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1 Q. Dr. Sanchez, you know that or you
 2 knew -- when was it that you met Richard Lee from
 3 the RJ Lee Group?
 4 A. It would have been sometime in the
 5 maybe -- again, it's been a while. Sometime in
 6 maybe January or February of 20 -- of 2006.
 7 Q. And you knew that the RJ Lee Group
 8 served as retained experts in litigation regarding
 9 the vermiculite in Libby, Montana that was mined and
 10 processed by W.R. Grace, correct?
 11 A. Not before that first meeting.
 12 Q. Understood. But that's, the work
 13 that you did was related to work that the RJ Lee
 14 Group did in that litigation, correct?
 15 A. Not while I was at the University of
 16 Idaho.
 17 Q. After you left the University you did
 18 work with regard to litigation on the
 19 characterization of amphiboles for litigation
 20 dealing with Libby, Montana, correct?
 21 A. Correct. When I went to work with RJ
 22 Lee Group in 2007, that was some of the work that I
 23 would have been performing at that time.
 24 Q. And the purpose of that work was to
 25 make an argument that the amphiboles at Libby,

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1 Montana did not meet the definition of asbestos,
 2 correct?
 3 A. No. That was not the purpose of that
 4 work.
 5 Q. Well, in the course of that work you
 6 were characterizing the amphiboles that were present
 7 as whether or not they met the regulatory definition
 8 of asbestos, correct?
 9 A. Again, that was a part. That was not
 10 the purpose. The purpose was to characterize the
 11 amphiboles, what they are, what they are that occur
 12 there.
 13 Q. Understood. And part of that
 14 characterization was the characterization of the
 15 amphiboles as not meeting the definition of
 16 asbestos, correct?
 17 A. That's not true. There's amphibole
 18 asbestos at Libby, Montana. We have never said
 19 otherwise.
 20 Q. I understand.
 21 One of the things that you did in
 22 your analysis of those amphiboles is you looked at
 23 the amphiboles to see whether they were asbestiform
 24 or not, correct?
 25 A. That was part of the characterization

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1 process, yes.
 2 Q. And some of the amphiboles you
 3 characterized as non-asbestiform, correct?
 4 A. Some of the amphiboles that occur up
 5 there are non-asbestiform, yes.
 6 Q. Well, your characterization of them
 7 in the work that you did for RJ Lee described them
 8 as non-asbestiform, correct?
 9 A. Again, you're confusing timeframes.
 10 But there are, there is amphibole asbestos at Libby,
 11 Montana. There's also non-asbestiform amphiboles in
 12 that deposit. So the answer is yes, there are
 13 non-asbestos amphiboles, but there's also
 14 asbestiform amphiboles there.
 15 Q. I would try to be very careful with
 16 my question because one of the things, when you use
 17 the term, "asbestiform," you use it to describe the
 18 growth habit of the mineral, correct?
 19 A. That is the definition of asbestiform
 20 is how it grows, so yes. You can't separate it.
 21 Q. In addition to looking at whether or
 22 not the amphiboles there were asbestiform, namely
 23 that they grew in an asbestiform habit, one of the
 24 other things that you looked at is to see whether or
 25 not, regardless of growth habit, they met the

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1 definition of asbestos under regulations, correct?
 2 A. That was not work that I performed.
 3 Q. That was part of what was going on by
 4 the RJ Lee Group when you were there, correct?
 5 A. I don't know that.
 6 Q. Okay.
 7 May I, your Honor?
 8 THE COURT: Yes.
 9 BY MR. MAIMON:
 10 Q. I'm going to hand you what I've
 11 marked as Plaintiff's Exhibit 75 for Identification,
 12 and that's a copy of your CV, correct?
 13 THE COURT: Thank you.
 14 MS. BRANSCOME: I'm sorry, Moshe.
 15 Did you say 75?
 16 MR. MAIMON: 75.
 17 MS. BRANSCOME: Is this PX or --
 18 MR. MAIMON: ID, Plaintiff's Exhibit
 19 75 for Identification.
 20 MS. BRANSCOME: Thank you.
 21 BY MR. MAIMON:
 22 Q. Correct, Dr. Sanchez? This is your
 23 CV, correct?
 24 A. Yes.
 25 Q. Now, the one that I have is a little

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1 out of date. It's dated April of 2016.
 2 Do you see that?
 3 A. Yes.
 4 Q. Okay. I'd like to ask you a few
 5 questions about this.
 6 The first publication that you list
 7 in here in a published peer-reviewed journal was in
 8 2005, correct?
 9 A. Yes.
 10 Q. And that was together with Professor
 11 Gunter, correct?
 12 A. Yes.
 13 Q. In 2006 you list two more
 14 publications in the peer-review literature together
 15 with Professor Gunter, correct?
 16 A. Which ones are you looking at?
 17 Q. If you look at the final page here,
 18 third and fourth, Sanchez and Gunter and Gunter and
 19 Sanchez, right?
 20 A. So from the top, third and fourth
 21 from the top, yes.
 22 Q. That was 2006, right?
 23 A. Those are both in 2006, yes.
 24 Q. And you have approximately 13
 25 publications in the scientific literature, correct?

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1 A. Sounds about right. Yes.
 2 Q. And all of them are either with
 3 Professor Gunter or other people at the RJ Lee
 4 Group, correct?
 5 A. That would be, yes, correct.
 6 Q. Now, it's true, is it not, that most
 7 of the work that was done by you that went into
 8 these publications, I'm talking about the work
 9 itself, was work that was paid for by corporations,
 10 correct?
 11 A. I imagine so, but I don't know the
 12 exact source of the funding.
 13 Q. Regardless of the identity of the
 14 corporation paying for the work, you'll agree with
 15 me that most of the publications that you have had,
 16 the work for them has been paid for by corporations,
 17 correct?
 18 A. Yes. Some portions, sure.
 19 Q. And I'd like to ask you, if you turn
 20 to page 3 of 5 of your CV, the sixth article that's
 21 listed there, Van Orden, RJ Lee, M.S. Sanchez, M.D.
 22 Zock, EB Iligren, and Y. Kamiya, correct?
 23 You see that?
 24 A. Yes.
 25 Q. And Drew Van Orden is with the RJ Lee

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1 Group, correct?
 2 A. That's correct.
 3 Q. RJ Lee is the president of the RJ Lee
 4 Group, right?
 5 A. That's correct.
 6 Q. And this article is titled,
 7 "Evaluation of Airborne Crocidolite Fibers at an
 8 Asbestos Cement Plant."
 9 Do you see that?
 10 A. Yes.
 11 Q. And it says that it's published in
 12 the Annals of Respiratory Medicine in July of 2012.
 13 Correct?
 14 A. That's correct.
 15 Q. Now, skip with me, if you would, four
 16 entries above that.
 17 Do you see that?
 18 A. Yes.
 19 Q. Four entries -- now, the way in which
 20 your CV is organized is that the earlier articles
 21 are towards the end and the more recent articles are
 22 towards the beginning, correct?
 23 A. Correct.
 24 Q. So now we had Evaluation of Airborne
 25 Crocidolite Fibers at an Asbestos Plant, Annals of

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1 Respiratory Medicine, July 2012.
 2 You see that?
 3 A. Yes.
 4 MR. MAIMON: And may I publish, your
 5 Honor?
 6 THE COURT: Yes.
 7 MR. MAIMON: May I have the Elmo,
 8 please?
 9 BY MR. MAIMON:
 10 Q. This is the one that we've been
 11 talking about, July 2012, right?
 12 A. Yes.
 13 Q. Let's go up a little bit. Let's read
 14 it together. Van Orden, that's the same Drew Van
 15 Orden, right?
 16 A. That's correct.
 17 Q. RJ Lee is the same RJ Lee, right?
 18 A. Should be, yes.
 19 Q. M.S. Sanchez, that's you, right?
 20 A. Correct.
 21 Q. M.D. Zock, same person, right?
 22 A. Correct.
 23 Q. Iligren, same person?
 24 A. Yes.
 25 Q. Y. Kamiya, same person, right?

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1 A. Yes.

2 Q. It says, "Evaluation of Airborne
3 Crocidolite Fibers at an Asbestos Cement Plant,
4 Annals of Respiratory Medicine."
5 See that?

6 A. Yes.

7 Q. Same title as before, right?

8 A. That's correct.

9 Q. Except this time it says it's in
10 press, right?

11 A. Correct.

12 Q. Now, in press means it hasn't been
13 published yet, right?

14 A. That's correct.

15 Q. So what we have listed in your CV is
16 earlier it's listed as having published in July
17 2012, and more recently it's still in press, right?

18 A. Again, these are probably the same
19 article. I just failed to update my CV after it got
20 published years ago, I just haven't caught it to fix
21 it.

22 Q. Let's see.
23 May I, your Honor?

24 THE COURT: Yes.

25 BY MR. MAIMON:

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1 Q. I'm going to hand you what I've
2 marked as Plaintiff's Exhibit 76 for Identification.

3 THE COURT: Thank you.

4 BY MR. MAIMON:

5 Q. This is the article we're talking
6 about, right?

7 A. Appears to be. Yes.

8 Q. Okay. And it gives the title,
9 "Evaluation of Airborne Crocidolite Fibers at an
10 Asbestos Cement Plant," and it gives all the same
11 authors, right?

12 A. Correct.

13 Q. And it gives the same journal, Annals
14 of Respiratory Medicine, correct?

15 A. Correct.

16 Q. And you know, don't you, when
17 articles are published, they're published in a
18 journal, in like a pamphlet, right?

19 A. Yes.

20 Q. And one of the conventions that
21 journals use is they give the volume of the journal
22 and articles appear on certain pages, and there will
23 be pages in which the articles are published within
24 a journal, correct?

25 A. Yes.

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1 Q. Let's just take a look at the bottom,
2 here. This journal, zeros for the volume and zeros
3 for the pages, right?

4 A. In this version, yes.

5 Q. And the reason for that is that the
6 truth of the matter is, Dr. Sanchez, this journal
7 doesn't exist, does it?

8 A. Not anymore, no.

9 Q. Did it ever exist?

10 A. As far as I'm aware it did. We
11 submitted a paper to be published in.

12 Q. Well, do you have any copies of the
13 journal itself?

14 A. I would have to check with the lead
15 author, Mr. Drew Van Orden, to find that out.

16 Q. Okay. In fact, if you look there's a
17 website address, right? Do you see that?

18 A. Yes.

19 Q. And do you know what happens when you
20 go to put that into a search bar on a search engine?
21 Do you know what comes up?

22 A. I've never tried to do that.

23 Q. Do you know that there is no such
24 journal as the Annals of Respiratory Medicine, and
25 Mr. Van Orden has confirmed that?

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1 MS. BRANSCOME: Objection, your
2 Honor.

3 THE COURT: Overruled.

4 A. Again, I don't know. He was the one
5 that drew up the article and published it. I don't
6 know what the circumstances are. I'd have to defer
7 to him.

8 Q. Okay. And yet, this is your CV where
9 it has more recently in press than July of 2012
10 published, correct?

11 A. I suspect when this was submitted I
12 added it to my CV as in press, and then when I got
13 some kind of a citation I would have updated it and
14 I neglected to delete the in press version.

15 Q. Well, you see here, this is a
16 publication called the Microscope.
17 Do you see that?

18 A. That's correct.

19 Q. And this is the volume, Volume 60,
20 right?

21 A. That's correct.

22 Q. And the pages, 51 through 61, right?

23 A. That's correct.

24 Q. And you don't have any type of
25 information like that for anything that was

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1 published in the Annals of Respiratory Medicine, do
 2 you?
 3 A. Again, I have the citations that I
 4 was provided by Mr. Van Orden.
 5 Q. So what you're saying is that Mr. Van
 6 Orden provided you with the citations and you put
 7 them on your CV, correct?
 8 A. That's correct. The papers were
 9 published, he would have provided that information
 10 to me.
 11 Q. Now, you mentioned we first met when
 12 I took your deposition in this matter, correct?
 13 A. That's correct.
 14 Q. And you have given depositions in
 15 litigation since about approximately November of
 16 2014, correct?
 17 A. Sounds correct.
 18 Q. And you have given over 20
 19 depositions as an expert witness, correct?
 20 A. That's fair.
 21 Q. And you've testified at five trials.
 22 Is that correct?
 23 A. This would be number six. Yes.
 24 Q. And it's true, is it not, that both
 25 yourself and -- withdrawn.

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1 When you first joined the RJ Lee
 2 Group, Mr. Van Orden was your superior, correct?
 3 A. No. I have never reported to
 4 Mr. Drew Van Orden. He would bring in project work.
 5 I would be involved in some of that project work,
 6 but he was never my superior.
 7 Q. He was more senior in the company
 8 than you, correct?
 9 A. He had a different position. Yes.
 10 Q. And he's been with the company longer
 11 than you and he's still with the company, correct?
 12 A. That's correct.
 13 Q. And it's true, is it not, that you
 14 and Mr. Van Orden regularly consult with companies
 15 in the talc industry when they're sued upon claims
 16 that there's talc containing asbestos, correct?
 17 A. I have certain clients that would
 18 fall into that characterization, yes.
 19 Q. And both you and Mr. Van Orden,
 20 correct?
 21 A. I know he does, but I don't know all
 22 of his clients.
 23 Q. So, for instance, you have done
 24 litigation work for, we know Johnson & Johnson,
 25 correct?

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1 A. That's correct.
 2 Q. We know Imerys, right?
 3 A. That's correct.
 4 Q. You've done litigation work for
 5 Colgate, correct?
 6 A. That's correct.
 7 Q. You've done litigation work for
 8 Cyprus, correct?
 9 A. Correct.
 10 Q. And I just note that in the
 11 PowerPoint that you showed this jury, none of those
 12 companies appear in the slide that describes work
 13 done by RJ Lee, correct?
 14 A. That's correct. These companies we
 15 have permission to use their names for corporate
 16 purposes.
 17 Q. Are you saying that the talc
 18 companies that you do expert work for do not give
 19 you permission to use their names when you come into
 20 court to talk --
 21 A. I have not asked to be able to use
 22 their names in these litigations.
 23 Q. Okay. Now, I'm going to hand you
 24 what's been received in evidence as IC-245.
 25 THE COURT: Thank you.

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1 BY MR. MAIMON:
 2 Q. I don't want to go through this in
 3 detail --
 4 MS. BRANSCOME: Your Honor, may we be
 5 heard at sidebar?
 6 THE COURT: Sure.
 7 (Sidebar.)
 8 MS. BRANSCOME: Thank you, your
 9 Honor. I don't know where Mr. Maimon is going with
 10 this, but I do object to the ongoing references to
 11 individuals who are not involved with this case
 12 including Mickey Gunter and now we're on Drew Van
 13 Orden. It's not relevant to Dr. Sanchez and
 14 undermines individuals who are not here to defend
 15 themselves.
 16 I don't understand what the purpose
 17 is, what's relevant, what's making some piece of
 18 testimony that he did or did not give more likely
 19 than not. So I don't know precisely where this is
 20 going, but I see the statement here, "On the other
 21 hand, Van Orden has made a career out of defending
 22 RTV." I don't know if that's where Mr. Maimon is
 23 going with this, but I don't understand why
 24 Dr. Sanchez is going to be put in a position of he's
 25 going to have to then vouch for his colleagues when