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WRITERS DIRECT DIAL: (516) 228-4317

January 3, 1984

Paul Cecil, Ph.D.
103 Tower Drive
Round Rock, Texas 78664

Dear Paul:

Enclosed please find check in the amount of \$1,000.00 as down payment to be applied towards your consultation and expert activities for this firm. Let me take this opportunity to review our oral understanding:

1. You agree to consult, testify and/or serve as an expert in the Agent Orange Litigation, exclusively for the firm of Rivkin, Leff, Sherman & Radler ("RLS&R"), which represents The Dow Chemical Company.
2. Your fee is \$100.00 per hour for all such activities.
3. RLS&R will provide for, or reimburse you for all necessary travel expenses.
4. Reports or other written statements prepared in respect to the areas listed above during your period as a consultant are attorney work product, and as such, shall remain the property of RLS&R.

Paul, I am sending two copies of this letter, one for your files, one for ours. Please sign below to indicate your acceptance of the above terms and return the signed copy to me.

Paul Cecil

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RIVKIN, LEFF, SHERMAN & RADLER

Paul Cecil, Ph.D.

January 3, 1984

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On a personal note, let me express my pleasure at having you join us in our efforts to provide an unemotional and accurate representation of the events which occurred in Vietnam in respect to Agent Orange.

Paul, as an initial request, if there is available a copy of your thesis work on Ranch Hand, we would much appreciate receiving a copy of the same. Of course, we would gladly reimburse you for any costs involved.

With warmest personal regards, I remain.

Very truly yours,

Stanley Pierce, JD
Ph.D. (Biology)

SP:mk
Enc.

15 January 1984

Stanley Pierce, Ph.D.
Rivkin, Leff, Sherman & Radler
100 Garden City Plaza
Garden City, NY 11530

Dear Stan:

Enclosed please find the signed copy of the consultation agreement you sent me on 3 January. It is my understanding that this service will be for the period of the Agent Orange litigation, and that such reports or other written statements I prepare during this period, at the request of the firm, RLS&R, will remain the property of the firm.

Please clarify for me that other materials I prepare on my own or other initiative, even if on subjects germane to the litigation, remain wholly in my control, although the firm certainly may request and receive copies of such materials for their own use. This clarification is necessary since I have several projects involving herbicides presently underway, including a presentation I hope to use at one of the sessions of the Southwestern Regional Program in National Security Affairs, of which I am a member. I believe that you can understand my concern that my services as a consultant do not bar me from the mainstream of academic and professional production in this field. I will, of course, delay cashing the check you sent until this clarification is received.

I am looking forward to working with you. I hope to have copies of a 1,600 foot reel of RANCH HAND film and of a 15 minute 16-mm film shot by CBS during a spray mission; they could give you a feel for the action over there. During my current lectures on Vietnam, I use a sequence of slides during a spray run, flashed by very rapidly, to give the students the impression they are on a run. It seems to be very effective. The movies should be even better, and a psychology friend of mine plans to sit-in on the first lecture to see the reaction of the students to the films.

I will have a copy of the dissertation made and send it to you. Let me know if you see anything among the documents listed that you would be especially interested in. I have collected a surprising number of originals that various people had. All will eventually be placed in the RANCH HAND archives, but I am holding them until the book gets published (or rejected by all logical sources!). You know how that goes.

Many thanks for your time and trouble, and I look forward to seeing you again in the near future.

With deepest regards,

Paul F. Cecil

PC:dlc
Enc.

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April 30, 1984

DR. STANLEY PIERCE

PARTNER
DIRECT DIAL
(516) 228-4317

Paul Cecil, Ph.D.
103 Tower Drive
Round Rock, Texas 78664

Re: "Agent Orange" Product Liability
Litigation - MDL #381

Dear Paul:

Enclosed, please find a check for \$784.25. We have reimbursed you for travel and other expenses, total \$384.25. Additionally, \$100.00 per hour for 14 hours minus the \$1,000.00 originally paid comes to \$400.00 extra. Thus, the total is \$784.25.

Very truly yours,

RIVKIN, LEFF, SHERMAN & RADLER

Stan
Stanley Pierce

SP:mk
Encl.

*Paul - sorry that I missed you,
but you know how crazy things are just now.
I will get together with you one of these days
and I guess we'll wait 'til then for the ultimate
to go!*

1 June 1984

Dear Stan:

Here is the copy of the TO I mentioned in our phone conversation. My review of this, and other materials, leads me to believe that two of the herbicides used in Vietnam, White and Blue, were essentially "off-the-shelf" type mixtures which were commonly available for purchase and use in the United States. Orange, on the other hand, appears to be a mixture that was similar to several of the "brush killers" used in agriculture and forestry, but unique enough that the military writers at SAAMA felt they could use a comparable commercial name in the TOs. I would therefore infer that the chemical combination was one specifically ordered for the Air Force and for the purpose to which it was put.

I am also enclosing a copy of the newspaper clippings from the Houston paper which makes out the plaintiff's chief lawyer to be something larger than a shining knight in armor rescuing the fair maiden (veteran) from the Dow dragon. Tell me, is walking on water a mandatory or elective course in law school?

I don't know if it is proper or not, but we are having our annual reunion in San Antonio this year on the weekend of 5-7 October, and if you can get down that way I will see that you get a chance to hear the damndest war stories and drink with the worst bunch of booze-hounds that came out of VN. There should be some very interesting comments concerning the settlement of the suit.

On another topic. Have you guys received your copy of the microfilmed records from the AF archives? I would be interested in seeing what they released and what they withheld (accidentally or intentionally). I kept some fair notes on what was available (including some things that I couldn't see) and am curious as to how complete they were in providing information. Also, does the data include materials from the Army archives and from the Fort Deterick files? How about procurement records? There seemed to be a problem in determining just what was actually shipped to VN, and from where. Even with the restrictions on me, I think I am one of the few people who have seen a good sampling of what materials there are in the files. Knowing what I know now, I wish I had the chance to go through the finding files at the Simpson Center again....it could get interesting. I suppose, however, that everyone wishes at the end that they could start from scratch....it is so much easier to see the questions that need asked and the answers that need reexamined!!!!

My next project may be a look at the overall topic of environmental warfare and battlefield modification. Seems to be an open area there.

I hope this will be of some help to you (the TO that is). It was one of the few intact copies I could find. Hope you get out our way, I have a great new enchillada bar to take you to.

My best to your family,

7 June 1984

Dear Stan:

I goofed off and didn't get the previous material in the mail so I will send it all to you now. Here is the final copy of the dissertation and a copy of the interview with the Austin American-Statesman.

My main concern with the call from Justice was whether I should talk to them and to what extent the contract still tied me down. I assumed they got my name from either Jack or someone at A&M, but figured that the dissertation was available anyway so it didn't hurt to give them a copy. I assumed that the case was all done when the settlement was announced. Personally, I still think the plaintiffs don't have a leg to stand on and would like to see some of the questions answered where the public can see it.

We plan on going to Europe this summer and will probably have to change planes in JFK. If I have enough time between planes I will give you a call. About all we are waiting on is my passport. Barbie and the boy never have had one and they got theirs three weeks ago....I had a security clearance and an official passport twenty years ago and I am still waiting for them to clear up something.....a good example of government bureaucracy!!!!

Enough for now....I will get this off to you. Again, hope we get a chance to sample the tacos together.

PS: I was supposed to remind you of the time spent with the Monsanto people (he was going to send me some materials, but I guess the settlement cancelled that). The dissertation copy was 326 @ .05 for \$16.30.