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January 4, 1989

Alexander Holtzman, Esq.
Wayne W. Juchatz, Esq.
Josiah S. Murray, III, Esq.
Ernest Pepples, Esq.
Paul A. Randour, Esq.
Arthur J. Stevens, Esq.

Re: Shook, Hardy & Bacon -- Special Account:
Dr. Gary L. Huber
COPD Literature Project

Gentlemen:

For the last few years, while on staff at the University of Texas Health Center at Tyler, Dr. Gary Huber has been consulting with outside industry counsel in the area of chronic obstructive pulmonary disease. He has provided general COPD presentations to attorneys and consulted on cases involving claims of COPD, in particular, Caballero v. R. J. Reynolds, et al. In addition, as a Special Account project, Dr. Huber has undertaken an extensive review of the scientific literature which discusses various aspects of COPD e.g., etiologic theories, alternative causes, accuracy and reliability of diagnostic procedures, etc. Dr. Huber has recently focused his review analysis on the state of knowledge regarding smoking and COPD prior to 1966. During the course of this work, Dr. Huber has analyzed numerous articles and developed a substantial data base of literature. He has identified a number of articles which were not included in the LS, Inc. data base.

Dr. Huber has provided these services in his spare time while performing full-time clinical and other duties at the University of Texas Health Center. We have reimbursed Dr. Huber for the administrative costs of this project, but no charge for his time has been made. Recently, the University of Texas has agreed to permit Dr. Huber to spend a significant portion of his time on this project, free of clinical responsibilities. Under this arrangement, Dr. Huber will have 25% of his time (approximately one week per month) made available through June 30, 1989. Thereafter, up to 50% of his time will be available for this project. The University of Texas will be reimbursed monthly for the pro rata cost of Dr. Huber's salary and benefits which calculates as \$2,760.00/week, \$552.00/day or \$69.00/hour. Reimbursement for the next academic year will be adjusted to account for any increase

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in salary and/or fringe benefits. Purchase of Dr. Huber's time in this manner will enable him to spend more time selecting and analyzing the most significant scientific literature for our use. It will also provide uninterrupted periods for him to consider an overall analysis. This effort should prove to be especially helpful in developing state of knowledge arguments, particularly pre-1966.

Because of his longstanding acquaintance with smoking and health issues, his research and clinical experience, and his strong interest in reviewing the literature, Dr. Huber is well-suited for this task. Funding for the purchase of Dr. Huber's time would be from the Shook, Hardy & Bacon -- Special Account. Incidentally, the University of Texas Health Center at Tyler is aware that Dr. Huber will be performing a COPD literature review project for tobacco industry law firms and has no objection.

Please contact me by January 16, 1989, regarding approval of this proposal as a Special Account project.

Sincerely,



Lee E. Stanford

LES:as

cc: Janet C. Brown, Esq.
Francis K. Decker, Esq.
Michael A. Nims, Esq.

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