

1 A. That's what they call themselves, yes.
 2 Q. And you have presented on the subject of
 3 short asbestos fibers at the DRI, the Defense
 4 Research Institute. Correct?

5 A. Yes.

6 Q. In fact, you actually submitted a
 7 manuscript to the people attending the DRI before you
 8 submitted it to publication for publishing. Is that
 9 right?

10 A. I may have. I don't remember exactly
 11 the order. What actually happened was I
 12 prepared -- I was asked to give a topic at DRI.
 13 Because of an article I had read, I thought that the
 14 short fiber issue would be a good one.

15 Once I wrote my manuscript for the DRI
 16 publication, I thought this is so good I need to
 17 publish it in the regular scientific literature, and
 18 then I submitted it to the Archives of Pathology and
 19 Laboratory Medicine, which was actually accepted for
 20 publication prior to my presentation at DRI.

21 Q. One of the types of things that you
 22 testify about short asbestos fibers are when you
 23 appear on behalf of brake companies or companies who
 24 made cars where brake mechanics might have been
 25 exposed to asbestos from changing brakes and

1 clutches. Right?

2 A. It is an issue there, yes.

3 Q. And you have testified in the past long
 4 ago that -- not Longo, but long ago -- that asbestos
 5 from brakes are capable of causing mesothelioma. Do
 6 you recall that?

7 A. I think there was one case in 1988, and
 8 I have not testified that way since.

9 Q. Okay. You changed your mind about that.
 10 Right?

11 A. Yes, sir.

12 Q. Okay. And in any event, you have come
 13 together with lawyers representing brake companies
 14 nationally and helped them put together presentations
 15 for use in courtrooms. Correct?

16 A. Yes.

17 Q. Now, you mentioned earlier -- let's do
 18 this now. You mentioned earlier that you charge for
 19 your time. Correct?

20 A. Yes.

21 Q. And when you're actually away from home
 22 and giving testimony, you charge at \$600 an hour with
 23 a cap of \$3,600. Right?

24 A. Yes.

25 Q. Another way in which you charge is you

1 charge a flat fee if somebody wants to just retain
 2 you and have you do no work at all. Right?

3 A. Well, if I -- if they retain me, I do
 4 charge for a retention fee. Whether I do no work at
 5 all is up to the person who sends the retainer.

6 Q. Right. But in other words, they can
 7 have you do absolutely no work and you still earn a
 8 retention fee. Correct?

9 A. They send me a retainer fee; and if they
 10 don't pay me anything else, then that would be what
 11 happens.

12 Q. And that retention fee is \$700 a case.
 13 Right?

14 A. Yes.

15 Q. And overtime it averages about 500 a
 16 case?

17 A. Yes.

18 Q. And you've accepted about 13,000
 19 retentions. Correct?

20 A. Yes, a little more than that.

21 Q. It's about \$6.5 to \$7 million just from
 22 the retention fees. Right?

23 A. Yes.

24 Q. In addition, when you do do work, you
 25 charge at \$700 an hour. Correct?

1 A. Yes.

2 Q. And would it be fair to say, Dr. Roggli,
 3 that over the last several years you've averaged
 4 about \$150,000 from your consulting work in asbestos
 5 litigation?

6 A. Yes.

7 THE COURT: May I see counsel at
 8 sidebar?

9 (At sidebar.)

10 THE COURT: How much further?

11 MR. MAIMON: I do believe I will be done
 12 by 4:30, Judge.

13 THE COURT: We're still bringing him
 14 back tomorrow? Is he available to come back
 15 tomorrow?

16 MR. CEDILLO: He'll come back tomorrow,
 17 your Honor.

18 MR. MAIMON: I don't mind breaking now.
 19 I don't mind either way.

20 THE COURT: Yeah, because I need to
 21 speak to the jurors, one juror.

22 MR. MAIMON: Sure.

23 THE COURT: All right. Stay here. Get
 24 off of sidebar for the moment.

25 (End of sidebar.)