

1 I -- I -- it's likely that some of the material's no
2 longer been kept in my -- in my 900 or so pages.

3 I made effort to keep these 900 or so pages.
4 To me, that already a lot. But I -- I -- it's -- some
5 years ago, there must be some document already lost.

6 BY MR. PRAGLIN:

7 Q Dr. Zhang's full name is JianDong Zhang, right?

8 A Yes.

9 Q J-i-a-n, second word D-o-n-g, next word
10 Z-h-a-n-g; is that right?

11 A I will take your word for it.

12 Yes. Sure. Yes.

13 Q Let's mark as Exhibit 20 his name that I've
14 written out.

15 (Plaintiffs' Exhibit 20 was
16 marked for identification, a copy of
17 which is attached hereto.)

18 BY MR. PRAGLIN:

19 Q Looking at Exhibit 20, is that the correct
20 spelling of Dr. Zhang's name?

21 A Yes.

22 Q Isn't it true that Dr. Zhang's name is

23 misspelled on the Zhang article that was published?

24 A I don't think so.

25 Really?

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1 Q Look at Exhibit 2.

2 A I will say that's a misspell, yes. I agree.

3 Q It's a typo?

4 A I believe so.

5 Q How is it, if Dr. Zhang reviewed the draft
6 before publication, that he didn't pick up a typo in his
7 own name?

8 MR. TATRO: Objection.

9 MR. CASAS: Objection. Calls for speculation.

10 THE WITNESS: Well, I -- I -- to be honest, I --
11 sometimes I misspell I -- I do not pick up the apparent
12 spelling error of my information as well. I don't -- I
13 think that -- I don't know. I don't know why he miss
14 that name.

15 And I -- I -- to be honest, I don't know
16 that -- why this name was misspelled. Not only by him,
17 also by whoever working at ChemRisk when -- when they

18 typed this name, why they misspell it. I have no idea.

19 BY MR. PRAGLIN:

20 Q Well, ChemRisk misspelled Dr. Zhang's name on
21 several of the drafts that ChemRisk wrote, didn't it?

22 A I don't know. Actually, this is -- before you
23 posed -- you put this page right in front of me, I -- I
24 really have to go back to -- to check.

25 Q Well, let me show you some of those.

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1 Let's mark them as Exhibit 21.

2 Exhibit 21 is a collection of some of the
3 drafts of the Zhang article.

4 (Plaintiffs' Exhibit 21 was
5 marked for identification, a copy of
6 which is attached hereto.)

7 MR. PRAGLIN: And let me just read into the record
8 what the Bates stamps are so that there's no confusion.

9 They're TY 453 through 458, TY 468 through 476,
10 TY 89 through 99 and TY 102 through 112. And then a
11 copy of the Zhang final article as well. That's
12 Exhibit 21.

13 MR. TATRO: Do you have a copy of that?

14 MR. PRAGLIN: I do. I'm just going to clip it
15 together so we can keep it altogether.

16 MR. TATRO: Okay.

17 MR. PRAGLIN: Mr. Casas, I came up one short on
18 that, although I think all of these --

19 MR. CASAS: I'll look at the witness's.

20 MR. PRAGLIN: Thanks. All of these, I think, are
21 marked.

22 Q I wanted to take you through some of the pages
23 on Exhibit 21.

24 A Yes.

25 Q Would you turn to page TY 454, please.

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1 A Yes, I do.

2 Q This is the draft of the Zhang article dated
3 September 6, 1995 on the fax, right?

4 A Yes.

5 Q And Dr. Zhang's name on that draft by ChemRisk
6 is misspelled, isn't it?

7 A I agree with you, yes.

8 Q On the next page, TY 469, this is the

9 November 14, 1995 draft of the Zhang article by

10 ChemRisk, and on the face page, Dr. Zhang's name is

11 misspelled, isn't it?

12 A I agree with you, yes.

13 Q And this is the page that says Dr. Zhang's

14 address is JinDong Zhang, care of Brent Kerger at

15 McLaren/Hart-ChemRisk, right?

16 A That's what the document says, yes.

17 Q The next one is TY 89.

18 A Okay. Yes, sir.

19 Q And this is the November 16, 1995 draft of the

20 Zhang article prepared by ChemRisk, and it has

21 Dr. Zhang's name misspelled, doesn't it?

22 A It has misspelled Dr. Zhang's name, yes.

23 Q And this is the one that changes the address to

24 send correspondence to Dr. Zhang care of Tony Ye at your

25 home address, right?

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1 A That's what appear on the document, yes.

2 Q Next, please, turn to TY 102.

3 A Yes.

4 Q This is the November 25, 1995 draft of the

5 Zhang article by ChemRisk, and this one, too, has
6 Dr. Zhang's name misspelled, doesn't it?

7 MR. TATRO: I'm going to object somewhat globally
8 here to your repeated characterization of these articles
9 as being, quote, by ChemRisk, close quote. I think that
10 deliberately misstates the witness's testimony from
11 yesterday and earlier today. And it becomes
12 argumentative by its repeated, deliberate misstatement.

13 MR. PRAGLIN: Your objection is preserved,
14 Mr. Tatro.

15 Q I'll restate my question for you, Mr. Ye.

16 A Certainly.

17 Q Isn't it true that on this page of Exhibit 21,
18 TY 102, that on the November 25, 1995 draft of the
19 Zhang article, which was prepared by ChemRisk, that
20 Dr. Zhang's name is misspelled?

21 A The name was misspelled on this page. I
22 confirm that for you.

23 Can you be --

24 Mr. Praglin --

25 Q Yes.

1 A -- before you continue, do you mind me have a
2 look of my Exhibit 1?

3 Q No. Take a look.

4 A Okay. Just take one minute or so.

5 Yes, you can continue, Mr. Praglin.

6 Q Also, when you submitted the letter to Archives
7 of Environmental Health, you misspelled Dr. Zhang's
8 name, didn't you?

9 A Which page are you referring to?

10 Q Let's mark it as an exhibit.

11 Let's mark it as Exhibit 22.

12 It's Bates stamped from your files TY 495.

13 (Plaintiffs' Exhibit 22 was

14 marked for identification, a copy of

15 which is attached hereto.)

16 THE WITNESS: Thank you. Oh, this letter. Yes.

17 First letter was not prepared by me, again.

18 Second one is -- I confirm with you the name of

19 Dr. Zhang was misspelled on this letter.

20 BY MR. PRAGLIN:

21 Q So this is Exhibit 22?

22 A Yes.

23 Q This is the cover letter that you signed when

24 you sent Dr. Zhang's article to the journal Archives of
25 Environmental Health on December 5, 1995, right?

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1 A I believe that a -- I don't know whether this
2 page exactly sent but, yes, similar page like this was
3 sent, I agree.

4 Q And your signature is on Exhibit 22, isn't it?

5 A There are signatures of my -- there are
6 document I signed but -- but -- which are draft
7 version. I did not send, possible.

8 Q Well, did you read Exhibit 22 before you signed
9 it?

10 A Certainly.

11 Q And you didn't pick up the typo in Dr. Zhang's
12 name?

13 A I did not.

14 Q And you're saying that someone other than you
15 drafted Exhibit 22 for your signature, right?

16 A Someone drafted this letter and sent to me,
17 yes.

18 Q And it was someone at ChemRisk, right?

19 A Yes.

20 Before you continue, Mr. Praglin, can I raise a
21 point?

22 If I can direct our attention to Exhibit 1,
23 page 521, TY 521. The page TY 521 is a copyright
24 assignment signed by Dr. Zhang and the Dr. Li, both in
25 Chinese and in English. I remember this page was faxed