

# Exhibit 153

1 UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
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4

5 CAMP LEJEUNE WATER )  
LITIGATION, ) Civil Action No.  
6 ) 7:23-cv-897  
Plaintiff, )  
7 vs. )  
8 UNITED STATES OF AMERICA, )  
Defendant. )

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11  
12 CONTINUED VIDEOTAPE DEPOSITION OF:  
13 DAVID A. SAVITZ, Ph.D., taken at the U.S.  
14 Attorneys Office, 1 Courthouse Way, the Seaport,  
15 Boston, Massachusetts, on July 17, 2024,  
16 commencing at 9:11 a.m.  
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A P P E A R A N C E S

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Examination by:

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EXHIBITS

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1 THE VIDEOGRAPHER: We are now on the  
2 record. My name is Gil Whitney; I'm the  
3 videographer for Golkow Services. Today's date  
4 is July 17, 2024 and the time is 9:13 a.m. This  
5 deposition is being held in Boston, Massachusetts  
6 in the matter of Camp Lejeune Water Litigation  
7 versus United States of America filed in the  
8 United States District Court for the Eastern  
9 District of North Carolina, Case No. 7:23-CV-897.  
10 The deponent is David Savitz, Ph.D. Counsel's  
11 appearance will be reflected in the stenographic  
12 record. The court reporter is Colleen DiPierro,  
13 and she will now swear the witness.

14 - - - - -

15 DAVID A. SAVITZ, Ph.D., having been duly sworn by  
16 the Notary Public, was examined and testified as  
17 follows:

18 CONT'D EXAMINATION-BY ATTY. TELAN:

19 Q. Dr. Savitz, we're here for the -- the second part  
20 of your -- your deposition. Before we get  
21 started, I will just put the same objection we  
22 made at the front end of the deposition regarding  
23 the attendance of Mr. Johnson and Mr. Peer, I  
24 believe, on behalf of the National Academy of  
25 Science.

1 I'm going to try not to reflow some of the  
2 ground we went through for the six-and-a-half  
3 hours you were here the first go-around. But to  
4 reset the table for -- for us, when the NRC panel  
5 was convened in this particular instance for the  
6 analysis or evaluation of the water supply at  
7 Camp Lejeune, as I understand it, the ATSDR had  
8 done a study on Tarawa Terrace but not yet done  
9 their study on Hadnot Point; is that right?

10 A. That's correct. But they -- as I recall, at  
11 least at that time, they had only completed the  
12 reproductive health study, the pregnancy study.  
13 I don't -- as I -- again, it's stepping back to  
14 that point in time. I don't think there had been  
15 anything other than pregnancy outcome that had  
16 been looked at.

17 Q. I think Mr. Bain had gone through with you that  
18 you had actually gone and visited the base or  
19 stayed the night at Camp Lejeune as part of your  
20 work; is that right?

21 A. That's correct, yes.

22 Q. So when -- when you visited the base, did you get  
23 to see the -- the baby cemetery that exists on  
24 the base?

25 MR. BAIN: Object to form.

1 A. Not to the best of my recollection.

2 BY MR. TELAN:

3 Q. Okay. Had you ever heard of that before, the  
4 baby cemetery at Camp Lejeune?

5 A. I had not.

6 Q. Okay. Did you know that the ATSDR had done -- I  
7 think you may have referenced it, the -- a study  
8 on the impact of the exposures to the water at  
9 Camp Lejeune and birth outcomes?

10 A. Yes. I mean, there were -- at that time they  
11 had -- they had completed an analysis of  
12 pregnancy outcome, fetal growth, preterm birth,  
13 those sorts of things, and there was a study in  
14 progress looking at certain birth defects and  
15 childhood cancer, but that was not completed at  
16 that point.

17 Q. Okay. When you agreed to serve as the chair, did  
18 anyone from the -- the Navy educate you about  
19 when contamination was first discovered on base?

20 A. I don't believe we got that information as part  
21 of a briefing, which is often -- again, occurs at  
22 the first meeting where we hear from the  
23 sponsors. It was part of the information we  
24 certainly had available from various documents  
25 and reports.

1 Q. Okay. So at some point I imagine before you  
2 convened as a -- a group, somebody would have  
3 provided you with a list of all of the  
4 contaminants that were found in the water  
5 supplies at Camp Lejeune?

6 A. We certainly had that information. What I'm  
7 having a hard time recalling is where exactly  
8 that all had been documented. I'm not sure there  
9 was a definitive source of history of the  
10 contamination, but in various reports on it from  
11 the ATSDR and others, they would go back over the  
12 basic story of the timeline.

13 Q. Okay. And I think we talked a little bit about  
14 this, but the determination of how your panel  
15 evaluated the contamination at the base was  
16 directed, in part, by Susan Martel and -- and the  
17 committee at the -- the NAS; is that right?

18 A. Well, we -- we had a charge, of course, which was  
19 written and, you know, formalized; and we, as a  
20 committee, of course, were expected to look into  
21 any documents to help us respond to that charge.

22 And so Susan Martel assisted us on behalf  
23 of the academies in helping us obtain materials  
24 or gather additional information, but the  
25 committee was -- was in the position of deciding

1           what's relevant and what we thought would be  
2           useful to respond to our charge.

3       Q.    And I noted from the -- the report, which I  
4           believe was marked as Exhibit 2 to your  
5           deposition, that there were reviewers put in  
6           place for the report that you all generated or  
7           the drafts of the reports that you generated?

8       A.    There was -- there's, again, a fairly formal  
9           process, a -- a very formal process at the  
10          academies where, when the report is deemed ready  
11          for external review, the staff at the academies  
12          send it out for that review.  It -- it's not a  
13          series of drafts, it's -- it's one draft.  It's  
14          reviewed and then the material -- the feedback is  
15          considered in a revision that leads to the final  
16          report.

17       Q.    Okay.  I'm going to show you a page out of the  
18           Exhibit 2.  It's page X.  It's part of the  
19           preface.  And I've highlighted the second full  
20           paragraph starting with the word, Although.

21                    If you wouldn't mind reading that  
22           paragraph into the record, I'll ask you a couple  
23           of questions about that.

24       A.    Although the reviewers listed above have provided  
25           many constructive comments and suggestions, they

1 were not asked to endorse the conclusions or  
2 recommendations, nor did they see the final draft  
3 of the report before its release. The review of  
4 the report was overseen by the review  
5 coordinator, George M. Rusch, Honeywell, Inc.,  
6 and the review monitor, George M. Hornberger,  
7 Vanderbilt University. Appointed by the National  
8 Resource Council, they were responsible for  
9 making certain that an independent examination of  
10 the report was carried out in accordance with  
11 institutional procedures and that all review  
12 comments were carefully considered.

13 Responsibility for the final content of the  
14 report rests entirely with the author, committee  
15 and the institution.

16 Q. So if I understand the process then, as a  
17 committee, as you would -- would come up with  
18 drafts of various sections of the report, those  
19 would be submitted to the review coordinators who  
20 could then offer comments and suggestions?

21 A. Not exactly. There's a -- an official sort of  
22 complete draft document that the committee signs  
23 off on literally to say, okay, we're ready for  
24 the external review. That, in turn, is handled  
25 by the -- the staff, is sent out to a panel of

1 reviewers.

2 The review coordinator and monitor then  
3 are sort of the mediators of that process. The  
4 reviews come in. They look at those reviews and  
5 help direct the committee to the most important  
6 issues or issues that they believe are -- the  
7 committee needs to attend to, and then they look  
8 at the response -- they, being the review  
9 coordinator and monitor -- to judge whether we  
10 have been effectively responsive to the external  
11 reviewers.

12 So it's a little bit confusing because  
13 there are the reviewers themselves who read the  
14 report and make comments, and then there's the  
15 coordinator and monitor who act on behalf of the  
16 academy to oversee that process.

17 Q. So the -- does the review coordinator, to your  
18 knowledge, then, as you mentioned, do they act on  
19 behalf of the academy?

20 A. Yes, they are serving the academy in -- in that  
21 role for the review process.

22 Q. So do you know who would have in this case  
23 appointed Mr. Rusch as the review coordinator for  
24 this project?

25 A. You know, I -- certainly Susan Martel would have

1 had input into that, but I believe there's  
2 actually another layer within the academy that  
3 solicits that kind of help. I say this because I  
4 recently served as a review coordinator on  
5 another project, and I don't think it was the  
6 project director that contacted me but it was  
7 certainly someone at the academy, not the  
8 committee.

9 Q. Okay.

10 A. The committee doesn't even know who they are, so  
11 it's strictly someone at the academy who makes  
12 the appointment of those roles.

13 Q. If you look at the -- at page X of Exhibit 2, do  
14 you see next to Mr. Rusch's name that his  
15 affiliation is with Honeywell Incorporated?

16 A. Yes, I do.

17 Q. Do you understand that Honeywell Incorporated is  
18 a defense contractor?

19 A. I don't -- I wasn't aware of that. It -- it  
20 sounds just not -- I'm familiar with my work on  
21 the committee, but I'm broadly familiar that they  
22 would do that kind of work as an organization.

23 Q. And you had no input into Mr. Rusch being  
24 appointed as the review coordinator; is that  
25 correct?

1 A. That's correct.

2 Q. Okay.

3 MR. TELAN: If we could take a break for  
4 just one second.

5 THE VIDEOGRAPHER: Off the record at 9:24.

6 (Off the record.)

7 THE VIDEOGRAPHER: We're back on the  
8 record at 9:26. Please proceed.

9 BY MR. TELAN:

10 Q. We just left off I was asking you about Mr.  
11 Rusch.

12 Let me ask you do you know today that  
13 Honeywell is, in fact, a defense contractor, Dr.  
14 Savitz?

15 A. I don't have direct information on that. Again,  
16 I've -- I can infer from the nature of the  
17 company that they would likely do such work, but  
18 I don't have any direct information about the  
19 scope of what they do.

20 Q. I'm going to show you my computer screen, and  
21 I'll attach this article as an exhibit, but I'd  
22 like for you just to read the title of the  
23 article and the date if you would into the  
24 record.

25 A. Honeywell To Bid Marine Corps Logistics Contract.

1 Company to lead logistics contract industry day  
2 event on June 3rd to help attract top partners.

3 Q. And is that article dated April 23rd, 2010?

4 A. Yes, it is.

5 Q. Okay. If you wouldn't mind, could you read the  
6 first sentence of this full paragraph here that  
7 states: For more than 27 years?

8 A. For more than 27 years, Honeywell has partnered  
9 with the Marine Corps to deliver essential  
10 logistics services in support of the war fighter,  
11 said Major General U.S. Army-retired Jerome  
12 Johnson, vice-president mission logistics.

13 Q. Okay.

14 MR. TELAN: We'll mark that as the next  
15 numbered exhibit to the deposition.

16 (Deposition Exhibit No. 13, Honeywell To  
17 Bid Marine Corps Logistics Contract Article,  
18 4/23/10, marked for identification.)

19 BY MR. TELAN:

20 Q. This next document that I'm loading is a -- is a  
21 usaspending.gov document entitled Award Profile  
22 Contract Summary. If you wouldn't mind, Dr.  
23 Savitz -- and we'll mark this as the next  
24 numbered exhibit -- if you wouldn't mind reading  
25 into the record the awarding agency, the

1 recipient, the amount of the contract and the  
2 start date if you would.

3 (Deposition Exhibit No. 14, Award Profile  
4 Contract Summary Article, marked for  
5 identification.)

6 A. Awarding agency, it says, Department of Defense,  
7 DOD; recipient, Honeywell, Inc.; start date, June  
8 30th, 2009; obligated amount, \$1.5 million.

9 MR. BAIN: And Pat, I'd just like to state  
10 for the record, on our protocol for exhibits,  
11 we're supposed to have copies. And so I'm a  
12 little bit prejudiced here that you're giving him  
13 an exhibit and I'm not able to look at the  
14 exhibit and figure out the context for it. So I  
15 hope this is just isolated with respect to this.

16 MR. TELAN: I've got two more, but I can  
17 send these to you here shortly. And they're --  
18 they're one-page documents each.

19 BY MR. TELAN:

20 Q. Dr. Savitz, I'm going to show you another  
21 article --

22 Mr. TELAN: And I'll allow you, Adam, to  
23 -- to read this. This is a one-paragraph article  
24 from Avionics International.

25 (Deposition Exhibit No. 15, Honeywell Wins

1 Navy Contract Article, 7/2/09, marked for  
2 identification.)

3 BY MR. TELAN:

4 Q. We will let Mr. Bain look at that first and then  
5 I'll show it to you, Dr. Savitz.

6 If you wouldn't mind, Dr. Savitz, if you  
7 could just read the title of the article, the  
8 date, and then the first sentence of that  
9 article.

10 A. The title is Honeywell Wins Navy Contract. The  
11 date is July 2nd, 2009. I'm going -- I'm getting  
12 a pop-up ad.

13 Q. Sorry about that.

14 A. Honeywell was awarded a \$26.3 million contract  
15 modification from the U.S. Navy to exercise an  
16 option for the full-rate production of 498  
17 Advanced Multi-Purpose Displays, AMPD, for Lot  
18 33F/A-18F and E/A-18G aircraft and retrofrit --  
19 sorry, retrofit of Lot 26 to 28F/A18E/F and  
20 E/A-18G aircraft for the U.S. Navy.

21 This is a long sentence. Do you want me  
22 to continue?

23 Q. No, I think I get the -- the point there, so  
24 thank you.

25 I've just got one more. Sorry to make you

1 read all those aircraft types.

2 MR. TELAN: I'll show Mr. Bain, this is  
3 from the same magazine. It's an article dated  
4 September 25, 2009.

5 BY MR. TELAN:

6 Q. If you would just read the title of the article,  
7 the date and then the first sentence. I don't  
8 think you're going to have to read a bunch of  
9 aircrafts into the record at this time.

10 A. The title is Honeywell Awarded Navy Contract  
11 September 25th, 2009. Honeywell was awarded a  
12 \$30.9 million contract modification from the U.S.  
13 Navy to provide additional 46 Block 2 micro  
14 aerial vehicle systems for the Navy, 40, and the  
15 United Kingdom, six, with associated spare parts,  
16 engineering support services and training.

17 MR. TELAN: We'll mark that as the next  
18 numbered exhibit.

19 (Deposition Exhibit No. 16, Honeywell  
20 Awarded Navy Contract Article 9/25/09, marked for  
21 identification.)

22 BY MR. TELAN:

23 Q. Okay. I'm going to assume that at the time you  
24 were the chair of the panel, you had no knowledge  
25 of -- of the relationship between Honeywell, Inc.

1 and either the Department of Defense, Department  
2 of the Navy or the U.S. Marine Corps; is that  
3 fair?

4 A. I did not.

5 Q. In terms of walking into this project, was there  
6 any doubt in your mind that the water at Camp  
7 Lejeune was, in fact, contaminated with the  
8 chemicals TCE and PCE?

9 A. No. That had been very well-documented.

10 Q. And I think we established that there were other  
11 chemicals, including both benzene and vinyl  
12 chloride, that were also found in the water -- in  
13 the drinking water systems at Camp Lejeune?

14 A. That's correct, yes.

15 Q. But the focus of -- of your committee was  
16 principally upon TCE and PCE, correct?

17 A. That's correct. That was part of the charge.

18 Q. But back in 2007 when the panel was convened, you  
19 as an epidemiologist, already knew that there was  
20 an association demonstrated between benzene and  
21 the condition known as AML, correct?

22 A. Yes, I was aware of that.

23 Q. And you had written on that in 1997, right?

24 A. That's correct.

25 Q. And one of the conclusions you reached back in

1 1997 was that benzene was not only associated  
2 with AML leukemia but also with other forms of  
3 leukemia?

4 A. That was the assessment we made and that was the  
5 conclusion.

6 Q. Do you know as part of your study -- I think you  
7 had mentioned that Ms. Martel was the one who was  
8 gathering together the epidemiological data from  
9 the 2003 to 2008 period, right, her and her  
10 staff?

11 A. They were assisting with obtaining the materials,  
12 yes.

13 Q. Do you know if she pulled that article that you  
14 authored from 1997 entitled Review of  
15 Epidemiological Evidence on Benzene and Lymphatic  
16 and Hematopoietic Cancers?

17 A. I do not know that.

18 Q. Would that be contained in the report, if, in  
19 fact, the committee relied upon or reviewed that  
20 document?

21 A. Yes, if it was -- right, if it helped to inform  
22 the committee's assessment, it would certainly be  
23 cited there.

24 Q. So fair statement that if it's not cited in -- in  
25 what's been previously marked as Exhibit 2, then

1 the committee never saw that article?

2 A. Well, again, either never saw it or did not  
3 consider it helpful in -- in addressing the --  
4 the question we've been asked.

5 Q. And -- and to kind of restate the obvious, you as  
6 an epidemiologist knew at the time this panel was  
7 convened that there was an association between  
8 benzene and the umbrella disease of leukemia,  
9 correct?

10 A. That's correct, yes.

11 Q. And you knew that benzene was in the water?

12 A. Yes, that's correct.

13 Q. Okay. The chemical, vinyl chloride, is that also  
14 a chemical that is known to be carcinogenic to  
15 humans?

16 A. It is.

17 Q. Is there a -- if I were to hand you Exhibit 2, is  
18 there a quick way for you to look to see if there  
19 are any vinyl chloride specific articles that  
20 were considered by the committee, or would that  
21 take a bit of time to -- to get through?

22 A. That -- it would not be straightforward. I mean,  
23 I, if I had an electronic version, I could search  
24 for the words, but otherwise, I wouldn't know how  
25 to go about finding that.

1 Q. Okay. So we won't have you do that.

2 But suffice to say as of 2008, you knew  
3 and understood that vinyl chloride was linked to  
4 cancer in humans?

5 A. Yes, I was familiar with that literature.

6 Q. Okay. And whether or not Ms. Martel pulled any  
7 vinyl chloride specific literature, that's just  
8 not something as you sit here today you're aware  
9 of?

10 A. Right. Again, I -- it would be the committee  
11 would have had to instigate that and asked for  
12 that, and I don't recall that occurring.

13 Q. Okay. The -- I may have asked this, and I  
14 apologize if I did the last time.

15 Did the committee consider the interaction  
16 or potential interaction between the chemicals in  
17 the water at Camp -- the specific chemicals known  
18 to be in the water at Camp Lejeune in -- in the  
19 consideration of health effects?

20 A. We may have mentioned it in passing, that sort  
21 of -- but I don't -- it was not a primary focus  
22 of -- of -- it was really one chemical at a time  
23 was the primary focus. I can't recall again,  
24 unless I look through the report, if we touched  
25 on the issue of a potential effect of -- of a

1 combination of chemicals.

2 Q. Okay. As an epidemiologist, do -- do you have an  
3 understanding that TCE, PCE and vinyl chloride  
4 are related chemicals?

5 A. I understand that, yes.

6 Q. I want to move on to the charge that you all were  
7 given.

8 And I -- I know you had mentioned before  
9 that the charge was something that was developed  
10 by somebody other than you and given to the  
11 committee, correct?

12 A. That's correct, yes.

13 Q. Just so that I'm not asking you to go from  
14 memory, at page 1 of Exhibit 2, you'll see the  
15 charge to the committee there?

16 A. Yes.

17 Q. It looks like there were sort of three components  
18 to that charge, at least outlined in -- in that  
19 section of the report.

20 Is that -- is that fair?

21 A. Yes, that's correct.

22 Q. And do two of those three components really deal  
23 with the -- the current and future studies that  
24 were being conducted by the ATSDR or proposed by  
25 the ATSDR at Camp Lejeune?

1 A. Well, the -- the second one is explicitly about  
2 that, to evaluate the studies that were performed  
3 or underway. And then the third element touches  
4 on it because it was asking us to address  
5 considerations that could help the Navy set  
6 priorities on future activities, which certainly  
7 could include additional research.

8 Q. I was going to ask you that, but the term, future  
9 activities, in -- in that section of the report,  
10 what -- what is that referencing?

11 A. That -- that was really a question of what  
12 actions the Navy could take to be -- to  
13 effectively respond to this water contamination  
14 episode, and it was somewhat open-ended in regard  
15 to what those activities might be.

16 Q. Okay. Getting back to Mr. Rusch at Honeywell,  
17 did you have any -- do you remember any specific  
18 interactions with Mr. Rusch?

19 A. Again, as the chair of the committee, I would not  
20 have had any direct interactions with either Mr.  
21 Rusch as the review coordinator or monitor, or  
22 with the reviewers themselves.

23 What I receive as a committee member or  
24 what I have access to is -- is the anonymized  
25 reviews themselves that we use in revising the

1 report.

2 Q. So to the extent you would have been provided,  
3 let's say, suggestions or comments as part of the  
4 draft process, you as the chair wouldn't be able  
5 to tell where those comments came from?

6 A. That's correct.

7 Q. So -- but Mr. Rusch would have had the ability to  
8 make comments to the -- to the draft itself as  
9 the review coordinator, correct?

10 A. Yes. Again, the way that works is that the  
11 individual reviewers submit written comments.  
12 The review coordinator and monitor sift through  
13 those to identify important points to bring to  
14 the committee's attention, and that is then  
15 transmitted to us, again, all without identifying  
16 where it came from. But they do distill the  
17 information from the external reviewers and  
18 report back to the committee.

19 Q. And I know that you had mentioned that in your  
20 career you've served on multiple NRC panels,  
21 right?

22 A. Yes, I have.

23 Q. Have you ever come across a panel where either at  
24 the time or after the study was concluded you  
25 looked back and were able to determine that

1           somebody from Honeywell was a review coordinator  
2           for that particular study, other than this one?

3   A.    I certainly don't recall that situation before,  
4           no.

5   Q.    Okay.  And -- and do you have any knowledge as to  
6           Mr. Rusch's background?

7   A.    I do not.

8   Q.    So if he were a toxicologist or a risk assessment  
9           provider, that's not something you had been aware  
10          of?

11  A.    No, I'm not familiar with him or I was not at the  
12          time.  I'm still not at this time familiar with  
13          the nature of his work.

14  Q.    Okay.  If we go to -- I'm going to show you page  
15          5 of Exhibit 2 which outlines some of the  
16          recommendations that the -- the NRC committee  
17          made.  I'll just have -- have you take a look at  
18          these and I'll have a couple questions for you on  
19          those.

20                    Feel free to just take a minute to look  
21                    through those.

22  A.    Okay.

23                    Okay.

24  Q.    Is that the section where you all as -- as a -- a  
25          committee recommended that the future study as to

1 Hadnot Point not take place?

2 A. No. Again, this was suggesting that the work  
3 that was being done regarding the -- again, the  
4 committee's report, I'm not the groundwater  
5 expert on that -- but that the -- the issue  
6 continue to be addressed but suggesting that a  
7 simpler modeling approach would be quicker and no  
8 less accurate than a more complex approach.

9 Q. There's a section of the report that spoke about  
10 this committee's recommendation not to go forward  
11 with a cancer incident study or something to that  
12 effect.

13 Do you recall that?

14 A. The way I recall that was that it was a concern  
15 about the feasibility of such a study. It wasn't  
16 saying it should not be done but saying that  
17 without additional background information, it was  
18 not clear whether it could be done successfully.

19 Q. And then you know today that that feasibility  
20 study was, in fact, completed and concluded and  
21 published sometime within the past year or so?

22 MR. BAIN: Object to form.

23 A. Obviously, it was feasible because it was done.

24 BY MR. TELAN:

25 Q. Okay. And so I suppose in -- in hindsight,

1 despite the fact that you all as a group thought  
2 it couldn't be done, the ATS -- the ATSDR did, in  
3 fact, go on to complete that study?

4 A. Again, I don't know that we said it couldn't be  
5 done. We said it wasn't clear that it could be  
6 done.

7 Q. Got it. During this timeframe, and this is, you  
8 know, the 2007 to 2009 timeframe, you were  
9 working at Brown University; is that right?

10 A. Um.

11 Q. Or were you -- was that the transition point?

12 A. No, actually in this period I would have been --  
13 I was at Mount Sinai School of Medicine from 2005  
14 to 2010.

15 Q. Okay. And what was your role at Mount Sinai at  
16 that time?

17 A. I was professor in the Department of Preventive  
18 Medicine and the head of the institute for -- it  
19 went under different names over time but  
20 basically on a disease prevention institute  
21 there.

22 Q. And that was your full-time job there?

23 A. That's correct.

24 Q. I know we talked briefly about this committee's  
25 meetings, and I think you mentioned that there

1 were three meetings, and that on the order of the  
2 NRC panels you served on, that was on the lower  
3 end of -- of meetings in terms of the -- the  
4 number of meetings that were held?

5 A. That's correct, yes.

6 Q. Now, were you aware back in 2006 that an NRC  
7 panel had been convened by the Department of  
8 Energy to look specifically at the health effects  
9 of TCE?

10 A. Again, I don't recall that coming up in the  
11 course of our deliberations, again, to the best  
12 of my ability to recall.

13 (Deposition Exhibit No. 17, Human Health  
14 Effects of Trichloroethylene: Key Findings and  
15 Scientific Issues Article, 2013, marked for  
16 identification.)

17 BY MR. TELAN:

18 Q. I'm going to show you this is an article entitled  
19 Human Health Effects of Trichloroethylene: Key  
20 Findings and Scientific Issues. I'll hand that  
21 to Mr. Bain.

22 MR. BAIN: Are you going to make this an  
23 exhibit?

24 MR. TELAN: I just want to show him one  
25 piece just to confirm the 2006...

1 BY MR. TELAN:

2 Q. I'd like for you just to look at the paragraph  
3 I've highlighted here, and if you could read that  
4 into the record if you would, please?

5 A. Key inputs were recommendations for additional  
6 analysis and research from a National Research  
7 Council, NRC, panel report, reviewing the key  
8 scientific issues pertaining to TCE hazard and  
9 dose-response assessment, NRC 2006.

10 Q. Okay. And -- and the title of that article, did  
11 I -- did I read that correctly into the record?

12 A. Human Health Effects of Trichloroethylene, Key  
13 Findings and Scientific Issues.

14 Q. And so I think the date of that article, is that  
15 a 2011 article?

16 A. It's actually 2013.

17 Q. Okay. It's referencing inputs by a 2006 NRC  
18 panel on TCE?

19 A. That's correct, yes.

20 Q. Were you aware that -- that there was a -- an NRC  
21 panel involved in the investigation of TCE and  
22 its health effects during the timeframe that you  
23 were commandeering this -- this panel?

24 A. Again, this is back at that point in time.

25 I'm -- I do not believe we were informed or

1 involved with that, but I -- I am really not  
2 certain of whether the issue was raised in any  
3 way in the course of our deliberations.

4 Q. Okay.

5 MR. BAIN: Let me see.

6 BY MR. TELAN:

7 Q. And so I don't know if you would -- would know  
8 this or not, but Ms. -- Dr. Martel, I think. I  
9 think I've been referring to her as Ms. Martel  
10 but it's Dr. Martel.

11 Do you know if she was involved in the  
12 panel composition for the 2006 NRC panel that's  
13 referenced in that article that we'll have marked  
14 as the next exhibit to the deposition?

15 A. Again, I don't -- I don't know or I don't recall  
16 that that, again, being raised.

17 BY MR. TELAN:

18 Q. I think you mentioned before, though, that Dr.  
19 Martel had input into the panel composition for  
20 your committee?

21 A. Oh, yes, very much so.

22 Q. Whether or not there were any shared panel  
23 members or TCE-specific experts, that's not  
24 something you would be aware of then?

25 A. That's correct.

1 Q. And I'm -- I'm going to guess from your testimony  
2 in the first round that there likely would not  
3 have been any sharing of information between the  
4 2006 panel that's referenced in this exhibit on  
5 TCE health effects and your panel?

6 MR. BAIN: Object to form.

7 A. In general, work in progress is not shared  
8 across committees or with anybody else until  
9 there's a report issued. When the report is  
10 issued, of course, it's a public document and is  
11 used, you know, insofar as it's addressing --  
12 provides information of value. Of course, it  
13 would be used but not when it's a work in  
14 progress.

15 BY MR. TELAN:

16 Q. And as to the specific expertise and background  
17 of the toxicologists who were on your panel, did  
18 you know any of the toxicologists before 2008  
19 that were a part of the NRC panel we've been  
20 talking about?

21 A. I do not believe -- I don't think so, no.

22 Q. Did you know of any of them to be either TCE or  
23 PCE specific experts?

24 A. Again, I was not familiar with their background.

25 Q. I don't know that we made this a point in the

1 last deposition, but obviously the report that  
2 you generated was in 2009.

3 A. That's when it was released, yes.

4 Q. And so suffice today -- to say that if that  
5 report were generated today, there would be  
6 substantive and material differences to what was  
7 included in the 2009 report, correct?

8 MR. BAIN: Object to form.

9 A. Obviously, we would use the current information  
10 at the time that we were developing the report,  
11 and that state of current information has changed  
12 considerably in the last 15 years.

13 BY MR. TELAN:

14 Q. One of the things that has changed, and I don't  
15 know if you're aware of it, is that the EPA has  
16 recently proposed a complete ban on TCE.

17 Are you aware of that?

18 MR. BAIN: Object to form.

19 A. I have -- I had heard of that, yes.

20 MR. TELAN: Do you mind if we take a  
21 five-minute break?

22 THE VIDEOGRAPHER: Off the record at 9:56.

23 (A short break was taken.)

24 THE VIDEOGRAPHER: We are back on the  
25 record. It's 10:02, meeting No. 2. Please

1 proceed.

2 BY MR. TELAN:

3 Q. Just a coup -- couple more subjects, Dr. Savitz.  
4 Picking up on -- on where we left off, we talked  
5 a bit about your specialty, and I think you may  
6 have mentioned today that you defer to experts in  
7 the field of water modeling on the conclusions or  
8 opinions reached about the ATSDR's water  
9 modeling, correct?

10 A. That's correct, yes.

11 Q. And the same applies for the NRC's opinions on  
12 toxicology, that's something you would defer to  
13 toxicologists, right?

14 A. Again, yes.

15 Q. There is a subject of immune system and  
16 environmental exposures came up during the course  
17 of your report; did it not?

18 A. Yes, it did.

19 Q. And you as an -- an epidemiologist, recognize  
20 that TCE does have an impact or has been shown to  
21 have an impact on the human immune system,  
22 correct?

23 MR. BAIN: Objection, foundation.

24 A. Again, broadly aware that -- of that, yes.

25 BY MR. TELAN:

1 Q. Okay. And epidemiologically, you are also aware  
2 that the immune system has an interplay or  
3 interface with the development of cancer,  
4 correct?

5 MR. BAIN: Object, foundation.

6 A. Again, it's one of the pathways by which cancer  
7 can develop. Yes, the interference with the  
8 immune system is -- is understood to be  
9 relevant.

10 MR. TELAN: I'll -- I appreciate your time  
11 here today, Dr. Savitz. Those are all the  
12 questions that I've got for you.

13 THE WITNESS: Thank you.

14 EXAMINATION-BY ATTY. BAIN:

15 Q. Dr. Savitz, I have a few more follow-up questions  
16 from Mr. Telan's examination.

17 Did you meet with counsel for the  
18 plaintiffs between the time of your first  
19 deposition on June 10th and today?

20 A. I didn't meet in person. There may have been  
21 some email exchanges. I can't remember if there  
22 was any other, you know, conferencing remotely.

23 Q. Did you have any conversations about what your  
24 testimony would be today?

25 A. Only -- only in the broadest sense, obviously,

1 about the issues related to the report.

2 Q. But did you go into any detail of what you would  
3 be asked or what you would say?

4 MR. TELAN: Object to the form.

5 A. No.

6 BY MR. BAIN:

7 Q. You stated that you were familiar with some of  
8 the members of the committee before the work  
9 began; is that right?

10 A. That's right, primarily the epidemiologists.

11 Q. Can you tell me which members in particular you  
12 are familiar with?

13 A. It probably would be good for me to look at a  
14 list just to make sure I have the right people  
15 and the right committee.

16 MR. BAIN: Let's see. Let's go off the  
17 record just a minute.

18 THE VIDEOGRAPHER: Off the record at  
19 10:05.

20 (Off the record.)

21 THE VIDEOGRAPHER: We are back on the  
22 record at 10:06. Please proceed.

23 A. Roman Numeral V.

24 BY MR. BAIN:

25 Q. Dr. Savitz, I'm showing you what's been marked as

1 Roman Numeral V from the report and ask you which  
2 of the members of the committee you were familiar  
3 with before the work started?

4 A. Yes, Francine Laden at Harvard, Bruce Lanphear,  
5 Andrew Olshan and Elaine Symanski.

6 Q. How are you familiar with those particular  
7 individuals, if you recall?

8 A. With Francine Laden, when I was a number of years  
9 ago at North Carolina, she interviewed for a  
10 position there, and we had had -- again, a lot of  
11 it is just the professional meetings. You cross  
12 paths with the same people.

13 I mean, that would be the general case  
14 with all of them, at professional meetings of the  
15 epidemiologists or other environmental health  
16 sciences.

17 Bruce Lanphear, I had visited the  
18 University of Cincinnati once when he was there  
19 and had served on a small panel involved --  
20 from -- a CDC panel that he had -- he had been  
21 on.

22 Andrew Olshan has been a colleague -- had  
23 been even at that time -- for many years at the  
24 University of North Carolina. We overlapped for  
25 almost the entire 20 years I was there and worked

1 together on a number of projects and papers.

2 And Elaine Symanski was a trainee there.  
3 She was a graduate student at the University of  
4 North Carolina during the time that I was on the  
5 faculty there.

6 Q. Are each of those individuals epidemiologists?

7 A. Yes. I mean, Elaine Symanski is -- is a  
8 combination of epidemiology and environmental  
9 sciences. The rest of them are epidemiologists,  
10 yes.

11 Q. In your experience with those individuals, I know  
12 some less and some more before this committee  
13 began its work, were you aware of any particular  
14 biases in any member -- in any of those  
15 particular individuals?

16 MR. TELAN: Object to form.

17 A. I don't -- you know, again, I think that there --  
18 there's a certain -- I mean, interpreting the  
19 science, it's hard to say whether it's a bias or  
20 just a range of a spectrum of -- of opinions, but  
21 overall, I think that they would all have been  
22 pretty well-balanced across the -- the range of  
23 interpretation, certainly nothing that would have  
24 caused me concern that there wouldn't have been a  
25 fair evaluation.

1 BY MR. BAIN:

2 Q. So would it be fair to say that you believed that  
3 each of those individuals could be fair and  
4 objective in their review of the scientific  
5 evidence?

6 MR. TELAN: Form objection.

7 A. Again, I think that the reason for a committee,  
8 of course, is to synthesize that across a range  
9 of interpretations. You know, that I'm sure any  
10 one of those individuals, if they had written the  
11 report independently, may have not said exactly  
12 the same things that we did as a group, but  
13 overall, I believe they individually and  
14 collectively could provide a balance view.

15 BY MR. BAIN:

16 Q. And with respect to the other individuals on the  
17 committee in your work on the committee, did you  
18 see any signs of bias influencing the work?

19 MR. TELAN: Object to the form.

20 A. Again, when it's -- this is -- you know, as an  
21 epidemiologist, of course, I have an easier time  
22 sort of calibrating the perspectives of  
23 epidemiologists because I can see how it compares  
24 to my own. I am less able to do that in the  
25 other disciplines, but certainly, you know,

1 again, respect to the committee members and  
2 believe that they contributed expertise to the,  
3 you know, final report in a constructive way.

4 So I don't -- but as I said, I can't  
5 attest to where they fit in the spectrum within  
6 their own disciplines.

7 BY MR. BAIN:

8 Q. But was there anything that struck you during the  
9 work that led you to think that there might be  
10 some bias influencing it?

11 MR. TELAN: Object to the form.

12 A. Again, I believed at the time that, and continue  
13 to believe, that the committee provided an  
14 informed assessment of the evidence at that time.

15 BY MR. BAIN:

16 Q. The report identifies all the people who worked  
17 on the report as far as you know; is that right?

18 A. Again, I don't know if you mean beyond the  
19 committee itself. Do you mean the NRC staff?

20 Q. Well, both with respect -- well, let's start with  
21 the committee.

22 As far as the scientists who are on the  
23 committee who performed that work, is it fair to  
24 say that the report identified all the  
25 scientists?

1 A. Yes.

2 Q. And do you know whether or not all the people  
3 from the NRC who worked on the report are  
4 identified in the report?

5 MR. TELAN: Object to the form.

6 A. Again, in the -- in the acknowledgements and the  
7 preface, there's an attempt at least to credit  
8 those who contributed to the report from the NRC.  
9 Some of that is mediated by Dr. Martel as the  
10 project director, but overall, I have assumed and  
11 would believe that those who contributed  
12 significantly were acknowledged.

13 BY MR. BAIN:

14 Q. In doing a report such as this in your  
15 experience, is it a good scientific practice to  
16 identify all the scientists who worked on the  
17 scientific review of the evidence?

18 A. Well, I think in terms of identifying the  
19 committee itself, of course, yes, that's the  
20 product of the committee and that's this set of  
21 individuals who generated it.

22 Q. Do you believe it's important to identify all the  
23 scientists who contributed to the report?

24 MR. TELAN: Object to the form.

25 A. Yes, I do.

1 BY MR. BAIN:

2 Q. And why do you believe that's important?

3 A. Because I think it -- first of all, it's -- it's  
4 giving credit for their volunteer service, that  
5 they deserve the professional recognition for  
6 having contributed. I also think that in  
7 the -- in -- in the spirit of transparency, that  
8 for those who review the report and -- and make  
9 use of it, to be aware of the, you know, the  
10 committee members who -- who generated it.

11 Q. You identified a number of epidemiologists who  
12 were on the committee.

13 In your view as the chairman of the  
14 committee, was it helpful to have more than one  
15 epidemiologist involved in the review?

16 A. Yes, it was.

17 Q. And why was that helpful?

18 A. It's a combination of distributing the workload  
19 so that we could sort of allocate maybe  
20 particular pieces of it to one or another of us,  
21 you know, to take a lead, but then also to have  
22 the opportunity to interact and sort of challenge  
23 each other to come to some collective view that  
24 is hopefully, and I believe is, better than what  
25 any one individual could have done.

1 Q. You were asked at your first deposition whether  
2 the literature searches were done by the  
3 National Academy of Sciences staff, do you recall  
4 that?

5 A. Yes, I do.

6 Q. Do you know whether the committee relied  
7 exclusively on searches done by the National  
8 Academy staff or whether any epidemiologist  
9 independently contributed any literature?

10 MR. TELAN: Object to the form.

11 A. Again, I don't -- I don't recall the details of  
12 that, but certainly if we are aware of studies in  
13 -- that are relevant to the charge, we would  
14 certainly bring those forward, even if they  
15 hadn't been flagged on the formal literature  
16 search.

17 BY MR. BAIN:

18 Q. Do you recall whether that, in fact, occurred  
19 with respect to any particular epidemiologist,  
20 whether they contributed any literature to the  
21 review?

22 A. I don't recall.

23 Q. Is it helpful in a study like this to have more  
24 than one individual identifying the scientific  
25 literature to be reviewed?

1 MR. TELAN: Form.

2 A. I think that, again, in terms of strictly the  
3 issue of identifying relevant literature, I  
4 think, in general, it's helpful to have a  
5 combination of the, you know, formal search  
6 algorithms that are applied, plus whatever else  
7 is identified. But there really is an attempt to  
8 make sure it's not a selective identification,  
9 that it's -- it's more methodical than that. But  
10 I think that whatever leads to the most  
11 comprehensive set of studies is -- is -- is what  
12 we're cert -- you know, striving for.

13 BY MR. BAIN:

14 Q. Would it be fair to say that having both an NAS  
15 staffer perform a literature search and have a  
16 number of epidemiologists bring their own  
17 experience and background and potential  
18 literature that they know about would lead to a  
19 comprehensive review of the literature?

20 MR. TELAN: Form.

21 A. I mean, those are elements of it. What we  
22 typically do, though, as well, of course, is if  
23 there's a review paper, we look at their  
24 reference list. If -- you know, the -- the  
25 publications will have their -- you know, each of

1 the papers will have their own reference list.  
2 And so it's a way of sort of making sure nothing  
3 fell through the cracks.

4 BY MR. BAIN:

5 Q. You were asked also whether the committee  
6 considered chemicals on Camp Lejeune water, aside  
7 from Trichloroethylene and perchloroethylene.

8 Do you recall that?

9 A. Yes, I do.

10 Q. The charge to the committee did not prohibit the  
11 committee from considering the effects of other  
12 chemicals on the Camp Lejeune water, did it?

13 A. No, it emphasized TCE and PCE but mentioned other  
14 chemicals in a general sense.

15 Q. And it's correct that the committee considered  
16 studies examining the effect of solvent mixtures,  
17 right?

18 A. We tried to identify literature that -- that  
19 had -- right, that addressed health effects of  
20 mixtures of water contaminants.

21 Q. And solvent mixtures would consider the effects  
22 of combinations of chemicals, right?

23 A. Well, insofar as there's relevant literature,  
24 right, that -- the mixture, it would be the  
25 exposure. So that it would, again, based on the

1 literature available at that time, have -- be  
2 relevant to the study of combinations.

3 Q. And you stated that you were aware at the time  
4 the committee was performing this work that  
5 benzene was associated with leukemia; is that  
6 right?

7 A. I mean, it's sort of -- would have been general  
8 knowledge at the time, that it was already  
9 well-established as a cause of leukemia.

10 Q. So when you're talking about the relationship  
11 between benzene and leukemia and the five-tiered  
12 categories you had in this report, do you have an  
13 opinion or did you have knowledge at that time  
14 whether it fell in any of those particular  
15 categories?

16 A. Again, the committee didn't do that, and so I'm  
17 trying to be careful to say what I would have  
18 said as an individual epidemiologist. But I  
19 think that at that time, I think almost all  
20 epidemiologists would agree that there was -- it  
21 was in the highest category of conclusive  
22 evidence. But I think it's consistent with what  
23 the International Agency for Research on Cancer  
24 or others were saying.

25 Q. Would the consensus be that that applied to all

1 leukemias generally or just the specific subtype  
2 of AML?

3 A. I think there would be variation in the -- in how  
4 that's interpreted, and there continues to be  
5 variation in the scope of diseases that are  
6 caused by leuk -- benzene.

7 Q. So some scientists would confine that to AML, and  
8 other scientists would say leukemia is more  
9 broadly; is that fair?

10 MR. TELAN: Object to the form.

11 A. I think that's correct. And again, even beyond  
12 leukemias, there is some in -- interest in  
13 evidence regarding other forms of lymphomas.

14 BY MR. BAIN:

15 Q. Going back to the studies involving solvent  
16 mixtures that the committee considered, do you  
17 know whether any of those solvent mixtures  
18 would have considered or included  
19 Dichloroethylene, vinyl chloride or benzene in  
20 the solvent mixture?

21 A. I really -- I don't recall. They were mostly  
22 studies of community water contamination, and I  
23 don't recall the level of detail on what was in  
24 that water.

25 Q. Are you familiar with the 2017 assessment of

1 evidence that was done by the ATSDR that looked  
2 at the epidemiological literature with respect to  
3 the chemicals in the Camp Lejeune water?

4 MR. TELAN: My only objection, Adam, there  
5 is I think it's beyond the scope of what the  
6 notice was for, which was his participation as  
7 a -- as a fact witness in the NRC, and this is  
8 post date that.

9 MR. BAIN: Okay.

10 MR. TELAN: I'm not going to instruct him  
11 not to answer the question as phrased, but you  
12 can answer it.

13 MR. BAIN: You're instructing him not to  
14 answer the question?

15 MR. TELAN: I said I'm not instructing  
16 him.

17 MR. BAIN: Oh, okay.

18 A. Yeah, I'm aware -- I'm aware that the document  
19 exists, yes.

20 BY MR. BAIN:

21 Q. Do you know who the author of that study was?

22 MR. TELAN: Same objection.

23 A. I don't recall.

24 BY MR. BAIN:

25 Q. Do you know whether the study even identified an

1 author?

2 MR. TELAN: Same objection.

3 A. Again, I don't -- usually in those reports, and I  
4 don't remember this, when they -- they indicate  
5 some credit, but I don't recall for this one  
6 whether that was the case or not.

7 BY MR. BAIN:

8 Q. And do you know whether the author consulted with  
9 any other epidemiologist in reviewing the  
10 epidemiological literature?

11 A. I don't know.

12 MR. TELAN: Same objections.

13 BY MR. BAIN:

14 Q. Just a couple things from your earlier deposition  
15 I'd like to clarify. You talked about the  
16 regulatory levels for chemicals and there being a  
17 margin of safety.

18 What did you mean when you refer to a  
19 margin of safety?

20 A. Again, I'm -- I'm not an expert in quantitative  
21 chemical risk assessment, but my general  
22 understanding is that a level is calculated that  
23 is thought to be related to risk, and then  
24 there -- that level is ratcheted down to provide  
25 a buffer between the levels that are thought to

1 be potentially harmful and the levels that are  
2 acceptable.

3 Q. And do you understand how that what you call  
4 ratcheting down is accomplished?

5 A. I do not.

6 Q. You were asked today about the review  
7 coordinator, Mr. Rusch, from Honeywell.

8 Do you recall that?

9 A. Yes, I do.

10 Q. And again, can you describe what the role of the  
11 review coordinator is as far as you understand  
12 it?

13 A. Yes. I mean, the review coordinator and monitor  
14 work together, and they are assigned the -- the  
15 task of reviewing the reviews that have come in,  
16 identifying critical points to bring to the  
17 committee's attention, and then when the revised  
18 draft is generated, they are asked whether the  
19 committee has been sufficiently responsive on  
20 those key points.

21 Q. And you mentioned that there was an agreement by  
22 the committee on a draft before it's submitted to  
23 the review coordinator; is that right?

24 A. That's correct, yes.

25 Q. And is that what's called the prepublication

1 version?

2 A. You know, I'm not sure of the -- the terminology,  
3 but I think it -- I can't remember what phrase is  
4 used to describe the draft that goes out to  
5 reviewers. Prepublication sounds more final than  
6 that, but I don't -- again, I'm not sure of the  
7 terminology used.

8 Q. But there is some draft that the committee  
9 agrees upon that is submitted to the review  
10 coordinator?

11 A. It's submitted to the -- well, there's two steps  
12 there.

13 Q. Okay.

14 A. There's the draft that is judged to be suitable  
15 for sending out to the reviewers. They're then,  
16 after those reviews are in and the review  
17 coordinator and monitor have given their input  
18 and the committee provides a revision based on  
19 the reviews, then the review coordinator makes an  
20 assessment, again, the coordinator and monitor,  
21 whether the committee's new version is -- is  
22 suitably responsive.

23 And so at that point there's -- there's  
24 more fine-tuning of language and editing,  
25 technical editing and so on, but that's basically

1 approving or agreeing that with the input and the  
2 revision, that it's now suitable for release.

3 Q. If we were to look at the review draft that was  
4 submitted to the review coordinator and then look  
5 at the final draft, we would be able to determine  
6 what, if any, changes resulted from the review  
7 process; is that right?

8 MR. TELAN: Object to the form.

9 A. I think you could -- you could track through the  
10 sequence of comments from the, again, external  
11 reviewers. It's sort of -- the only thing I  
12 should say, though, again, maybe just a technical  
13 point, but from the committee's point of view,  
14 what we get back are the comments of the  
15 reviewers, that there's often quite a few of  
16 them, five, six, eight, you know, a sizable  
17 number, plus a cover memo from the review  
18 coordinator and monitor, all of it anonymized.  
19 That's what we receive as the feedback on our  
20 draft report, and then we work to provide a -- a  
21 revision of that draft.

22 BY MR. BAIN:

23 Q. With respect to this particular report, do you  
24 remember there being any significant changes to  
25 the report that resulted from the review process?

1 And when I use the word, significant, I would say  
2 something that affected a conclusion of the  
3 committee with respect to changing the  
4 classification of disease from one category to  
5 another, or an ultimate conclusion for another  
6 chapter of the report?

7 MR. TELAN: Object to the form.

8 A. I really don't recall it at that level of  
9 details. As I said, there's extensive comments  
10 made, and I don't recall the magnitude of  
11 revision that was required.

12 BY MR. BAIN:

13 Q. Would it be fair to say that there was nothing  
14 that was so significant that you would recall it  
15 today?

16 MR. TELAN: Object to the form.

17 A. Well, if it's significant enough, of course, it  
18 would hold up the release of the report, but I  
19 just -- again, it's just based on my memory of  
20 it. There was nothing that stood out as a sort  
21 of a -- something that was so surprising or -- or  
22 that it -- that I can recall it today.

23 BY MR. BAIN:

24 Q. You mentioned with respect to the Navy's  
25 presentation, that you got the impression that

1 the Navy wanted to bring the issue to a close.

2 Do you recall that?

3 A. Yes.

4 Q. And when you say the Navy wanted to bring the  
5 issue to a close, can you elaborate on that at  
6 all?

7 A. Again, it's -- it's sort of a broad inference  
8 that this issue had been, if you will, a thorn in  
9 their side for many years, that it was -- was  
10 contentious. It was, I think, again, troubling  
11 to them, and they were -- they were interested in  
12 scientific approaches to help bring the issue to  
13 some closure.

14 I don't think they had -- there was  
15 nothing really much more specific what that might  
16 be, but it was a desire to, as I said, bring the  
17 issue to a satisfactory resolution in some  
18 manner.

19 Q. And that's a little bit of what I wanted to get  
20 at.

21 Did you have the impression that they were  
22 trying to influence the scientific conclusion at  
23 all?

24 MR. TELAN: Object to the form of the  
25 question.

1 A. No, I did not.

2 BY MR. BAIN:

3 Q. You mentioned in the first deposition that with  
4 respect to review of the epidemiological  
5 literature, that the committee did not make a  
6 distinction between occupational and  
7 environmental studies with respect to its  
8 classifications.

9 Do you recall that?

10 A. In -- in the evaluation of the chemicals, we --  
11 we considered the full array of studies of  
12 varying quality and varying settings, but we were  
13 trying to make an overall assessment about the  
14 chemical, not the chemical in a particular  
15 environment.

16 Q. So if there were occupational studies that  
17 supported placing a disease in a certain  
18 category, the fact that there weren't any  
19 environmental studies would not have been  
20 determinative; is that fair?

21 A. We were looking at the overall weight of the  
22 evidence for that part of the assessment. In  
23 other places we talked about the exposure  
24 circumstances, but the primary evaluation of the  
25 epidemiology and toxicology was based on all

1 available literature.

2 Q. You talked about the review of the proposed  
3 studies that were to be done at Camp Lejeune in  
4 this report, and I think you said that it was  
5 focused on the feasibility of those studies.

6 Do you recall that?

7 A. That's right, that -- that we were asked to  
8 comment on plans, which could only be based on  
9 the feasibility.

10 Q. But isn't there also some discussion in the  
11 report on what the utility of those studies would  
12 be as opposed to feasibility?

13 A. Yes, that was addressed.

14 Q. And didn't the committee as a general matter  
15 conclude that there would not be any utility to  
16 those studies?

17 MR. TELAN: Form objection.

18 A. No, that -- I wouldn't -- I do not believe that  
19 we said that. I think we were trying to  
20 characterize some of the challenges that would  
21 result, even if the studies were implemented in  
22 terms of having a -- a relatively young  
23 population that had limited mortality and limited  
24 numbers of diseases. But it was mostly -- yeah,  
25 so I -- I don't think it was saying that they

1 would not be of value. It was more saying that  
2 there were going to be challenges and there were  
3 going to be limitations that would be inherent in  
4 that work.

5 BY MR. BAIN:

6 Q. Limitations on the value?

7 A. Inherent, and as there are in ep -- any  
8 epidemiologic study, but that was -- again, it  
9 was speculation based on what we knew at that  
10 time about the population.

11 MR. BAIN: Okay. If we can take a break,  
12 I'm going to confer with my colleague, and I  
13 think we are just about through.

14 THE VIDEOGRAPHER: Off the record at  
15 10:32.

16 (A short break was taken.)

17 THE VIDEOGRAPHER: We are back on the  
18 record at 10:36. Please proceed.

19 BY MR. Bain:

20 Q. Dr. Savitz, I think you referred to both there  
21 being a review coordinator and a monitor; is that  
22 right?

23 A. That's correct, yes.

24 Q. And what is the role of the monitor?

25 A. This is -- it's -- it's something that I've never

1           been entirely clear on. I've served in both  
2           roles and I've never honestly -- I'm sure there's  
3           a technical distinction, but basically the two  
4           individuals work as a team to oversee the review  
5           and the response.

6       Q.    And in this particular case, the review monitor  
7           was George Hornberger, Vanderbilt University.

8                        Do you know who that is?

9       A.    I do. I don't -- not -- not a lot of  
10           information, but I'm familiar with him.

11      Q.    Do you know what his expertise is?

12      A.    I know broadly it's environmental health.

13      Q.    And you say they work together as a team?

14      A.    That is typically the way that's done, is the two  
15           individuals appointed in those roles confer and  
16           come to an agreement on -- on what their comments  
17           are going to be.

18      Q.    You were asked a little bit about your knowledge  
19           about what the Honeywell Corporation does?

20      A.    Yes.

21      Q.    And Mr. Telan showed you some web articles  
22           showing that they have some defense contracts.

23                        Do you know that they are involved in a  
24           lot of different endeavors?

25      A.    Again, we're -- I really am not broadly familiar.

1 I know they're a big corporation that does many  
2 things.

3 MR. BAIN: I think that's all the  
4 questions I have for you. Thank you.

5 MR. TELAN: Just a few in follow-up, Dr.  
6 Savitz.

7 EXAMINATION-BY ATTY. TELAN:

8 Q. I want to just show you something.

9 MR. TELAN: Adam and Liz, I sent you this  
10 article just a few -- few minutes ago. It's a  
11 2011 article.

12 Can you see that?

13 MR. BAIN: Okay.

14 (Deposition Exhibit No. 18, Honeywell and  
15 Congress: Best of Friends Article, 8/11/11,  
16 marked for identification.)

17 BY MR. TELAN:

18 Q. If you would read the title of that article from  
19 Forbes and just the first sentence into the  
20 record?

21 A. The title is Honeywell and Congress: Best of  
22 Friends? First sentence: Having spent \$3.2  
23 million in contributions to candidates in the  
24 2009-2010 period, Honeywell International has  
25 quietly become the largest corporate donor in

1 Washington.

2 Q. Okay. Let me show you one more thing. In terms  
3 of the -- the value of contracts that Honeywell  
4 has with the federal government, I'm going to  
5 guess that you probably don't have a real  
6 understanding of that?

7 A. I do not.

8 Q. Okay. I'm just going to show you a couple of  
9 documents.

10 MR. TELAN: I've sent -- I'll send it to  
11 you as well.

12 BY MR. TELAN:

13 Q. If you wouldn't mind reading into the record --  
14 these are after your report was generated, but  
15 just as an example, No. 10?

16 MR. BAIN: Can I take a look at it?

17 MR. TELAN: Yes, I'm sorry. And I'll send  
18 you the link to the website as well, Adam.

19 MR. BAIN: Okay.

20 (Deposition Exhibit No. 19, What Are The  
21 Top Honeywell Government Contracts Article,  
22 12/5/22, marked for identification.)

23 BY MR. TELAN:

24 Q. So for No. 10, if you wouldn't mind reading just  
25 the title of that and then the -- the value of

1 the contract in the first sentence of that  
2 paragraph, if you wouldn't mind?

3 A. 10: ACC, AMIC Finalizes Award for Counter  
4 Narcotics, Global Threats Operations and  
5 Logistics Support.

6 The value is \$975 million.

7 Q. And if you could read the first sentence into the  
8 record?

9 A. Honeywell Technology Solutions is one of the 15  
10 companies to provide services, equipment and  
11 construction services for logistics support,  
12 counter narcotics, and global threat operations  
13 of the federal government in partner nation  
14 agency organizations.

15 Q. Okay. And that's No. 10. Let me just go to No.  
16 1, and I'll have you read that into the record.

17 MR. BAIN: I'm going to ask him something  
18 about that last one, so please...

19 MR. TELAN: Okay. I will leave it there  
20 as well.

21 BY MR. TELAN:

22 Q. And then if you can read No. 1 into the record in  
23 the same --

24 A. One: DMEA modifies the IDIQ For Advanced  
25 Technology Support Program for Contracts. And

1 the value is \$10.27 billion.

2 Q. You said billion, right?

3 A. Billion.

4 Q. And can you read the first sentence into the  
5 record, please?

6 A. Honeywell International Inc. is one of the eight  
7 contractors to continue on IDIQ for advanced  
8 technology support program for ATSP4 contracts.

9 Q. All right. And I won't have you read the other  
10 eight into the record, but feel free, if you  
11 would scroll from 2 to 9, and just confirm that  
12 -- that the other contracts in that article,  
13 which we'll make the next numbered exhibit, all  
14 involve Honeywell providing services and/or  
15 products to the U.S. Department of Defense or  
16 U.S. Government?

17 A. Yes, that's correct.

18 MR. TELAN: Okay. Those are all the  
19 questions I have, and I'll scroll back to No. 10  
20 for Mr. Bain here. Here you go.

21 EXAMINATION-BY ATTY. BAIN:

22 Q. Okay. Okay. Dr. Savitz, there's a section in  
23 this particular article that says, About  
24 Honeywell International, Inc., and there's the  
25 Honeywell symbol there.

1 Do you see that?

2 A. Yes, I do.

3 Q. Can you just read the two paragraphs below that  
4 into the record?

5 A. Honeywell International, Inc. manages a  
6 diversified portfolio of industries participating  
7 in global affairs such as the moon mission  
8 support in 1969. Since its founding in 1885 with  
9 the invention of the furnace regulator and alarm  
10 by Albert Butz, the company has been an industry  
11 leader in innovation for nearly 140 years.  
12 Darius Adamc -- this is -- the name is not easy  
13 to pronounce, A-D-A-M-C-Z-Y-K -- leads the  
14 operations of Honeywell International as the  
15 chief executive officer and chairman  
16 headquartered in Charlotte, North Carolina. The  
17 company owns 83 wholly-owned subsidiaries and 13  
18 joint ventures with businesses in 95 countries.  
19 Honeywell International, Inc. ranks 105th in the  
20 Fortune 500 list of companies as of 2022.

21 MR. BAIN: Okay. Thank you. I have no  
22 further questions.

23 MR. TELAN: No further questions as well.

24 THE VIDEOGRAPHER: All right. The  
25 deposition of David Savitz, Ph.D. is off the

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record at 10:44.

MR. TELAN: You're done.

(The deposition concluded at 10:44 a.m.)

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STATE OF MAINE

I, Colleen A. DiPierro, RMR, CRR, a Notary Public in and for the State of Maine, do hereby certify that pursuant to notice there came before me on July 17, 2024 the following-named person to wit: DAVID A. SAVITZ, Ph.D., was duly sworn to testify to the truth and nothing but the truth; that he was thereupon carefully examined upon his oath and his examination reduced to writing under my supervision; that this deposition is a true record of the testimony given by the witness.

I further certify that I am neither attorney nor counsel for, nor employed by any of the parties to the action in which this deposition is taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, or financially interested in this action.

IN WITNESS WHEREOF I have hereunto set my hand this            day of            , 2024.

<%10015,Signature%>

Colleen A. DiPierro, RMR, CRR

My Commission Expires  
May 1, 2025

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I, DAVID A. SAVITZ, Ph.D., do hereby certify that the foregoing testimony taken on July 17, 2024, is true and accurate to the best of my knowledge and belief.

DATE

At \_\_\_\_\_ in said County of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2024, personally appeared DAVID A. SAVITZ, Ph.D. and he made oath to the truth of the foregoing answers by his subscribed.

Before me, \_\_\_\_\_, Notary Public.

My commission expires:

ERRATA SHEET OF: DAVID A. SAVITZ, Ph.D.

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DAVID A. SAVITZ, Ph.D.

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate.

The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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