

1 A. No. I mean -- no, I did not. I made them
2 aware of it, and then when they publish it, I mean, they
3 published it.

4 Q. When the lay version of the ACOEM paper was
5 printed by the Institute For Legal Reform, the ACOEM
6 again did not have any conflict-of-interest waiver on
7 your part, did it?

8 A. I have no idea. I've never seen that version.
9 I'll call it the nonscientific piece that has my name on
10 it.

11 Q. From your view, did you make any efforts,
12 despite anyone calling you or anything else, to make
13 sure that a conflict-of-interest waiver was included
14 with the lay version put out by the Institute For Legal
15 Reform?

16 A. No, because I didn't even know my name was on
17 it.

18 Q. The ACOEM paper was also given an iteration in
19 the Manhattan Institute document. You were aware of
20 that?

21 A. I think I'm getting confused. I'm sorry. I
22 thought we were just talking about the same. What was
23 the one you were just talking about?
24 Q. The lay version was by the Institute For Legal
25 Reform, and then the Manhattan Institute reprinted it.

ASSOCIATED REPORTERS OF NEVADA - 702/382-8778
2300 West Sahara Avenue, Suite 770, Las Vegas, NV 89102

176

1 A. I didn't know that. I thought they were the
2 same thing. I haven't seen it, but I didn't realize
3 there were two versions.
4 Q. So you're only aware of two versions?
5 A. There was a paper I was an author on, as you
6 know, in the ACOEM paper.
7 Q. Yes.
8 A. Then it was reworked for lay publication by
9 Dr. Hardin and Dr. Kelman, who asked some input from me,
10 which I gave them, and it appeared somewhere that I was
11 unaware of until some attorneys brought it to my
12 attention, and I call that not the Manhattan one, the
13 name you used for the other one.

14 Q. You called it the lay version, the law

15 institute version?

16 A. Yeah, whatever it was, not the Manhattan. The

17 Manhattan Institute I thought was the same thing.

18 Q. You don't know what that is?

19 A. No.

20 Q. All right. Now, you've published a lot,

21 Doctor. I'm certainly respectful and mindful of that.

22 In regard publishing a paper that specifically

23 deals with the issue of mold in the title, the first

24 time that you have done that was in 2002 in connection

25 with the ACOEM paper?

ASSOCIATED REPORTERS OF NEVADA - 702/382-8778
2300 West Sahara Avenue, Suite 770, Las Vegas, NV 89102

177

1 A. I'll say yes.

2 Q. And since 2002, the next time that you had

3 been involved in a paper that was subjected to peer was

4 the February 2006 article that we've discussed?

5 A. Sure, the next one relating to mold in the

6 title.

7 Q. Correct. And there have been no others?

8 A. That have anything to do with the kind of mold

9 we're talking about today, correct.

10 Q. Thank you. I appreciate it.

11 And you've never been a member of ACOEM,

12 correct?

13 A. Correct.

14 Q. And Kelman and Hardin are not members of ACOEM

15 as far as you know?

16 A. I don't know that. We went through this

17 before.

18 Q. We did.

19 A. And my knowledge is that I thought they were

20 members of ACOEM.

21 Q. But you don't know?

22 A. I don't know.

23 Q. And they're Ph.D.s, not MD?

24 A. I know Kelman is a Ph.D. I'm not sure about

25 Hardin. I'm not sure about Hardin.