

# Alternative Uses of Depositions

Ned McWilliams

LEVIN PAPANTONIO RAFFERTY

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Proctor | Buchanan | O'Brien  
Barr | Mougey | P.A.

# Elicit Favorable Testimony



Dr. John Butenhoff

24 Q. Yes, sir. So based on what we know  
25 about the manufacturing and based on what we know  
1 about its persistence, it's just a matter of  
2 mathematical probability, that if we find a  
3 molecule of PFOS in the environment, particularly  
4 here in the United States, more likely than not,  
5 3M is the source; is that fair?

8 THE WITNESS: That's more likely  
9 than not. I know that there's a company  
10 in Italy that has manufactured PFOS.  
11 There might be other people who have, but  
12 I would say just on a proportional basis  
13 it's more likely than not.

# Help Your Experts

15 Q. Okay. So, therefore, would it  
16 be fair to say that PFOS can be used as a  
17 surrogate for evidence of exposure to  
18 POSF-based chemistries?

19 A. Yes. I mean, it's going to  
20 come -- it's going to be an end-stage  
21 metabolite.

22 Q. Okay. But -- so let me try to  
23 just dumb this down.

24 If you see -- if you find PFOS  
25 in someone's blood, is that evidence or an

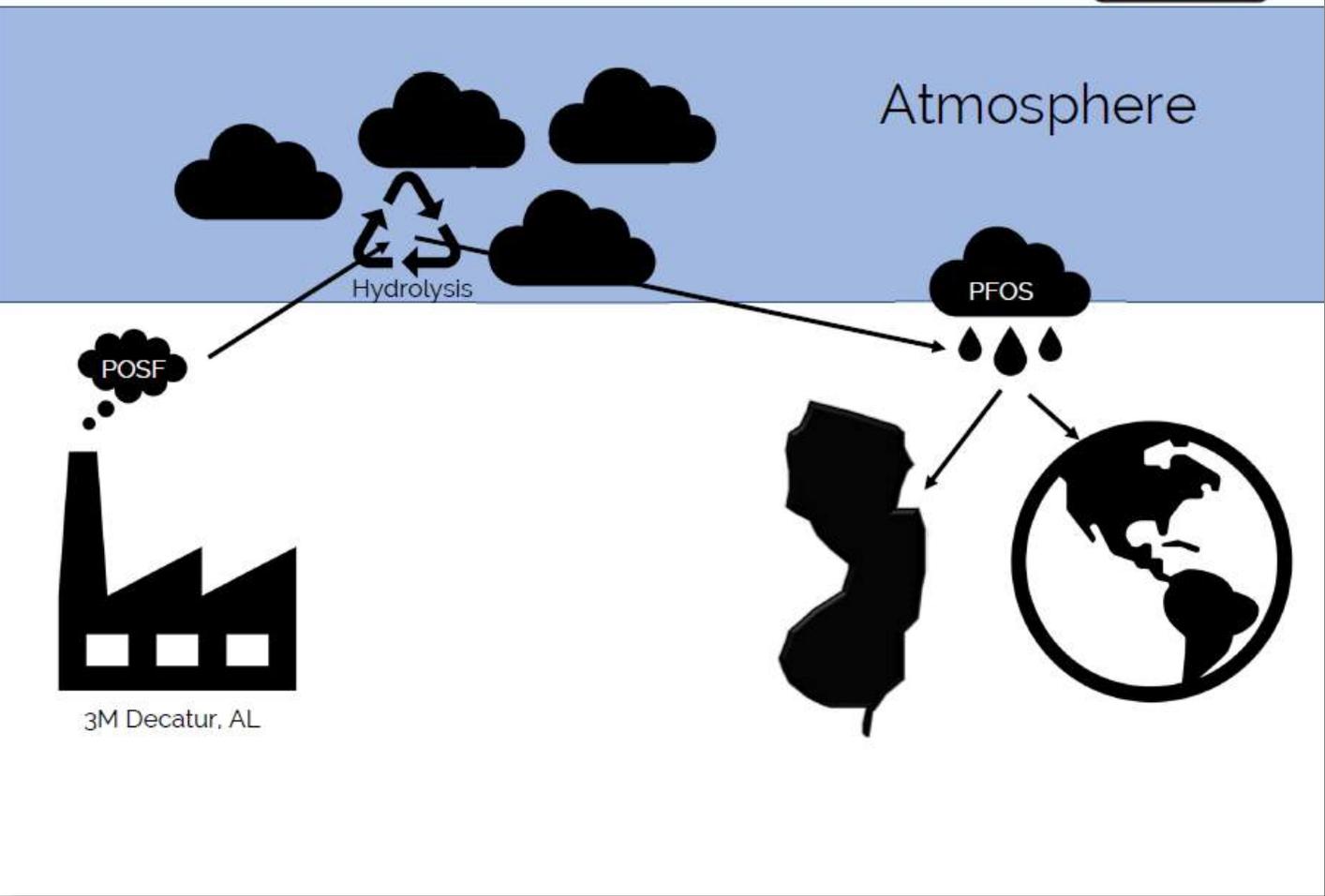
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1 indication that that person may have been  
2 exposed to or likely was exposed to  
3 POSF-based chemistries?

4 A. **I would say yes.**

**3M's Dr. Geary Olsen testified that  
PFOS in Blood = Exposure to POSF**





# Build Demonstratives

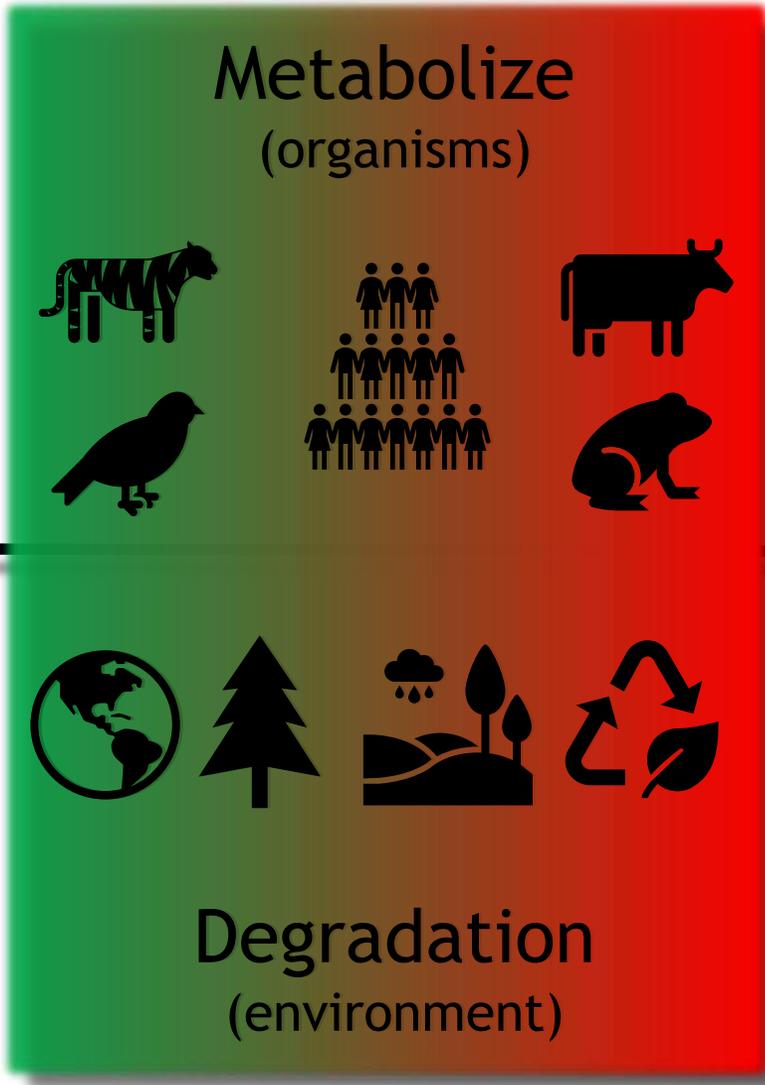
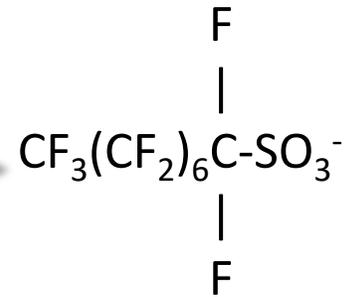
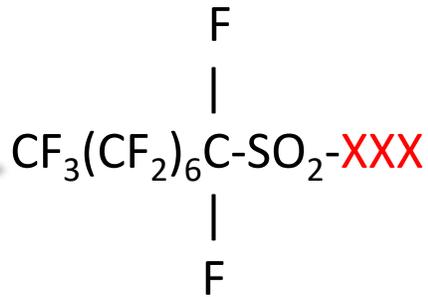
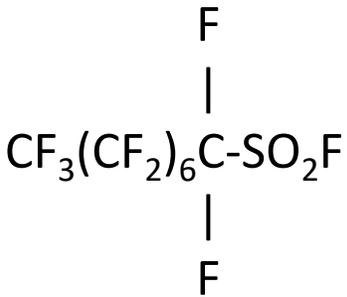
# 3M Products

## POSF

(Perfluorooctane sulfonyl fluoride)

## PFOS

(Perfluorooctane sulphonate)



# 3M Knew the Organic Fluorine in the Blood of the U.S. General Population was PFOS

PLAINTIFF'S  
EXHIBIT

DL-9

“Of the compounds submitted [PFOS] resembled most closely the fluorine NMR spectrum [...] by W. S. Guy.”

PLAINTIFF'S  
EXHIBIT

DL-8

“Of the ten samples submitted on September 21, 1975, [CRL] reports that the  $^{19}\text{F}$  NMR analysis shows that the spectrum of [PFOS] matches that presented by Guy and Taves.”

PLAINTIFF'S  
EXHIBIT

DL-1425

“3M [CRL] investigates organic fluorine compounds, identifies PFOS in blood with qualitative analysis (NMR spectra)...”

PLAINTIFF'S  
EXHIBIT

LP-68

“CAL team lead by Don Hagen and Jon Belisle (Richard Newmark - NMR) confirm that Guy and Taves' spectra reflects the presence of PFOS - not [PFOA] - as the major OF compound.”

PLAINTIFF'S  
EXHIBIT

DL-13

“Taves presents  $^{19}\text{F}$  NMR spectra data to 3M. CRL identifies  $^{19}\text{F}$  NMR spectrum as [PFOS].”

PLAINTIFF'S  
EXHIBIT

DL-1389

“One report does suggest the presence of [PFOS] in humans and it is our purpose to substantiate or refute this observation.”

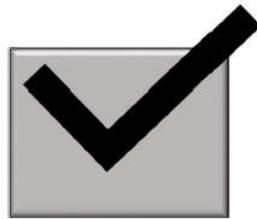
PLAINTIFF'S  
EXHIBIT

DL-1356

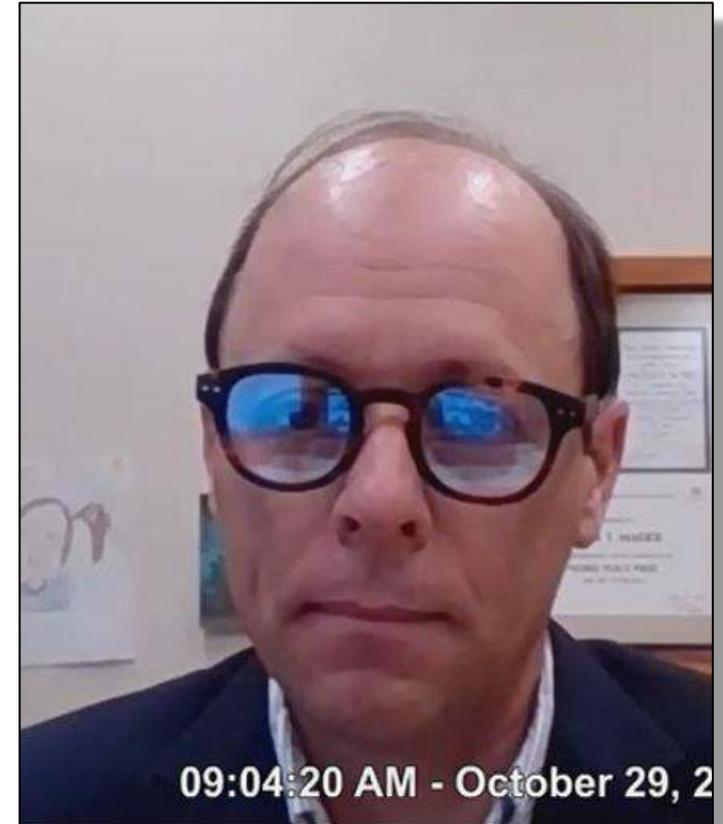
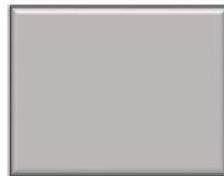
“Prokop cited Taves' results as well as the results of 3M CRL indicating the presence of [PFOS] in pooled plasma samples from the general public.”

3M was the Primary  
Global Manufacturer of PFOS

True



False



**3M's Corporate Representative  
Brian Mader**