence on it, your Honor.

SPECIAL MASTER: I think you're right, Mr. Block. I think we ought to go back on the record. I will look at that evidence rule, but I can tell you that this waiver issue was anticipated before the deposition started and Miss Goodman and I have done a fair amount of work researching the applicable law and when and if it comes time to rule on the subject matter waiver issue, we're prepared to do it.

MR. BLOCK: Thank you, your Honor. And at the point that that happens, and if perhaps at lunch you could take a look at Federal Rule of Evidence 530, because there's no equivalent that I know of in Federal Court, and it's a state rule of evidence, so -- but anyway, I agree that we should continue and I'm ready to do so.

SPECIAL MASTER: Before we go -- wait, Mr. Block, can you just establish some foundation --

MR. BLOCK: I'm actually going to withdraw my question and go a different route, your Honor.

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SPECIAL MASTER: Okay.

MS. BROWN: And, your Honor, if we could have the opportunity at the appropriate time to be heard on the waiver issue as well --

SPECIAL MASTER: Of course, of course. Absolutely.

MS. BROWN: Thank you.

MR. BLOCK: Going back to the main room, thanks.

(Sidebar ends.)

MR. BLOCK: Okay. I'm ready to proceed.

VIDEOGRAPHER: Stand by. Going back on the record 12:46 p.m. Okay.

BY MR. BLOCK:

Q. Mr. O'Shaughnessy, in the letter that was sent to you by March 16, 1998, it says that Dr. Blount is a geologist and mineralogist, correct?

A. That's right.

Q. And it doesn't say anything about Dr. Blount being a medical doctor, correct?

A. I didn't read the whole thing. I don't think so.

Q. And the letter that was sent to you in March of 1998 doesn't say anything about

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Dr. Blount having any expertise in health, correct?

A. No.

Q. No, it does not, right?

A. No, it does not.

Q. Okay. Now, the letter that was sent to you has another paragraph that says, "Although she did not elaborate, Dr. Blount asked whether she would be called as a witness regardless of whether she agreed to consult for us."

Do you see that in the letter that was sent to you?

A. I do.

Q. And it says, "When I asked her why she felt that she might be called to testify, she indicated that some of her research or publications while at Rutgers were funded by Johnson & Johnson."

Do you see that?

A. I do.

Q. And you knew, before your involvement in the Coker case, that Dr. Blount had some of her research funded by Johnson & Johnson, correct?

A. I don't recall knowing that at all.

Q. Well, it says here in this letter to you, "We might want to see if Johnson & Johnson has any records relating to funding of Dr. Blount's

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research."

Do you see that?

A. I do.

Q. And did Johnson & Johnson fund any of Dr. Blount's research?

A. I don't -- I don't know.

Q. And did you ever follow-up on that request by the lawyer from Mehaffy & Weber?

MS. BROWN: I object, and I instruct you, Mr. O'Shaughnessy, not to answer that question if it would implicate any action you took as the in-house lawyer defending this case on behalf of the company.

A. Yeah, I can't answer that question.

Q. Johnson & Johnson, in fact, did hire Dr. Alice Blount as an expert consultant in the Coker case. Isn't that true?

A. I don't recall that.

Q. Let's look at Exhibit 12. And Exhibit 12 is actually a letter from Dr. Alice Blount, correct?

A. Yes.

Q. And there's a stamp on it from the Mehaffy & Weber law firm, right?

A. Right.

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Q. And the date of this letter is about five weeks after the Mehaffy & Weber law firm wrote you about Dr. Blount, correct?
A. Yes.
Q. And this is a document that was produced by Johnson & Johnson, correct?
A. I don't know that.
MS. BROWN: And to interject for the record, many of these issues will be the same as we just articulated on the record. This is a letter from a potential litigation consulting expert to outside counsel for Johnson & Johnson in connection with ongoing litigation.
We maintain that this document was also inadvertently produced. We understand that that works a waiver as to the four corners of the produced document, but would object to any questioning that goes beyond the four corners of this document and asks of Mr. O'Shaughnessy about information he would have received in connection with his role as the lawyer defending talc litigation at the relevant time period.
BY MR. BLOCK:
Q. Mr. O'Shaughnessy, this document, which is a letter from Dr. Blount to Mehaffy & Weber

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dated April 1998, has a stamp on the bottom that starts with J&J, correct?
A. Yes.
Q. And you understand and know that that means that this document was produced by Johnson & Johnson in litigation, correct?
MS. BROWN: Objection; foundation.
A. You know, it's been a while since I was involved in any kind of discovery. I've been retired. I know that those are indications of production and what you're saying makes sense to me, but I don't really recall what kind of, whether that means who produced what, you know.
I'm sorry to be inarticulate about that, but --
Q. And just to be clear, at this time --
MS. BROWN: Just let him answer, please. I'm not sure he was done.
A. Yeah, I just, I don't remember what that means, but, you know, what you're saying does make sense to me.
Q. Just --
A. It was part --
Q. Go ahead.
A. That's all. I'm done.

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Q. Just to be clear, at this time in March of 1998, in April of 1998, you were working on the Coker case at Johnson & Johnson, correct?
A. Yes, I would have been working on the case.
Q. And, in fact, the lawyers at Mehaffy & Weber are what were called an outside law firm, correct?
A. Yes, they were our local counsel.
Q. Okay. In Texas, correct?
A. Yes, they're in Texas.
Q. And that's where the Coker case was filed, right?
A. I don't recall, but that makes sense.
Q. Okay. And because they were the outside law firm you would have been called the lawyer, a lawyer inside Johnson & Johnson or inside counsel, right?
A. Yeah, I would have been managing the litigation and as part of the managing of litigation, you hire local attorneys to handle the case, yes.
Q. Okay. And in your role as the lawyer from Johnson & Johnson managing the Coker case, that is why Mr. Hatcher wrote you the letter on March 16,

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1998, about Dr. Blount, correct?
A. Yes.
Q. And so in terms of the letter that was sent by Dr. Blount to Mehaffy & Weber, she's sending it to the same Ray Hatcher who had written you just five weeks earlier about Dr. Blount, right?
A. That's right.
Q. So this letter from Dr. Blount to Raymond Hatcher of Mehaffy & Weber is a letter that you would have seen as a lawyer from Johnson & Johnson managing the Coker case, correct?
MS. BROWN: Objection; lacks foundation.
A. I don't know that I would have seen it. It's possible. It's possible that he would have discussed it with me, but I don't know if I would have seen it.
Q. Well, five weeks earlier, Mr. Hatcher from Mehaffy & Weber wrote you about Dr. Blount, right?
A. That's right.
Q. And he wrote you about his conversations with her asking her to be an expert consultant, correct?
A. Whatever it said in that letter, yes.

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Q. Okay. And now five weeks later, Dr. Blount is writing Mr. Hatcher, right?
A. Yes.
Q. And she's writing Mr. Hatcher because Johnson & Johnson did retain Dr. Alice Blount as an expert consultant in the Coker case, right?
MS. BROWN: I object; that lacks foundation.
A. I don't recall this at all, so I don't recall whether she was retained in the manner you suggest. It's possible. I just don't recall.
Q. And Dr. Blount actually writes to Mr. Hatcher from the Mehaffy & Weber law firm, "According to your letter of March 31st, 1998, I have written and enclosed a report on the occurrence, regulation and up-to-date scientific view of asbestos, amphiboles, and intermediate fibers."
Do you see that?
A. Yes.
Q. And it says -- and then Dr. Blount writes, "I have also enclosed copies of my 1990 and 1991 papers, one of which I am sure you already have."
Do you see that?

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A. Yes.
Q. And as the attorney from Johnson & Johnson managing the Coker case, you would have been speaking to Mr. Hatcher during this time period of 1998, correct?
MS. BROWN: I object and instruct you not to answer a question calling for conversations you, as an in-house lawyer for Johnson & Johnson managing the Coker case, would have had with your outside counsel hired for the same purposes. It implicates both attorney work product and the attorney-client privilege.
MR. BLOCK: Could we have the question read back and I'd ask for a ruling.
SPECIAL MASTER: I don't need the question read back. This is Judge Schneider.
The question did not ask for the substance of any communication between outside counsel and Mr. O'Shaughnessy. As I understand the question, it only asked whether there was communication.
That doesn't go to the content of the communication and is not privileged or work product, so the witness can answer the question whether he had any discussions with local counsel. And if

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there is a follow-up question regarding the content of those communications, that's a different story.
MR. BLOCK: Could we have the court reporter read back the question and I'd like an answer.
(The following Question is read back:
"QUESTION: And as the attorney from Johnson & Johnson managing the Coker case, you would have been speaking to Mr. Hatcher during this time period of 1998, correct?")
A. I don't recall if I spoke to Mr. Hatcher. It's possible. The attorney I remember from that firm was Mr. Gene Williams, and yes, I would be talking with him during this time period, yes.
Q. So just five weeks earlier, Mr. Hatcher from Mehaffy & Weber wrote you a letter about Dr. Blount and the issues of asbestos in Johnson's Baby Powder, right?
A. She wrote me the letter we've been discussing, yes.
Q. Okay. And as the manager of the Coker case, do you believe that you would have followed up to read any letter or reports that Dr. Blount sent to Mehaffy & Weber about the Coker

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case that you were managing?
MS. BROWN: I object. I instruct Mr. O'Shaughnessy not to answer that question.
It has asked for follow-up actions that he would have taken in connection with defending the company in an ongoing lawsuit and in connection with his work with outside counsel and regarding discussions with a consulting expert witness. It implicates work product.
And I instruct you, Mr. O'Shaughnessy, not to answer the question.
MR. BLOCK: Your Honor, we'd ask for a ruling and if we need it read back, we can do that.
SPECIAL MASTER: I don't need it read back.
The objection is sustained. I do believe that this question gets into the work product of Mr. O'Shaughnessy by asking him the manner in which he defends J&J.
You've established that he had communications with the firm, but now you're getting into the particular, what I call nitty gritty of how he interacts with trial or local counsel, and that gets into a work product area.

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So the objection is sustained.
BY MR. BLOCK:
Q. Mr. O'Shaughnessy, when you said you were the manager of the Coker litigation, what did you mean?
A. Well, as the in-house attorney we're assigned litigation and as a litigator, familiar with litigation and having handled litigation, I would be responsible for the case from an in-house perspective.
And that would mean, you know, all the sorts of things that you usually do in litigation from discovery to trial prep to witness, you know, working with the company witnesses and documentation, all, you know, with outside counsel doing that. So that's what I mean by managing the case.
Q. Okay. And so in the letter to you, it was reported to you that J&J had asked Dr. Blount to be an expert consultant, correct?
A. I'm just -- I'm sorry, I'm on the wrong exhibit.
Q. Can you go back to Exhibit 11.
A. I'm sorry. I got it, Mr. Block. The possibility of retaining her as an expert in the

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above entitled case, yes.
Q. Okay. And now Dr. Blount is writing the law firm that is working for J&J in the Coker case and enclosing a report, correct?
A. That's right.
Q. She also includes two articles, one from 1990 and one from 1991, right?
A. Yes, that's what it says.
Q. And in the letter that Dr. Blount wrote, you see that the letter is signed, correct?
A. Yes.
Q. And she writes, "Although my papers report an improved method for analysis, the determinations for the sample labeled I, Johnson & Johnson's Vermont talc, have been done by the traditional methods as well."
Do you see that?
A. I do.
Q. And then Dr. Blount writes, "As I told you, I believe that Johnson & Johnson's Vermont talc contains trace amounts of asbestos."
Do you see that?
A. I do.
Q. And in terms of what was attached, in addition to the report, were the articles that she

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referred to in her letter, correct?
A. I don't know. I wasn't a recipient of this, so I don't know. I assume that's what was attached.
Q. So is it your testimony, sir, that you did not review this letter that was sent by Dr. Blount in April of 1998 to the outside law firm, Mehaffy & Weber, or that you don't remember whether you saw it in April of 1998?
MS. BROWN: I object, Mr. O'Shaughnessy, and instruct you not to answer.
Counsel has asked you in your role as in-house counsel defending the Coker litigation whether or not you reviewed particular correspondence that went to the outside law firm that you had hired to assist in the defense of the case, and that implicates work product.
That is exactly the nitty gritty of your interaction with outside counsel that the Court has just ruled on. And for those same reasons, I instruct you not to answer that question.
MR. BLOCK: I'd ask for a ruling, your Honor.
SPECIAL MASTER: I don't need the question read back.

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The ruling is that the objection is overruled. This particular question, in the special master's view, goes directly to the, quote, unquote, "four corners of the document."
The Court understands the question to be whether or not Mr. O'Shaughnessy recalls seeing this document. That doesn't get into any, quote, unquote, "nitty gritty" of the particulars of how he defended the case.
It appears, from the face of this document, that it's certainly privileged or work product, but it's unquestionably the case that if there was a privilege or work product it's been waived.
And certainly the question whether or not the witness saw a particular document for which a privilege or work product protection has been waived, in the master's view, is an appropriate question that does not, repeat does not involve a subject matter waiver, but comes within the four corners of the document.
So for those reasons, it's my ruling that the objection is overruled.
MR. BLOCK: Can we have the question read back, and then I'd like the witness to answer

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and either J&J will object or they can object and instruct not to answer, but I would just request at this point that we have the question read back and proceed. Thank you.

MS. BROWN: Your Honor, after we have the question read back could we have one minute just to confirm amongst ourselves whether we will maintain the objection or allow Mr. O'Shaughnessy to answer?

SPECIAL MASTER: Absolutely.

MR. BLOCK: I don't object to that, but I really hope -- obviously it'll be taken into account when we look at how much time was given to testimony. You're never going to hear me, your Honor, say that I need to take a break in order to take a position in this deposition.

I'll object or I won't, I'll state my position. But this constant, you know, needing to take breaks for Johnson & Johnson's lawyer to go talk to other lawyers, you know, is really cutting into the time that we're able to examine this witness.

MS. BROWN: A couple of real quick things for the record. As you know, judge, in the spirit of compromise, we agreed to make

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Mr. O'Shaughnessy available for questioning about non-privileged issues.

There are significant objections and concerns on our part to his testimony, to the testimony of an in-house counsel whose job it was to defend litigation. There are enormous implications of allowing him to answer certain questions.

And so we are doing our very best to be cooperative but to be careful and to best protect Johnson & Johnson in a deposition that we are trying to cooperate with.

SPECIAL MASTER: Let's have the court reporter repeat the question.

(The following Question is read back:

"QUESTION: So is it your testimony, sir, that you did not review this letter that was sent by Dr. Blount in April of 1998 to the outside law firm, Mehaffy & Weber, or that you don't remember whether you saw it in April of 1998?")

SPECIAL MASTER: And again, it's the master's view that the question is merely asking the witness if he saw it or he doesn't recall seeing it and that does not call for privileged information and does not get into nitty gritty of his defense strategies and certainly does not implicate a

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subject matter waiver.

So why don't you confer, counsel, and --

MS. BROWN: Thank you, your Honor.

SPECIAL MASTER: -- let us know when you're done.

MS. BROWN: Thank you, your Honor, we'll be quick.

VIDEOGRAPHER: We'll go off the record, counsel, off the video, correct?

MR. BLOCK: I don't know how quick is quick, but if -- I guess so.

VIDEOGRAPHER: All right. Off the record, 1:08 p.m.

(Discussion held off the record.)

VIDEOGRAPHER: Back on the record, 1:09 p.m. Okay.

MS. BROWN: For Johnson & Johnson, we respectfully disagree with the special master's ruling, but in light of the ruling and in the spirit of cooperation and moving the deposition along, we will allow Mr. O'Shaughnessy to answer the question simply as has he seen this document before.

MR. BLOCK: Could we have the question read back so the witness can answer the

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question.

(The following Question is read back:

"QUESTION: So is it your testimony, sir, that you did not review this letter that was sent by Dr. Blount in April of 1998 to the outside law firm, Mehaffy & Weber, or that you don't remember whether you saw it in April of 1998?")

A. I don't recall ever seeing this memo, this letter.

Q. And it's your testimony -- strike that.

This letter is in regards to the Coker case, correct?

MS. BROWN: Objection; foundation.

A. It doesn't say that, but yeah, I assume it is.

Q. Okay. And you believe it is because we just looked at a letter that was sent to you regarding Dr. Blount and the Coker case from just five weeks earlier, correct?

A. Right.

Q. Okay. And you were the managing attorney for Johnson & Johnson in the Coker case, correct?

A. Yes, that's right.

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Q. And we're looking at a letter here where Dr. Blount, in April of 1998, signed her name to a letter where she says, "I believe that Johnson & Johnson's Vermont talc contains trace amounts of asbestos," correct?
A. Yes.
Q. And it's your testimony that the first time you ever saw this letter was right now in this deposition?
A. No, my testimony was I don't recall seeing this. I don't recall.
Q. And just to be clear, your testimony is you do not recall seeing this letter from Dr. Blount dated April 23rd, 1998, before I showed it to you in this deposition. Is that correct?
A. I don't recall if this was one of the documents shown to me by our lawyers or not, but I don't recall this document.
MR. BLOCK: Could we take a break to discuss scheduling?
VIDEOGRAPHER: Stand by. Off the record, 1:12 p.m.
(Discussion held off the record.)
(Luncheon recess: 1:12 p.m. to 2:01 p.m., Eastern Standard Time.)

AFTERNOON SESSION
VIDEOGRAPHER: Going back on the record, 2:01 p.m.
This is the beginning of Media Unit 4. Okay.
BY MR. BLOCK:
Q. Okay, Mr. O'Shaughnessy, can you hear me okay?
A. I can.
Q. Okay. So we looked earlier at Exhibit 11, which was the March 16, 1998, letter that you received in the Coker case from the law firm of Mehaffy & Weber.
Do you remember that?
A. Yes.
Q. And that letter that was sent to you in March of 1998 referred to Dr. Blount's opinion that there are trace amounts of asbestos in Johnson's Baby Powder, correct?
A. That's what it says, yes.
Q. And that letter that was sent to you also refers to the fact that Dr. Blount tested Johnson's Baby Powder, correct?
A. Yes.
Q. Okay. Now, just to be clear, at this

moment in 1998 when you received this letter, Johnson & Johnson was still selling Johnson's Baby Powder that contained talc, correct?
A. Yes.
Q. And the person at Johnson & Johnson in 1998 at this time that was responsible for the safety of Johnson's Baby Powder was a man by the name of Dr. John Hopkins, correct?
MS. BROWN: Objection; foundation.
A. Yeah, John was, yes, he had a role in safety, probably, as well as others.
Q. Right. And earlier we saw that Dr. John Hopkins, in the earlier part of the '90s, in the mid '90s, was actually in the United Kingdom for Johnson & Johnson, correct?
A. Yes.
Q. And you know that John Hopkins then came over to New Jersey and then worked for Johnson & Johnson Consumer company in the late '90s, starting in the late '90s, right?
A. I'm not sure when, but that's right, he came over.
Q. Okay. And I want to ask you some more specific questions about Dr. John Hopkins. And I want to direct you to Exhibit 12A to your

deposition. And do you see at the top there's a name, it says, "Donna Olson"?
A. Yes.
Q. Okay. And I just want to get the date on this transcript. Can you see that the date of the transcript is May 2nd, 2019?
A. Right.
MS. BROWN: I'll just object to the use of a transcript after Mr. O'Shaughnessy retired in a litigation that took place after that time.
BY MR. BLOCK:
Q. Do you see the date of the transcript that I'm showing you is from the Donna Olson case is May 2nd, 2019?
A. Yes.
Q. And if we go into the transcript, do you see that this is testimony by John Hopkins, Ph.D.
Do you see that?
A. Yeah, I see it on the screen. I see it. Yes.
Q. Okay. And Dr. John Hopkins had a doctorate in toxicology. Is that right?
A. I know he was a toxicologist, yes.
Q. Okay. And looking at the testimony

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of Dr. Hopkins, from May of 2019, page 7528, page 7,528 at line 5 --

A. Yeah.

Q. -- do you see it says:

"QUESTION: And, in fact, you attended multiple meetings with John O'Shaughnessy and others at Johnson & Johnson to discuss the Coker case in the late 1990s, correct?

"ANSWER: Well, again, I have no recollection of multiple meetings. I did meet with John O'Shaughnessy once, maybe twice, but no -- no more that I can recollect.

"QUESTION: Okay.

"ANSWER: To answer any questions he may have had on talc safety."

Do you see that testimony from Dr. Hopkins?

A. I do.

Q. And is it true that you met with Dr. John Hopkins once or twice about the Coker case in the late 1990s?

MS. BROWN: And I'm going to object and instruct you, Mr. O'Shaughnessy, if answering that question implicates actions that you took as a lawyer defending the Coker case and actions and

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meetings that you decided were important to your defense of that case as Johnson & Johnson's in-house lawyer, that you not answer.

MR. BLOCK: Your Honor, the testimony by Dr. Hopkins about his meetings with Mr. O'Shaughnessy in the Coker case was given in a jury trial, as you can see, without objection. So certainly there is a waiver as to whether this testimony is true, and now I have Mr. O'Shaughnessy who was involved, and I want to know if Dr. Hopkins' testimony that he gave in this trial is true.

MS. BROWN: And, your Honor, to be clear and hopefully to be helpful, the objection that I have is to the content of those meetings if they were in connection with the defense of a lawsuit.

So if what counsel is asking is did you meet with John Hopkins regarding talc safety in connection with defending a litigation for the company, then I would object and instruct that that's work product and it's revealing the substance of meetings that he had as a lawyer and what he did to defend the company.

If the question is simply did you ever meet with John Hopkins, without the

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clarification of the subject matter of the Coker case, then I don't have an objection.

SPECIAL MASTER: Well, if you're asking for my ruling on the case, this transcript reflects that Dr. Hopkins already answered the question about whether he met with Mr. O'Shaughnessy and others "to discuss the Coker case in the late 1990s."

There was no objection to that question, so I would take it as a waiver as to that specific issue. No more, no broader than that. All he's asking this particular witness is to confirm whether or not doctor -- the doctor's, Dr. Hopkins' testimony was correct or not to the best of his knowledge.

One, I don't think that calls for privileged or work product information, but even if it did, the objection as it, as to it is waived.

Just to be clear, the Court is not ruling that the substance of the communications regarding those meetings if they occurred was waived, only to the fact of the meeting about the case.

MS. BROWN: Understood, your Honor.

MR. BLOCK: Could we have the

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question read back so he can answer.

(The following Question is read back:

"QUESTION: And is it true that you met with Dr. John Hopkins once or twice about the Coker case in the late 1990s?")

A. In my role as litigation counsel in handling this, I did meet with Dr. Hopkins. I don't recall what particular cases, but I did meet with Dr. Hopkins, yes.

Q. Okay. And you certainly would not dispute Dr. Hopkins' testimony that he did meet with you in the Coker case, correct?

A. I don't dispute, I don't dispute it. I just don't recall it.

Q. All right. And just to be clear, let's look at Dr. Hopkins' testimony at page 7527 of Dr. Hopkins' sworn testimony from May of 2019, starting at line 6.

Do you see that on the screen?

A. I do.

Q. And it says:

"QUESTION: Okay. At this time in the late 1990s, were you head of the safety for -- of safety for baby/infant care for Johnson & Johnson Consumer Products company?

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"ANSWER: Yes.
"QUESTION: So you were the head guy?
"ANSWER: Yes."
Do you see that?
A. Yes.
Q. All right. And that's true that in 1998, at the time that you received the letter from Mehaffy & Weber about Dr. Blount, that Dr. John Hopkins was in charge of safety for Johnson & Johnson baby products, correct?
A. I don't dispute that, John's testimony in that regard, no.
Q. Okay. Let's look at Dr. Hopkins' testimony at page 7540, line, starting at line 21.
Do you see it on the screen?
MS. BROWN: Jerry, if you could give him a second to get it in his binder, that would be great.
A. Yeah. Just to be clear, I like looking at the binder because sometimes it's cut off on the screen.
I'm here.
Q. Okay. So starting at page 7540, line 21 of Dr. Hopkins' testimony, it says:
"QUESTION: So my question for you

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is, we have Dr. Hopkins at this time in 1998, head of safety for baby infant care, and ultimately you're in charge of safety for Johnson's Baby Powder, right, at this time in 1998?
"ANSWER: Yes."
Do you see that testimony?
A. Yes.
Q. And then Dr. Hopkins' testimony continues:
"QUESTION: All right. And do you remember or do you not remember whether Mr. O'Shaughnessy, from the Johnson & Johnson legal department, told you that Dr. Blount's opinion was that there was asbestos in baby powder?
"Do you remember or not remember?"
The Court says, "Thank you.
"ANSWER: I do not recollect or remember that aspect of the conversation. Like I said, if I may finalize that, when I spoke with Mr. O'Shaughnessy it was to answer questions on talc, talc safety and that cited information.
"I was not involved in the legal correspondence between one law firm and the law department in New Jersey, in New Brunswick."
Do you see that testimony?

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A. Yes.
Q. And then Dr. Hopkins continues testifying:
"QUESTION: So you don't remember Mr. O'Shaughnessy, from Johnson & Johnson's legal department, or the outside law firm, Mehaffy & Weber, telling you anything about Dr. Blount's opinion that there is asbestos in Johnson's Baby Powder in the late 1990s? Is that true, you don't remember?"
And then do you see the court said, "Do you remember or not?"
Do you see that?
A. I do.
Q. And Dr. Hopkins' answer says, "I do not remember. Like I said, my input was to answer questions from the legal department on talc safety. I did not receive that information at that time. I've seen this one since, but I did not receive it at that time in April 1998."
Do you see that testimony from Dr. Hopkins?
A. I do.
Q. And then a further question is asked of Dr. Hopkins:

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"QUESTION: All right. So you don't remember receiving that information in 1998?
"ANSWER: Correct."
Do you see that testimony from Dr. Hopkins from May of 2019?
A. Yes.
Q. Okay. So, Mr. O'Shaughnessy, did you or did you not tell Dr. Hopkins, who was in charge of safety of Johnson's Baby Powder in 1998, that Dr. Blount's opinion was that there was asbestos in Johnson's Baby Powder?
MS. BROWN: I object. I instruct you, Mr. O'Shaughnessy, not to answer that question if doing so would implicate actions that you took in connection with the lawyer responsible for or managing the company's defense of the Coker lawsuit.
If answering that question would implicate attorney-client privilege, work product, any mention regarding that lawsuit, I would instruct you not to answer.
MR. BLOCK: Your Honor, first of all, there's certainly a waiver as to whether Mr. O'Shaughnessy told Dr. Hopkins about Dr. Alice Blount's determination that there was asbestos in Johnson's Baby Powder.

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This questioning took place in a jury trial and at no time was there ever any objection based upon privilege grounds in terms of what Mr. O'Shaughnessy told Dr. Hopkins.

And so now we have sworn testimony given to a jury, memorialized for other trials as well, that Dr. Hopkins simply does not remember whether Mr. O'Shaughnessy told him about Dr. Blount's determination that there was asbestos in baby powder.

Furthermore, I have already shown that Dr. Hopkins and Mr. O'Shaughnessy were on the Talc Steering Committee together; that one of the objectives of the steering committee was to monitor the science relating to talc.

And, your Honor, the point here also is that the person who's in charge of the safety of Johnson's Baby Powder should know any information about whether there was asbestos in baby powder. And that's the entire point of this line of questioning that I had for Dr. Hopkins in the Olson case.

And so it's very relevant, and there's certainly no existing privilege that, over whether Mr. O'Shaughnessy told Dr. Hopkins or not.

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SPECIAL MASTER: Could we go sidebar? Could we go sidebar, please?

MS. BROWN: Yes, your Honor.

VIDEOGRAPHER: Stand by. Going off the record, 2:17 p.m.

(Sidebar.)

SPECIAL MASTER: Is everyone here?

Here's one of the issues that occurs to me. I think first, I think there ought to be a foundation, one, whether he recalls having any conversation with Dr. Hopkins about the Dr. Blount report.

Then, what I'm concerned about is if that conversation was in connection within the confines of the Coker litigation, there's a work product issue. If that conversation was in connection with his work on the Talc Committee, there's no work product issue.

So if he has knowledge of that information -- of that topic, we don't know if he's going to say I just don't remember one way or the other, we need to find out foundationally where that -- the context of that communication.

If it was in connection with the Coker litigation, it's work product, and my ruling

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would be no, there's no waiver of it because of what happened at this New York trial in 2019.

But if it was in connection, if he knows it -- if he has a conversation in connection with his work on the committee where they were talking over the water cooler, it's not, there's not a work product question and he has to answer it. How do we get that foundation?

MR. BLOCK: Well, your Honor, I mean, I think that I would just submit to you that the question is, is whether he ever told Dr. Hopkins about Dr. Blount and her statements of asbestos in baby powder.

Now, the letter showing that Mr. O'Shaughnessy knew about Dr. Blount and her statements about asbestos in baby powder and the fact that she had tested it are in a letter that they produced.

Now the highly relevant issue is whether this lawyer who worked for Johnson & Johnson, regardless of how he obtained the information, your Honor, whether John O'Shaughnessy conveyed this information to anyone at Johnson & Johnson responsible for safety.

And in further support of my position

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here, your Honor, if you look at the testimony from Dr. Hopkins which I didn't show on the screen, 7546, line 16, I asked Dr. Hopkins in this 2019 trial, again without any objection:

"QUESTION: Don't you think that Mr. O'Shaughnessy, in 1998, should have told the head of safety, the person in charge of the safety of Johnson's Baby Powder, that Dr. Blount believed that there was asbestos in Johnson's Baby Powder? Don't you think you should have been told that?"

And he said, "Like I said, the only -- the thing I had with John O'Shaughnessy in the legal department was to help answer any questions that he had regarding talc safety. I did not get involved in legal issues relating to specific cases."

So I have, under oath, Dr. John Hopkins, who's already said that he did not get involved in legal issues in the Coker case, that he would help Mr. O'Shaughnessy answer any questions regarding talc safety, yet it's Mr. O'Shaughnessy, your Honor, who is in possession of knowledge about Dr. Blount's testing of Johnson's Baby Powder and her statement that there's asbestos in Johnson's Baby Powder.

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And the only remaining question here, because it's all come out in open court in Dr. Hopkins' testimony in a public trial without any objection, the only remaining question is, did Mr. O'Shaughnessy, did he tell Dr. Hopkins, you know, yes or no.

And Dr. Hopkins said he doesn't remember. So the only person that knows whether Mr. O'Shaughnessy told him is Mr. O'Shaughnessy. And his answer might be I don't remember, too. But maybe he does remember.

So, I mean, this horse is so far out of the barn, your Honor --

SPECIAL MASTER: No, but, Mr. Block --

MR. BLOCK: Yeah.

SPECIAL MASTER: But, Mr. Block, let me just say this, if I remember the question you asked, you asked in connection with the Coker litigation.

If you ask the question whether the witness ever had a conversation with Dr. Hopkins about Dr. Blount's report, he can answer that question.

MR. BLOCK: Okay. That's --

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SPECIAL MASTER: Hold on. Hold on. Hold on. If he says I don't remember having that conversation, well then, you know, we'll see what happens, you might want to explore it. If he says yes, stop right there, then we need to find out if it was in connection with J&J's defense of the Coker litigation, because if it was, then that's work product, but if he had that conversation outside the context of preparing for a specific litigation, it may very well not be work product.

MR. BLOCK: I understand, your Honor, and I'm ready to proceed with that guidance.

SPECIAL MASTER: I think we just tread like step-by-step and we'll see where it takes us.

MS. BROWN: And, your Honor, if I could be heard briefly on this. My objection and our position is that Mr. O'Shaughnessy learned this information in connection with defending an ongoing litigation. The steps that he did with that litigation are work product.

And so counsel has to, before we can allow him to answer the question, judge, counsel has to establish that he would have done something outside of defending not just Coker, but remember he

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was defending multiple litigations, multiple talc litigations at the time, liaising with outside counsel, exploring expert witnesses, functioning as a lawyer, talking to people at the company.

And so I have no objection if counsel wants to say did you do anything outside of your role as defending the Coker litigation or other similar --

SPECIAL MASTER: No, no, no, that's too broad. That's too broad. Hypothetically, I've already said if the conversation was directed specifically to the defense of the Coker litigation, it's work product.

Suppose him and Dr. Hopkins were having lunch and there was a general conversation and he happened to mention it, it's not work product. Suppose it was in the context of the steering committee meeting, it's not work product.

So you just can't say in the general macro view of defense of talc litigation. That's much, much, much, much too broad. The only work product is if it's directed to a specific litigation.

MS. BROWN: I understand, judge, and what I meant by that was the Coker lawsuit, other

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similar lawsuits, individual personal injury talc lawsuits that were happening at that time.

I understand the Court's distinction between his role as litigation counsel generally and that everything he did was essentially in that role, but here my concern is that he received information in his role as managing attorney for a particular case, and what counsel wants to know now is what he did with that information.

SPECIAL MASTER: What's wrong with that?

MS. BROWN: Counsel has to establish that he did something outside of that case.

SPECIAL MASTER: No, outside of Coker, I agree with you. I agree with you.

But if he had a general conversation over lunch or the water cooler or the steering committee, that's not work product.

MS. BROWN: I understand, judge. I just, my objection is that counsel first make a showing that there was a conversation outside of Coker --

SPECIAL MASTER: I don't disagree. That's what I thought I said. Suppose hypothetically, I'm making this up, it's not a fact,

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suppose they're preparing for another FDA meeting, and this Blount issue came up; it's not privileged, right?

So we have to find out the context in which he, one, if he had this conversation, and two, the context in which it was held.

MS. BROWN: Your Honor, my concern is just asking the question did you have a conversation with Dr. Hopkins does not first establish what we need to know first.

SPECIAL MASTER: He can, it seems to me he can ask Mr. O'Shaughnessy did you have a conversation, do you recall having a conversation with Dr. Hopkins about the Blount report. If he says I don't recall, then we're done, right?

If he says yes, then maybe we go into an in camera examination to find out the context of that discussion.

MS. BROWN: And my only concern, judge, is waiver on any answer to a question that is not tied to outside of litigation. Whether his answer is yes, no, maybe, I can't recall, could have been, if the question is not specifically asking for something he did outside of Coker, I'm concerned that any answer has now provided work product

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information.

MR. BLOCK: Your Honor, I think we have your ruling and I think we have your guidance and I would like to proceed because we're not getting in very much testimony today.

MS. BROWN: Well, I just, if we can figure out a way, Jerry, to have this answered, I think we probably want to do that.

MR. BLOCK: I --

MS. BROWN: -- did you ask Dr. Hopkins, I'm going to instruct on work product because that's not tied to outside of the Coker litigation.

SPECIAL MASTER: Jerry, what are you going to ask him?

MR. BLOCK: Exactly what you ruled I could ask.

SPECIAL MASTER: Could you tell me what I said then?

MR. BLOCK: Mr. O'Shaughnessy, did you ever have any conversation with Dr. Hopkins about Dr. Blount?

MS. BROWN: Respectfully, your Honor, I have to instruct on that question as not tied to outside of the Coker litigation. If he puts that at

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the end of the question, then we're all in agreement.

SPECIAL MASTER: I don't think so. I think the question is proper. If he says no, we're done. Now, if he says I don't recall, we're done. If he says yes, I had those conversations, then maybe we go in camera and find out the context for those discussions.

MS. BROWN: But, your Honor, if he says no, and he says I don't know, he has substantively answered work product. He has provided work product.

SPECIAL MASTER: No, no, no, no, because he doesn't identify whether it's in connection with a specific litigation or at the water cooler, right?

He's just being asked if he ever had that conversation. He doesn't identify whether it's in connection with a specific case or not.

MS. BROWN: Your Honor, I am very concerned about waiver. Can we have five minutes, understanding the Court is going to permit the general question did you ever talk to Dr. Hopkins about this.

SPECIAL MASTER: No, do you recall

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speaking with Dr. Hopkins about X, Y, Z.

MS. BROWN: Do you recall.

SPECIAL MASTER: If he answers that I don't recall, we're done, but if he says yes, then maybe we go in camera.

MS. BROWN: Okay. I understand. Okay. Can we have five minutes to discuss the privilege?

SPECIAL MASTER: Sure.

MS. BROWN: Thank you.

(Sidebar ends.)

(Recess: 2:30 p.m. to 2:36 p.m., Eastern Standard Time.)

VIDEOGRAPHER: Back on the record, 2:36 p.m. Okay.

BY MR. BLOCK:

Q. So, Mr. O'Shaughnessy, did you ever have any conversation with Dr. Hopkins about Dr. Alice Blount?

MS. BROWN: And we have asserted an objection to this question on work product grounds; however, to respect the special master's ruling, in the spirit of cooperation and with the understanding that this is not working a subject matter waiver, we will allow Mr. O'Shaughnessy to answer just this

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specific question about whether or not he can recall such a conversation.

A. I had conversations, multiple conversations with John while I was in litigation, and I don't have any specific recollection of them and I don't recall discussing Dr. Blount or the Dr. Blount issue.

Q. You don't recall whether you ever had any conversation with Dr. Hopkins about Dr. Blount. Is that true?

A. Yes.

Q. Did you ever have any conversation with any scientist at Johnson & Johnson about Dr. Blount?

MS. BROWN: And we would assert the same objection. Understanding the special master's ruling will be the same, we will permit just an answer to that question.

A. Again, I've had conversations with the people at the consumer company while I was working on the litigation. I don't recall the specifics of any of them and I don't recall the Blount letter, no.

Q. So you don't recall having any conversation with any scientist at Johnson & Johnson

about Dr. Blount. Is that correct?

MS. BROWN: I object. He just answered that question.

A. I don't recall specifics of any conversation and I don't recall Dr. Blount.

Q. All right. So just to be clear, just to be clear, after receiving this letter on March 16, 1998, from Mehaffy & Weber, which talked about Dr. Blount and her determination that there was asbestos in Johnson's Baby Powder, you don't recall having any conversation with Dr. Hopkins or any scientist at Johnson & Johnson about Dr. Blount. Is that correct?

MS. BROWN: I object. He's answered this question three times.

A. Yeah, like I said before, I had many conversations with many of the people at Johnson & Johnson Consumer company. I don't recall the specifics 30 years later, and, you know, many cases that I've handled, so no, I don't recall the specifics and I don't recall Dr. Blount.

Q. Now, you were on J&J's Talc Steering Committee in the 1990s, correct?

A. Yeah, that's -- I was listed on that committee and I was acting as an attorney handling

litigation and that was my role.

Q. One of the objectives of that committee, just looking back at one part of Exhibit 2, was to monitor matters of science relating to talc, including publications and studies, correct?

A. Yes, scientists at the company, at all of the J&J companies do that as a matter of course.

Q. Okay.

A. I would be responsible, referring to that same line, to the legal issues.

Q. And as a member of J&J's Talc Steering Committee in the 1990s, you would have agreed back then that any information about asbestos in Johnson's Baby Powder was important safety information because Johnson & Johnson was still selling Johnson's Baby Powder with talc, correct?

A. Yes, important in a sense that the company was monitoring its product for the presence of asbestos in the manufacturing of it, yes.

Q. And in the 1990s, in your work at Johnson & Johnson, you would agree that it would have been important for the scientists at Johnson & Johnson to have any information that shows that there's any asbestos in Johnson's Baby Powder,

correct?

A. I believe it was important for them to know any information about the product period, including whether there's asbestos in it or not. They would be monitoring it and assessing it for that on a continuing basis.

Q. All right. And I'm not asking you about any legal advice you gave about this letter dated March 16, 1998. Okay?

A. Yes.

Q. All right. So my question for you is, as a factual matter, did you give this letter dated March 16, 1998, from Mehaffy & Weber that was sent to you regarding Dr. Blount, did you give this to Dr. John Hopkins in 1998?

MS. BROWN: I object and instruct you not to answer what you did with a letter you received from your outside counsel in connection with defense of the Darlene Coker case; it's work product and it is also calling to implicate attorney-client communication.

MR. BLOCK: Your Honor, you're on mute.

SPECIAL MASTER: I said I don't think the question was specifically directed to the Coker

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litigation. Am I right?
MS. BROWN: Your Honor, this is a letter he received in the Coker litigation about an expert in the Coker litigation from his outside counsel in the Coker litigation.
What he did with that litigation is work -- what he did with that information is work product, and we object.
MR. BLOCK: Your Honor, your Honor --
SPECIAL MASTER: Let's go in camera real quick.
MR. BLOCK: Your Honor, your Honor, are you saying to go to sidebar or in camera?
SPECIAL MASTER: Sidebar, sidebar, I'm sorry.
MR. BLOCK: Okay, thank you.
VIDEOGRAPHER: Stand by. Off the record, 2:42 p.m.
(Sidebar.)
SPECIAL MASTER: Counsel, I think this is the same issue that we just had.
Miss Brown, I'm going to ask the court reporter to repeat the question, but I agree with you that if the question is specifically directed to the Coker litigation, it's work product.

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But I don't think that's what the question was, so I'll ask the court reporter.
(The following Question is read back:
"QUESTION: All right. So my question for you is, as a factual matter, did you give this letter dated March 16, 1998, from Mehaffy & Weber that was sent to you regarding Dr. Blount, did you give this to Dr. John Hopkins in 1998?")
MR. MAIMON: Can we have one question before then, too?
MR. BLOCK: Yeah, there was a foundation laid, your Honor, about -- that was Mr. Maimon.
Your Honor, I think what Mr. Maimon is getting at is that was the foundation I laid before that question was that Mr. O'Shaughnessy said, you know, he said he was a member of the Talc Steering Committee, and he agreed that in the 1990s it would have been important for the scientists at Johnson & Johnson to have any information that existed regarding there being asbestos in Johnson's Baby Powder, that it would have been important for the scientists to know, and he knew that.
So now I'm asking just as a factual matter, not what his legal advice is but as a

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factual matter did he give that letter, did he hand it over, which talked about asbestos in Johnson's Baby Powder. He's already admitted that that would be an important fact for the scientists to know about. So it's just did he give the letter or not. Facts can't be privileged. It's just a fact.
MS. BROWN: No, your Honor, what he did with that letter is what he did to investigate information he learned from a consulting expert in connection with a litigation.
The Court has already permitted and he has already testified that he doesn't have a recollection of a specific conversation with Dr. Hopkins or other scientists.
We have now gone far beyond a general question about whether he remembers talking to individuals about the contents of the letter to whether he physically took a piece of work product that was inadvertently produced in this litigation and give it to other people.
And, your Honor, that plainly and squarely and importantly and significantly implicates his role as the attorney defending that litigation. What he did with that information, who he handed that outside counsel document to is what

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he did as a lawyer.
It is work product, your Honor. We strenuously object to counsel continuing to move this needle farther and farther and get substantive answers about how he defended this case and how he responded.
SPECIAL MASTER: But, counsel, again, purely hypothetical, I don't know what he's going to say, but suppose he gave that, I'm making this up, okay, it's a hypothetical, suppose he gave that letter to Dr. Hopkins or someone at a steering committee meeting. That is not work product.
MS. BROWN: Then --
SPECIAL MASTER: It's his work product if he gave it to him in connection with the Coker litigation to help the defense of that case, but whether, if he gave it to Dr. Hopkins, here's some reading over the weekend, you know, to prepare for the FDA meeting, that's not work product.
So in the first instance we ought to do what we did last time, first establish whether he recalls whether or not he ever gave it to anyone, and if his answer is no, we're done; and if he says he didn't give it to anyone, it doesn't reveal any work product because he's not asking it -- if he

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asks the question did you give it to Dr. Hopkins in connection with the defense of the Coker litigation, that's work product. But if he asked did you give it to Dr. Hopkins, that's not work product.

MR. BLOCK: Your Honor, just --

MS. BROWN: It could be, judge, because we don't know the -- we don't know how counsel -- right, if the question itself does not specify outside of Coker, then he very well could be answering substantive work product information, yes, no, maybe, I don't remember.

Counsel needs to clarify that he's asking outside of the Coker case and we will not have an objection.

MR. BLOCK: Your Honor, I understand your ruling and just in further support of your ruling and just as another basis to overrule J&J's objection, I'm just sharing screen and I'll show you that in the Olson case in May of 2019, at page 7530, line 6, I asked Dr. Hopkins about Exhibit 767, which is Exhibit 11 in this deposition, the Mehaffy & Weber letter to Mr. O'Shaughnessy.

And he said that he had not seen the document until two minutes ago, until I showed it to him on the witness stand. And there was no

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objection, you know, whether Mr. O'Shaughnessy had shown it to him.

And so now I want, in the same way I just asked Mr. O'Shaughnessy regarding whether he ever told any scientist about Dr. Blount, whether he ever told Dr. Hopkins about Dr. Blount, I'm just asking the factual question whether he ever showed the letter that was sent to him where Dr. Blount said that there was asbestos in baby powder to Dr. Hopkins or any other scientist at Johnson & Johnson to a witness who's already acknowledged that he believes, in the 1990s, that it would be important for any of the scientists at J&J to have any information about asbestos in Johnson's Baby Powder.

MS. BROWN: Judge, he can't answer the question if it's not restricted to outside the Coker case. Whatever his answer is to that question is by its nature substantively answers the thing the Court has ruled is work product.

What he did in the Coker case is work product. What he did with that letter in connection with the Coker case is work product. If the question is just a general umbrella question, it necessarily subsumes the answer to the Coker case.

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SPECIAL MASTER: It doesn't reveal any work product if Mr. Block asks the question did you give the -- did you give the Blount report -- do you recall whether or not you gave the Blount report to Dr. Hopkins. If he says I don't recall, which is what I expect based upon his prior answers, we're done.

If he says yes, I did give it to him, then maybe we go in camera to find out the context. If he gave it to him in connection with the Coker case, it's work product. If he gave it to him in connection with the steering committee, it's not work product.

MS. BROWN: And, judge, by allowing him to answer that question we are not waiving anything beyond the --

SPECIAL MASTER: Of course not. There is no subject matter waiver. I've made that perfectly clear. Perfectly clear.

MR. BLOCK: Are we ready to go back on so I can question the witness? I'm prepared to proceed, your Honor. I understand your ruling.

MS. BROWN: Yes, your Honor, thank you.

(Sidebar ends.)

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VIDEOGRAPHER: Back on the record, 2:52 p.m. Okay.

BY MR. BLOCK:

Q. Mr. O'Shaughnessy, we're looking at Exhibit 11, which was a letter that Mehaffy & Weber sent to you on March 16, 1998.

Do you see that on the screen?

A. I do.

Q. Okay. And that was a letter where the lawyer from Mehaffy & Weber told you that Dr. Blount had tested Johnson's Baby Powder and that it was her determination that there was asbestos in Johnson's Baby Powder, correct?

A. As stated in the letter, yes.

Q. Okay. And my question, Mr. O'Shaughnessy, is, did you ever show this letter to Dr. John Hopkins, who was in charge of the safety of Johnson's Baby Powder in 1998?

A. I don't recall the letter, so my answer is I don't recall.

Q. And did you ever show this letter from March of 1998 to any scientist at Johnson & Johnson?

A. I don't recall the letter, so I don't recall. It would be the same answer.

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Q. Okay. So understanding the importance of scientists at Johnson & Johnson having any information about asbestos in baby powder, you don't recall if you showed this letter to any scientist at Johnson & Johnson; true?

MS. BROWN: I object. He's answered that question about ten times now.

A. My answer is I don't recall.

Q. Now, at this time in 1998, did you allow your communications about the Coker case to be shared with a company called "R.T. Vanderbilt"?

MS. BROWN: I object.

Mr. O'Shaughnessy, if you can answer that question outside of your role defending the Coker case, I have no objection.

MR. BLOCK: I'd like a ruling, please.

SPECIAL MASTER: Can you establish who R.T. Vanderbilt is?

MR. BLOCK: Yes.

BY MR. BLOCK:

Q. Mr. O'Shaughnessy, R.T. Vanderbilt was not part of Johnson & Johnson, correct?

A. No.

Q. And you don't even really remember

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who R.T. Vanderbilt was, other than they're a third party unrelated to Johnson & Johnson, correct?

A. I know they were involved somehow in talc business.

Q. Okay. Did you share any written confidential communications that you wrote in the Coker case with this third party, R.T. Vanderbilt: Yes or no?

A. I never shared any confidential information beyond my clients and our outside counsel at Johnson & Johnson, so no --

Q. Were you aware --

MS. BROWN: Jerry, Jerry, he wasn't done.

BY MR. BLOCK:

Q. Were you done, Mr. O'Shaughnessy?

A. I am now.

Q. Mr. O'Shaughnessy, did you ever become aware that anyone you worked with at Johnson & Johnson had shared any of your written communications from the Coker case with this third-party company, R.T. Vanderbilt?

A. I'm unaware.

Q. Let's go to Exhibit 12B to your deposition. Exhibit 12B, do you see it's a fax?

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A. Yes.

Q. And it's a fax from July 20, 1998, which is a number of months after you received the letter in the Coker case about Dr. Blount, correct?

A. Yes.

Q. And this fax is on letterhead of Johnson & Johnson Consumer Products, correct?

A. Yes.

Q. And the fax is from William Ashton of Johnson & Johnson Consumer, correct?

A. Yes.

Q. And it is to John Kelse.

Do you see that?

A. To who? John Kelse.

Q. You pronounced it Kelse. Do you know Mr. Kelse?

A. No, that's just how I say those letters.

Q. Okay. And let's look at the letter, the second page of the fax. And it's a letter --

A. Yes.

Q. -- to John Kelse from -- or to John Kelse of R.T. Vanderbilt company, right?

A. Yes.

Q. And it says, "Dear John," correct?

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A. Yes.

Q. And it is from William Ashton.

Do you see that?

A. Yes.

Q. And copied on this letter from William Ashton of Johnson & Johnson to John Kelse of R.T. Vanderbilt is Dr. Hopkins, and you, right?

A. Yes.

Q. And let's look at what Mr. Ashton of Johnson & Johnson said to Mr. Kelse of this separate company, R.T. Vanderbilt.

Do you see where it starts out, "We need your help"?

A. Yes.

Q. And it says, "We need your help on some information relating to a suit we have against us involving uncomfortable allegations on the use of our talc."

Do you see that sentence?

A. Yes.

Q. And then Mr. Ashton says, "You recall I spoke to you a couple of months ago when the first note came to us from a Jerold Abraham, M.D."

Do you see that?

A. Yes.

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Q. And you recall that Dr. Abraham was an expert in the Coker case for the plaintiffs?
A. I don't recall that.
Q. And then Mr. Ashton goes on to say, "Now we have another situation on the same case involving Gerold P. Brophy, who claims to have been one of your consultants some time ago."
Is that what it says?
A. Yes.
Q. And then Mr. Ashton says, "Our law department needs some information on Brophy. Please expect a call from our in-house attorney, John O'Shaughnessy, shortly."
Is that what it says?
A. Yes.
Q. And you said before that you don't remember much about R.T. Vanderbilt other than they were in the talc business, right?
A. That's right.
Q. And Mr. Ashton then goes on to state in this letter that you were copied on, "The case can get serious, John, and pull in most of the talc trade."
Is that what it says?
A. Yes.

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Q. And then it ends with, "Please give us all the help you can on the attached matter."
Do you see that?
A. Yes.
Q. And the attached matter is the Coker case; isn't it, Mr. O'Shaughnessy?
A. I have seen --
MS. BROWN: Objection on foundation grounds and foundation (inaudible).
BY MR. BLOCK:
Q. The attached matter is Coker versus Johnson & Johnson; isn't it, Mr. O'Shaughnessy?
A. I'm sorry, Miss Brown said something and it was garbled. I didn't hear it.
MS. BROWN: I'm sorry, John, I just put an objection to form and foundation on the record. Thank you.
A. Yeah, there's a memo, my memo regarding Coker, yes.
Q. Your memo, right?
A. Yes.
Q. Your signature on the memo, right?
A. Yes.
Q. Your signature on the memo to John Hopkins, July 10, 1998, right?

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A. Yes.
Q. Your signature on the memo about the Coker case to Bill Ashton and Mike Chudkowski, right?
A. Yes.
Q. Your signature on the memo talking to them about an expert which was just identified by the plaintiffs, right?
A. Yes, apparently.
Q. Your signature on the memo talking to, these are three scientists from Johnson & Johnson, right?
A. Yes.
Q. Your signature on this memo talking to these three scientists from Johnson & Johnson about Gerold P. Brophy, one of the plaintiff's experts in the Coker case, right?
A. I don't recall if he was an expert in a particular case.
Q. Well, let's read the first sentence. "Subject: Coker versus Johnson & Johnson." First sentence, "Attached please find" --
A. Yeah. I'm sorry. Yes, I see it.
Q. Right.
"Attached please find the resume of

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an expert just identified by plaintiffs, Gerold P. Brophy."
Do you see that?
A. Yes.
Q. And you write, "Could you please tell me if we know anything about him?"
Right? That's what you asked your scientists at Johnson & Johnson, right?
A. Yes.
MS. BROWN: I object, I object.
Mr. O'Shaughnessy, I'm going to instruct you not to answer anything you did in connection with defending the Coker case and looking for experts and acting as an in-house lawyer.
If the question is simply what is in this document that was faxed to a third party, I have no objection to that.
MR. BLOCK: Judge Schneider, do you need the question read back or can I have a ruling, please?
SPECIAL MASTER: I do need the question read back.
(The following Question and Answer are read back:
"QUESTION: And you write, 'Could you

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please tell me if we know anything about him?'
"Right? That's what you asked your scientists at Johnson & Johnson, right?
"ANSWER: Yes.
"MS. BROWN: I object, I object.")
(Discussion held off the record.)
(The following is read back:
"QUESTION: 'Attached please find the resume of an expert just identified by plaintiffs, Gerold P. Brophy.'
Do you see that?
"ANSWER: Yes.
"QUESTION: And you write, "Could you please tell me if we know anything about him?'
"Right? That's what you asked your scientists at Johnson & Johnson, right?
"ANSWER: Yes.
MS. BROWN: I object, I object.")
MR. BLOCK: I think the testimony has already been given, but if your Honor would like to rule on it.
SPECIAL MASTER: Mr. Block, I don't think there's an outstanding question. I think --
MR. BLOCK: Right. I should just proceed.

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SPECIAL MASTER: Yes.
MR. BLOCK: Okay.
MS. BROWN: And, Mr. O'Shaughnessy, if you can just pause a minute before you answer to give me a second to put an objection on the record if there needs to be. Thank you.
THE WITNESS: Yes.
BY MR. BLOCK:
Q. So, Mr. O'Shaughnessy, you did ask scientists at Johnson & Johnson, including Dr. John Hopkins, about a plaintiff's expert Gerold P. Brophy, right?
MS. BROWN: I object. I instruct you not to answer about what you did regarding experts in a litigation for which you were counsel.
SPECIAL MASTER: I'll rule on that objection. The objection is overruled. It's squarely, that question is squarely within the four corners of this document. In effect the witness is just being asked whether or not he can confirm what's stated in this document.
Certainly there's a waiver as to the document because of its production by J&J and its failure to move to claw back the document. So as to this specific question, the objection is overruled

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with the proviso to make it clear, once again, the Court -- the special master is not ruling, not ruling, that there is a subject matter waiver. This particular question is plainly directed to the four corners of the document.
MS. BROWN: And, your Honor, just for the record, this document was not produced by Johnson & Johnson. There is a Bates prefix R-U-N-N-E, I have no idea what that is. And to the extent that somebody other than Mr. O'Shaughnessy sent it to a third party and the plaintiffs have retrieved it from this unknown R-U-N-N-E, that does not work a waiver of Mr. O'Shaughnessy's work product in defending this case.
SPECIAL MASTER: You're correct. I misstated that it was produced by J&J. But I do find that given J&J's knowledge of the production of the document and its failure to move to claw back the document or to somehow secret the document works as a waiver of any privilege or work product that applies to the document.
MR. BLOCK: Your Honor, I --
MS. BROWN: None of us have ever seen this document before. Just for the record, I understand the Court's ruling. I'm here with

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Mr. Bernardo. Neither of us have ever seen this document or know where it is coming from.
MR. BLOCK: Your Honor, let's just make some things clear here. This document has been seen by Johnson & Johnson. It's been seen by William Ashton, who sent the fax to R.T. Vanderbilt. It's been seen by Mr. Ashton's assistant, Carol Reid, at Johnson & Johnson, who sent the fax.
This document has been seen by William Ashton who wrote the letter and attached Mr. O'Shaughnessy's memo. It's been seen by John Hopkins from Johnson & Johnson who was openly copied on the memo. It's been seen by Mr. O'Shaughnessy who was openly copied on the memo.
And, I mean, they attached Mr. O'Shaughnessy's memo and sent it to a third party, so clearly it's a waiver, it's a waiver of Johnson & Johnson. But I understand the Court's ruling as to the last question. If we could just get it read back because I can't even remember what it is.
(The following Question is read back:
"QUESTION: So, Mr. O'Shaughnessy, you did ask scientists at Johnson & Johnson, including Dr. John Hopkins, about a plaintiff's

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expert Gerold P. Brophy, right?")
A. As stated in this memo, yes.
Q. So at this time in 1998, you thought it was important to ask Johnson & Johnson's scientists about a plaintiff's expert Dr. Gerold Brophy, right?
MS. BROWN: I object to the question. Beyond this document, it's going beyond the scope of this document and what is in it and it's asking for what he, as counsel in the Coker case, thought was important. It's work product.
MR. BLOCK: Could I get a ruling, please?
MS. BROWN: It's his mental impressions. What he thought was important, what he did. He has read from the document what the document states. The question now is asking did you think this was important?
SPECIAL MASTER: Objection sustained. I agree with counsel that we're getting into the mental impressions of a litigation attorney whose job it was to defend J&J in this specific case and we know that the mental impressions of an attorney are almost absolutely privileged, so the objection is sustained.

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BY MR. BLOCK:
Q. So, Mr. O'Shaughnessy, from reviewing this memo that you wrote in July of 1998, you now know and remember that you did ask Johnson & Johnson scientists, including Dr. John Hopkins, about one of the plaintiff's experts in Coker, right?
A. I now know what's in this request, but I don't recall it.
Q. Okay. You don't recall whether you wrote John Hopkins, Mike Chudkowski or Bill Ashton to tell them about J&J's own consulting expert, Dr. Alice Blount. Is that true?
MS. BROWN: Judge, I object. He asked this question like four times and Mr. O'Shaughnessy has answered it.
MR. BLOCK: That's an improper speaking objection, your Honor, and --
MS. BROWN: It's becoming abusive. I would like to raise with the judge it's becoming abusive because you're asking the same questions multiple times.
MR. BLOCK: That question hasn't been asked. If we could just have an answer. If you want to instruct not to answer, instruct not to answer.

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MS. BROWN: I object. It's argumentative and abusive.
MR. BLOCK: Let's have the question read back and let's get an answer, please.
(The following Question is read back:
"QUESTION: You don't recall whether you wrote John Hopkins, Mike Chudkowski or Bill Ashton to tell them about J&J's own consulting expert, Dr. Alice Blount. Is that true?")
A. As I testified, I don't recall the Blount memo. I don't recall discussing it with people at the company.
Q. And then in your memo of July 1998 you wrote, "Bill, if you wouldn't mind giving me the phone number of your contact at R.T. Vanderbilt, I will give him a call as well."
Is that what you wrote?
A. Yes.
Q. Then you wrote, "When I last spoke with him, he indicated that he would speak to his attorneys to see if he could send me information on the original expert who is still in the case, Abrams, including some deposition transcripts that they have on him."
Is that what it says?

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A. That's what I wrote.
Q. And so you wanted Bill Ashton of Johnson & Johnson to connect you with attorneys from R.T. Vanderbilt so you could see if they had deposition transcripts on the plaintiff's expert in Coker, right?
A. That's what it says, yes.
Q. And this memo which you labeled confidential attorney-client/work product -- you labeled it confidential attorney-client/work product material, correct?
A. That's right.
Q. And this was work you were doing to defend Johnson & Johnson in the Coker case, right?
A. That's right.
Q. And you were copied on Mr. Ashton's letter sending your memo to the company R.T. Vanderbilt; you're copied there, aren't you?
A. I guess so. I don't see an enclosure on this thing, but I assume. Yeah.
Q. It says, "Please give us all the help you can on the attached matter."
Do you see that?
A. I do.
Q. And if you look at the fax, page 2 of

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the fax on top, and then if you go to page 3 of the fax, the attached matter is a reference to your memo in the Coker -- to your memo to Dr. Hopkins and others in the Coker case, right?

A. That's right.

Q. Okay. And do you recall making any effort to contact R.T. Vanderbilt and say you should not have my confidential memo that I wrote to my scientists at Johnson & Johnson about the Coker case? Did you ever do that?

A. I don't recall any contact I had with that company.

Q. And was it part of your custom and practice while working at Johnson & Johnson to read your mail?

A. Yes.

Q. Was it part of your custom and practice at Johnson & Johnson to read faxes that were sent in cases that you were managing at Johnson & Johnson, including the Coker case?

A. I generally read my correspondence on my cases, yes.

Q. Another person you did not tell about Dr. Blount was Nancy Musco. Isn't that true?

MS. BROWN: Objection. I instruct on

work product regarding what you did with information you learned in the Coker case.

MR. BLOCK: Let me ask a new question.

BY MR. BLOCK:

Q. Mr. O'Shaughnessy, did you ever have any conversation with someone at Johnson & Johnson named Nancy Musco about Dr. Blount?

A. Like I said before, I don't recall Dr. Blount or that letter and I don't recall any conversations about it between me and people at the company. I just, after all these years I don't recall.

Q. Let's skip --

MS. BROWN: When we get to a good point I think it's been over an hour again, I just want to make sure we give John a break.

MR. BLOCK: Yeah. Since I just turned over the next exhibit, I want to go through this exhibit.

MS. BROWN: Well, he hasn't looked at it yet. Can we just give him a break?

MR. BLOCK: That's fine. I agree that's reasonable. So how many minutes do you want, just so we can time.

MS. BROWN: Ten minutes.

MR. BLOCK: Ten minutes is fine. Thank you.

MS. BROWN: Okay.

VIDEOGRAPHER: Stand by. Going off the record, 3:17 p.m.

This is the end of Media Unit 4.

(Recess: 3:17 p.m. to 3:30 p.m., Eastern Standard Time.)

VIDEOGRAPHER: Going back on the record, 3:30 p.m.

This is the beginning of Media Unit 5. Okay.

BY MR. BLOCK:

Q. All right. Mr. O'Shaughnessy, before we took a break I was asking you about Nancy Musco.

Do you remember that?

A. Yes.

Q. And I think you said earlier that you, as you recalled, Nancy Musco worked for Johnson & Johnson, I believe you said in the area of customer relations and something medical, and you said that she was a nurse. Is that right?

A. You know, she worked for Johnson & Johnson Consumer Products and she, I thought she was

a registered nurse and I know that she did something in the safety area. I'm not exactly sure what.

Q. Okay. Let's look at Exhibit 30 -- we're going to jump to Exhibit 32 of your deposition. Fortunately it's still in the first binder and at times I may just go out of order and I'll always make sure to let you know what number we're on.

So if you turn to Tab 32, do you see it's a fax from the Drinker, Biddle law firm?

A. Yes.

Q. And do you see that it's a document that involves a case called "Krushinksi"?

A. Yes.

Q. And these are defendants Johnson & Johnson Consumer Companies, Inc., and Johnson & Johnson's Answers to Plaintiffs' Supplemental Interrogatories, correct?

A. Right.

Q. All right. And in terms of a date on this document, there is a date in which these Answers to Interrogatories were certified by Johnson & Johnson.

Do you see the Certification?

A. I do.

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Q. Okay. And the Certification is a representative of the Johnson & Johnson Companies swearing that the information in the Interrogatories is true, correct?
A. Yes.
Q. And you see that Nancy Musco is the person on behalf of the Johnson & Johnson Companies that certified these Answers to Interrogatories in the Krushinski case as true on May 23rd, 2000?
A. Yes.
Q. Okay. And that's about two years after you received the letter about Dr. Blount from Mehaffy & Weber that we looked at earlier, correct?
A. Yes.
Q. Okay. And one of the answers -- basically just in layman's term, Interrogatories are questions and answers to Interrogatories are answers to questions, correct?
A. Yes.
Q. All right. And if we look at Number 17, the question for the Johnson & Johnson company that is asked in this case, Krushinski, is as follows: "Describe in detail all processes, procedures and testing performed upon the talc used in the manufacture of Johnson's Baby Powder to

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reduce or eliminate the existence of asbestos, tremolite, or other contaminants in Johnson's Baby Powder."
Do you see that question that was asked of the Johnson & Johnson Companies?
A. I do.
Q. Okay. And are you familiar with the Krushinski case: Just yes or no?
A. I recognize the name.
Q. Okay. Do you recognize that as a case that you had responsibility for managing while you worked at Johnson & Johnson?
A. Yes, I believe so. If it was a talc case during the time period I was working on talc, yes.
Q. All right. And the response of the Johnson & Johnson Companies that was sworn as true is as follows: "To the best of defendant's knowledge, talc used in the manufacture of Johnson & Johnson's Baby Powder never contained asbestos in any form, or tremolite."
Did I read the first sentence of Johnson & Johnson's answer correctly?
A. Yes.
Q. And was it always the position of

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Johnson & Johnson when you worked for the company that Johnson's Baby Powder never contained asbestos in any form, or tremolite?
A. It's the position -- what I recall is that it never contained any asbestos and that would include, tremolite was -- tremolite forms of asbestos, if I'm saying that correctly. I just don't recall the science behind it.
Q. Then the next part of the answer --
MS. BROWN: I'm sorry, I'm sorry. Hold on.
Were you finished, Mr. O'Shaughnessy?
A. Yeah, that's right. I'm done.
Q. Yeah. I thought you were. Thank you, sir.
The next sentence of Johnson & Johnson's sworn answer says, "Defendant's sources of talc were selected for their lack of contaminants and further, testing was performed over a significant number of years by outside laboratories which verified that defendant's talc sources did not contain asbestos or tremolite."
Did I read that part of Johnson & Johnson's sworn answer correctly?
A. Yes.

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Q. And that was Johnson & Johnson's position during the time that you worked for the company; that the sources of talc that were used in Johnson's Baby Powder did not contain any asbestos or tremolite, correct?
A. Again, I recall that the position of the company has always been that the talc did not contain asbestos and as far as tremolite, I think it, to the extent tremolite would be asbestos, yes, that would be included.
Q. And the words used in these Answers to Interrogatories in Krushinski was that "Johnson's Baby Powder never contained asbestos in any form, or tremolite."
Those were the words that were used, correct?
A. Right.
Q. All right. And the Certification to these Answers to Interrogatories that were signed by Miss Musco, you understood when you worked at Johnson & Johnson at this time in 2000, that it's a very serious matter to certify a statement by a company as true in litigation responses like this, correct?
A. Yes.

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Q. All right. And let's read the words of the Certification. It says, with regard to Miss Musco, "I am employed by Johnson & Johnson Consumer Companies, Inc., JJCCI, a defendant in the above entitled action. The foregoing Answers to Interrogatories were prepared with the assistance and advice of counsel for JJCCI, upon whose advice and information JJCCI and I relied."

Do you see that?

A. I do.

Q. And then Miss Musco says, "The foregoing answers are true and correct to the best of my knowledge, information and belief."

That's what it says in her Certification, correct?

A. That's right.

Q. And then Miss Musco says, "I am aware that if any of the foregoing statements made by me are willfully false, I may be subject to punishment."

Is that what it says?

A. Yes.

Q. And then Miss Musco signed the Certification that the statements in these Answers to Interrogatories, including the statement that

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there was never asbestos in any form in Johnson's Baby Powder or tremolite, were true, correct?

A. Yes.

Q. All right. Now, I want to ask you some more information about Miss Musco. And she is someone that you certainly remember well from when you worked at Johnson & Johnson, correct?

A. Yes, I knew Nancy.

Q. Okay. You worked with her on a regular basis during your time at Johnson & Johnson, correct?

A. No. From time to time, just as litigation called for it.

Q. I want to ask you about some things that she said under oath and get your recollection on some things.

Do you see we're looking at Exhibit 32A?

A. Okay.

Q. This is the deposition of Nancy Musco from a case called "Selvaggio," S-e-l-v-a-g-g-i-o. And if we look at the date on her deposition testimony, do you see that it's November 28, 2018?

A. I don't see that, but -- I see it now, yeah.

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Q. Okay. And let's see, okay, so we see the name of the person giving testimony is Nancy Musco on that date in 2018, correct?

A. Right.

Q. All right. Let's look at page 71, line 22. And just let me know when you're there.

A. I have 28 and it goes to page 72.

Q. You should have -- I'm sorry, page 28. I'm sorry, sir.

A. Okay.

Q. Page 28, line 22. Do you see where it says:

"QUESTION: Was that part of your ongoing role to interact with the lawyers at Johnson & Johnson in cases involving Johnson's Baby Powder?

"ANSWER: Yes, I was the point person."

Do you see that?

A. It says, "I was a point person, yes."

Q. "I was a point person."

So do you agree that as -- strike that.

Do you agree with Miss Musco's sworn testimony that she was a point person with the lawyers at Johnson & Johnson in cases involving

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Johnson's Baby Powder?

A. Yes. When we seek information from the company to support the lawsuit, there's a number of people that you would call. And I do recall, you know, using Nancy as a source of information, yes.

Q. Okay. And in this deposition Miss Musco was shown the Answers to Interrogatories that were submitted in the Krushinski case. And if you could go to page 73, line 17, and just let me know when you're there.

A. Got it.

Q. And if we look at page 73, line 17, and we follow it, you could see that Miss Musco is being asked about the Answers to Interrogatories in Krushinski, right?

A. Yes.

Q. And you see that she's being asked about the Certification she signed on May 23rd, 2000.

You see that?

A. Yes.

Q. And you could see she's asked if that's her signature, and she said yes, it is her signature.

Do you see that?

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A. Yes.
Q. And she was asked a question, "And you signed the Certification under penalty of perjury, correct?" And she said yes.
You see that?
A. Yes.
Q. And then if you go to page 75, line 9, just let me know when you're there.
A. Yes.
Q. There's a question to Miss Musco, "Did you review these answers before signing the Certification?" Her answer, "I would have provided this information to our legal department and reviewed it with our legal department, yes."
Do you see that testimony Miss Musco gave?
A. Yes.
Q. And then if you look at Miss Musco's testimony on page 77, line 20, just let me know when you're there.
A. I'm there.
Q. 77, line 20?
A. Yes, I see it.
Q. Okay. And Miss Musco -- and the testimony reads:

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"QUESTION: It says you also relied upon your lawyers. What lawyers?
"ANSWER: It would have been, I think at this time, John O'Shaughnessy, but I'm not sure of the timeframe because I don't remember this."
Do you see that testimony?
A. I do.
Q. Now let's look at further testimony by Miss Musco at page 144, line 16.
MS. BROWN: For the record, I just object to the form of these selected questions from a transcript this witness has not reviewed.
MR. BLOCK: That's a speaking objection and I object to you interjecting speaking objections.
BY MR. BLOCK:
Q. Mr. O'Shaughnessy, can you go to page 144, line 16?
A. Yes.
Q. And it reads, Miss Musco's testimony reads:
"QUESTION: John O'Shaughnessy is the same lawyer that was copied on all these e-mails we went through this morning, right?
"ANSWER: His name was on a lot of

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them, yes.
"QUESTION: And he knew when you were answering Interrogatories in the Krushinski case, he was part of that process, correct?
"ANSWER: To the best of my knowledge, he was the lawyer, yes."
Do you see that?
A. I see it.
Q. So if we go back to the sworn Certification of Nancy Musco in the Krushinski case where we have the answer from Johnson & Johnson that there was never asbestos in any form, or tremolite, in Johnson's Baby Powder, we see it's signed by Nancy Musco, right?
A. These answers are, yes, they're signed by Nancy Musco.
Q. And Miss Musco said in the Certification that the answers were prepared with the assistance and advice of counsel for Johnson & Johnson Consumer, upon whose advice and information Johnson & Johnson Consumer and Miss Musco relied upon, right?
A. Yes.
Q. And Miss Musco's recollection is that you were part of the process of answering these

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Interrogatories in the Krushinski case.
Do you see that?
A. Yes.
Q. And do you dispute Miss Musco's recollection that you were part of the process of answering the Interrogatories in the Krushinski case that she certified?
A. No, I mean, I don't have any recollection of working with her on a particular case, but that was certainly part of the process with outside counsel.
Q. And do you dispute Miss Musco's recollection that you were the lawyer who was part of the process of answering Interrogatories in the Krushinski case?
A. No.
Q. And so you would have reviewed and approved the Answers to Interrogatories in the Krushinski case that said that there has never been asbestos in Johnson's Baby Powder, or tremolite?
A. I would have reviewed them, yes, in the normal course.
Q. And you were, I mean, really you were actively involved in the Krushinski case, right?
A. I managed the Krushinski case. I

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don't recall my exact involvement. But no more no less than other cases, depending upon how -- depending upon how busy I was at the time. A lot -- that's why we have outside counsel. A lot of times I can't participate in deps in cases and we use outside counsel to do that.

Q. Let's go to the next exhibit, Exhibit 31.

And looking at Exhibit 31, do you see that it is a fax cover sheet, the first page is a fax cover sheet?

A. Right.

Q. And do you see it's a fax cover sheet dated February 22nd, 2000?

A. Yes.

Q. All right. And we have the first page of the fax, which is the fax cover sheet.

Do you see that?

A. I do.

Q. All right. And then we have the second page of the fax which has a message, "Please deliver as soon as possible to Gene Williams, Mehaffy & Weber, and John O'Shaughnessy, J&J."

Do you see that?

A. I do.

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Q. All right. And do you see that that message, "Please deliver as soon as possible to Gene Williams of Mehaffy & Weber and John O'Shaughnessy of J&J," is from Susan Sharko of the Drinker, Biddle law firm?

A. Yes.

Q. And she was a lawyer for Johnson & Johnson then and she's a lawyer for Johnson & Johnson now, correct?

A. Yes, as far as I know, yes.

Q. And the first page has, in the comment section, "Fax from Susan Sharko," correct?

A. Right.

Q. And it says, "Regarding Krushinski verse J & J Response to Request for Admissions Draft."

Do you see that?

A. I do.

Q. And this is consistent with what you were just telling us, which is that as the attorney from Johnson & Johnson managing the Krushinski case, that you would review and approve discovery responses that were sworn as true in that case, correct?

A. Yes.

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Q. And so in terms of Nancy Musco, she was not -- let me direct you to another part of her testimony, Exhibit 32A, and if you can look at page 84, line 24, and let me know when you're there.

A. I'm here.

Q. And Miss Musco was asked:

"QUESTION: You never physically saw or touched any of the documents that were the basis for these answers?"

And her answer was, "That is correct, I didn't."

Do you see that testimony?

A. Yes.

Q. Okay.

A. Yes.

Q. And is that consistent with your recollection that even though Nancy Musco swore that the Interrogatories she signed were true, that she wasn't the one who was reviewing the documents upon which the answers were based?

MS. BROWN: I object. I instruct you, Mr. O'Shaughnessy, not to answer the process by which Interrogatories in a particular litigation were answered and the method by which you assured that they were truthful and accurate. It squarely

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implicates work product. And your conversations with Miss Musco are implicated by both work product and attorney-client privilege, and so I object on both grounds.

MR. BLOCK: I'm going to break up my last question and ask a new one.

BY MR. BLOCK:

Q. We saw in the Certification Miss Musco said she relied upon Johnson & Johnson's attorneys, right?

A. That's right.

Q. Okay. And we see in Miss Musco's testimony that she gave here in 2018 that she did not see the documents that were the basis for the answers, correct?

A. Yes.

Q. And do you dispute Miss Musco's testimony that she did not see or review the documents that were the basis for the Answers to Interrogatories in the Krushinski case; do you dispute her testimony?

MS. BROWN: I object, form; incomplete testimony.

A. I don't have any recollection of a particular case in preparing these, but I have no

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reason to dispute her testimony.
Q. Okay. Let me -- sure. Let me ask you to go to page 134, line 7 of Miss Musco's testimony.
A. Okay.
MS. BROWN: Same objection to the form of these questions from the transcript.
BY MR. BLOCK:
Q. All right. Actually, let's go back a little further. Page 133, line 18, if you could just let me know when you're there.
A. I'm here.
Q. Okay. If we look at Miss Musco's testimony from 2018, it says:
"QUESTION: I understand that, ma'am, but you actually certified under oath about what information was available and I didn't see anything in the Interrogatories that you certified about any tests showing that was asbestos in either Johnson's Baby Powder at any point in time, or in any of the mines that were used to supply that powder. Do you agree with me?
"ANSWER: What I answered were the direct questions asked. Any testing provided, again, was from the lawyers.

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"QUESTION: So the lawyers made the determination as to what was going to be communicated and what was not going to be communicated, it was not you. Is that fair:
"ANSWER: Since it was a legal matter, they were the appropriate person to make the final decisions."
Do you see that testimony from Miss Musco?
MS. BROWN: Object; vague; incomplete.
A. I see it.
Q. And do you agree with -- strike that.
And do you agree with Miss Musco's testimony that the lawyers at Johnson & Johnson made the final decision about the statements that went into Johnson & Johnson's sworn Answers to Interrogatories?
MS. BROWN: Object; incomplete testimony, and lacks foundation.
A. Certainly any legal document that was filed, the lawyers would have the final approval on it, yeah. It's a process involved in, I don't want to go any further than that, but it's a large process involved in answering these, including the

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objections, et cetera.
Q. And applying what you just said to the Krushinski case, and the Answers to Interrogatories that Johnson & Johnson swore to in the year 2000, you, as the lawyer for Johnson & Johnson managing the Krushinski case, would have made the final determination about Johnson & Johnson stating under oath that Johnson's Baby Powder never contained asbestos in any form, or tremolite.
That's true, isn't it, sir?
MS. BROWN: I object; misstates his testimony.
A. That answer is the response, including though, and I think this is important, the objections in the last sentence.
Q. You would have had -- strike that.
You would have made the final decision about giving the answer under oath in the Krushinski case that Johnson's Baby Powder never contained asbestos in any form, or tremolite; that's true, isn't it sir?
MS. BROWN: I object; it misstates testimony.
A. I would be part of the process and I would approve any answers going out, yes.

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Q. Including that answer that I just read, right, sir?
A. Including response to Number 17.
Q. Which includes the statement that Johnson's Baby Powder never contained asbestos in any form, or tremolite; true?
A. Including that statement, yes.
Q. And, I mean, Nancy Musco really should have had any information that existed about asbestos in baby powder, right?
MS. BROWN: I object as vague. I am not even sure about privilege 'cause I don't understand the question. I object.
A. I'm not sure what you mean by any information.
Q. Was Nancy Musco communicating with customers and doctors and the medical community about the safety of Johnson's Baby Powder?
MS. BROWN: Objection; foundation.
A. I'm not sure. I know she communicated with people outside the organization, including consumers. I know that. I believe that's true.
Q. Nancy Musco was responsible for making sure that the correct warnings went on

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Johnson's Baby Powder, right?
MS. BROWN: I object as lacking foundation and misstating the evidence.
A. I'm not sure what her role was, at the company was regarding labeling.
Q. Let's go to the next exhibit. Actually, let's go to Exhibit 32B, please.
A. Okay.
Q. And Exhibit 32B is an e-mail from Nancy Musco dated May 27, 2009, when you worked at Johnson & Johnson, correct?
A. Yes.
Q. And you are copied on that e-mail. It says John O'Shaughnessy as one of the recipients of the e-mail, correct?
A. That's right.
Q. And in that e-mail that you were copied on, Nancy Musco says, "I am responsible for the management of the global alignment of all safety labeling."
Do you see that?
A. I do.
Q. And in the e-mail that you were copied on from Nancy Musco, she writes, "The safety labeling for talc products should read as follows."

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Do you see?
A. I do.
Q. All right. And it says, "Warning: Keep powder away from child's face to avoid inhalation, which can cause breathing problems. Avoid contact with eyes. For external use only. Close tightly after use."
That is a warning that Miss Musco states in the e-mail to you about Johnson's Baby Powder containing talc, correct?
A. Yeah, that quote appears in this memo, yes.
Q. Okay. And there's nothing in the warning -- well, you know there was never anything in the warning for Johnson's Baby Powder about asbestos, right?
MS. BROWN: Objection to form; foundation.
A. That's right.
Q. There was never anything in a warning on the Johnson's Baby Powder container about cancer, correct?
MS. BROWN: Foundation.
A. That's right. I'm sorry.
Q. And Miss Musco, who was responsible

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for the management of the global alignment of all safety labeling, swore under oath in the Krushinski case that there had never been asbestos in any form, or tremolite, in Johnson's Baby Powder, right?
A. Yes, there was never asbestos.
Q. And you were part of the process of those sworn Answers to Interrogatories in the Krushinski case like you just said, right?
A. Yes.
Q. And Miss Musco gives a safety labeling for cornstarch products, and do you see that it's essentially the same label as Johnson & Johnson's talc products, correct?
A. I -- yes, it's close.
Q. Right. It just adds one sentence at the end about avoid contact with open flame, correct?
A. Yes.
Q. Okay. And, I mean, cornstarch didn't even need to be tested for asbestos, right?
MS. BROWN: Objection; lacks foundation.
A. I'm not sure what it was tested for. I don't know.
Q. When you were on the Talc Steering

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Committee for Johnson & Johnson, we saw earlier that you were discussing issues on that committee about talc and asbestos, correct?
A. About, yeah, in light of the upcoming meeting.
Q. Okay. At any time while you were on J&J's Talc Steering Committee, do you recall ever discussing the issue of asbestos when it came to cornstarch?
A. I don't ever recall that, no.
Q. And you don't recall asbestos ever being an issue when it came to cornstarch, correct?
MS. BROWN: Objection; lacks foundation.
A. Yes.
Q. And just to make sure it wasn't a double negative, it is true that you never remember asbestos being any type of an issue as it related to cornstarch. That's true that you don't remember anything like that, right?
MS. BROWN: Objection.
A. That's right.
Q. So it's also true, Mr. O'Shaughnessy, that you're aware that in the cases you managed at Johnson & Johnson that Johnson & Johnson actually

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represented to judges that Johnson's Baby Powder was free of any impurities, right?
A. I believe so.
Q. Let's go to the next exhibit, exhibit -- actually, it's not the next number, but we'll go to Exhibit 34.
Exhibit 34 is a document from the Drinker, Biddle law firm and that was one of the law firms representing Johnson & Johnson in the Krushinski case, correct?
A. Yes.
Q. And it's a letter to Judge Keefe, who was, at the time, a judge in New Jersey who was presiding over the Krushinski case. Is that correct?
A. I don't know if he was presiding over the case. I do remember Judge Keefe was often used as a mediator.
Q. Okay. And, in fact, this letter to John Keefe from the Drinker, Biddle law firm in regard to the Krushinski case, first of all, is dated February 4, 2003, correct?
A. That's right.
Q. And the letter says, "Dear Judge Keefe, Enclosed please find a confidential mediation

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submission on behalf of the Johnson & Johnson defendants in this matter."
Do you see that?
A. I do.
Q. And it's from a Jennifer Lamont at the Drinker, Biddle law firm, correct?
A. Yes.
Q. And blind copied on the letter and enclosure is you, correct, John O'Shaughnessy?
A. Yes. Yes.
Q. And also Gene Williams from the Mehaffy & Weber law firm who you mentioned earlier, correct?
A. Yes.
Q. And also Susan Sharko, who is the lead attorney, was she the lead attorney at Drinker, Biddle at this time for Johnson & Johnson?
A. On this matter, yeah.
Q. Okay. And, of course, because you were managing the Krushinski case and you were blind copied with this mediation submission to Judge Keefe, this is something you would have read, correct?
A. Yes.
Q. And if we go to, let's go to the page

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that is, let me give you a page number. Actually I'll give you a Bates number at the bottom. The number is small, it's 938 at the bottom, the lower Bates number.
A. Okay.
Q. Okay. And do you see that in this mediation submission to a judge in New Jersey from the Drinker, Biddle law firm on behalf of Johnson & Johnson, the statement is made that, "The evidence will be absolutely clear that the talc used in Johnson & Johnson Baby Powder comes from extremely pure sources with no contaminates of any type."
Do you see that?
A. Yes.
Q. And no contaminates of any type would mean no asbestos, right?
A. Yes.
Q. And nothing but talc, right?
MS. BROWN: Objection to form; misstates the document.
A. I know that when the talc is mined, I don't think it's -- I think there may be -- you would need to ask the scientists because I don't know what the definition of talc is and so I'm trying hard to recall.

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I guess it may depend on what scientists would determine to be a contaminate or not. And I remember, there -- I am having trouble remembering the exact composition of the talc.
Q. Well, you know from your work at Johnson & Johnson that the Johnson's Baby Powder container listed the ingredients as talc and fragrance, right?
A. Yes.
MS. BROWN: Objection.
BY MR. BLOCK:
Q. And that's what Johnson & Johnson is telling this judge in New Jersey, that the talc is pure and there's no contaminants of any type in it, right?
A. Right.
Q. And that's what Johnson & Johnson was telling the public when you worked for the company, right?
A. Yes, it was asbestos-free.
Q. And asbestos-free means zero asbestos, right?
A. No asbestos, yes.
Q. Now, isn't it true, Mr. O'Shaughnessy, that even before the Coker case,

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you knew that Dr. Blount had tested Johnson's Baby Powder and found asbestos?

A. Like I testified before, I had that Blount letter from our local counsel and I knew what was in it, yes.

Q. Well, let's look at Exhibit 13 to your deposition, if you just turn back to Exhibit 13, please.

A. Okay.

Q. All right. And Exhibit 13 is an article by Dr. Blount from 1991 and it's entitled: "Amphibole Content of Cosmetic and Pharmaceutical Talcs."

Do you see that?

A. I see it.

Q. Okay. And it talks about Pharmaceutical and Cosmetic Grade Talcs is the summary on top.

Do you see that?

A. I do.

Q. And it says, "were examined for asbestiform amphibole content."

Do you see that?

A. Yes.

Q. And it says, "Only one was found to

contain an amphibole particle size distribution typical of asbestos"?

A. Yes.

Q. Okay. And if we look at this article -- just to be clear, this 1991 article by Dr. Blount, she sent to Johnson & Johnson or she sent to the lawyers that you were working with on the Coker case, Mehaffy & Weber, on April 23rd, 1998, right?

MS. BROWN: I object; foundation.

A. I don't know. I'm kind of forgetting. If it was mentioned in the letter, then I assume that she sent it.

Q. Let's just make sure we have this straight. If you could just look at Exhibit 12 and then we'll go back to the exhibit we were on.

Remember Exhibit 12, which was Dr. Blount's letter to the Mehaffy & Weber law firm that you were working with in the Coker case refers to a 1991 and a 1990 paper.

Do you see that?

A. Yes.

Q. All right. If we look into Exhibit 12 to the attachment, we could see that it's the article that we're looking at now as Exhibit 13,

that we were just looking at, right?

MS. BROWN: Objection; lacks foundation.

A. All right. I'm sorry. Does she list it by title in the letter or does she only say '91 article?

Q. Well, why don't you take a moment to look at Exhibit 12 and just confirm, and you could tell because the Bates numbers are sequential, that the 1991 paper that Dr. Blount sent to the Mehaffy lawyers you were working with in the Coker case is from 1991 and is entitled Amphibole Content of Cosmetic and Pharmaceutical Talcs.

MS. BROWN: Same objection; foundation.

A. Oh, to look at the attachments as well?

Q. Sure. Let me direct your attention to the attachment where the 1991 article is. And it's the page ending in 444, the Bates numbers on the bottom of Exhibit 12.

A. I see.

Q. So you agree that Dr. Blount sent the Mehaffy & Weber law firm, in April of 1998, her 1991 paper entitled Amphibole Content of Cosmetic and

Pharmaceutical Talcs, right?

MS. BROWN: I object; it lacks foundation.

A. That's what the document says and that's the article that's attached to it.

Q. Okay. And so if we go to Exhibit 13, that's the same article we're looking at, correct?

A. Yeah, I didn't compare them, but yeah, I guess. I'll take your word. Yes, I'm sorry.

Q. The title is the same, they're both in Environmental Health Perspectives 1991, right?

A. Yeah, it appears the same as the other one, that's fine.

Q. Well, the cover, certainly the title, volume of the journal, it's all the same, right?

A. Yeah, yeah.

Q. So now let's look at Exhibit 13 and look at this 1991 article by Dr. Blount where she writes in the summary that one of the talc samples was found to contain asbestos. Okay?

A. I see that last sentence, yeah.

Q. All right. And let's go to Table 1. Let's look at Table 1 of Dr. Blount's article from 1991.

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A. What page is it on?
Q. If you could use the pages from the article, page 228 in the upper left corner.
A. So I got it, Mr. Block.
Q. All right. And do you see that Table 1 has Dr. Blount's results from various Samples A through O?
A. I see Table 1.
Q. And it says, "Sample A through O"?
A. Right. Right.
Q. And do you see it says, "Sample I," there's references to needles and fibers.
Do you see that?
A. I do.
Q. And Table 1, these are counts of regulatory fibers in processed talcs.
Do you see that?
A. That's what the title of the table says, yes.
Q. Okay. And then there's a statement in the body of the article that says, "The results, when compared with the aspect ratios determined for tremolite asbestos with SEM by Campbell et al. show Sample I has a distribution similar to asbestos."
Do you see that?

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A. I do.
Q. Okay. And it cites to a Figure 6 and 7.
Do you see that?
A. Yes.
Q. Okay.
A. Well, it -- sample size M was analyzed in the same way as Figures 6 and 7, so there's a couple sentences between.
Q. Great. Thank you for completing that. And let's look at the Figure 6 and 7 that are on, I believe, the next page.
A. Yeah.
Q. Okay. And it shows in Dr. Blount's article that Sample I, Talc I, it has the words under it, "tremolite asbestos."
Do you see that?
A. I see what you highlighted, yes.
Q. All right. And it has, it says the words "Talc I, tremolite asbestos," right?
A. I can see that, yes.
Q. And then it says, "Talc M, tremolite," right?
A. Talc M?
Q. Talc M is tremolite. You see that?

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A. No. Oh, I see, I'm sorry. Because it's cut off on my screen. I'll look at the -- yes. The graph next to it says, "Talc M, tremolite."
Q. Right. And the Figure 6 and 7, it says, "Percent amphiboles in each aspect ratio group for Sample I, left, and M, compared with tremolite asbestos and tremolite nonasbestiform."
Do you see that?
A. I do.
Q. Okay. And so Figure 6 shows that Sample I has the particle distribution that matches tremolite asbestos where Talc M has a distribution that matches nonasbestiform tremolite.
Do you see that?
A. No --
MS. BROWN: I object to form; lacking foundation.
Go ahead, John.
A. That's way out of my league. This is something I would defer to scientists about what it shows.
Q. Okay. And again, in the body of the document it says that Sample I has a distribution similar to asbestos, right? That's what it says in Dr. Blount's 1991 article?

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A. That line is in there, I'm reading it, the one you highlighted, yeah.
Q. And you knew when you worked at Johnson & Johnson that Sample I in Dr. Blount's 1991 article was Johnson's Baby Powder?
MS. BROWN: Object; lacks foundation.
A. No, I don't know that.
Q. Let's look at the last page of Dr. Blount's article that was produced by Johnson & Johnson and --
A. What exhibit?
Q. Let me just make sure, I need to rotate the view here.
A. Can you also tell me the exhibit so I can follow in the book?
Q. Sure. Exhibit 13, just go to the final page.
A. Okay. Yep.
Q. Okay. And if you go to the final page of Exhibit 13, and just to be clear, the document, Dr. Blount's 1991 article, there are Bates stamps at the bottom right of the article that start with J&J, correct?
A. Yes.
Q. And if you follow all the pages of

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Exhibit 13 of the 1991 Blount article with the J&J stamp on the bottom, and you follow them sequentially, the very last page is a handwritten page, correct?

MS. BROWN: Object; lacks foundation.

A. That's what it appears to be, sure.

Q. And remember that the table we were looking at was Samples A through O, correct?

A. I believe --

Q. In Dr. Blount's 1991 article, Samples A through O, correct?

A. In that table you pointed out, yeah.

Q. Okay. And in the handwritten page that is on the back of Dr. Blount's article that was produced by Johnson & Johnson, it's A through O, correct?

A. That's what this -- yeah, that's what this list says, yeah.

Q. All right. And it identifies the type of talc for each Sample A through O on this handwritten page produced by Johnson & Johnson, correct?

MS. BROWN: I object. Misstates the document, lacks foundation.

A. I, you know, I don't -- I don't know

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what it is. I haven't seen this document. I don't recollect it. So, you know, I can take your word for it, but I just don't know.

Q. And next to I on the page attached to Dr. Blount's 1991 article that was produced by Johnson & Johnson it says, "I Windsor, J&J JBP."

Do you see that?

A. I do.

MS. BROWN: Objection.

Q. And JBP, you know, is an acronym that was used at Johnson & Johnson for Johnson's Baby Powder, correct?

A. Yes.

Q. And you know that for a number of years, including during this time in the 1990s, that talc used in Johnson's Baby Powder came from Windsor, Vermont, correct?

MS. BROWN: Objection; lacks foundation.

A. Yeah, Windsor, Vermont was the mine that supplied the talc for Johnson's Baby Powder, and I'm not sure about the number of years, when exactly, but yes, you're right.

Q. And, sir, when is the first time you ever saw Dr. Blount's 1991 article that we're

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looking at with the handwritten key attached as the last page?

MS. BROWN: I would instruct you, Mr. O'Shaughnessy, to only answer that question provided that it was not given to you in connection with a request for legal advice or in connection with work that you did defending a lawsuit.

MR. BLOCK: Could we have the question read back so we can get an answer, please?

With the long objections it's hard for me to keep in mind the question and I'm sure it's hard for the witness to keep in mind the question.

Could we have it read back, please.

(The following Question is read back:

"QUESTION: And, sir, when is the first time you ever saw Dr. Blount's 1991 article that we're looking at with the handwritten key attached as the last page?")

A. I don't recall, I don't recall the '91 article, whether I saw it or not. And certainly I don't recall this last page at all.

Q. And it just came to my attention that I had stopped sharing screen earlier, so just to be clear, we're looking at the last page attached to

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the Blount article, the key we were just discussing, and it lists Sample I as Windsor J&J JBP, correct?

MS. BROWN: Objection; lacks foundation.

A. I'm sorry, yeah, I can follow that.

At an appropriate time could we perhaps take a quick break?

Q. Of course. I just have another question I wanted to ask you and we'll break very soon.

Did you say that you don't recall whether you've ever seen the 1991 Blount article before I just showed it to you in this deposition?

A. I don't recall seeing it, whether I did or I didn't. I've seen so many articles over the years, you know, scientific articles, not so much for the talc but for other litigation as well, so I just don't remember seeing it, whether I did or not. But this page doesn't look familiar to me.

Q. Okay. And so just to be clear, looking at Exhibit 13, which is the 1991 paper by Dr. Alice Blount with the handwritten key attached as the last page, you don't recall ever seeing this article with that key until today in this deposition when I showed it to you, correct?

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MS. BROWN: Misstates testimony; lacks foundation.

A. I have seen the article recently, I believe.

Q. When did you see the article recently?

A. I believe within the last couple weeks, but I'm not sure. It would have been with my lawyers.

Q. Okay. We can take a break. Thank you.

VIDEOGRAPHER: Stand by. Going off the record, 4:25 p.m.

This is the end of Media Unit 5.

(Recess: 4:25 p.m. to 4:35 p.m., Eastern Standard Time.)

VIDEOGRAPHER: Going back on the record, 4:35 p.m.

This is the beginning of Media Unit 6. Okay.

BY MR. BLOCK:

Q. Mr. O'Shaughnessy, did you ever have any conversations with people at a company called "Luzenac"?

A. Yes, I believe I did.

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Q. And who do you remember Luzenac, that company, what do you remember about Luzenac?

A. If I'm right, Johnson & Johnson owned the mine in Vermont that supplied the talc and at some point had sold it to Luzenac. That's what I know about the company. And then Luzenac, I think there was an agreement that Luzenac would supply the talc from Vermont to Johnson & Johnson, continue to supply.

Q. Okay. And did you ever have any discussion with anyone at Luzenac about Dr. Alice Blount?

A. I don't recall any such discussion.

Q. At the time you received the letter from Mehaffy & Weber about Dr. Alice Blount in March of 1998, Luzenac was supplying the talc that went into Johnson's Baby Powder, correct?

MS. BROWN: Foundation.

A. I don't know the dates, but I assume that's true if you're telling me.

Q. And do you dispute the fact that in about 1989, Johnson & Johnson sold the Windsor Minerals Vermont talc mines to Luzenac and that Luzenac sold and supplied the talc to Johnson & Johnson that was used in Johnson's Baby Powder

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throughout the 1990s?

MS. BROWN: Object to form.

A. So the dates I'm not sure, but that's generally my recollection, yeah.

Q. Let's go to the next exhibit, which will be Exhibit 14, please. And Exhibit 14 starts out the same as the previous exhibit, which you could see that it is the cover page of that 1991 article by Dr. Blount.

Do you see that?

A. Yes.

MS. BROWN: I object on foundation grounds to use this Imerys document with this witness.

BY MR. BLOCK:

Q. Do you see this is the same document we were talking about where Dr. Blount says that only one of the talc samples was found to contain an amphibole particle size distribution typical of asbestos.

Remember we looked at that?

A. Yes.

Q. All right. And this is, so far Exhibit 14 is the same as the document we looked at where there's a Table 1, right, which has Sample I

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and lists needles and fibers that are found in the talc.

Do you see that?

MS. BROWN: Objection; foundation.

A. Yeah, I see that. It appears to be the same table.

Q. Okay. And if we go down into Exhibit 14, we have that same figure where it says, "Talc I, tremolite asbestos."

Do you see that?

A. Yes.

(Court Reporter clarification.)

MS. BROWN: I objected to foundation.

BY MR. BLOCK:

Q. You see this document, Exhibit 14 we're looking at, does not have a J&J document production stamp on the bottom right, but it has a document production stamp that says, "Imerys."

Do you see that?

A. Yes.

Q. And you understand that Imerys is a successor corporation to Luzenac, right?

A. I don't know.

MS. BROWN: Foundation.

A. I don't know. I recognize the name

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Imerys from the talc litigation as of like 2016 and '17. I am not sure of the corporate relationship exactly, but I know Imerys was a defendant in those cases.

Q. All right. Do you generally understand that Imerys is in the line of companies that includes Cyprus and Luzenac?

MS. BROWN: Object to form.

A. That makes sense to me, although, that makes sense to me, yeah, although you asked me, I'm not sure about the corporate relationships, you know, but I know Imerys was involved in the cases as a supplier.

Q. Right. So Imerys was involved in the case as a talc supplier to Johnson & Johnson and you generally understand that Imerys had some relation to Luzenac, right?

A. I think so, yes. Like you said --

Q. All right. I'm sorry, go ahead, sir.

A. I was going to say, like you said, probably a successor corporation, but that makes sense to me.

Q. Okay. So let's just follow this document that bears the Imerys stamp on it, production stamp on it. And do you see that after

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the last page of Dr. Blount's 1991 article which ends with the references, okay, and that's the page ending in 162, that the very next page, the page ending in 163, is a letter from Dr. Alice Blount.

You see that?

MS. BROWN: Objection.

A. Yes.

Q. And do you see that there's some handwriting in the upper right which says, "JPG."

Do you see that?

A. C dot J --

Q. JPG. Do you see that?

A. I got it. Yeah.

Q. Do you remember Jean-Pierre Grange from Luzenac that you had contact with?

A. No, the name doesn't sound familiar.

Q. Okay. And the letter from Dr. Blount dated February 10, 1992, is to Dr. Michele Refregier, Talc de Luzenac in France.

Do you see that?

A. Yes.

Q. And do you remember Dr. Refregier from Talc de Luzenac in Europe?

A. I do not.

Q. You did have contact with people from

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Luzenac in Europe, didn't you?

A. Yes. I forget who it was, though.

Q. All right. And Dr. Blount, and just so everyone can see it, we see a signature, Alice Blount, on the letter, correct?

A. Yes.

Q. All right. And she writes to Dr. Refregier of Luzenac in France, "Dear Dr. Refregier, Slim Thompson called recently about my paper in Environmental Health Perspectives."

Do you see that?

A. Yes.

Q. And that was the journal Environmental Health Perspectives that Dr. Blount's 1991 is published in, correct?

MS. BROWN: I object to form and foundation with this witness.

A. I'd have to go -- if you represent that's the same one, that's fine with me.

Q. Right. I mean, you can see --

MS. BROWN: Hold on a second. Mr. O'Shaughnessy, nobody wants you to guess, so please, Mr. Block doesn't want you to guess, I don't want you to guess. I object, it lacks foundation.

BY MR. BLOCK:

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Q. The 1991 Blount article was, in fact, published in the journal Environmental Health Perspectives, right?

A. It was. I mean, I see it on the article.

Q. And to be fair, the first time you remember ever seeing this article was a couple weeks ago when J&J's attorneys showed it to you?

MS. BROWN: I object. And I instruct you, Mr. O'Shaughnessy, not to testify about the identity of documents you may have been shown in preparation for this deposition as attorney work product.

MR. BLOCK: I'd ask for a ruling on that.

SPECIAL MASTER: Please repeat the question. Please repeat the question.

(The following Question is read back:

"QUESTION: And to be fair, the first time you remember ever seeing this article was a couple weeks ago when J&J's attorneys showed it to you?")

SPECIAL MASTER: Objection sustained. Calls for attorney work product, the identification of specific documents that may or may not have been

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given to the witness.
In any event, the record will, of course, reflect this, but it's the Court -- it's the special master's recollection that this question has already been answered by the witness, so I think we're covering old ground.
As to this specific question, the objection is sustained.
BY MR. BLOCK:
Q. Now, going back to Dr. Blount's letter, she mentions Slim Thompson that called recently about Dr. Blount's paper in Environmental Health Perspectives.
Do you remember Slim Thompson?
A. No.
Q. And Dr. Blount writes, "He said that you had been in contact with him." And Dr. Blount writes, "I am not trying to cause the talc industry any problems."
Do you see that?
A. I see it.
Q. And she writes, "The reason I have carried out this study is that I am asked to analyze very pure talcs for amphiboles. I take a great deal of time to do 100 fields of view."

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Do you see that?
A. I do.
Q. She goes on to write, "It seems to me there had to be an easier way and to establish the validity of a method it is necessary to publish it for peer-review."
You see that?
A. I do.
Q. And she writes in the letter, "I do not believe I am misrepresenting these talcs."
Do you see that?
A. Yes.
Q. And do you see that attached is a fax, this is the page ending in 63 and going on to the very next page ending in 64.
Do you see there's now a fax at the top from a Cyprus Barite from March 19, 1992.
Do you see that?
MS. BROWN: Objection; foundation.
A. I see it. I don't know what that means or represents.
Q. Okay. And just if you go to the very next page of the fax, attached to Dr. Blount's letter is another key of A through O and this one is typewritten.

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Do you see that?
A. Yes.
Q. And this key also says that Sample I is Windsor, Vermont baby powder.
Do you see that?
A. Yes.
MS. BROWN: Objection.
BY MR. BLOCK:
Q. And Johnson's Baby Powder used talc from Windsor, Vermont, correct?
A. It did.
Q. All right. So just to be clear, even though you were in contact with people from Luzenac during your career at Johnson & Johnson, you don't remember anyone from Luzenac ever telling you anything about Dr. Blount, correct?
A. That's right.
Q. And even though you were having regular contact with people from Luzenac who was supplying talc for Johnson's Baby Powder, you don't recall telling anyone from Luzenac anything that you knew about Dr. Blount, correct?
MS. BROWN: I object. And instruct you, Mr. O'Shaughnessy, if you provided information or given investigation in connection with

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litigation, not to reveal the substance of that.
A. I mean, based on that objection, I can't answer.
Q. You never recall having any discussion with anyone from Luzenac about Dr. Blount even though Luzenac was supplying talc to Johnson & Johnson in the 1990s, correct?
A. I'm sorry, could you say that again?
Q. You don't recall having any discussion with anyone at Luzenac about Dr. Blount ever, right?
A. That's correct.
Q. And you knew that Luzenac was supplying talc to Johnson & Johnson for baby powder in the 1990s when you received the letter from Mehaffy & Weber about Dr. Blount, correct?
A. I knew the source of the talc, yeah.
Q. All right. And in terms of the letter that you received from Mehaffy & Weber that I'm showing on the screen again, do you recall sending that letter to anyone at J&J's talc supplier Luzenac?
A. I don't recall doing that at all. I don't recall the letter, so I don't recall doing that.

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Q. Now, is it your recollection -- strike that.
You did contact Luzenac about the Coker case, right?
A. I don't know if I did or didn't. I had contact with --
MS. BROWN: Hold on, Mr. O'Shaughnessy, I'm going to caution you not to reveal contact or steps that you took in connection with defending a particular case. This question is referring to Coker.
A. Right. Okay.
Q. Let's look at Exhibit 15 to your deposition, and let's start Exhibit 15 by looking at the second page, which is a fax from you.
Do you see that the second page of Exhibit 15 is a fax from you dated April 16, 1998?
A. Yes.
Q. And do you see that it's a fax from you sent to a Mr. Zazenski from Luzenac?
A. Yes.
Q. So this is a fax that you're sending to a third-party company outside of Johnson & Johnson, correct?
A. That's right.

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Q. And Mr. Zazenski was located in Colorado, right?
A. Yes.
Q. All right. And let's look at the fax that you sent to Mr. Zazenski.
MS. BROWN: I'm going to object. This fax contains work product in connection with the Coker case.
I'm going to instruct you, Mr. O'Shaughnessy, not to discuss the details of the specific steps that you took to investigate and defend the Coker lawsuit.
MR. BLOCK: Your Honor, could we --
MS. BROWN: This document was not produced by us.
MR. BLOCK: Your Honor, could we not have the speaking objections. I mean --
MS. BROWN: This is very serious. This is a very serious privilege issue, Mr. Block. This is a document produced by another company and if you have factual questions about it I submit they should have been directed to the individuals from whom you got this document. But to try and take somebody else's production and then end run around privilege and work product is inappropriate and I

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object.
BY MR. BLOCK:
Q. Sir, just to be clear, this April 16, 1998, letter is on Johnson & Johnson letterhead, right?
A. It is.
Q. It's on your letterhead, right?
A. It's on the Office of the General Counsel and it was -- and I signed it.
Q. You signed the letter, John, John C. O'Shaughnessy, right?
A. Yes.
Q. You sent this letter outside of your company, right?
A. I sent it to Mr. Grange.
Q. You sent the letter to Jean-Pierre Grange, who was located in France for Luzenac, right?
A. Yes.
Q. And Johnson & Johnson wasn't getting talc from France for Johnson's Baby Powder; it was getting talc from Vermont for Johnson's Baby Powder at this time, correct?
MS. BROWN: I object; form.
A. It was getting talc from Windsor,

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Vermont, I believe at this time. Sometimes the source of the talc changed, and I'm not sure when, and it might have been supplied -- well, I'm not sure what was supplied to the Johnson & Johnson companies from Luzenac in total.
Q. All right. And you write this letter to --
MS. BROWN: Your Honor, I need to object and ask for the opportunity to discuss privilege issues with Mr. O'Shaughnessy in terms of the genesis of this document and what work product it may implicate.
MR. BLOCK: We object to that, your Honor.
MS. BROWN: Under New Jersey rules --
MR. BLOCK: Your Honor, there's nothing -- it's our position, your Honor, that there is no appropriate discussion that should take place between Mr. O'Shaughnessy and his counsel about this document, because this is a document that was faxed by Mr. O'Shaughnessy to a third party in France, outside of Johnson & Johnson, that Mr. O'Shaughnessy chose to send outside the company. Privilege has been waived.
Furthermore, your Honor, this

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document was produced by Imerys. There's an Imerys Bates stamp. Johnson & Johnson, like the plaintiffs, has possession and they have had possession for years of the Imerys production in talc litigation.

So Johnson & Johnson has had this document and like all of these other documents that I've been using today, made no effort to claw back the document, it made no effort that we know of to say that Imerys's production was not appropriate. And I would just note that Imerys and its predecessor companies were never a defendant in the Coker case.

MS. BROWN: And, your Honor --

SPECIAL MASTER: Can I jump in here?

What I understand is that J&J's counsel asked for an opportunity to consult with the witness about the privilege issues regarding this document. That request is denied. It's inappropriate for counsel to consult with the witness during the course of the deposition.

With regard to this specific document, plainly if there was any work product or attorney-client privilege that attached to the April 16, 1998 letter, it's been waived. The document has

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been produced in connection with a litigation.

From what I understand from plaintiff, J&J had knowledge of it. There's been no effort to claw it back. So if there was any privilege or work product that applied to the document, it's been waived.

If there's a need to address privilege issues with the witness, it will be done in camera with the special master present under the conditions that we previously agreed to, that only the special master would do the questioning and there would be no argument from J&J. I really don't understand the request to consult with the witness.

If the Court is asked -- if the special master is asked to rule, there is no privilege or work product that applies to the April 16, 1998, document. And if plaintiff has questions about the document, go ask them.

MS. BROWN: And, your Honor, for the record, I was asserting New Jersey rules which permit, obviously, once the deposition begins there can be no discussion with the witness except for issues of privilege. And so I was referring to that rule to attempt to understand if there is need for Johnson & Johnson to assert work product protection

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for what appears to be an investigation that Mr. O'Shaughnessy did here in connection with the Coker case.

SPECIAL MASTER: But if the question is a privilege or work product with regard to the April 16, 1998, document, there is none. I'm sorry. It's been waived and it's an appropriate subject of discovery.

Again, to repeat, there's been no finding or ruling that there's been a subject matter waiver, but there's no question that plaintiff can question the witness about this April 16, 1998, document.

MS. BROWN: And I assume, your Honor, your ruling would be to the four corners of the document and that's simply what I was just trying to understand pursuant to New Jersey rules, that's what I wanted the opportunity to talk to Mr. O'Shaughnessy about, what may go beyond the four corners of this document that I need to be aware of.

SPECIAL MASTER: Well, we ought to wait for questions from plaintiff and if there's an objection we'll deal with it, but the request to consult with this witness in private is denied.

To the extent there's a privilege or

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work product objection to this particular document, it's overruled. And if the plaintiff has any questions he ought to ask them to wrap up because, for the day because Mr. O'Shaughnessy has indicated he'd like to leave at 5.

Everyone agreed that request should be respected. Plaintiff, you're in control. If now is not an appropriate time to wrap up, let's finish this line of questioning and then adjourn.

MR. BLOCK: Your Honor, the witness requested that we stop at 5 and I would have been able to get through this document, you know, before 5, but given all the events of the last like 15 minutes I'm not going to be able to do that, and reasonably I don't think I can get through this document and some related issues with this in the next ten minutes, and I certainly don't want to go even ten minutes past 5 with the witness having requested 5 o'clock, so I think it's fine to break for today.

SPECIAL MASTER: Okay. Well, Mr. O'Shaughnessy, thank you for participating today. Can we excuse you and just have a discussion with counsel?

THE WITNESS: Yes. I'll step out of

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the room and I'll turn off the computer.
VIDEOGRAPHER: It's all right to go off the video record, counsel?
MS. BROWN: Fine with me.
SPECIAL MASTER: I don't need the video, as long as we can talk to each other.
VIDEOGRAPHER: All right. Stand by.
We are going off the record at 5:00 p.m. This concludes today's testimony of John O'Shaughnessy.
There are six media units. They will be retained by Veritext.
(Stenographic record.)
MR. BLOCK: I just wanted to say one thing just about logistics. So the exhibits were provided in the binders to avoid having to have them loose or to present one at a time and even though Johnson & Johnson now has the exhibits opened through number 35, I would just respectfully request as per our agreement they just keep those binders closed.
And also, you have also digital exhibits and if you have someone from the J&J team that doesn't, is not aware of the agreement that might send you an e-mail saying that they downloaded

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the link from the chat and here's what you should do about this document or that document, please ignore it, delete it.
And just so we're in the same position where we're simulating a normal deposition where, you know, you're getting the exhibit as they're presented, and I'll extend that same courtesy and agreement, you know, to J&J when I get any binders you give me, if you don't finish that day, whenever, when you finish on, the binder is closed until the next day, so...
MS. BROWN: Yeah, Jerry, we've always had that agreement during the pandemic and I absolutely will abide by that.
MR. BLOCK: Thank you very much.
SPECIAL MASTER: The only thing --
MS. BROWN: I was just going to ask --
SPECIAL MASTER: Can we start at 9:30 tomorrow?
MR. BLOCK: Yeah. I'd like to start at 9:30. Hopefully we have all the logistics issues behind us and we actually could start at 9:30. I think that will really help us make headway.
MS. BROWN: Jerry, how much longer do

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you anticipate having tomorrow?
MR. BLOCK: I think that, you know, I don't know what the clock says, if Andrea or the videographer has the clock, I would estimate that there's maybe, maybe we have three hours of testimony in today. I could be overestimating, underestimating. But I view today in terms of the amount of testimony given to be maybe a half day.
I'm going to, you know, be as efficient as I can, but, you know, I would doubt that I'm going to be able to finish tomorrow, particularly if we have a lot of, you know, objections that go to sidebars.
And also, you know, Alli Brown, I mean, I recognize the position you're in; however, you know, I envision that during this deposition, if there is an objection there would just be an objection, instruction not to answer, objection to form, and we could -- you know, but instead you're injecting these sort of long instructions, you know, Mr. O'Shaughnessy, if you can do this, answer this, if you can't do this, then do that. And, you know, that's like, each of those is like, you know, 30 to 45 seconds where, you know, I can't remember the question sometimes, the witness maybe doesn't have

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the question in mind or I have to ask for a read back.
So, you know, I think it's a speaking objection, to constantly --
MS. BROWN: Jerry --
MR. BLOCK: -- I won't use the word coach, but I do think it's a speaking objection to constantly set the parameters for the witness. You know --
MS. BROWN: Jerry, this is a very important deposition. We think the whole deposition is inappropriate. We have worked very hard to cooperate with you. You know I have been enormously cooperative on things like these binders and not looking at them.
We are trying very hard to both protect the record and protect the privilege and cooperate with you. And I personally am shocked and disappointed that really most of your substantive questioning was having him read documents he's never seen, he wasn't on, was produced by Revlon, Avon, like who knows.
So I would object to just having this former in-house lawyer sit and is Subpoenaed to testify five years into retirement and he's just

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going to read documents that absolutely lack foundation.

MR. BLOCK: So first of all, Miss Brown, you don't know my other exhibits. I mean, we saw an exhibit today it's a letter, your Honor, that Johnson & Johnson sends to R.T. Vanderbilt. It's a business record. And Johnson & Johnson says we've never seen it before.

And I'm wondering why has Johnson & Johnson never produced that document. It's not on the privilege log. It's a fax. It's about talc. You know, where is that document from Johnson & Johnson? It was produced by R.T. Vanderbilt. We had to get it produced from another company in litigation because Johnson & Johnson sent it to them, and it was a -- it became a business record of that other company, they produced it; good for them.

But, you know, we just saw another letter from John O'Shaughnessy. So you say, you know, that I'm asking him about different things, but a lot of these documents, most every one of these documents he either wrote or wrote to him.

So, you know, I'll let the record speak for itself in terms of the relevance of his testimony, but, you know, I think certainly if

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you're trying to make an argument about timing, it's very premature. You know, let's see how we're doing, you know, tomorrow afternoon. Let's see what we get in terms of the morning. Let's see what we get in terms of the afternoon, but if I were you, I would feel safe knowing that, you know, we're not going to get to your questioning tomorrow afternoon. And, you know, whether I get done with my questioning, you know, will depend on how much time we get in and obviously we all understand that Judge Schneider is here and Judge Schneider will ultimately, you know, determine the issue of timing based upon what he sees, and based upon, you know, his presiding of this deposition and I understand that as well.

SPECIAL MASTER: Let me add my impression. The witness isn't here so hopefully we could talk more candidly.

There is no question in my mind that counsel are acting in complete and utter good faith. I understand how you see things, Jerry, but I don't think that I would characterize J&J's objections as speaking objections.

I understand the importance of this deposition, the importance of Mr. O'Shaughnessy,

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obviously, the importance of some of the documents are questionably important in the context of the case.

But be that as it may, as I see it, it's a credit to both of you that you're handling matters, and the manner in which you are, unquestionably there's going to be disputes. The close play at first base I always say, why do half the people say safe and half the people say he's out and everybody's looking at the same play.

Jerry, I would just ask this: We'll see how timing goes tomorrow, though, but I would really really hope that you could wrap things up tomorrow. It's up to you. You know the court's rulings, how it's going to rule pretty much now. Document's been produced, there's been a waiver, I haven't been asked to touch on the subject matter waiver yet, but you can tell by my comments that I'm not inclined to rule that there's a very broad waiver and I have the case law and citation to support that when and if the issue comes up. We've been fortunate that the questions that you have asked to your credit has been appropriately directed to the specific documents at issue.

So that's all I have to say. I think

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it's a credit to the caliber of counsel in the case, not unexpected. I hope, I hope we can wrap it up tomorrow. We'll see how it goes, but, 1, I think plaintiffs' questions are appropriate, in good faith. The objections, I may not agree with all of them, but there's no question they're being made in good faith and I don't think they're speaking objections so that's all I have to say.

We'll be ready at 9:30 tomorrow.

Jerry, it was immensely helpful that your office sent us these exhibits ahead of time. You can tell we read them and are familiar with them and I thank you for that and I hope that counsel, when we do this next week, do the same thing.

If you need me, you have my number, give me a call, anything, or in the morning, anything that can be done to make it smoother, to advance the ball, you know, feel free to contact me. If I can help, we'll get on the phone right away, late tonight, early tomorrow, it doesn't matter.

MS. BROWN: Thanks very much, Judge. I appreciate your help.

MR. BLOCK: All right. Great.

(Deposition adjourns: 5:11 p.m., Eastern Standard Time.)

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CERTIFICATE OF OFFICER

I CERTIFY that the foregoing is a true and accurate transcript of the testimony and proceedings as reported stenographically by me at the time, place and on the date as hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney or counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

ANDREA NOCKS, CCR, CRR
Certificate No. XI001573

EXHIBIT 101

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

TINA HERFORD and DOUGLAS HERFORD,

Plaintiffs

vs Case No. BC646315

AT&T CORP., a subsidiary of AT&T INC. and its subsidiary PACIFIC BELL TELEPHONE COMPANY, et al.,

Defendants.

VIDEO DEPOSITION OF DR JOHN HOPKINS

Day 1

Tuesday, August 15, 2017

AT: 10:17 am

Taken at:

Shook Hardy & Bacon LLP
25 Old Broad Street
London EC2N 1HQ
United Kingdom

Court Reporter:
DEIRDRA JORDAN

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY

DAVID CHARLES ETHERIDGE and DARLENE PASTORE ETHERIDGE,
Plaintiffs,
vs
Docket No. MID-L-0932-17 AS

BRENNTAG NORTH AMERICA, INC. (sued individually and as successor-in-interest to MINERAL PIGMENT SOLUTIONS, INC. and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC.) et al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY

RONALD MARTIN TEUSCHER and SHANNON TEUSCHER,
Plaintiffs,
vs
Docket No. MID-L-7249-16 AS

BRENNTAG NORTH AMERICA, INC. (sued individually and as successor-in-interest to MINERAL PIGMENT SOLUTIONS, INC. and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC.) et al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY

IRMA VERDOLOTTI,
Plaintiff,
vs
Docket No. MID-L-5973-16 AS

BRENNTAG NORTH AMERICA, INC. (sued individually and as successor-in-interest to MINERAL PIGMENT SOLUTIONS, INC. and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC.) et al.,

Defendants.

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VIDEOGRAPHER: LINDA FLEET

(On the record at 10:17 am)

VIDEOGRAPHER: We are now on the record. My name is Linda Fleet, representing Veritext. The date today is August 15, 2017, and the time is approximately 10:17 am.

This deposition is being held at Shook Hardy & Bacon LLP, 25 Old Broad Street, London EC2N 1HQ, United Kingdom. The caption of this case is Herford, Verdolotti, Teuscher and Etheridge versus Johnson & Johnson. The name of the witness is John Hopkins.

Could the attorneys present please identify yourselves and state whom they represent.

MR PANATIER: Chris Panatier and Leah Kagan for the Plaintiffs.

MS FROST: Sharla Frost for Johnson & Johnson.

MS FRAZIER: Kathleen Frazier for Johnson & Johnson.

MR GAFFREY: And Marc Gaffrey, Hoagland Longo Moran Dunst & Doukas, for Whittaker Clark & Daniels.

VIDEOGRAPHER: Our court reporter, Deirdra Jordan, will swear in the witness and we can proceed.

JOHN HOPKINS,
having been duly sworn,
testified as follows:

MR PANATIER: And before we -- before I start asking questions -- this is Chris Panatier for the Plaintiffs -- we've reached an agreement with counsel for Johnson & Johnson that all objections will be reserved until the time that designations are made for playing at trial, with the exception of any harassment of the witness that I may do or privileged objections.

Is that agreeable?

MS FROST: That is correct, and to make sure that it is clear, because the deposition is being taken in connection with cases pending in two separate jurisdictions, where there are two separate sets of standards for the objections, it is the agreement of the parties to defer the objections until the time that either the written transcript or the videotape are to be used in connection with the trial in order to ensure that neither party has a procedural issue in connection with the phrasing or the use of the transcript or the objections.

MR PANATIER: That's agreeable. Okay.

EXAMINATION BY MR PANATIER:

Q All right, sir. Are you ready to go?
A I am.
Q Okay.
Can you go ahead and just state your name.

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A My name is John Hopkins.
Q All right, and Mr -- it's Dr Hopkins, isn't it?
A It is, yes.
Q All right.
Now, Dr Hopkins, you understand you're being produced as the corporate representative for Johnson & Johnson in this deposition?
A I understand that, yes.
Q And you understand that means that you are the -- for purposes of these cases, you are the face of Johnson & Johnson; you understand that?
A I understand that, yes.
Q And that your answers are the answers of Johnson & Johnson; correct?
A Correct.
Q All right.
Now, you are the corporate representative in the Herford case; do you understand that?
A I do, yes.
Q You are the corporate representative in the Etheridge case?
A I understand that.
Q The Teuscher case?
A I understand that, yes.
Q And the Verdolotti case?

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A I understand that, yes.
Q All right.
Now, you're the corporate representative. Can you just explain in your own words why you are serving as the corporate representative, as opposed to somebody else?
A Okay. My career -- I started with Johnson & Johnson in 1976 as a toxicologist. Prior to that, I'd worked for the company that's now GlaxoSmithKline in toxicology of pharmaceuticals.
I worked for the UK company of Johnson & Johnson from 1976 and my expertise and background was in the safety, amongst other things, of talc and talc products.
I stayed with Johnson & Johnson based in the UK until 1995 and then moved to the US for four years to the end of 1998.
I then moved to France -- Johnson & Johnson in France, and I left the company in 2000.
Following from that, I stayed as a consultant for a fewer hours a week until 2011 for the Johnson & Johnson European companies.
Q Okay.
A So my background, to answer your question, is that I've a good understanding of the safety of talc.

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Q All right.
So you're not currently employed by Johnson & Johnson; right?
A That is correct.
Q And you haven't been employed by Johnson & Johnson since the year 2000; correct?
A Correct.
Q All right.
When in 2000 did you leave?
A April.
Q Okay.
You have been a private consultant since you left in April of 2000; fair?
A Correct. I am a consulting toxicologist, yes.
Q And you actually serve as an expert witness in various cases; fair?
A I have served as expert witness, yes.
Q Okay.
Johnson & Johnson has retained you as an expert witness in some of its cases; true?
A Not directly with Johnson & Johnson, but via the attorneys for Johnson & Johnson.
Q Okay.
So the lawyers who represent Johnson & Johnson have retained you in cases involving Johnson &

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Johnson?
A That is correct.
Q All right.
And there you're testifying as an expert toxicologist?
A In some cases. Most cases, yes.
Q All right.
Have you ever testified on behalf of an individual, a plaintiff?
A No.
Q Okay.
About how many times have you served as an expert witness for Johnson & Johnson?
A I'd calculate about six.
Q All right.
Were those all in cases involving talc or other products?
A They were all involving talc.
Q Okay, and were they all involving the allegation that talc had played a role in causing ovarian cancer?
A No, not all, no.
Q Okay. All right.
So some of them were?
A Some of them were.

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scientific study to try and shape the results; correct?
A Correct.
Q Would Johnson & Johnson ever fund scientific research so that they could control it?
A I would hope not. I'm not aware that that's ever occurred.
Q All right.
Did Johnson & Johnson ever engage in the suppression of publications it found hostile or adverse to its interests?
A I'm not aware that, no.
Q Did Johnson & Johnson ever set out to compromise or discredit researchers who had implicated talc as containing asbestos?
A No, I'm not aware of that.
Q Okay.
Did Johnson & Johnson ever systematically follow talc users -- well, actually, I already asked you that, so never mind.
When did Johnson & Johnson begin using transmission electron microscopy to analyze either its ore, the ore sources that it was getting for talc or the final product?
A I believe it was before the CTFA published their 1976 method.

J&J was basically using that same method I believe from about '72, '73, that timeframe, plus transmission electron microscopy.
Q So we'll -- we'll get into that. We've got plenty of documents on that.
But when was the first time that use of TEM became routine?
A Within Johnson & Johnson?
Q Yes?
A I believe around '74, '75.
Q And how often was Johnson & Johnson using transmission electron microscopy on its ore to test it for asbestos?
A The unground ore? The raw ore? I don't know the answer to that question.
Q Well, that's -- you've given me a question, which is: raw versus unground?
A Yes.
Q Explain the difference?
A Okay.
The mine produces ore. The mine will have their ore validated, confirmed and checked for quality on a regular basis before it's ground.
That's something that most mines will do on a fairly regular basis.

So that's separate from the final ground talc.
Q Okay.
What parts of the ore process process was Johnson & Johnson using transmission electron microscopy on regularly when it did start doing it regularly?
A In the 1970s?
Q Mmm hmm?
A Early '70s?
Q Yes?
A Sorry, would you rephrase the question?
Q Yeah. I guess what I'm asking is: in what part of the process was the TEM testing coming in?
A Okay. My understanding, it was done both on the validation of the initial ore samples, or regular ore samples on an audit basis, and then obviously on the actual talc produced, ground down to the fineness that was required. Both.
Q Okay.
So when they validate a source, they would test it?
A Yes.
Q And then when it was ground, they would test it?

A Yes.
Q How often would they test the ground talc in the early '70s with TEM?
A Okay. It was -- tended to be done every two weeks, every -- bi-weekly, I think the phrase is.
Q Right.
A Initially, sometimes weekly, but mostly bi-weekly.
Q Okay.
Now, when we look at the documents regarding testing, will that give us the best pictures of what they were doing?
A I would hope so, yes.
Q All right.
Now, I asked you before whether or not Johnson & Johnson referred to its baby powder as an institution; you said it did?
A Yeah.
Q Right.
A It did.
Q Johnson & Johnson has regularly referred to its baby powder as "the franchise"; right?
A That's a marketing phrase, but it has been described as a franchise, yes.
Q Their flagship product?

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A It is one of the flagship products.
Q Okay.
A Along with baby lotion, yeah. Baby shampoo. They're flagship products.
Q "Flagship" means that's the product people think of and associate with the company when they think of the company?
A That's correct, yes.
Q Right.
Most people, when they think about Johnson & Johnson, they're either thinking about baby powder or they're thinking about that baby shampoo; right?
A Yeah, or Band-Aid.
Q Okay.
A Those are well known brands that have been around for generations, yeah.
Q Okay.
J&J makes thousands of products, though; right?
A That is correct, yes.
Q Okay.
And the baby powder is easily the top one or two products that people think of when they think of J&J; right?
A They do, yes.

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Q Okay.
Johnson & Johnson has even referred to its baby powder as a "sacred cow"?
A I've not seen that.
Q Okay.
A But if you've got that documented, then that's not unreasonable.
Q Okay.
A But I've certainly not seen that expression.
Q And the cornerstone of the baby products company. You wouldn't disagree with that, would you?
A Well, again, if -- you may well have that documented. I have not seen that.
Q Okay. So let's do "sacred cow" first.
So this is Exhibit 11.
(Exhibit 11 marked for identification)
A Thank you.
Q You can see here, sir, there's a -- these are some emails, and this is from -- the second email down is from Steven Mann, who we know; right?
A Yes.
Q And he writes to Paul and Lorena. Paul Sterchele and Lorena Telofski.
And he actually spells "sacred" wrong, but I think we can agree that's what he's meaning.

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He says:
"My sense is that the Baby Powder is such a ..."
And he says:
"... scared cow that we will just leave it alone".
Have you ever heard of the expression "scared cow"?
A No.
Q He means "sacred cow"; right?
A Okay. I'll take your word for it.
Q Well, you tell me, am I wrong?
A Yeah, yeah, I'll take your word for it.
Q Okay. Well, I want your word.
That means -- he's saying "sacred cow"; right?
A Could well --
MR GAFFREY: Do you have a date on that?
MR PANATIER: Yeah, sorry. That is 6.30.2003 at the top. All right.
Q He calls Baby Powder a sacred cow there; right?
A He does, yes.
Q Okay.
And he's not an underling; right? Mr Mann is a pretty high up guy?

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A He's a toxicologist.
Q Okay. All right.
Sir, you can set that aside.
This next one will be Exhibit 12.
(Exhibit 12 marked for identification)
Okay. Exhibit 12 is a Johnson & Johnson document; right?
A Yeah.
Q This is from back in June of 1966; true?
A Yeah.
Q All right.
Now, this is -- the subject here is JOHNSON'S Baby Powder Talc Aspiration; right?
A Mmm hmm.
Q What does that mean? Aspiration?
A Okay. Yeah. I remember this.
It essentially means choking. At that time, and certainly since then, there have been cases where baby's grabbed a tub of baby powder, fallen back, tipped it over its face, maybe choked with two or three ounces of powder.
Aspiration is very different from inhalation. It's a medical -- it's a medical term.
Inhalation is what we do when we inhale fumes, cigarette smoke, what have you.

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Q And so my question is: they could have done it earlier, because they had notice of the problem earlier; correct?
A In theory, yes.
Q How much -- how much extra ink did it cost Johnson & Johnson to put the warning to keep out of reach of children on the bottles?
A I couldn't answer that question.
Q Not much; right?
A Not much, no, I'm sure.
Q In so far as Johnson's Baby Powder was a sacred cow, an institution, a franchise, a flagship, a cornerstone of Johnson & Johnson's business, it would be very, very bad for business if it ever came out that the baby powder or any of Johnson & Johnson's talc products ever contained asbestos; correct?
A Yes, correct.
Q And none of Johnson & Johnson's talc products ever provided any medical benefits.
We've talked about this relationship between mom and baby, but medical benefit; isn't that true?
A No. You have to define "medical benefit", and the term "medical" I think that Johnson & Johnson would use would be an improvement of mother's bonding with the baby.

That is a medical benefit, to enhance that -- that whole relationship.
MS FRAZIER: Is this a good time to stop for lunch?
MR PANATIER: Let me do one document on that question and then we'll take a break, yes.
So this will be Exhibit 13.
(Exhibit 13 marked for identification)
Q Here you go, sir. All right.
Sir, do you see this is a document entitled Johnson & Johnson Baby Powder Questions and Answers, Confidential, December 1985.
Do you see that?
A Yeah.
Q And if you go to -- turn to the first page on the inside, it says:
"The attached Question and Answer document has been developed for limited internal distribution in response to the need for clarification of issues relating to baby powder and talc. Specifically, its sole purpose at this time is to provide designated company spokespersons with answers to questions which could be raised by the press. It is not meant for distribution to anyone other than the individuals who will act as company spokespersons as necessary".

Did I read that right?
A You did, yes.
Q And then for this one it actually recommends different spokespeople, right, and there's four of them; true?
A Yeah.
Q Now, you've seen these before in the company; right?
A Yes.
Q Where the company tries to help educate its people on how to respond to the press or to inquiries from customers, et cetera; right?
A Yes.
Q Okay.
So that's what this is; fair?
A Yeah, that's correct.
Q Right.
A Yeah.
Q Turn to the page, at the top it's marked 3. It's got a 3.
You know what? We can actually skip that. You and I have talked about that.
So let's go straight to -- let's go straight to 12, page 12.
Okay. There's a sample question here and a

sample answer.
The question is:
"You are now test marketing JOHNSON'S Baby Powder with cornstarch. Why does that product package have a warning label and not JOHNSON'S Baby Powder with talc, which is more dangerous?"
Answer:
"Our research has shown that normal use of cosmetic talc is safe. As you said, JOHNSON'S Baby Power with cornstarch is in the test market stage, and does offer instructional and cautionary labeling. We are in the process of developing this kind of labeling for JOHNSON'S Baby Powder".
Now, this is '85. You said you believed the labeling for Johnson's Baby Powder or talc came out late '80s, early '90s; right?
A Yeah.
Q Okay.
So at this point, Johnson & Johnson is selling baby powder with cornstarch; true?
A Yes.
Q Okay.
When was the first time Johnson & Johnson started selling cornstarch as an alternative to talc?
A I don't know the answer to that question.

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Foster Re Talc/Asbestos
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Exhibit 42.....Letter from Ashton to Caneer
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Exhibit 43.....Memo from Shelley to Sunberg
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Exhibit 44.....Report from Grieger (McCrone)
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Re Italian, Medicated
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Exhibit 45.....McCrone report to Windsor Re
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Exhibit 46.....Letter from Langer to Hildick-Smith
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Exhibit 48.....Memo from Nashed to Dean
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Exhibit 49.....Memo and attachment from
DR Clare To J&J employees
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Exhibit 50.....McCrone "DO NOT USE"
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Exhibit 51.....McCrone report and handwritten
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Exhibit 52.....McCrone report to Goudie
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Exhibit 53.....Note from Nashed to Goudie
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Exhibit 54.....Memo from Nashed to Fuller Re
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Exhibit 55.....Memo enclosing Pooley Report
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CERTIFICATE OF DEPONENT

I, JOHN HOPKINS, hereby certify that I have read the foregoing pages, numbered 1 through 366, of my deposition of testimony taken in these proceedings on Tuesday, August 15, 2017, and, with the exception of the changes listed on the next page and/or corrections, if any, find them to be a true and accurate transcription thereof.

Signed: .....
Name: JOHN HOPKINS
Date: .....

CERTIFICATE OF COURT REPORTER

I, DEIRDRA JORDAN, an Accredited Court Reporter, hereby certify that the testimony of the witness, JOHN HOPKINS, in the foregoing transcript taken on Tuesday, August 15, 2017, was recorded by me in machine shorthand and was thereafter transcribed by me; and that the foregoing transcript is a true and accurate verbatim record of the said testimony.

I further certify that I am not a relative, employee, counsel or financially involved with any of the parties to the within cause, nor am I an employee or relative of any counsel for the parties, nor am I in any way interested in the outcome of the within cause.

Signed: .....
Name: DEIRDRA JORDAN
Date: .....

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EXHIBIT 102

ELECTRONICALLY FILED 2022-08-23 17:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1402946

The Johnson & Johnson Advantage:

Emotional Trust

Many Companies Have Rational Trust

Merck

Procter & Gamble

Colgate

Bristol-Myers Squibb

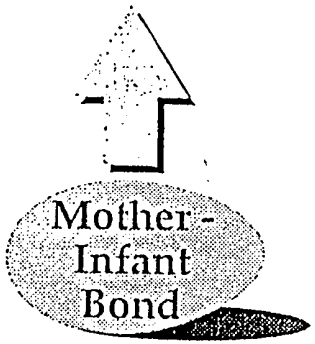
Glaxo Wellcome

Only Johnson & Johnson Also Has Real Emotional Trust

Safe + **Personal**

Won't hurt me

"Familial" intimacy with the company



"The Goose That Laid the Golden Egg"

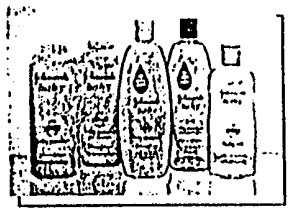
"Deep, Personal Trust"

"The Golden Egg"
Conceptual Core

Mother - Infant Bond

Created by

Expressed in



"The Goose"

Baby Products/BAND-AID Products

16

JNJTALC000000066

Metadata

AttachCount	0	ORIGINAL
BegAttach	JNJTALC000000059	ORIGINAL
Confidentiality	N	ORIGINAL
Custodian	Connors, Michael	ORIGINAL
EndAttach	JNJTALC000000108	ORIGINAL

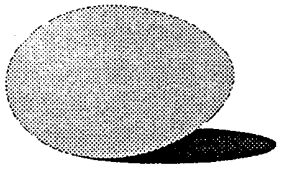
ELECTRONICALLY FILED 2022-08-24 17:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1400946

EXHIBIT 103

ELECTRONICALLY FILED 2022-08-24 07:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1400732946

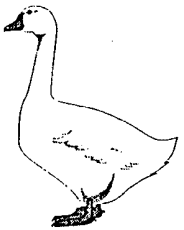
Mother-Baby Strategic Mission

Objective: Reinforce the superiority of Johnson & Johnson as the most trustworthy, caring *health care products* company worldwide. These values constitute a key competitive advantage, and are rooted in our heritage as the mother - baby company.



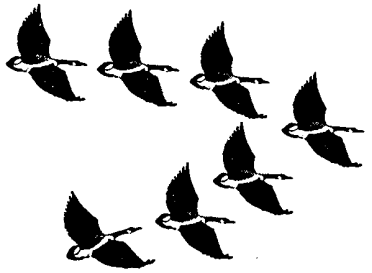
Burnish the Golden Egg

- Express the mother-infant bond and reinforce our caring and trustworthiness
- Reinforce the link between the bond and the Johnson & Johnson name



Feed the Goose

- Increase the leadership share of mind of JOHNSON'S/ Johnson & Johnson in the baby category among consumers, medical professionals and selected opinion leaders



Lead the Flock

- Solidify and be recognized for our leadership as the best source for products, information, support and services which empower and enable parents, particularly mothers, to take the best care of their healthy babies under three.

JNJTALC000000068

JNJTALC000000068

Metadata

AttachCount	0	ORIGINAL
BegAttach	JNJTALC000000059	ORIGINAL
Confidentiality	N	ORIGINAL
Custodian	Connors, Michael	ORIGINAL
EndAttach	JNJTALC000000108	ORIGINAL

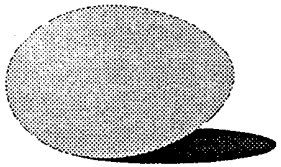
ELECTRONICALLY FILED 2022-08-24 17:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1400794

EXHIBIT 103

ELECTRONICALLY FILED 02/21/2024 4:07 PM --- CLERK OF THE SUPREME COURT --- STATE OF NEVADA --- CASE NO: 87231 --- DOCKET NO: 87231 --- DOCUMENT NO: 2024-07329

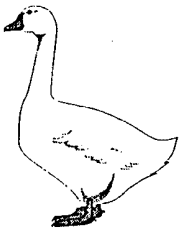
Mother-Baby Strategic Mission

Objective: Reinforce the superiority of Johnson & Johnson as the most trustworthy, caring *health care products* company worldwide. These values constitute a key competitive advantage, and are rooted in our heritage as the mother - baby company.



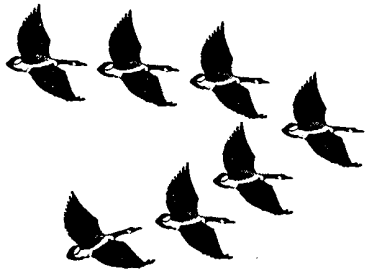
Burnish the Golden Egg

- Express the mother-infant bond and reinforce our caring and trustworthiness
- Reinforce the link between the bond and the Johnson & Johnson name



Feed the Goose

- Increase the leadership share of mind of JOHNSON'S/ Johnson & Johnson in the baby category among consumers, medical professionals and selected opinion leaders



Lead the Flock

- Solidify and be recognized for our leadership as the best source for products, information, support and services which empower and enable parents, particularly mothers, to take the best care of their healthy babies under three.

RoA_04238

JNJTALC000000068

JNJTALC000000068

Metadata

AttachCount	0	ORIGINAL
BegAttach	JNJTALC000000059	ORIGINAL
Confidentiality	N	ORIGINAL
Custodian	Connors, Michael	ORIGINAL
EndAttach	JNJTALC000000108	ORIGINAL

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EXHIBIT 105

ELECTRONICALLY FILED 2022-08-24 07:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1402946

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE
CENTER FOR DISEASE CONTROL

May 5, 1975

NATIONAL INSTITUTE FOR OCCUPATIONAL
SAFETY AND HEALTH
U.S. POST OFFICE AND COURTHOUSE
CINCINNATI, OHIO 45202
Room 532

Mr. Vernon Zeitz
Director of Research
Windsor Minerals
Windsor, Vermont 05089

Dear Mr. Zeitz:

Even though numerous meetings have been held involving representatives of Windsor Minerals, Johnson and Johnson, NIOSH and Harvard, it appears that some confusion still exists as to the purpose and nature of our study of talc workers in Vermont. The intent of this letter is to provide further clarification about our plans so that our studies may soon get underway.

The National Institute for Occupational Safety and Health is presently conducting numerous studies of occupational exposures to airborne mineral dusts. The purpose for these studies is to determine the extent as well as the etiology of possible respiratory diseases associated with exposures to these substances. As you can appreciate, such studies are complex in nature as a multitude of factors must be considered. Paramount among these considerations is the concept of particle respirability. The respirability of a particle is largely predicted by such aerodynamic considerations as density, particle shape and static charge. Once a particle has penetrated deeply into the lung, factors such as chemical composition, particle shape, solubility and surface chemistry become important in terms of the etiology of chronic diseases. For example, the fibrotic effects of free silica are thought to be due to its cytotoxic properties whereas the fibrotic and carcinogenic effects of asbestos are thought to be largely associated with its fibrous structure. With currently available lung function measuring techniques, researchers are discovering that the concept of a truly "nuisance dust" may be invalid and any respirable particle, at high enough concentrations, may be capable of some degenerative lung function changes.

Unfortunately, many past studies of mineral dust exposures have used inappropriate analytical methods and have not taken into account the possibility of mixed mineral exposures. We in NIOSH feel that this is certainly the case with studies of "talc" dust exposures. Many commercial "talcs" presently on the market may contain asbestos, free silica and other minerals and may contain little or no material which falls within the mineralogical definition of the specific mineral talc. Thus many studies of "talc" exposure may have actually involved exposures to other known toxic minerals; therefore, the disease "talcosis" needs further study.

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The NIOSH study of talc is scheduled to last from 3 to 5 years. Questions to be answered by this study are:

1) Does exposure to respirable particles of the specific mineral talc lead to the development of malignant or non-malignant respiratory disease? If so, what exposure level may be considered safe for the working population?

2) What are the health consequence of exposures to impure talc? Are the effects of exposures to mixed minerals additive or synergistic?

We are beginning our studies in Vermont for several reasons. First of all, Vermont talcs have historically been noted to contain little of the known toxic minerals free silica and asbestos and therefore more appropriate for study of exposures to the specific mineral talcs. Secondly, the Vermont working population is relatively stable; therefore, most workers will not have had a highly mixed exposure as a result of moving from industry to industry.

Both NIOSH and Harvard realize that some of the analytical methods to be used in this study may not be strictly applicable to Vermont talcs. However, analysis of these talcs for a variety of minerals such as asbestos, free silica and other minerals is important for purposes of a definitive study of exposures to the specific mineral talc. Without these analyses, this study would be no more valid than the previous studies to which I have eluded. Also, these analyses are very important for our studies of other talcs which may include these minerals.

In closing let me state that we in NIOSH are devoted to protection of the working population from occupational hazards. We accomplish our goals through scientifically valid studies of worker populations and the environments to which they are exposed. We look forward to beginning our studies in Vermont and hope that it will be with the full co-operation of both Windsor Minerals and Johnson and Johnson.

Sincerely yours,

John M. Dement

John M. Dement
Industrial Hygienist
Environmental Investigations Branch

cc: Sherry Selevan
John Peters, M.D. Harvard
William Burgess, Harvard
Dr. Goodwin, MESA
Dr. Wagoner
Phil Bierbaum

ELECTRONICALLY FILED 02/20/2008 01:09:29 PM -- CHARLESTON COUNTY, SC

ELECTRONICALLY FILED 02/20/2018 pm 07:10:29 PM -- CHERI LANDON -- CLERK OF COURT -- PULASKI COUNTY, ARKANSAS -- CV-17-2312 -- 140732946

Re "Gavin Hildick-Smith
Johnson & Johnson Rec

D

Dear Gavin:

Following our meeting and discussions with Peters in Boston on 2/4/75 and after reviewing the HSPH work on the granite workers, I have developed some feelings and ideas concerning their proposed in depth study of the Vermont talc industry which I will attempt to relate in the following.

In the way of a review of our meeting, it is important to recognize that the guiding force behind this study is the Harvard group, in that they proposed and effected the preliminary study to further a grant application. Their motives are reasonable, [illegible], as they have accumulated and processed substantial quantities of data in developing their pulmonary techniques and statistical models to assess the [illegible] of granite and marble workers in this state. At this level, the proposed study has all the appearance of being a logical extension of their pulmonary obsessions. I say this not having read their rubber study and what pulmonary effects they attribute to talc here.

Keeping the above in mind while reading Peters preliminary study of Vermont talc workers will reveal the reader to the subtlety and broadness with respect to the manner in which he presents the key informational aspects of this work. Careful scrutiny and interpretation of the content of this study, the methods of presenting factual information and the conclusions reached, suggest very strongly that the sole objective

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here is to "sell" a grant application. The gestalt of this presentation is not meant to appeal to the scientific mind through scientific methods, it is in fact, directed to appeal to the intellect of the NIOSH crusader lacking the depth of perception to recognize what Peters has or has not found. This is even more apparent when one finds that there is no information or data presented in this report to warrant a grant for continuing these investigations. Peters quickly and cleverly obscures this and he appeals to emotions rather than reason by speculating about adherent (adherent) conclusion inconsistent with the published data.

For instance, Peters presents the multiple regression equation describing the forced vital capacity of Vermont talc workers as a function of the independent variables of age (A), height (H) and years studied (YS) as:

$$FVC_{\text{Talc workers}} = -3.63 - .0166(A) + 0.513(H) - 0.023(YS)$$

The regression constants in the above in this report submitted to NIOSH have undefined units of volume (i.e. m^3, cc, gal, etc). The volume units should not be obvious or apparent to any one but a individual familiar with pulmonary function in hard granite and marble worker publications his regression equations defining FVC of dust exposed workers are:

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$FVC_{\text{marble workers}} = -3667 - 24(A) + 50(H) - 4(YS)$

$FVC_{\text{GRANITE WORKERS}} = -4073 - 30(A) + 55(H) - 9(YS) - 1.6(DY)$

where DY = Dust years of exposure

In these publications he clearly defines his regression constants as operational milliliter volumes.

Unmistakable in the above are the age dependent regression volumes among the workers studied. These are given as 24 ml/yr for marble workers and 30 ml/yr for granite workers, with the granite workers showing a further decrease of 1.6 ml/yr as a result of smoking.

Let us now rewrite the regression for talc workers using milliliter operational constants instead of liter operators (which he appears to use in the report submitted to MOSA):

$FVC_{\text{TALC WORKERS}} = -3630 - 16.6(A) + 57.3(H) - 21.3(YS) - 0(DY)$

We now see the age dependent regression volume to be 16.6 ml/yr for the Vermont talc workers. Peters in our discussions, indicated the expected age dependent regression is ~20-30 ml/yr. This indicates that talc workers have a substantially slower FVC decrease with age than the normal working population. Furthermore Dr. Peters found no exposure dose relationship so that we may assign a zero to represent that regression constant

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In the NIOSH directed report, he glosses over the zero dose relationship and through speculative suggestion insists one exists. He also discovers the extremely low age dependent aggressive volume of talc workers by not defining operator volume and at the same time changes from the volumes he used in earlier publications. This is an extremely subtle but effective technique especially to the government beuracrat.

Dr Peters further omits the application of equations to decribe the expected pulmonary function of a typical or standard worker in each of the 3 industries for comparative purposes. I will take the time to perform this exercise on an employee whom I will arbitrarily ascribe the following parameters:

35 yrs old
6 ft tall (182.88 cm)
15 yrs dust exposure
15 yrs Smoking history.

The FVC of this employee in the three industries calculated as follows:

$FVC_{MARBLE} = 4577$ ml
$FVC_{GRANITE} = 4776$ ml
$FVC_{TALC} = 5783$ ml

We immediately see that the FVC of the talc worker is significantly higher than the granite worker, (8.52%) and the marble worker (13.24) making

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that marble is a supposedly benign dust.

I would facetiously propose that we apply for a $200,000 NIOSH grant, on the basis of the better than average age dependent pulmonary regression and the high FVC found in talc workers, to study the beneficent effects of talc dust upon non smokers.

I am concerned with the smoking dependent pulmonary regression he reports in talc workers. While in all likelihood it represents an abnormal distribution pattern or a small non-smoking control group in the pulmonary investigation, his interpretation of a similar finding in the completed study could be dangerous if he relates it to an 'organic - talc synergism (perfume?).

It was apparent from his preliminary report that our workers fared much better than the other talc workers in this study. You indicated that our employee data was available through Green at UVM. As discussed, we should process this data to obtain the regression equations and the plot of our own employees versus the other talc companies in this report. If my beliefs stand true, we will find our workers exhibiting superior pulmonary function to both the rest of the talc industry and the normal population. Ultimately the Harvard group

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will find it necessary to explain this phenomenon in order to maintain the validity of their equations and models. Consequently I strongly recommend that we carefully plan our involvement and what we communicate to them.

I have in mind some strategies based upon the logical extension of the preceding arguments which I do not wish to communicate in writing. If you are at all interested we can review and present these modifications to the decision making elements of our organization.

Sincerely yours
Vernon Zeet
Mgr R&D
Windsor Numerics Inc.

cc. RNM
G. Lee
DW Peterson
S. Christie

ELECTRONICALLY FILED 02/20/2018 pm 12:10:32 HRM - CHARLESTON COUNTY - COMMON PLEAS - CASE#2018CP1400946

the other groups studied and possibly
above the normal population. Since
the Harvard group will find it necessary
to explain the profound differences and maintain the validity of their
equations and data, we must carefully plan our involvement and what
we communicate to them.

What immediately comes to mind is their
previous speculations about the differences in
pul monary function being related to one type
In fact, we have no information concerning
one differences, or even suspect they exist. Even
So that we should initially proceed cautiously in revealing
the level of technological sophistication we
call upon in these matters. At the same
time it would be embarked on a crash program
to study the Vermont talc and ~~ZONITE ores~~
looking for real or imagined but explainable differences which
may or may not exist between the ores.
~~The reasons for the type of these~~
~~Diagnostics lies~~ in the realistic evaluation
of the end result, which I believe we can
very accurately predict based on the present data on
hand. The ~~right~~ picture should result in
the Windsor employees showing no or insignificant
pulmonary effects, while the other companies
will reveal more critically on the basis of
the study.

In the absence of specific agent

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and a confirmed dose relationship, the credibility of their previous equations and models would be jeopardized. It appears quite likely that if they do not postpone the tests, typical pollutants such as they used often in earlier studies and we often little in the way of supplementary tests will not have ready conclusive data to explain the differences in pulmonary functions. In all likelihood they would be sensitive to properly posed suggestions explaining the greater degree of health of our workers to be the result of certain characteristics of one or more of which we have knowledge and may or may not want to divulge, based upon our comparative studies of the other Vermont ores.

Do not misinterpret the above as a statement of intent. It is suggested primarily as a way to project the imagination of the parties involved within our organizations to project for one of the types of strategies which must be available before doing battle, as opposed to developing in the way of afterthought of what we should or could have done had we but known. I am also aware that this approach is not the way that D & J does things, however most wars are not won at peace talks around the conference table, but are won on the battlefields by legions who are the most ruthless and who

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~~Kat~~ the greatest desire to win, along with ~~and takes possessing~~ the best overall strategy and weapons. If we are to be those legions it is imperative that we overcome the inertia of our ~~past~~ ~~and~~ to modernize and mobility our defenses and offenses so we enter ~~into~~ battle with the best one assured.

Sincerely yours

Base Strategy – based upon perception of NIOSH and HSPH to concept that platy talc's constitute ≤ 35% of ore bodies. Remainder of materials are classified as

a) Asbestos Mg Fe Ca
b) Chlorides
c) Micas
d) Trace quantities of ilmenite, pentlandite, pyrite, and arsenopyrite

As a result of significant effects seen in the mobile workers in Vt. ($CaCO_3$) The scientific personnel involved agree that pulmonary effects of same can and very probably can be related to at least one of these accessory minerals.

The suggestion was made that if Talc (platied mineral) can be shown to be reasonably safe they should enforce a distinction between pure talc and the generic usage as applied to soft rock.

Further strategies will be proposed along with their ramifications at a later time.

A brief listing of necessary support functions to maintain and

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strengthen the basic strategies are as follows.

1. Complete evaluation statistically of pulmonary functions of other Vermont industries.
   a) Talc workers
      i total population
      ii) individual company populations
   b) Marble workers ($CaCO_3$)
   c) Mica workers (1 plant)
   Any other industries which can be used to shed light on mineral effects or do controls.
   Above raw data will probably be obtained through John T. Spears U.S.F.A. director for Vt.
2. Obtain respiratory levels in our plants and mines.
3. Obtain and present all the important data relating to pure talc effects to NIOSH & Harvard people + Italian data - mortality data, present respiratory functions, Batelle studies etc.
   This will point the finger away from talc (pure mineral talc)

In dealing with the analysis of data obtained from spirometric pulmonary measurements a number of mathematical models are found which have been used to extract information using correlation techniques.

The spirometric measurements (represented as V_m from here on) are equated with several independant variables such as age, ht, occupational exposure and smoking history. The correlations are obtained by solving the constructed normal equations either manually, which requires a computer as depicted, removing each factor after it has correlated with V_m. The latter technique can accomplished easily with a scientific calculator.

In decoding upon the diameter

$-.615'' - 1.56$ 27.30

1.860 OD 4.72 CM 17.4C

1.485 ID 3.77

988 9.88

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EXHIBIT 106

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Johnson & Johnson

RECEIVED
SEP 9 1914
G. LEE

NEW BRUNSWICK, N. J. 08903

September 6, 1974

Robert M. Schaffner, Ph. D.
Associate Director for Technology
Bureau of Foods
Food and Drug Administration
Department of Health, Education, and Welfare
200 "C" Street, S. W.
Washington, D. C. 20204

Dear Dr. Schaffner:

Johnson & Johnson has been cooperating with the Cosmetic, Toiletry and Fragrance Association Subcommittee on Asbestos in Talc. In an effort to answer the question about the required degree of sensitivity of the method of assay for asbestos in talc, our statistical group has made an estimation of a theoretical safe level of asbestos fiber in a baby powder utilizing the official TLV for asbestos and the data on dusting of baby powder. The calculation shows that a substantial safety factor can be expected with talc containing 1% w/w asbestos fibers. Therefore, methods capable of determining less than 1% asbestos in talc are not necessary to assure the safety of cosmetic talc. The report is attached herewith.

Since I have been assigned a new function at our Research Center, I will be turning over my responsibility in the talc/asbestos area to the Research Division of our Baby Products Company. I would appreciate your giving me the opportunity to personally present them to you and your staff to assure a continuation of the cooperative efforts of Johnson & Johnson in this difficult problem.

The following individuals from our Baby Products Company will be

Plaintiff's Exhibit 2489

EXHIBIT (Hopkins) 25 for ID 4/11/2018 GW

PENGAD 800-631-6989

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RoA_04256

JNJNL61_000013575

available for a meeting to be set at your convenience:

D.R. Petterson, Ph.D., Vice-President, Research
B. Semple, M.D., Director of Medical and Regulatory Affairs
G. Lee, Manager of Applied Research
W. C. Waggoner, Ph.D., Administrator of Medical and Regulatory Affairs.

I hope to hear from you soon.

Very truly yours,
JOHNSON & JOHNSON

by: W. Nashed, Ph.D.
Associate Director of Research
Domestic Operating Company

wn/cw

Attach.

bcc: Dr. A. Goudie
Dr. G. Hildick-Smith
Mr. G. Lee
Mr. J. Melton
Dr. D. Petterson
Dr. R. Rolle
Dr. T. Shelley
Mr. G. Miller
Mr. R. Miller, Windsor Minerals
Mr. W. Dean, J&J Great Britain
Dr. B. Semple
Dr. W. Waggoner

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EXHIBIT 107

ELECTRONICALLY FILED 2022-08-23 17:10:39 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1007946

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CASE NO. 2018-CA-001402

file TALC CTFA

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Johnson & Johnson
HEALTH CARE DIVISION

FROM: Mr. Wallace H. Steinberg DATE: December 17, 1974

TO: Dr. Norman F. Estrin (C.T.F.A.)
Dr. John Menkart (Clairol, Inc.)

SUBJ: TALC

The talc task force has completed the process of development of analytical procedures for determining the presence of chrysotile and tremolite in talc. We believe it is critical for the C.T.F.A. to now recommend these methods to the F.D.A. before the art advances to more sophisticated techniques with higher levels of sensitization.

At this time, Pfizer and Whittaker, Clark and Daniels have delayed supporting the recommendation until they can confirm the reliability of the technique. Both companies have requested and received a two month delay, which we consider reasonable.

Any further delays without good justification, we would oppose because delays in our recommendation to the F.D.A. can move us to a less favorable time for review.

I recommend this subject be added to our January 8 Agenda because of its critical timing, and also that Mr. Sandland be invited for an up-to-date report.

Wallace H. Steinberg
Director of Development
Health Care Division

cjb

cc: Mr. G. Sandland (Bristol-Myers)
Mr. R. C. Stites
Mr. J. W. Melton

bcc: Dr. L. L. Kaplan
Mr. G. Lee
Dr. D. R. Petterson

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EXHIBIT
(Hopkins)
28 FOR ID
4/11/2018 EW
PENGAD 800-631-6989

EXHIBIT 108

ELECTRONICALLY FILED 2022-08-24 07:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE#: 2022CP1402946

MAY 22, 2018

(WHEREUPON, the jury enters the courtroom.)

THE COURT: Good morning, ladies and gentlemen of the the jury. We will continue now with presentation of the defendant's case.

Dr. Mossman, will you come around please.

Lawyers you may be seated.

Dr. Mossman, an expert offered by the defendant.

Mr. Bishop.

MR. BISHOP: Thank you, Your Honor.

DIRECT EXAMINATION

BY MR. BISHOP CONT'D:

Q Good morning, Doctor Mossman. At the close of the day yesterday, we were highlighting some of the work you had done on mineral, the properties of mineral fibers and your research with mesothelial cells to try and identify how mesothelioma occurs.

When you received the university distinguished professor award, the award noted that you had made scientific contributions over the past 30 years that were numerous and sustained resulting in international recognition as one the world's foremost authorities in the field of fiber carcinogenesis. Can you tell us what fiber carcinogenesis is?

A Yes. As you have heard previously fibers include

before, all the TEM testing that's ever been done on Johnson & Johnson's talc products or talc ore, 365 tests, right?

A In that ballpark, yes.

Q All right. And just so we are clear, we're talking 40 years. We're talking total of number TEM tests that have ever been performed on Johnson & Johnson's talc, 365 in that ballpark?

A I can't speak to everything. The ones that were provided to me I believe it started in 1971 on, yes.

Q We're going to get back to that.

First I'll show you what has been marked as Exhibit 38. You are familiar with that document, right?

A Yes. This is that TEM 7024 method.

Q Okay.

A By transmission microscopy.

Q I don't know if I have it highlighted, but you're are aware from this document that the limit of detection was point one percent?

A That's not true if you actually look at the published article of this methodology in 1990 it's much lower then that.

Q Well, let's look at it. That's exhibit 193.

MR. SWETT: May I approach, Your Honor?

THE COURT: Yes.

Q Did you say -- you said -- this is McCrone. Have

EXHIBIT 109

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JOHNSON & JOHNSON

Johnson & Johnson

New Brunswick, N.J.
September 20, 1973

Subject: ALLEGATION MADE BY DUTCH CONSUMER ORGANIZATION OF ASBESTOS IN OUR OVERSEAS TALC - PROJECT NO. 0936.00

Mr. S. A. Irani
J&J International

In the letter from Mr. J. C. P. Homan of Johnson & Johnson, Belgium (attached), he states that a Dutch Consumer Organization recently analyzed his baby powder (Italian talc) and they reported 1.59% asbestos content. In this report, I hope to show that:

a) their definition of asbestos is incorrect;
b) their analytical method for asbestos determination in talc is not specific enough and has severe limitations; and,
c) the talc they are using, Italian 00000, has been thoroughly analyzed by different scientists in different countries and by different methods and no detectable levels of asbestos have been found.

F. Robert Rolle

F. R. Rolle, Ph.D.
Assistant Director
Analytical Research Section

ab

cc: Mr. W. H. Ashton to Mr. R. S. Russell
Dr. A. J. Goudie
Dr. W. Nashed
Dr. D. R. Petterson
Dr. T. H. Shelley
Mr. E. W. Stewart

cc Mark Dean

NOTE: The reports in Exhibits A through I will not be zeroxed for people on the cc list since they have already been passed out.

DEFENDANT'S EXHIBIT
DX-7070

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A. DEFINITION OF ASBESTOS

The term "asbestos" is generic for a series of (different) hydrated silicate minerals; such as, tremolite, chrysotile, anthophyllite, etc., and for that reason can not be defined as a single entity in an unambiguous manner. A dictionary[a] definition is as follows:

> "asbestos minerals. Certain minerals which have a fibrous structure, are heat resistant, chemically inert and possessing high electrical insulating qualities, and are of sufficient flexibility to be woven. The two main groups are serpentine and amphiboles. Asbestos proper is actinolite. Chrysotile is fibrous serpentine; amosite is fibrous anthophyllite; crocidolite is fibrous soda-amphibole. Used in fireproof buildings, insulating, paint materials, brake-linings, clutches, insulation against heat, electricity, and acid."

Talc is normally defined simply as a natural hydrous magnesium silicate usually occurring in a platy form.

Talc and all the asbestos minerals can, however, be unambiguously defined by determination of their unique chemical structure of each mineral by such methods as X-ray diffraction. Talc has the unique chemical structure $Mg_3Si_4O_{10}(OH)_2$; whereas, the asbestos minerals have different chemical structures. For example:

tremolite - $Ca_2Mg_5Si_8O_{22}(OH)_2$
chrysotile - $Mg_3Si_2O_5(OH)_4$
anthophyllite - $(Mg,Fe)_7Si_8O_{22}(OH)_2$

The definition of asbestos offered by the Dutch Consumer Organization is as follows: "all needle and/or fibrous parts or composed units, consisting of magnesium and silicon".

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[a]"A Dictionary of Mining, Mineral, and Related Terms", compiled and edited by P. W. Thrush and the Staff of the Bureau of Mines (U.S. Department of the Interior), 1968.

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By this definition, if talc or the common mineral impurity chlorite (a magnesium silicate) appeared to look fibrous by their analytical technique (see next section) then it would be called asbestos. However, if for example tremolite and anthophyllite asbestos were present in a fibrous form then by their definition, they would not be called asbestos since they have elements other than just, magnesium and silicon--- tremolite is a calcium magnesium silicate and anthophyllite is a magnesium iron silicate.

B. ANALYSIS FOR ASBESTOS IN TALC BY USING A SCANNING ELECTRON MICROSCOPE

The Dutch Consumer Organization attempted to determine the asbestos content by Scanning Electron Microscopy[b] and X-ray energy dispersive analysis[c]. By this combined technique one can look at the morphology of particles, (if necessary at high magnification) and with excellent depth of field along with determination of the elements present in an individual particle. However, this method has the following severe limitations:

1. When preparing talc for scanning electron microscopy (SEM) analysis many talc platelets lie perpendicular to the viewing plane and thus from an edge-on-view look like a fiber. Photograph A is a SEM view of talc at 250X magnification. The circled particle would be called a fiber, however, when you tilt the sample 45° in the electron beam and magnify the particle the circled particle is, in fact, a talc platelet lying on edge (Photograph B).

2. If one does see a "fiber" it is not possible to call it an asbestos fiber by the presence of the elements magnesium and silicon. Both talc and chlorite have the elements, magnesium and silicon, however, they are not asbestos minerals. If the talc had

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[b]they refer to it as "stereo scan" and "electron microscope (REM)". "Stereo scan is the name used by Kent Cambridge Scientific, Inc., for their Scanning Electron Microscope. By "electron microscope (REM)", they mean, Scanning Electron Microscope (SEM). [c]they refer to it as "röntgen microanalysator (EDAX)". EDAX is the name of the manufacturer.

A

Talc at 250x

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B

Circled "fiber" after tilting and increased magnification (5,000X)

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tremolite-asbestos fibers in it, would it not be called asbestos since the elements now present are calcium, magnesium and silicon?

Exhibit A is a letter to Johnson & Johnson from an SEM consultant to the FDA who has tried the SEM method used by the Dutch Consumer Organization to detect asbestos in talc. In summary, Dr. J. M. Wehrung, of the Sperry Rand Corporation, Space Support Division says:

> "In conclusion, the scanning electron microscope and energy dispersive X-ray analyzer are not able to positively identify chrysotile or any form of asbestos. However, these tools are very able to identify fiber forms which may be asbestos."

C. PREVIOUS WORK DONE ON THE ANALYSIS OF ITALIAN TALC FOR ASBESTOS

The first place to look for asbestos is in the actual talc mine where the talc originates. Exhibits B and C are reports from the Mining Institute of the Polytecnical School of Torino (Italy) and the Department of Mineral Exploitation, University College, Cardiff (Wales, Great Britain), respectively, on the Val Chisone Talc mine from which Italian 00000 originates. Both reports indicate no chrysotile asbestos in the talc ore and only low levels (less 0.02% according to Torino report) of tremolite. The tremolite that was found according to the University College of Wales report[d], "....were hardly fibrous in character, the majority of the tremolite breaking to give compact particles".

The USA product "SHOWER TO SHOWER* Powder" which was made with Italian talc 00000 has been completely characterized for asbestos content by different scientists listed below using different techniques, and none have detected asbestos in SHOWER TO SHOWER Powder.

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[d]page 122.

*A Trademark of JOHNSON & JOHNSON.

EXHIBIT D - "X-Ray Diffraction Study of Johnson & Johnson's Shower-to-Shower Talcum Powder." Prof. G. Brown, Department of Mineralogy & Crystallography, Princeton University, USA.

EXHIBIT E - "Examination of 'Shower to Shower' Talc Sample for Johnson & Johnson." Prof. F. D. Pooley, Department of Mineral Exploitation, University College, Wales, Great Britain.

EXHIBIT F - Colorado School of Mines Research Institute (USA) letter to Dr. Bob Rolle.

EXHIBIT G - "Analysis of SHOWER TO SHOWER* Powder for Chrysotile Asbestos." Mr. J. P. Schelz, Johnson & Johnson (USA).

EXHIBIT H - "EXAMINATION OF JOHNSON & JOHNSON ITALIAN TALCS" and another report, "EXAMINATION OF JOHNSON AND JOHNSON'S PRODUCT SHOWER TO SHOWER FOR ASBESTIFORM MINERALS". Both by Mr. Ian Stewart of McCrone Associates (USA).

EXHIBIT I - X-Ray Diffraction Analysis on Italian Talc 00000 by Prof. S. Z. Lewin, New York University (USA).

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EXHIBIT 110

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Re: FDA Meeting on JBP, March 11, 1976

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Re: Dinner meeting with Dr. F. N. Marzulli

03/22/76 - J&J Memo (Waggoner to Call File) 2488
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04/05/76 - Submission to FDA (Eiermann) 2490
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04/08/76 - J&J Memo (Waggoner to FDA Talc File) 2680
Re: FDA Talc Studies, 71-43
"Teratologic Evaluation of FDA 71-43 (Talc)"
"Mutagenic Evaluation of Compound FDA 71-43, Talc"

04/15/76 - J&J Memo (Waggoner to Talc Advisory Group) 2681
Re: Presentation of "Investigation of Effects of Inhaled Baby Powder in Hamsters" at the FDA, 200 "C" Street, April 15, 1976.

05/06/76 - J&J Memo (Waggoner to Talc Advisory Group) 2684
Re: FDA Telephone Call (Marzulli) Battelle

05/25/76 - Submission to FDA (Schaffner) 2685
Re: Three final reprtings of the article, Mortality Study of Talc Miners, by Rubino, et al.

06/28/76 - Submission to FDA (Eiermann) 2696
Re: Teratologic and Mutagenic Evaluation (FDA 71-43) Data Appended

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06/28/76 - Submission to FDA (Eiermann) 2702
Re: Additional information on analytical work performed by Colorado School of Mines Research Institute - Nickel

07/13/76 - Letter from FDA (Eiermann) 2708
Re: Confirmation of submission sent June 28, 1976

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09/09/76 - Submission to FDA (Schaffner) 2709
Re: Corrections: Investigations of Effects of Inhaled Baby Powder in Hamsters"

09/09/76 - Submission to FDA (Schaffner) 2714
Re: Final Reprints of:
1) Professor Rubino's Publication 2716
2) "Characterization of Talc and Associated Minerals" 2718

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11/23/76 - Submission to FDA (Schaffner) 2732
Re: "Studies of Respiratory Morbidity in Rubber Workers, Part IV. Respiratory Morbidity in Talc Workers"

12/20/76 - Submission to FDA (Schaffner) 2740
JOHNSON'S Baby Powder Diapering Study

12/21/77 - Submission to FDA (Schaffner) 2756
Re: "Pulmonary Deposition, Translocation and Clearance of Inhaled Neutron-Activated Talc in Syrian Hamsters"

01/17/77 - Call From FDA (Marzulli) 2794
Re: Battelle Deposition/Clearance Study

03/25/77 - Submission to FDA (Schaffner) 2795
Re: "The Biology of Talc", G. Hildick-Smith

04/21/77 - Submission to FDA (Schaffner) 2799
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08/18/77 - Submission to FDA (Schaffner) 2848
Re: June 25, 1977 LANCET Editorial, "Cosmetic Talc"

08/19/77 - Submission to FDA (Schaffner) 2852
Re: Inhalation of Talc Baby Powder by Hamsters"

09/29/77 - Submission to FDA (Schaffner) 2862
Re: "Pulmonary Deposition, Translocation and Clearance of Inhaled Neutron-Activated Talc in Hamsters"

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01/25/78 - Submission to FDA (Schaffner 2871
Re: Dr. Rolle's letter to the Editor of the Archives of Environmental Health

03/28/78 - Submission to FDA (Schaffner) 2875
Re: "Absorption of Ingested Talc by Hamsters and Leaching of Radionuclides from Neutron Activated Talc in Serum and Dilute Hydrochloric Acid"

04/07/78 - Submission to FDA(Schaffner) 2882
Re: "The Biological Effects of Talc in the Experimental Animal: A Literature Review"

04/10/78 - Submission to FDA (Schaffner) 2888
Re: "Inhalation of Talc Baby Powder by Hamsters"

4/26/78 - Submission from FDA (Eiermann)
RE: "Thank you (Waggoner) for reprints".

10/20/78 - Submission to FDA (Schaffner)
RE: "Studies On The Absorption and Disposition of ^{3}H-Labelled Talc in the Rat, Mouse, Guinea-Pig and Rabbit".

4/9/79 - Submission to FDA (Schaffner)
RE: "Talc-Coated Rice As A Risk Factor For Stomach Cancer".

7/25/79 - Submission to FDA (Schaffner)
RE: "The Determination of Respirable Particle in Talcum Powder".

10/1/79 - Submission to FDA (Schaffner)
RE: "A Survey of the Long-Term Effects of Talc and Kaolin Pleurodesis".

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EXHIBIT 111

ELECTRONICALLY FILED 2022-08-23 07:10:32 PM -- CHARLESTON COUNTY, SC -- ASSIGNED TO JUDGE -- 2022CP1402946

Johnson & Johnson

BABY PRODUCTS COMPANY NEW BRUNSWICK, N. J. 08903

March 15, 1976

Dr. Norman F. Estrin
Vice President - Science
Cosmetic, Toiletries, and
Fragrance Association
1133 15th Street, N.W.
Washington, D.C. 20005

Re: Examination for Asbestos In Talc

Dear Dr. Estrin:

The talc which is used by Johnson & Johnson is solely derived from its own mine in Vermont, where the ore is mined selectively and then beneficiated by the process of flotation.

Shipments of this highly purified talc are routinely examined by our own laboratory to verify the absence of asbestos minerals.

Historically, Johnson & Johnson has always been concerned about the mineralogical integrity of its talcs and even its earliest specifications have required the examination for acicular particulates. When it was erroneously reported in 1971 that our powder contained asbestos, we sponsored a scientific seminar of mineralogical and analytical experts for the FDA to prove that our talc is not contaminated with asbestos. At that time numerous samples were analyzed by experienced consultants such as McCrone Associates, Colorado School of Mines, Professor F. D. Pooley (of the University College, Cardiff), Professor G. Brown (of Princeton), and Professor M. Buerger (of M.I.T.). These examinations included X-ray diffraction analysis, differential thermal analysis, and transmission electron microscopy.

During the period December 1972 to October 1973, 93 lots were individually sampled and examined by X-ray diffractometry for the presence of asbestos minerals. No amphiboles or serpentine minerals were detected in any sample.

Beginning in October 1973, differential thermal analysis was added to our specified requirement. Both, differential thermal analysis and X-ray diffractometry were instituted for the routine examination of sequential lots. A further 100 lots have since been examined, applying both methods to each sample. Again, no amphibole or serpentine minerals have been detected.

I would like to advise that we are continuing to employ differential thermal analysis and X-ray diffractometry in the examination of sequential lots for the detection of amphibole and serpentine minerals.

It should be pointed out that we also maintain a worldwide monitoring of talcs used by our Johnson & Johnson affiliates, employing these same techniques.

Finally, let me add that periodically, we also submit sub-samples for Transmission Electron Microscope examination and these have always verified the absence of asbestiform minerals.

It is our understanding that you would wish to submit this information to the FDA. Please regard this letter as non-confidential.

Sincerely yours,

George Lee
Director of Applied Research

GL/mm

Ex. 6587-6

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PX 3732

EXHIBIT 112

ELECTRONICALLY FILED 02/03/2022 4:01 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE #2022CP1000946

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

TINA HERFORD and DOUGLAS HERFORD,

Plaintiffs

vs Case No. BC646315

AT&T CORP., a subsidiary of AT&T INC. and its subsidiary PACIFIC BELL TELEPHONE COMPANY, et al.,

Defendants.

VIDEO DEPOSITION OF DR. JOHN HOPKINS

Day 3

Thursday, August 17, 2017

AT: 10:03 am

Taken at:

Shook Hardy & Bacon LLP
25 Old Broad Street
London EC2N 1HQ
United Kingdom

Court Reporter:
DEIRDRA JORDAN

Job No. 2657980

ELECTRONICALLY FILED 2022 Sep 27 11:09 AM - CHERYL A. STANTON, MIDDLESEX COUNTY CLERK OF THE SUPERIOR COURT

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY

DAVID CHARLES ETHERIDGE and
DARLENE PASTORE ETHERIDGE,
Plaintiffs,
vs Docket No.
MID-L-0932-17 AS

BRENNTAG NORTH AMERICA, INC.
(sued individually and as
successor-in-interest to
MINERAL PIGMENT SOLUTIONS, INC.
and as successor-in-interest to
WHITTAKER CLARK & DANIELS, INC.)
et al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY

RONALD MARTIN TEUSCHER and
SHANNON TEUSCHER,
Plaintiffs,
vs Docket No.
MID-L-7249-16 AS

BRENNTAG NORTH AMERICA, INC.
(sued individually and as
successor-in-interest to
MINERAL PIGMENT SOLUTIONS, INC.
and as successor-in-interest to
WHITTAKER CLARK & DANIELS, INC.)
et al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY

IRMA VERDOLOTTI,
Plaintiff,
vs Docket No.
MID-L-5973-16 AS

BRENNTAG NORTH AMERICA, INC.
(sued individually and as
successor-in-interest to
MINERAL PIGMENT SOLUTIONS, INC.
and as successor-in-interest to
WHITTAKER CLARK & DANIELS, INC.)
et al.,

Defendants.

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ALSO PRESENT VIA TELEPHONE: DR. DAVID S. EGILMAN
VIDEOGRAPHER: LINDA FLEET

(On the record at 10:03 am)

VIDEOGRAPHER: We are now on the record. This is the continued deposition of John Hopkins. The date today is August 17, 2017, and the time is am.

EXAMINATION:

BY MR PANATIER:

Q Thanks, and I will go to the board.
All right, sir. So good morning.
A Good morning.
Q All right.
One of the things you brought up yesterday with a few of the results that I had put on our board --
A Mmm hmm.
Q -- was that you said you were not sure whether or not those were results for the cosmetic grade or perhaps industrial; do you recall that?
A I do recall that, yes.
Q Okay.
Well, I took that seriously because I want to make sure that we are very clear with the truth as far as what the results were, and I actually looked in some of the documents and I think I have the answer for us; okay?

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APPENDIX OF EXHIBITS
VOLUME 1
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You just said that it is a record of Johnson & Johnson providing the FDA with whatever they may need; right?
A Yes.
Q Truly, it's a record of Johnson & Johnson providing the FDA with what Johnson & Johnson wanted to provide the FDA with; right?
A Well, that's an interpretation.
When I read what is presented here, it's a pretty comprehensive set of documentation covering all aspects of talc safety, discussions with FDA, discussions with CTFA, a lot of information, including confidential telephone conversations.
There's quite a lot of information there that is saying that the company is keeping FDA in the picture.
Q They're providing to them what they feel should be provided to the FDA; right?
A Yeah, and I think if you go back to some of the very early meetings between Johnson & Johnson, CTFA and FDA, there was an outcome of those that we will keep you informed.
I'm pretty sure I remember those words are part of that initial 1972, '71 conversations --
Q Right.

A -- that we'll keep a dialogue. We'll keep the door open and keep you -- keep you involved.
Q Telling someone you'll keep them informed and keeping them informed are two different things; right?
A Theoretically, hypothetically, yes.
Q Right.
A But I would argue that whatever documentation is provided to FDA is reasonable.
Q I mean, I'll be honest. You know, I run into people from time to time that I kind of know, and I say, "Hey, let's go get dinner some time", and both of us know it's not going to happen; right?
A Gee, that's terrible.
Q I know, but --
A Do you really say that?
Q Well, I think sort of, maybe it's an American thing where sort of both sides sort of understand that's a nice way to end the conversation, and then it never happens.
But saying you're going to do something and doing it are two different things; correct?
A Well, you've just told me, yeah.
Q Well, but I'm correct; right?
A You are correct.
Q Okay.

A If that's -- yeah.
Q And to be fair, people have said that to me and I understand they don't mean it either; okay?
I'm going to use the chart real quick.
So let's talk about the communications with the FDA; all right?
The Battelle studies showing tremolite in the floats from the '50s and the '60s, can you testify whether those were provided to the FDA, sir?
A Well, whatever's on this list was provided to FDA. If a -- if you're highlighting a study that's not on here, then it was not.
Q Right.
I think I'm doing that. But, like I have been doing this whole time, I want to make sure I'm not misrepresenting it.
A Okay.
Q Okay.
So I'm giving you a chance to say, "No, Chris, I know that that was provided, and may not even be on that list, but I know it was provided".
A Okay.
Q Okay?
So the Battelle studies in the '50s and the '60s where they're doing the flotation and they're

finding tremolite in just about every one of them, can you say those were actually communicated to the FDA?
A I don't know the answer.
Q Okay.
A Let's hypothetically say no if it's not listed.
Q All right.
A But -- because this list begins from '71 --
Q That's right?
A -- we don't really know.
Q It begins in '71, but I'm not holding out the possibility that they could have sent something from earlier; right?
A Absolutely.
Q So that's why I'm giving you the opportunity to tell me, "No, Chris, they did tell the FDA about that". Okay?
So we go through the '60s and then we get to 1971. The -- let's see here ...
The Colorado School of Mines memo where, on 5.14.71, internal memo where Johnson & Johnson says: those non-talc particles are tremolite.
Did that internal memo get sent to the FDA from 5.14.71?
A According to this, the answer would be no.
Q Okay.

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APP 04292

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Let's see here ... Let's look at some of these other tests here.
7.29.71, I think is that a date that's actually on there, 7.29.71?
A No.
Q No? Okay.
A 7.21.
Q Okay.
A 7.23.
Q Sure.
7.29.71, Johnson & Johnson Baby Powder ore has trace fibrous tremolite actinolite.
No record that was sent; right?
A I don't see that.
Q Okay.
Is 9.3.71 there, sir?
A No.
Q Okay.
That one was .001 per cent chrysotile in medicated powder.
Now, if you recall, this here was a McCrone -- McCrone study; correct?
A Yes.
Q And by the way, their detection limit, they were able to find .001 per cent chrysotile; right?

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A They were.
Q The detection limit set up by Johnson & Johnson for electron microscopy got down to .1 per cent. So a hundred times less detection limit than McCrone was doing in '71; right?
A At that time, yes.
Q Okay.
All right. 10.27.72. Is that on there?
A No.
Q Okay.
Now, I'm going to tell you that I think there is a record that the 10.27.72 memo -- this was the one that was revised, remember, where they took out the percentages?
A Yeah.
Q I think the revised version went to the FDA. Okay? I'm just going to represent to you that, but the original did not.
Do you see any notation that the original memo went to the FDA?
A No, I don't, no.
Q Okay. All right.
And, of course, the -- let's go to the sampling. We know the FDA got this, right, because they did it, the FDA analysis; right?

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A Yes.
Q Johnson & Johnson didn't have to give them that; right?
Let's look at what we talked about earlier this morning.
Here, how about this, argonaut, because we know Argonaut came online in the late '70s.
4.24.74, finding chrysotile and fibrous tremolite in the Argonaut deposit. Was that provided to the FDA?
A I don't see that, no.
Q Okay.
And then what about this one, 7.8.74, chrysotile asbestos in five production runs, tremolite in one sample.
7.8.74. Was that provided to the FDA?
A I don't see that, no.
Q Okay.
I'm not going to ask you about this one down here, because that one was probably industrial; okay?
A Yes.
Q Although it was the result of asbestos in talc; correct?
A Industrial talc.
Q Yeah.

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Okay, but let's talk about these findings of asbestos. 7.1.75, confirmed asbestos, and 11.5.75.
Can you see if those were communicated to the FDA?
A They're not on this list.
Q All right.
A Yeah.
Q Now, look, that's just one list that I found in the document; okay?
Can you -- can you identify for us and the jury how many positive samples, such as these that we have up here -- how many that came up for finding either the mineral tremolite, anthophyllite, actinolite or asbestos, or a fibrous version of the mineral? How many were actually communicated to the FDA?
A I don't know the answer to that.
Q Okay.
A There are quite a few letters here, quite a few articles here which would indicate that there were that correspondence with FDA.
Q There was correspondence with the FDA, but can you actually testify that Johnson & Johnson told the FDA that it had positive results for asbestos minerals and asbestos?
A Well, I mean, I just picked one here.

ELECTRONICALLY FILED 02/28/2024 4:01 PM 07-L-009229-CMC CALENDAR: 1 PAGE: 04293 OF 14073946

Q Mmm hmm.
A I've not seen this document before, but it's 3.30.73, submission to FDA, scans on Johnson & Johnson medicated powder.
I don't know what that scan was. There are various letters, talc and asbestos, telephone conversation with the FDA, talc and asbestos.
There's quite a lot of dialogue with FDA on the topic of talc and asbestos.
Q We've established that.
A Yeah.
Q And my question was how much of that dialogue was Johnson & Johnson telling the FDA, "Hey, by the way, we are finding asbestos minerals and we are finding asbestos or fibrous asbestos"?
How much?
A You know, I really don't have the answer to that question.
Q All right.
You can set that aside, sir.
All right. This will be 178.
(Exhibit 178 marked for identification)
There you go, sir.
Okay. This is Material Specification Luzenac America, Windsor Grade 66.

So this is from '97. You can see that on the second page; right?
A Yes.
Q Okay.
(Reporter clarification)
9.23.97.
If you go to Acceptance, it's on page -- at the bottom it says 144 on the Bates. It's page 4 of 10 at the top.
A Yes.
Q Right?
And I just wanted to -- I think this document helps us establish what mines, at least at this time, were being used.
It says:
"The following mine properties in Vermont are qualified and approved to provide ore for processing into Grade 66 talc: Hammondsville Mine, Argonaut Mine, Rainbow Mine, Hamm Mine (Windham)".
correct?
A Yes.
Q Were any of those mines also industrial talc mines?
A I don't know.
Q Okay.

Did you not tell me yesterday that the Hamm mine was an industrial mine yesterday?
A I thought it was, but, again, I'm not 100 per cent certain.
As I said a little while ago, on those manufacturing factory operations, it's not -- it's not my field of expertise.
Q Okay.
All right, sir. You can set that aside.
This will be Exhibit 179.
(Exhibit 179 marked for identification)
This is a PowerPoint from Johnson & Johnson by Timothy McCarthy. Who's he?
A He's Director of Toxicology in the Consumer Products Company.
Q Okay. How long has he been there?
A When was this dated?
Q We think, because this is a PowerPoint provided to us -- we think this is in the 2010s about?
A That would figure.
Q Okay.
A Yeah, he wasn't there when I left in end of '98.
Q All right.
If you'll turn to the third to last page --

I'm sorry, fourth to last page.
A It begins -- what's the heading?
Q Well, actually, I want you to go to the fifth to last page. It says Raw Ore Sampling?
A Yeah.
Q The pages aren't numbered, I'm sorry.
A They're not numbered, no.
Q Okay.
It says Raw Ore Sampling. Then it says:
"RJ Lee detected the presence of chrysotile fibers (NMT 6.5 ppm) in certain raw ore samples by Transmission Electron Microscopy".
Right?
A Yes.
Q And it says:
"No asbestos fibers were detected in Johnson & Johnson talc product samples.
No asbestos fibers were detected using ... XRD ... or Polarised Light Microscopy ..." under the pharmacopeia compendia; right?
A Yes.
Q That's USP; right?
A It is, yes.
Q Okay.
We probably don't need to talk about USP, but

ELECTRONICALLY FILED 02/08/2023 12:39 PM - CLERK OF THE COURT

counsel to postpone the making and lodging of any objections would extend to all the Defendants present, so that no party has waived any objections to any part of the questioning or to any of the documents by virtue of having not lodged the objection at the time in the deposition.

MR PANATIER: That's agreeable.

MR GAFFREY: Thank you.

MR FROST: Finally, Plaintiffs' counsel will mark the flip-chart that he has been preparing as part of the deposition as an exhibit and will take photographs of the flip-chart pages which will be provided to the court reporter to include as part of the transcript.

That chart in its entirety will be identified as Exhibit number 219.

MR PANATIER: Mmm hmm. Yeah.

I think that's everything. We're off the record.

(Whereupon the deposition was adjourned at 4:28 pm)

I N D E X

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Exhibit 167.....Letter Lee (J&J) to Johnston (J&J) Re Status Report - Defense of Talc Safety JNJMX68_13482.....806

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Exhibit 219.....Flip-chart Visual No Bates

CERTIFICATE OF DEPONENT

I, JOHN HOPKINS, hereby certify that I have read the foregoing pages, numbered 1 through 297, of my deposition of testimony taken in these proceedings on Thursday, August 17, 2017, and, with the exception of the changes listed on the next page and/or corrections, if any, find them to be a true and accurate transcription thereof.

Signed: .....
Name: JOHN HOPKINS
Date: .....

CERTIFICATE OF COURT REPORTER

I, DEIRDRA JORDAN, an Accredited Court Reporter, hereby certify that the testimony of the witness, JOHN HOPKINS, in the foregoing transcript taken on Thursday, August 17, 2017, was recorded by me in machine shorthand and was thereafter transcribed by me; and that the foregoing transcript is a true and accurate verbatim record of the said testimony.

I further certify that I am not a relative, employee, counsel or financially involved with any of the parties to the within cause, nor am I an employee or relative of any counsel for the parties, nor am I in any way interested in the outcome of the within cause.

Signed: .....
Name: DEIRDRA JORDAN
Date: .....

ERRATA SHEET
Priority-One Court Reporting/Veritext
718-983-1234
ASSIGNMENT NO. P1-2657980
CASE NAME: Herford, Verdolotti, Teuscher & Etheridge v. Asbestos/Johnson & Johnson
DATE OF DEPOSITION: 8/17/2017
WITNESS' NAME: Dr. John Hopkins Vol 3

PAGE/LINE(S)/	CHANGE	REASON
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_____
Dr. John Hopkins Vol 3

(Notary not required in California)
SUBSCRIBED AND SWORN TO BEFORE ME THIS_____DAY OF_____, 2017.

_____
NOTARY PUBLIC
MY COMMISSION EXPIRES_____

CERTIFICATE OF COURT REPORTER

I, DEIRDRA JORDAN, an Accredited Court Reporter, hereby certify that the testimony of the witness, JOHN HOPKINS, in the foregoing transcript taken on Thursday, August 17, 2017, was recorded by me in machine shorthand and was thereafter transcribed by me; and that the foregoing transcript is a true and accurate verbatim record of the said testimony.

I further certify that I am not a relative, employee, counsel or financially involved with any of the parties to the within cause, nor am I an employee or relative of any counsel for the parties, nor am I in any way interested in the outcome of the within cause.

Signed: .....

Name: DEIRDRA JORDAN

Date: August 29, 2017.....

EXHIBIT 113

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

IN RE: LAOSD ASBESTOS CASES

CAROLYN WEIRICK and ELVIRA GRACIELA ESCUDERO LORA,

Plaintiffs, J.C.C.P. NO. 4674

-against-

CASE NO. BC656425

BRENNTAG NORTH AMERICA, INC., (sued individually and as successor-in-interest to MINERAL PIGMENT SOLUTIONS,INC. and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC.) et al.,

Defendants.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

IN RE: LAOSD ASBESTOS CASES

JOANNE ANDERSON and GARY ANDERSON,

Plaintiffs, J.C.C.P. NO. 4674

-against-

CASE NO. BC666513

BORG-WARNER CORPORATION by its successor-in-interest BORG-WARNER MORSE TEC, INC., et al.,

Defendants.

JOB NO. 2855811

PRIORITY-ONE COURT REPORTING SERVICES, INC.

290 West Mount Pleasant Avenue, Suite 2260

Livingston, New Jersey 07039

(718) 983-12341

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
----------x
IN RE: LAOSD ASBESTOS CASES
----------x
ILENE BRICK,

Plaintiff, J.C.C.P. NO. 4674

-against-

CASE NO.
BRENNTAG NORTH AMERICA, INC., BC674595
(sued individually and as successor-in-interest to MINERAL PIGMENT SOLUTIONS,INC. and as successor-in-interest to WHITTAKER CLARK & DANIELS, INC.) et al.,

Defendants.
----------x
SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
----------x
IN RE: LAOSD ASBESTOS CASES
----------x
NANCY CABIBI and PHIL CABIBI,

Plaintiffs, J.C.C.P. NO. 4674

-against-

CASE NO.
AVON PRODUCTS, INC., et al., BC665257

Defendants.
----------x

JOB NO. 2855811
PRIORITY-ONE COURT REPORTING SERVICES, INC.
290 West Mount Pleasant Avenue, Suite 2260
Livingston, New Jersey 07039
(718) 983-1234

Transcript of the videotaped deposition of JOHN HOPKINS, Ph.D., called for Oral Examination in the above-captioned matters, said deposition being taken pursuant to Federal Rules of Civil Procedure by and before EVAMARIE WALSH, a Notary Public and Shorthand Reporter, at the Offices of ORRICK, HERRINGTON & SUTCLIFFE, LLP, 51 West 52nd Street, New York, New York 10019, on Wednesday, April 11, 2018, commencing at approximately 10:08 in the forenoon Eastern Standard time.

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ALSO PRESENT:
PHIL GLAUBERSON, Videographer

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EXHIBITS

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2	Notice of deposition and request for production of documents of Johnson & Johnson in Brick case	11
3	Notice of deposition and request for production of documents of Johnson & Johnson Consumer Inc. in Cabibi case	11
4	Notice of deposition and request for production of documents of Johnson & Johnson Consumer Inc. in Brick case	11
5	Notice of deposition and request for production of documents of Johnson & Johnson in Anderson case	11
6	Notice of deposition and request for production of documents of Johnson & Johnson Consumer Inc. in Weirick case	12

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51	Memorandum dated 10/23/1984 Bates Stamped JNJNL61_000000126 through JNJNL61_000000128	239
52	Document Bates stamped JNJAZ55_000001282	241
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MR. PANATIER: Just for the record, I've -- I've marked the notices as Exhibits 1 through 8.

(Notice of deposition and request for production of documents of Johnson & Johnson in Cabibi case is marked as (Hopkins) Exhibit 1 for identification, as of this date.)

(Notice of deposition and request for production of documents of Johnson & Johnson in Brick case is marked as (Hopkins) Exhibit 2 for identification, as of this date.)

(Notice of deposition and request for production of documents of Johnson & Johnson Consumer Inc. in Cabibi case is marked as (Hopkins) Exhibit 3 for identification, as of this date.)

(Notice of deposition and request for production of documents of Johnson & Johnson Consumer Inc. in Brick case is marked as (Hopkins) Exhibit 4 for identification, as of this date.)

(Notice of deposition and request for production of documents of Johnson & Johnson in Anderson case is marked as (Hophins) Exhibit 5 for identification, as of this date.)

(Notice of deposition and request for production of documents of Johnson & Johnson Consumer Inc. in Weirick case is marked as (Hopkins) Exhibit 6 for identification, as of this date.)

(Notice of deposition and request for production of documents of Johnson & Johnson in Weirick case is marked as (Hopkins) Exhibit 7 for identification, as of this date.)

(Notice of deposition and request for production of documents of Johnson & Johnson Consumer Inc. in Anderson case is marked as (Hopkins) Exhibit 8 for identification, as of this date.)

JOHN HOPKINS, Ph. D.
The Elms, Oxford Road, Chieveley, Newbury, RG208RT, United Kingdom, called as a witness, having been first dulysworn according to law, testifies as follows:

EXAMINATION BY MR. PANATIER:

Q Go ahead and introduce yourself, tell

us your name.
A My name is John Hopkins.
Q All right. And you are the corporate representative for both Johnson & Johnson and Johnson & Johnson Consumer Inc., correct?
A Correct.
Q All right. You do not currently work for Johnson & Johnson, right?
A That is correct.
Q Or any Johnson & Johnson entity, true?
A That is also correct.
Q You are a private consultant to Johnson & Johnson, true?
A In this -- in this case, yes.
Q Okay. And you have been a private consultant to Johnson & Johnson on numerous occasions, fair?
A Several occasions --
Q All right.
A -- yes.
Q When was the last year that you were actually employed by Johnson & Johnson?
A 2000.
Q How much are you being paid to serve as the corporate representative?

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CASE NO. A-17-758811-C

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Estrin said we're not going to obligate ourselves to the periodic reporting, we'll hold it and we'll decide later whether we want to turn something over, correct?
MR. BICKS: Objection. Argumentative. Asked and answered.
A What he -- what he wrote was, when the time is right --
Q Uh-huh.
A -- they would -- they would present the data.
Q Was the time ever right for Johnson & Johnson to provide the 200 to 250 reports that you and I went through?
MR. BICKS: Objection. Argumentative and no foundation.
A Again, I -- I don't have the answer to that.
Q Okay. You're not aware of any evidence that they ever did, correct?
A I -- I don't know have the answer to that.
Q Okay. If you don't have the answer, you don't have any evidence that they ever did, correct?
MR. BICKS: Objection. No foundation.

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A Again, I don't have the evidence. I don't have --
Q Right.
A -- the evidence.
Q Okay, all right. Now, the FDA wanted to regulate asbestos in talc in the early 1970s, they even proposed a regulation, correct, sir?
A Yes.
Q But Johnson & Johnson, through the CTFA, said let us attempt to self regulate first, correct?
MR. BICKS: Objection. No foundation.
A Well, I don't have the documents where they said let us attempt to self regulate. The CTFA and the industry is a self-regulating body, so words to that effect would be the kind of words that would be used. They self regulate and going forward from those early '70s there was a regular dialogue between CTFA and the FDA in the development of the best test methods to measure asbestos.
Q All right. Again, I'm only asking you things you've been asked before, okay? So -- so I could pull out the -- the transcript, but the question is, the CTFA and Johnson & Johnson told the FDA, instead of you passing a regulation, let us

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self regulate.
They did that, didn't they?
MR. BICKS: Objection to the sidebar. No foundation.
A As -- as I said, I'm not disagreeing with the tone of what you're saying, but, you know -- but I -- I don't know the exact words of let us self regulate. What I am saying is that the CTFA, the trade association of the cosmetics industry, is a self-regulating body.
Q All right. You were asked this question on August 17th, "The closest we saw to them getting there was the FDA's proposed regulation in '73 which the CTFA convinced them not to go forward on the promise of self regulation, correct?" And your answer was, "Yes."
MR. BICKS: All right.
A Yes --
Q Okay.
A -- no, that's fine, that's what I'm saying, CTFA is a self-regulating body, so the promise would be to go forward to self regulate.
Q Right. It's not governmental regulation, correct?
A That's correct, yes.

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Q The FDA had a proposed governmental regulation, the CTFA said, no, let us self regulate, correct?
A And to do that, we'll work with you, FDA, to develop test methods that we're all on the same page.
Q And the CTFA was successful, the FDA never ended up regulating asbestos in talc, correct?
MR. BICKS: Objection to the form. No foundation.
A I'm not aware of any regulation from --
Q Okay.
A -- FDA.
Q Now, Johnson & Johnson was very keen on trying to get their method out before the FDA got a method out, correct?
MR. BICKS: Objection. No foundation.
A Well, Johnson & Johnson was a member of CTFA, who were working on a methodology with -- in -- in agreement with FDA to develop methodologies, so that they were keen to get everyone agreeing on a good test method.
Q Johnson & Johnson was concerned that the FDA would propose and regulate using a very sensitive method, correct?

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A I -- I don't have that -- if you've got a document which says that Johnson & Johnson is concerned then let's see it.
MR. PANATIER: This is Exhibit 28. Here you go.
(Memorandum dated December 17, 1974, Bates stamped JNJMX68_000009139 is marked as (Hopkins) Exhibit 28 for identification, as of this date.)
Q Do you see this memo -- internal memo at Johnson & Johnson, sir?
A Yes.
Q Right. And they're writing to the CTFA and someone at Clairol, right?
A Yes.
Q And what Johnson & Johnson says is, "The task -- talc task force has completed the process of development of analytical procedures for determining the presence of chrysotile and tremolite in talc. We believe it is critical for the CTFA to now recommend these methods to the FDA before the art advances to more sophisticated techniques with higher levels of sensitization."
Did I read that right?
A You read what was written, yes.

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Q They wanted to get their method out there before more sensitive methods came along, that's literally what they say, isn't it?
MR. BICKS: Objection. No foundation.
A Again, it's what it -- it's what is written--
Q Uh-huh.
A -- but other methods with "high levels of sensitization", I think they probably meant sophistication, had never been published at that time, so the -- you know, they -- this was an issue where they were saying this is what we recommend -- or CTFA was saying this is what we recommend.
Q Are you saying that TEM wasn't available in 1974?
A It was and Johnson was using TEM in 1972.
Q Johnson & Johnson wasn't, but some of their consultants were; is that correct?
A Johnson & Johnson were subcontracting it to their consultants --
Q Okay.
A -- to use on their -- their baby products.
Q What they were concerned of was that the FDA would actually pass a regulation that required higher sensitive means of looking for

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asbestos in talc, correct, sir?
MR. BICKS: Objection. No foundation.
A Well, again, it doesn't say if they're concerned. It said we believe it's critical to recommend these methods to FDA, they -- they are looking for --
Q Wait, wait, wait --
A -- the methods.
Q -- finish the sentence if you're going to read it.
A "We believe it is critical, CTFA, to recommend these methods to the FDA before the art advances to a more sophisticated techniques with high levels of sensitization."
Q Okay, you read it correct.
MR. PANATIER: Okay, you can set that aside.
Q In fact, sir, you know that the CTFA method that was proposed was five times more sensitive than the -- well, wait.
You know that the FDA method that was proposed was five times more sensitive than the method proposed by CTFA, correct?
A Which was the FDA method at the time?
MR. PANATIER: Here you go. I'll just

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let you look at the documents. Here you go.
(CTFA meeting minutes Bates stamped JNJNL61_000020392 and JNJNL61_000020393 is marked as (Hopkins) Exhibit 29 for identification, as of this date.)
Q Okay, you see this CTFA minutes memo, sir?
A Yes, that's right.
Q From February 1st, 1977?
A Yes.
Q Okay. And go to the next page. They do a comparison of sensitivity, a number of issues, but one of them is sensitivity between the CTFA and FDA method, right?
A Yes.
Q CTFA method is sensitive down to 0.5 percent, right?
A Yes.
Q And the FDA method is sensitive down to 0.1 percent, right?
A On -- on this report, yes.
Q Right. The FDA's method is five times more sensitive than the CTFA method, correct?
MR. BICKS: Objection. No foundation.
A Sensitivity for CTFA is 0.5 and sensitivity

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Q And you told me when I first showed you this back in August that Johnson & Johnson does audits of its different vendors, correct?
A Yes.
Q Okay. Go ahead and turn to the page it's 5 of 7, and do you see under observation from the audit it says, "There was evidence of deficiencies in the document control process." But go down to number 4. It says, "There was no current TM7024 for asbestos at the site."
Now, that's Johnson & Johnson's test method, correct?
A Yes.
Q Okay. "RJ Lee also indicated that the test method was not an optimal method for asbestos testing."
Did I read that right?
A You read what was written.
Q Okay. And so you are aware now that RJ Lee has said that your test method for asbestos is not optimal; is that correct?
A Well, TM7024 is one of several test methods for asbestos.
Q It's Johnson & Johnson's only TEM test method, correct?

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A It -- it is the TEM method that's used, yes.
MR. PANATIER: All right, you can set that aside, sir.
Q Johnson & Johnson knew that citizens in the 1980s had asked the FDA to require a warning on talc in the 1980s and the FDA said no because they weren't aware of any problems with the talc at the time, correct?
A Correct.
Q Okay. Now, first of all, there's never been a warning about asbestos on any Johnson & Johnson talc product, correct?
A Correct.
Q All right. And the truth is that Johnson & Johnson never shared its positive findings for asbestos, any positive findings, in its talc ore bodies with the FDA, correct?
A I don't know the answer to that.
Q Okay.
A I do know that extensive documentation was supplied to FDA.
Q Johnson & Johnson certainly provided dozens or even hundreds of reports and literature that it chose to send to the FDA, correct?

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A They did, yes.
Q Okay. As you sit here right now, can you tell us how many of the positive results were actually supplied to the FDA?
MR. BICKS: By Johnson & Johnson?
MR. PANATIER: By Johnson & Johnson, that's right.
A I don't have an answer to that. I do not know.
Q Some question for JJCI?
A It's the same answer.
Q Okay. You're aware that the FDA even asked Johnson & Johnson straight up if the mineral press -- tremolite was even present in their talc, correct?
A I -- I don't have that letter --
Q Okay.
A -- available, but.
Q We -- we've gone through that one?
A Yeah, it's quite a reasonable question --
Q Okay.
A -- to ask, yeah.
Q All right. And by the early '70s, just with regard to tremolite, okay, Johnson & Johnson had numerous supports of tremolite in its

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Vermont and Italian ore, correct?
A Correct.
Q Okay. Now, we already talked about Professor Blount, right, and that Professor Blount, who was a consultant to Johnson & Johnson, published a peer-reviewed paper that you and I have already gone through, true?
A We have.
Q Okay. When that paper came out in 1991, did Johnson & Johnson run that over to the FDA?
A I don't know.
Q Okay.
A It's public domain literature so the FDA is quite capable of doing their regular literature search and they would -- they would find it.
Q Well, the truth is that the majority of what Johnson & Johnson provides to the FDA through the '70s, the dozens and dozens of articles and so forth, the majority was already in the public purview, correct?
MR. BICKS: Objection. No foundation.
A Again, I -- I could speculate, but I'm not going to. Any publication that's in the public domain in any of the learned or medical journals

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and no foundation.
A Johnson's never sold a product with asbestos, all right.
Q If the product had asbestos in it, it is by definition an asbestos-containing product, correct?
A It's --
MR. BICKS: Objection. No foundation.
A It's -- it's a hypothetical statement to use the word if.
Q Here's a glass and now there's a pen in it.
Is that a pen-containing glass?
A It's a glass in which there is a pen and --
Q If there is a --
A You just put it -- you put it in there.
Q Right. If there is asbestos in the talc that was sold by Johnson & Johnson, is it an asbestos-containing product?
A If there was asbestos in the talc, if there was --
Q Yes.
A -- then that product would contain asbestos, and the point I'm making is that there's no evidence based on hundreds and hundreds of tests

over decades that the product sold for cosmetic use was contaminated with asbestos.
Q Should the jury ignore all of this?
A Much of what you've --
MR. BICKS: Objection. Argumentative.
A -- written there is -- is speculative and what I've said, which you could also argue as speculative, is that HC indicates a designation of both industrial and cosmetic grades and the reports do not specify, in individual cases, whether the HC that had an asbestos report was cosmetic or industrial. The reports do not give that separation.
MR. PANATIER: I'll just object to nonresponsive.
(Handmade chart is marked as (Hopkins) Exhibit 178 for identification, as of this date.)
MR. PANATIER: No further questions.
MR. BICKS: All right, thank you.
(Time noted is 5:51 p.m.)
I have read the foregoing transcript of my deposition, and find it to be true and accurate to the best of my knowledge and belief.

JOHN HOPKINS, Ph.D.

CERTIFICATE

I, EVAMARIE WALSH, a Notary Public and Shorthand Reporter, do hereby certify that prior to the commencement of the examination

JOHN HOPKINS, Ph.D.

was sworn by me to testify to the truth, the whole truth and nothing but the truth.
I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.
I DO FURTHER CERTIFY that I am neither a relative of nor employee nor attorney nor counsel for any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

<%Signature%>
Notary Public

ERRATA SHEET
Priority-One Court Reporting Veritext
718-983-1234
ASSIGNMENT NO. P1-2856055
CASE NAME: Weirick/Anderson/Cabibi/Brick v. Asbestos/JJ/JJCI
DATE OF DEPOSITION: 4/12/2018
WITNESS' NAME: Dr John Hopkins Vol 2

PAGE/LINE(S) / CHANGE / REASON

Dr John Hopkins Vol 2
(Notary not required in California)
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NOTARY PUBLIC
MY COMMISSION EXPIRES

EXHIBIT 114

ELECTRONICALLY FILED 2022-08-24 07:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1400732946

ELECTRONICALLY FILED 2022-08-01 11:09:29 PM - CHARLESTON COUNTY - PLEAS - CASE# 2022CP1002946

of The City University of New York

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To: Dean Thomas C. Chalmers

Date: March 17, 1976

From: Dr. Arthur M. Langer

Subject: The ongoing Talc Study in the Environmental Sciences Laboratory.

Following our telephone conversation of Wednesday, March 17th, I am herein submitting to you, as accurately as memory permits, the involvement of our Laboratory with the analysis of talc-containing consumer products.

In December of 1968, Dr. Selikoff and I were invited to the Food and Drug Administration to participate in a seminar before the Division of Pharmacology and Toxicology. We presented materials under the title "Current studies on pulmonary fibrous mineral microparticles - potential contribution of talc." At the seminar we discussed our studies involving the fiber content of lung tissues obtained from 3,000 consecutive autopsies in New York City; the biological hazards associated with the inhalation of asbestos; preliminary data which suggested that some of theselung fibers were asbestos fibers; the natural contamination of talcum products with fibrous minerals (including asbestos); the potential hazards associated with inhalation of talc dust. If memory serves me correctly this was not the first time this subject matter was broached with FDA. Some members of Food and Drug were present at a meeting a year earlier, in Cincinnati, Ohio, in which the asbestos problem was openly discussed at a governmental meeting. It was because of this meeting, and the ensuing discussions, that we were invited to Washington for the seminar. (See Appendix No. 1.) Talc research, for us, was put on a "back burner" for future study. We continued at intervals to examine consumer products and observed that they contain fibrous minerals which when analyzed demonstrated them to be asbestos.

In August, 1971, our group was invited to a discussion at the Food and Drug Administration concerning the asbestos content of consumer talcs. A number of individuals were present representing various areas of society. Dr. Selikoff spoke on the biological significance of asbestos and I presented some information concerning the analytical methodology required for asbestos analysis. (See Appendix No. 2.) On page 5 of this document, paragraph 4 reflects our findings concerning asbestos contents of Johnson & Johnson talcs.

In September, 1971, we began, in a more formal manner, the study of the asbestos content of consumer talcs. We prepared a study proposal for the Environmental Protection Administration outlining a study for the determination of the fiber contents of consumer talcs sold in New York City. (See Appendix No. 3.) No funds were available for this study and we were so informed. However, we formulated in our own minds the outlines of a consumer talcum study.

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In February, 1972, our group was invited down to the Food and Drug Administration to discuss a number of problems. Ostensibly, we discussed the occurrence of asbestos in parenteral drugs. It is my belief that at this meeting we again broached the subject of asbestos contamination of consumer talcs. (See Appendix No. 4.)

In late 1972 and early 1973, I was approached by Dr. Morris Kleinfeld, of the N.Y.S. Department of Labor, who had been studying talc miners and millers in New York State. He is a recognized authority in this area and his publications have received wide attention. He and his colleagues were the first to epidemiologically establish the association between fibrous talc exposure and excess human malignancies. He approached me to study the mineral content of talcs mined from the Balmat-Edwards mining area of New York State. I collaborated with him and one of his colleagues and a joint publication resulted from our efforts. (See Appendix No. 5.) During this study we developed the methodology for x-ray diffraction analysis of talc, and the electron beam instrumentation required for the analysis of submicroscopic fibers in talc samples.

During this time, we began to purchase samples of talc products in New York City. We were not funded to do this research so that we had an extremely limited budget for "cash outlay." We requested individual members of our Laboratory to bring in any "talcs that they might have in their medicine cabinets at home" to supply us with some materials. At this time I submitted to the Public Health Service a grant application entitled "Asbestos content of consumer talcum products." (See Appendix No. 6.) We again outlined in very great detail an analytical procedure for the analysis of consumer talcs for their asbestos contents. The methodology for talc analysis was worked out at this time and we believe the research warranted support because of its importance. Unfortunately, although the grant was approved (favorably recommended) the relative priority number was not great enough to have it funded.

We continued with our work concerning the analysis of consumer talcum products. In May of 1973, several of my colleagues and I were invited to a symposium on talc in Washington, D.C. This was sponsored by the Bureau of Mines and pertained to various aspects concerning the biological hazards associated with the talc mining industry. I presented materials concerning the nature of talc mineralogically and reported the occurrence of asbestos fibers in the lung tissues of a workman exposed to talc dust. This circular of the Bureau of Mines has been used by the news media many times and from it many inquiries had been directed to us. (See Appendix No. 7.)

Still without significant research support, other than "stealing time" from other projects, we continued our analyses of consumer talcs. In the spring of 1974, my colleagues and I were invited to a microscopy symposium in New York City to discuss the identification and quantitation of asbestos fiber in a range of media. Dr. Rohl and I have reported results concerning the identification and quantitation of asbestos in talc. (See Appendix No. 8.) These papers were submitted for publication

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in the Environmental Health Perspectives. This paper has become a standard methodology in that we have had requests from the Philips Electronics Corporation for reprints to be used in their teaching seminars in Mt. Vernon. This paper represents almost one year of "bench" time. This is one of our basic techniques in the analysis of consumer talcum products.

In order to properly "round out" our studies we invited several of our colleagues in Great Britain to join with us in mutual collaborative efforts. We decided that our studies would be strengthened if we knew more about the bulk chemistry and trace metal contents of these materials. Dr. Donald R. Bowes, Professor of Petrology and Geochemistry from The University, Glasgow, consented to work with us. His laboratory furnishes our studies with complete chemical analyses of materials we send to him. Complete analyses of British consumer talcum products may be found in the paper included in Appendix No. 9. Some ten major oxides and 17 trace metals are routinely analyzed. The samples are run in duplicate and triplicate and if "mismatches" are obtained, the analyses are thrown out and done over again. Dr. Bowes has 20 years of experience in the geochemistry field and his reputation is excellent.

My colleagues and I were invited to present a paper at the British Occupational Hygiene Society's meeting, held in Edinburgh in September of 1975. (See Appendix No. 9.) In the session called "talc" Dr. Pooley and I were listed to present a paper entitled "Chemical, physical and mineralogical characteristics of talcs." The authorship and titles were later changed, in which Dr. Pooley was made senior author and the title was amended to "Mineralogy and chemistry of British talc and consumer talcum products." This paper was withdrawn by Dr. Pooley two days prior to the conference start. We enclose an 18-page paper which was to be presented. The reasons for Dr. Pooley's withdrawal of this paper are many and I shall be happy to discuss these with you in private. He was subjected to personal and professional pressures and industry harassment. We respected Dr. Pooley's wishes at the time of the conference and allowed him to withdraw it. This manuscript is being resubmitted to a different British journal for publication. Dr. Rohl has the correspondence connected with the withdrawal of the paper and the subsequent request for its submission to an appropriate journal in Great Britain.

These documents, and the above statements, more or less outline our interest in talc and consumer talcum products. My colleagues and I have been studying this problem area for a number of years. A number of press releases have appeared over the past several years generally as the result of widespread interest in this subject area. I cannot count the number of times I have been approached by individuals in the journalism field with questions concerning asbestos contents of consumer talcs. Many occasions, both in personal contact and by telephone, have presented themselves in which this subject area was broached. My colleagues find this to be "old hat" not necessarily reflecting that it is unimportant, but rather it is just not new to us.

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The consumer talcs (United States) have been studied with identical methods as the British talcs. The paper has been accepted for publication in Environmental Research. A revised pre-publication manuscript will be shortly forwarded to your office.

If you have any further questions concerning these materials I shall be very happy to answer them.

Sincerely,

Arthur M. Langer, Ph.D.
Associate Professor of Mineralogy
Head, Physical Sciences Section

AML:jm
Enc.

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EXHIBIT 115

ELECTRONICALLY FILED 2022-08-24 07:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1003946

March 25, 1976

TO: Mr. Bill Stephenson

FROM: Tony Biesada

RE: Media Coverage - Talcs

FYI. Attached are transcripts of follow-up coverage of the asbestos-in-talc story triggered by Dr. Langer of Mount Sinai Hospital. While falling short of a direct retraction, this amplification of the issue is as close as anyone is likely to come. These broadcasts by the major TV networks came after considerable heavy pressure from Johnson & Johnson.

A A B

AAB/kek
Enc.
cc: Messrs. Nazarewicz
Stolte

CONFIDENTIAL

EXHIBIT 116

ELECTRONICALLY FILED 2022-08-24 07:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1402946

PLAINTIFF'S
EXHIBIT
TALC 1541

ELECTRONICALLY FILED 02/10/2022 12:29 PM - CHARLESTON COMMON PLEAS - CASE # 2022CP1000946

Johnson & Johnson
BABY PRODUCTS COMPANY

October 2, 1974

SUBJECT: Ashton-Ferry Visit to Societa' Talco e Grafite Val Chisone

Mr. W.H. Ashton

This will confirm yesterday's discussion between D.R. Ferry, D.R. Petterson, G. Lee and yourself regarding the principal objective of your trip to Italy in two weeks' time.

It was agreed that you would provide technical support to Don Ferry in his meetings and discussions with the Mine principals regarding their recent publication "Practical Guide to the Recognition of Impurities In Talc". In the light of the current talc antagonist climate, you and Don have undertaken to explain the potential impact and harm which may result from their booklet calling attention to impurities in talc. It was Mr. Ferry's intent to solicit removal of these booklets from distribution.

Finally, we agreed to treat this matter confidentially and to approach the Italian Principals on a low key.

G. Lee

paj

cc: Dr. G. Hildick-Smith
Dr. D.R. Petterson

EXHIBIT 117

ELECTRONICALLY FILED 2022-08-23 17:10:32 PM -- CHARLESTON COUNTY, SC -- ASSIGNED TO JUDGE -- 4007732946

PLAINTIFF'S
EXHIBIT
TALC 1542

Johnson & Johnson
BABY PRODUCTS COMPANY

October 8, 1974

SUBJECT: Problems Created by Val Chisone Talc Publication

The current English translation of the Val Chisone pamphlet presents the following conflicts with the facts.

1. The booklet defines chrysotile as a hard silicate. This is untrue. Chrysotile is widely recognized as having a hardness of 2 - 2½ on the Mohs scale of hardness. That is only one point above talc which is reference mineral at hardness 1, in fact some talcs can run up to a hardness of 2 which is equal to chrysotile.

2. The booklet defines chlorite as a soft silicate. The mineral chlorite has a Mohs hardness of 2 - 3. Thus the booklet gives the impression that chrysotile and chlorite are hard and soft minerals whereas the fact is that they have the same hardness value.

3. The booklet cites Technological Institutes have demonstrated that SVC talcs contain only low contents of hard silicate. The inference is that only a small amount of chrysotile is present in Italian talc. That inference is augmented by the press release of Soap, Perfumery & Cosmetics of August 1974. Precisely the opposite is the case as ascertained by the best specialists in a variety of institutions in the USA and England namely,

   Johnson & Johnson U.S.A.
   McCrone Laboratories Chicago
   Colorado School of Mines Research Institute
   Princeton University
   Massachusetts Institute of Technology

   The above have examined Italian talc in detail and not a single instance of any amount of chrysotile asbestos has been detected to date.

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There are allegations in the USA that one fiber of chrysotile asbestos is equivalent to one cancer. Thus the inference in the SVC pamphlet that Italian talc contains only traces of chrysotile leads directly to the erroneous conclusion that Italian talc contains only traces of cancer.

This is in direct conflict with, and can dilute the impact of, the major epidemiological study of SVC miners and millers where it is now established that exposure to talc does not cause cancer.

ejb

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EXHIBIT 118

ELECTRONICALLY FILED 2022-08-24 07:10:32 PM -- CHARLESTON COUNTY -- COMMON PLEAS -- CASE# 2022CP1402946

PLAINTIFF'S
EXHIBIT
TALC 1545

ELECTRONICALLY FILED 02/23/2018 01:27 PM -- CHARLESTON COUNTY, SOUTH CAROLINA -- 2018CP1002946

Johnson & Johnson
BABY PRODUCTS COMPANY

October 31, 1974

SUBJECT: Italian Talc Source
Societa Talco e Grafite Val Chisone
Talc Publication Matters
Project No. 0503.00

Mr. G. Lee

I have visited the management, the mines and the mills of our Italian talc source (SVC) with Mr. Ferry the U.S. agent. Our objective was to forestall the upsetting impact which distribution of a recent SVC publication will have on the world talc market. Dr. Umberto Stefano of Monte Carlo, accompanied us as interpreter and joint friend of ours and SVC.

The business threat with the Italian publication (Practical Guide to Recognition of Impurities in Talc) is that it can raise doubts on the validity of the documentation of purity and safety of talc, which we have established both here (F&DA) and in England. The Italian publication raises those doubts because:

1. It singles out Italian SVC talc as the purest and best in the world

2. It states that SVC talc has only traces of chrysotile asbestos

3. It calls undue attention to a host of trace metals in talcs and brands them as harmful elements, SVC talc being the least harmful.

Our deliberations with the Italian staff of SVC were concluded successfully. We achieved our above objective with these three main points of agreement:

a. Italian management will stop distribution of all English versions of the publication effective last Wednesday.

b. Mr. Ferry and I agreed to undertake the responsibility of rewriting the publication for the English speaking countries.

c. I agreed to help coordinate all technical aspects of the booklet and open up any J&J resources or support which may be needed to implement the matter.

W Ashton

W.H. Ashton

paj

cc: Mr. W.R. Dean
Dr. G. Hildick-Smith
Dr. D.R. Petterson
Dr. B. Semple

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EXHIBIT 119

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WRD/PB

26th November, 1974

Mr. W.H. Ashton,
Johnson & Johnson Baby Products Company,
U.S. Route No. 1,
New Brunswick,
New Jersey, 08903,
U. S. A.

Dear Bill,

Thank you for your telex of the 20th November, indicating that Gianfranco has had second thoughts about the publication in the English version of his booklet.

You did a first class job on your visit and I am sure that, after suitable amendment and slight re-writing, the booklet can be much more helpful in establishing the true safety record of the Val Chisone talc.

Attached, for your interest, is additional confirmation that we have received via Zach Cartwright that Val Chisone have withdrawn their booklet.

Thanks again for keeping me in the picture, Bill.

Kindest regards and best wishes,

Yours sincerely,

W. R. Dean

cc: Dr. G. Hildick-Smith
Dr. D.R. Petterson
Mr. G. Lee

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