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 COMMONWEALTH OF MASSACHUSETTS  
 Middlesex, ss. Superior Court Department  
 of the Trial Court  
 No. 00-6030

\*\*\*\*\*  
 CAROL A. STARKWEATHER, \*  
 Plaintiff, \*  
 \*  
 vs. \*  
 \*  
 ACandS, INC., et al, \*  
 Defendants. \*

DEPOSITION OF DR. WILLIAM E. LONGO, a  
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 pursuant to the applicable provisions of the

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I N D E X

1 WITNESS: DR. WILLIAM E. LONGO

2

3

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17 (Original exhibits retained by Mr. Lynch, with

18 copies distributed to all counsel of record)

19

20

21

22

23

24

P R O C E E D I N G S

1

2

3 (Exhibits 1-2 premarked for identification)

4

5 DR. WILLIAM E. LONGO, Deponent, having first

6 been duly sworn, deposes and states as follows:

7 \*\*\*\*\*

8 MR. LYNCH: Michael, agree to the usual

9 stipulations? All objections, except as to form,

10 and motions to strike reserved until the time of

11 trial, and an objection by one defendant will be

12 deemed as an objection for all. The witness will

13 read and sign under the pains and penalties,

14 waive the notarization, and hopefully he'll get

15 it back to us before the trial starts. Do you

16 agree to all that?

17 MR. SHEPARD: Is that less than 30

18 days?

19 MR. LYNCH: It is.

20 MR. SHEPARD: Okay. Agreed.

21 \*\*\*\*\*

22 EXAMINATION BY MR. LYNCH:

23 Q. Dr. Longo, as you know my name is Frank

24 Lynch. I'm going to ask you a few questions

1 today. You've been through this before, so the

2 one rule I would ask you to keep in mind is to

3 try to wait until I finish my question before you

4 start your answer. Okay?

5 A. That's fine.

6 Q. And if you don't understand, obviously

7 let me know that you don't. Okay?

8 A. That's fine.

9 Q. We've marked as Exhibit 1 the

10 deposition notice for today's deposition, and I

11 would ask you if you've seen it before?

12 A. No.

13 Q. We asked that you bring certain

14 documents with you, and I would ask you if you

15 brought anything?

16 A. Yes.

17 Q. Can you tell me what you've brought?

18 A. I brought the depositions I was sent in

19 these two cases.

20 Q. Can you just tell us which depositions

21 so we know what you've reviewed?

22 A. Are we doing both at once?

23 Q. Yes.

24 MR. SHEPARD: Some of this initial

1 Q. Is that an epidemiological study?  
 2 A. No. Well, hold on. I think there was  
 3 some of that in there, but most of it was actual  
 4 field measurements of individuals using these  
 5 products.  
 6 Q. Are you relying on any epidemiological  
 7 studies in the Belisle case?  
 8 A. No, that's not my area.  
 9 Q. The last time you testified in  
 10 Massachusetts you testified that you were not an  
 11 industrial hygienist. Is that true today?  
 12 A. I don't believe I've ever said that.  
 13 Q. You are not -- you don't have a degree  
 14 in industrial hygiene; is that accurate?  
 15 A. I do not have a degree in industrial  
 16 hygiene, and I am not a certified industrial  
 17 hygienist.  
 18 Q. Have you ever reviewed any materials  
 19 regarding a product called Bloc-tex?  
 20 A. I know that product.  
 21 Q. What is that product?  
 22 A. As I recall, it's a sealer for  
 23 concrete, concrete blocks, concrete walls. It's  
 24 a paint-type material that does have asbestos in

1 it.  
 2 Q. Who makes it?  
 3 A. I think your client does, or used to.  
 4 Q. Do you know how much asbestos it  
 5 contains?  
 6 A. That I can't recall.  
 7 Q. Have you ever tested that product?  
 8 A. I have not.  
 9 Q. Have you ever seen any studies of  
 10 anyone else testing that product?  
 11 A. No, I have not.  
 12 Q. You'll agree that your demonstrations  
 13 do not replicate the workplace?  
 14 A. I agree.  
 15 MS. CREEDON: That's all the questions  
 16 I have for you today.  
 17 THE WITNESS: Thank you.  
 18 \*\*\*\*\*  
 19 EXAMINATION BY MR. GOVERNO:  
 20 Q. My name is David Governo. I represent  
 21 Terex, American Crane, and Koerhing.  
 22 You talked about a 1995, 1996 Report to  
 23 Congress on secondary exposures?  
 24 A. Yes.

1 Q. And you said that included a good  
 2 review of literature on secondary exposures,  
 3 including secondary exposure to asbestos?  
 4 A. Yes, sir.  
 5 Q. When was the first piece of literature  
 6 cited in that actually published?  
 7 A. 1961 or 2.  
 8 Q. Are you familiar with the asbestos  
 9 content of cosmetics?  
 10 A. In my field I have -- it's sort of like  
 11 an urban legend about the talcs in cosmetics  
 12 containing tremolite. I've never been able to  
 13 verify that.  
 14 \* Q. Have you looked for studies reporting  
 15 on asbestos contamination of talc and other  
 16 ingredients of cosmetics?  
 17 A. Well, I'm certainly very familiar with  
 18 the asbestos contamination of talc, but what  
 19 we've seen -- now, I have seen inference to it  
 20 and I have seen studies on talc, and we have done  
 21 our own studies on talc, but what I haven't been  
 22 able to do is find a cosmetic where I can say,  
 23 yes, that has asbestos in it. Tremolite.  
 24 MR. GOVERNO: Can you read my question

1 back, please.  
 2 (\* Question read back)  
 3 A. I have looked for all studies on  
 4 contamination of talc involving tremolite. I  
 5 have not seen one with cosmetics.  
 6 MR. GOVERNO: No further questions.  
 7 \*\*\*\*\*  
 8 EXAMINATION BY MR. GRIECO:  
 9 Q. My name is Dennis Grieco. I have a few  
 10 questions for you. I'll be brief. I have just a  
 11 couple of fill-in questions.  
 12 A. Sure.  
 13 Q. We talked about studies and videos and  
 14 I think I have an idea of where the two shall  
 15 meet, so to speak, but let me see if I can go  
 16 over it with you.  
 17 First, you recall that you were deposed  
 18 here in Massachusetts in that Ondik case in  
 19 January of 2001?  
 20 A. I recall I was here.  
 21 Q. Okay. I'm going to represent to you  
 22 that it was in January of 2001.  
 23 A. I have no reason to dispute that.  
 24 Q. What specific studies have you or your