

CONFIDENTIAL

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1 refute findings that you made in your own laboratories that
 2 duplicated what was done in the public literature, right?
 3 A. I would not put it that way. What the intent here
 4 was to say if the finding that we are talking about here was
 5 indeed repeatable, as would always be the case with any
 6 toxicological finding, you don't simply say you have that
 7 finding, at very high doses quite often, and you leave it at
 8 that. You actually say at what dose levels do you stop
 9 seeing that finding? You go down the dose levels --
 10 Q. Okay.
 11 A. -- to find a "no effect" level.
 12 Q. Have you seen this before?
 13 A. I have may have done. I don't today recall whether
 14 I have or not.
 15 Q. Okay. So -- and you don't remember being here,
 16 right, at this meeting?
 17 A. Because I don't exactly know which meeting this was.
 18 Q. Okay. Let's go to the last point that Dr. Sturgess
 19 made, which says:
 20 "Avoided measuring PQ levels in the brain ..."
 21 So Syngenta was avoiding measuring PQ levels in the
 22 brain, right? That's what he says?
 23 A. At that point clearly that was what some people felt
 24 was the right thing to do.
 25 Q. Right. And to, in other words, when you do

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1 laboratory analysis avoid measuring that level in the brain?
 2 A. That would not be our position today, and it wasn't
 3 our position --
 4 Q. Well, what it -- excuse me, sir.
 5 A. -- at a later time.
 6 Q. Excuse me. I move to strike your answer as
 7 unresponsive.
 8 Did he at that time say --
 9 MR. NARESH: Hang on, Steve, your question
 10 was: when do you do laboratory --
 11 MR. TILLERY: No.
 12 MR. NARESH: -- analysis avoid measuring that
 13 level in the brain, and he was trying to answer your
 14 question.
 15 MR. TILLERY: I said did he -- "avoiding
 16 measuring PQ levels in the brain", is that what he said?
 17 MR. NARESH: That wasn't your question --
 18 MR. TILLERY: Well, I will withdraw the question
 19 and I will ask him.
 20 BY MR. TILLERY:
 21 Q. He said, Dr. Sturgess said:
 22 "Avoided measuring PQ levels in the brain, ..."
 23 That means Syngenta was avoiding measuring paraquat
 24 levels in the brain, doesn't it?
 25 A. At that point in time, that was the opinion of the

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1 people who were engaged in this conversation.
 2 Q. Right. And continuing on with that same bullet, he
 3 says:
 4 "... since the detection of any [paraquat] in the
 5 brain (no matter how small) will not be perceived externally
 6 in a positive light."
 7 Correct?
 8 A. That's --
 9 Q. Is that what he says?
 10 A. That's what it says.
 11 Q. All right.
 12 A. But I would like to add --
 13 Q. Excuse me, sir: is that what it says or not?
 14 A. That's what it says.
 15 Q. All right. So at this time, based upon what he
 16 said, Syngenta knew that any amount of paraquat in the
 17 brain, "no matter how small", would be perceived negatively
 18 outside the company; correct? That's what he was saying?
 19 A. That is what he was saying.
 20 Q. All right.
 21 So the research program at Syngenta CTL described
 22 here, Syngenta simply didn't do studies to determine how
 23 much paraquat was getting into the brains of animals and
 24 they did that intentionally?
 25 A. That's what I was about to follow on by saying. The

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1 record shows that in our research program which followed --
 2 Q. Not followed -- excuse me.
 3 MR. NARESH: Steve, you have to stop interrupting
 4 him --
 5 MR. TILLERY: Now that is -- we are not going to
 6 do this. You are not going to do it. You may try to
 7 override and state another answer. Not with me. Okay. You
 8 are not going to do it. I'm not going to let you.
 9 So here's what you are going to do, you are going to
 10 answer my questions, or we are going to do this -- and this
 11 is for you, counsel -- we are going to terminate it, if you
 12 want it that way, and you will go to St. Clair County
 13 Illinois and finish this in front of our judge.
 14 Now I know you have prepared him very well. Okay.
 15 But you are going to answer my questions, not what your
 16 counsel told you to say.
 17 A. Can I just say my counsel has not told me to say
 18 that --
 19 BY MR. TILLERY:
 20 Q. Well, here's what we're going to do. I want you to
 21 answer my specific --
 22 MR. NARESH: Steve, you've got to stop
 23 interrupting him.
 24 MR. TILLERY: -- question.
 25 MR. NARESH: You have interrupted him over and