



NATIONAL ASBESTOS LITIGATION CONFERENCE

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Expert Retention and Development



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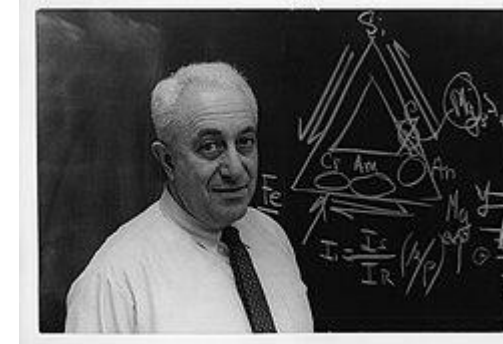
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EXPERT RETENTION AND DEVELOPMENT

- Historical Perspectives
- Current State of Experts in Asbestos Litigation
- Development of New Experts
- Arenas for New Expert Development
- Experts as PMK witnesses

HISTORICAL PERSPECTIVES

- Early experts and fields
- Retirement and passing of said experts
- Successors



MEDICAL EXPERTS WHO HAVE
TESTIFIED IN ASBESTOS LITIGATION

Historical Experts in Asbestos Litigation

The physicians, pathologists, and epidemiologists whose research established causation, and whose work still frames medical testimony in mesothelioma cases.

David Halpern, Esq. – The Halpern Law Firm - Pennsylvania

1924

Asbestosis

1955

Lung cancer

1960

Mesothelioma

1979

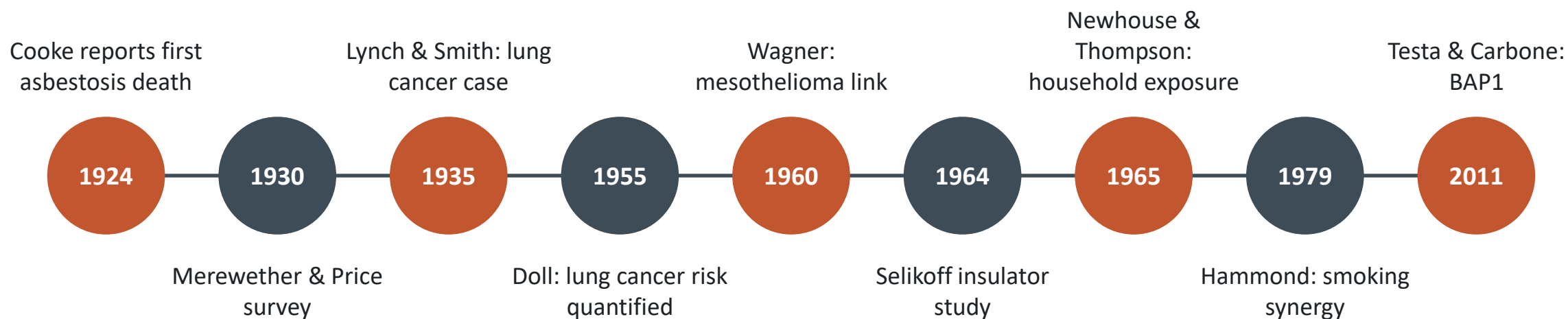
Smoking synergy

2011

Genetics

A Century of Medical Discovery

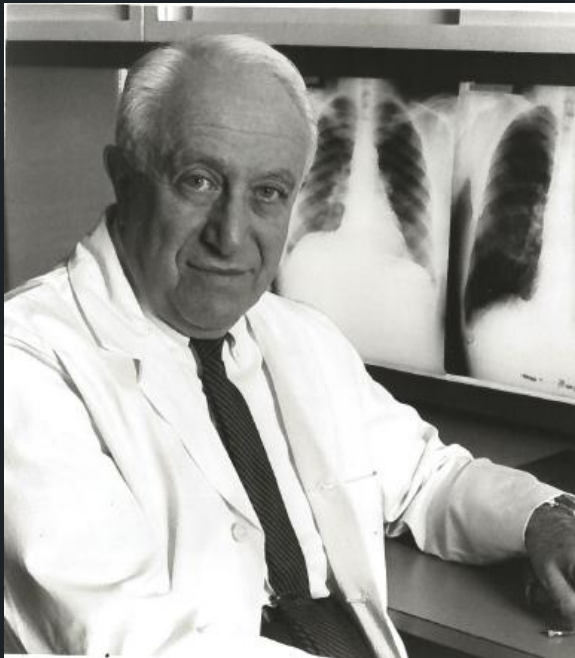
How the science of asbestos disease was built, study by study



632

Union insulation workers followed in
the 1964 Mount Sinai study

Published 1964 · JAMA



Dr. Irving J. Selikoff – Pulmonologist and Pioneering Epidemiologist – Passed in 1992

Mount Sinai School of Medicine, New York

- Led the research that brought asbestos disease into public health policy
- Set the medical baselines for proving that asbestos exposure causes mesothelioma, asbestosis, and lung cancer
- Built his conclusions on his own cohort studies, which produced groundbreaking data on exposed workers
- When he testified for plaintiffs, defense attorneys struggled to discredit the field's leading researcher
- Communicated with the public and the media in a charismatic, effective way

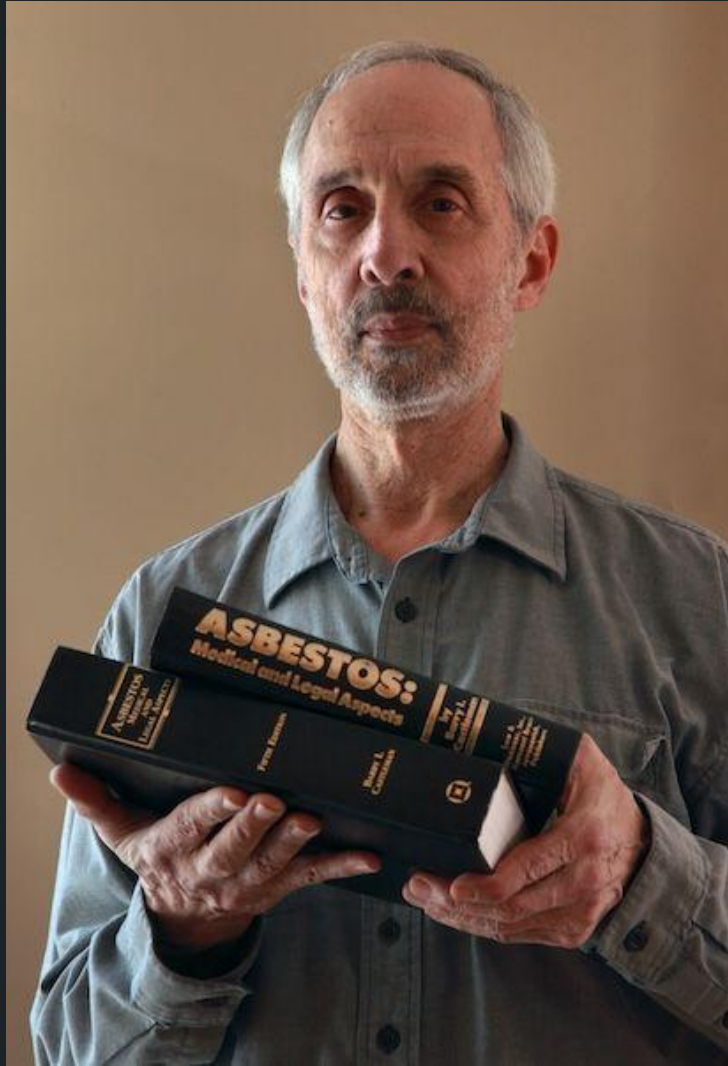


Dr. David Rosner –

Public Health Historian - Passed in 2026

Columbia University, New York

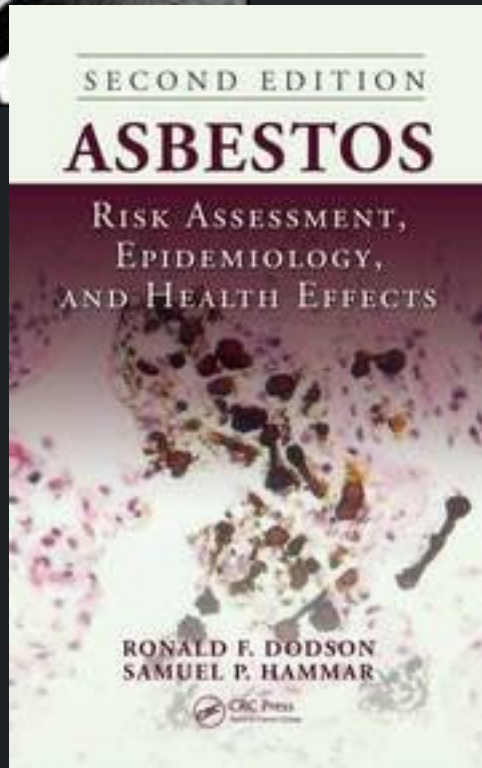
- Had a background in history and medicine in the 1970's. His specific training allowed him to withstand cross examination from corporate defense attorneys that tried to argue that historians did not belong in the court room.
- One of the most prominent experts in toxic tort history.
- Along with Dr. Gerald Markowitz they were noted as the premier state of the art experts.



Dr. Barry Castleman

Johns Hopkins University

- Internationally acclaimed author and public health advocate
- bachelor of Science Johns Hopkins University
- Master of Science and Environmental Engineering
- He wrote the “bible” of asbestos litigation – *Asbestos Medical and Legal Aspects* – 5 expansive editions
- Widely used by lawyers, judges, and public health scholars
- Since 1979 – an expert witness and legal consultant
- Shaped policy for bodies such as World Health Organization (WHO), the international labor organization, and the world bank.
- Heavily consulted for the EPA and OSHA



Dr. Samuel P. Hammar –

Pathologist – passed in 2019

University of Utah – College of Medicine

- Member of the American Association of Pathologists, International Academy of Pathology, American Thoracic Society, Society for Ultrastructural Pathology, and Society for Pulmonary Pathology
- Elected a Fellow of the American College of Chest Physicians
- Focused much of his practice and research on asbestos-related lung diseases and mesothelioma, the signature tumor of asbestos exposure
- Selected for the U.S.-Canadian Mesothelioma Panel, the International Mesothelioma Pathology Group, and the International Mesothelioma Interest Group
- Member of the elite US Canadian panel and co-authored the book *Asbestos; Risk Assessment, Epidemiology and Health Effects*

“Mr. Mesothelioma”



Dr. David J. Sugarbaker – Surgeon – Passed in 2018

Baylor College of Medicine and CHI St. Luke's Health

- Most influential surgeon in history of asbestos related lung cancer
- While working at Brigham and Women's Hospital he founded the International Mesothelioma Program (IMP)
 - Since its start, it has become the premier center for mesothelioma care and the largest program of its kind in the world.
- Redefined and popularized the Extrapleural Pneumonectomy (EPP) – aggressive surgery removing the diseased lung, lining, diaphragm, and pericardium
- he took an illness that other doctors deemed untreatable and pioneered a trimodal therapy approach
- Testified on behalf of Plaintiffs in asbestos litigation

Dr. William Longo – Materials Expert

Materials Analytical Services (MAS)

- He serves as a prominent expert witness for plaintiffs in lawsuits involving asbestos and talc
- Specialized in testing cosmetic talcum powder products for asbestos contamination, arguing that traditional manufacturing tests are not sensitive enough to catch low levels or specific forms of asbestos fibers
- His testing methodologies and reproducibility have faced aggressive challenges and motions to exclude his testimony from opposing defense teams in major mass-tort litigations





Dr. Victor Roggli –

Defense Pathology Expert

Duke University - Pathologist

- expert in dust-related lung diseases and mesothelioma
- Testified in asbestos jury trials for over 35 years, published more than 240 peer-reviewed articles, and written five medical books.
- He has been on the Duke faculty since 1980 and received the Pulmonary Pathology Society's Lifetime Achievement Award in 2020.



Mr. Carl Mangold – Industrial Hygienist – Passed in 2008

Puget Sound Naval Shipyard – Industrial Hygienist

- He has frequently provided expert testimony in court cases regarding whether specific historical trades or handling of encapsulated asbestos products (such as gaskets) posed significant disease risks
- Had practical experience working directly within the environments where heavy asbestos exposure occurred. He served as a Certified Industrial Hygienist at the Puget Sound Naval Shipyard from 1962 to 1972
- Mangold was highly respected within the industrial hygiene community, having served as a past president of local chapters of the American Industrial Hygiene Association (AIHA)



Dr. Joseph Testa – Genetics

Fox Chase Cancer Center

- Worked with Dr. Michele Carbone on the discovery that people with BAP1 mutations are predisposed to mesothelioma
 - He explained that the BAP1 mutation keeps certain proteins from acting as tumor suppressors, but disagreed with Carbone that mesothelioma can occur without asbestos exposure.



Dr. Michele Carbone – Defense Pathologist

University of Hawaii Cancer Center

- One of the most influential and most debated scientists in mesothelioma research
- His work repeatedly suggests mesothelioma can have causes other than asbestos specifically genetics rather than exposure, so defendants lean on it heavily



Dr. Gerrit W. H. Schepers – Plaintiff Pathologist - passed in 2011

Saranac Laboratory

- Conducted some of the earliest medical studies on asbestos in South Africa and later relocated to the US due to his knowledge
- Provided foundational testimony in U.S. asbestos litigation regarding what the manufacturing industry knew about health risks, and when they knew it.
- Created a historical manuscript titled "Thirty Years of Asbestos Research of the Saranac Laboratory between the years 1928 and 1958," which brought to light early discoveries regarding asbestos-induced tumors

The Experts at a Glance

Ten experts, four roles in asbestos litigation

1

Causation Science

Proved asbestos causes disease

Dr. Irving Selikoff
Epidemiologist

Dr. Samuel Hammar
Pathologist

Dr. David Sugarbaker
Thoracic surgeon

2

State of the Art

Showed what industry knew, and when

Dr. David Rosner
Public health historian

Dr. Barry Castleman
Author & policy expert

3

Exposure & Products

Tied the disease to the job and the product

Mr. Carl Mangold
Industrial hygienist

Dr. William Longo
Materials scientist

4

The Battlegrounds

Fiber counts and genetics

Dr. Victor Roggli
Defense pathologist

Dr. Michele Carbone
BAP1 researcher

Dr. Joseph Testa
BAP1 geneticist

Key Takeaways

1

The science is settled

Selikoff's 1964 study and decades of pathology from experts like Hammar made asbestos the established cause of mesothelioma.

2

The danger was known early

Rosner and Castleman documented that industry understood the hazards long before it warned workers.

3

Exposure proof must be specific

Mangold's shipyard work and Longo's product testing connect a plaintiff's job to a defendant's product.

4

Defenses target fibers and genes

Roggli's fiber counts and Carbone's BAP1 research are the main defense tools; Testa's view that asbestos is still required is a key rebuttal.

Bottom line: The strongest cases pair settled causation science with a specific, well-documented exposure history.

THE PROBLEM

The generation that saw asbestos installed firsthand is almost gone. The next generation never worked alongside it.

The Next Generation of Experts

Where to find them: fields that still handle asbestos today

1

Abatement industrial hygienists

Remove original pipe insulation, gaskets, tile, and fireproofing from old buildings and ships.

2

Treating physicians

Surgeons, oncologists, and pulmonologists at mesothelioma programs such as Penn, Fox Chase, and Jefferson.

3

Occupational medicine programs

Mount Sinai's Selikoff Centers and university departments trained in exposure-related disease.

4

Talc and vermiculite researchers

Newer materials scientists and epidemiologists from talc and Libby, Montana cases.

5

Professional societies

AIHA, the American College of Chest Physicians, and the International Mesothelioma Interest Group.

Building Credibility Without Firsthand Experience

Replacing firsthand memory with firsthand command of the evidence

1

Master the primary records

Navy specifications, product labels, sales literature, industry letters, and period photographs.

2

Study work-practice simulations

Measured fiber releases from recreated tasks like gasket removal and pipe-insulation cutting.

3

Walk legacy sites

Decommissioned ships, refineries, and power plants that still contain original materials.

4

Learn from senior experts

Co-author reports, attend trials, and study past testimony and the classic texts.

5

Stay active outside the courtroom

Keep clinical, research, or field work primary, and publish peer-reviewed work.

CURRENT STATE OF EXPERTS IN ASBESTOS LITIGATION

- Early experts and fields
- Retirement and passing of said experts
- Successors

DEVELOPMENT OF NEW EXPERTS

- How do you find them?
- Develop from scratch?
- Attributes of Testifying Expert
- Experience v. Clean Slate
- Potential Pitfalls

ARENAS FOR NEW EXPERT DEVELOPMENT

- Talc
- Genetics
- State-of-the-art/Industrial Historian
- Occupational
- Potential Pitfalls

EXPERTS AS PMK WITNESSES

- Background
- Pros and Cons