

LAW OFFICES
SHOOK, HARDY, OTTMAN, MITCHELL & BACON

915 GRAND AVENUE

KANSAS CITY, MISSOURI 64106

TELEPHONE BALTIMORE 1-3811

AREA CODE 816

April 7, 1967

SAM B. SEBREE (1886-1958)
EDGAR SHOOK
DAVID R. HARDY
JAMES H. OTTMAN
EUGENE P. MITCHELL
CHARLES L. BACON
DAVID H. CLARK
LANE D. BAUER
FRANK P. SEBREE
FREDERICK BEIHL
WILLIAM W. SHINN

JOHN C. DODS
DONALD K. HOEL
RUSSELL S. NOBLEY
JAMES M. SMART
EVERETT A. OLSON, JR.
CHARLES T. CRAWFORD
DAVID W. SKINN
JOHN T. MARTIN
ROBERT J. WALDO

IN RE BATTELLE INSTITUTE AND OTHER PROJECTS

Addison Yeaman, Esq.
The Tobacco Institute, Inc.
Suite 1100
1735 K Street, N. W.
Washington, D. C. 20006

Dear Add:

In accordance with our telephone conversation of today, and for your information at the meeting, I am enclosing herewith a Xerox copy of correspondence between Dr. Hockett and Battelle Memorial Institute, including the modified proposal in Battelle's letter of February 24, 1967. You will note from the memo of March 31, from Hockett to me, that this modified proposal should be considered in conjunction with the Battelle proposal dated November, 1966, which is the big proposal that was given to General Counsel several months ago. This proposal relates to the inhalation study with dogs, and the first step is the one-year step.

You will recall that last week we discussed the Battelle proposal for the polonium literature wrap-up, and I recommended that you defer a decision until I could investigate as to whether this information is otherwise available. I have now confirmed with Charlie Kensler that his updating of Parts III and IV of his earlier work will include polonium, and I would therefore recommend that the Battelle polonium proposal be rejected at this time and at least until we find out what Kensler has done. Thus, the only thing for action is the inhalation study.

In my telephone conversation with Kensler, he also informed me that by the first week in May he hopes to have a

Page 2
April 7, 1967
Addison Yeaman, Esq.

draft of a paper in connection with statistics and Part I of his prior work. By the first week in June he hopes to have the updating of Parts III and IV completed.

With regard to the exchange of correspondence between Kensler and Hammond, Dr. Kensler feels that he has come to an impasse, and he is convinced that Hammond will not only refuse to give us his data, but will also avoid writing any letter that constitutes a specific refusal. As stated, I will pursue further with Kensler the possibility of getting a clarification of where we stand on this.

I have not mailed other General Counsel copies of either this letter and its enclosures or the Kissen letter and enclosures, because I knew that they would not have time to receive it before your meeting on April 10. I would appreciate your having copies made of anything they want, and distributing it while you are there at the Institute.

Sincerely,


David R. Hardy

DRH:S
Enc.