

15/13/54

Liberal Arts and Sciences

History Department

Kehm vs. Procter and Gamble Case File, 1976-96

Box 1:

Background materials, research, and related cases, 1976-83

 Kehm Estate background materials, 1976-80

 Patricia Kehm's photographs and diary, c.1979-81

 Patricia Kehm's medical records and narratives about T.S.S. symptoms, 1980 (2 folders)

 Patricia Kehm Laboratory Reports (photocopies)

 Patricia Kehm Medical Authorizations, 1980

 Kehm Estate Receipts

 Kehm Estate Tax Returns, 1976-80

Research materials, c. 1980-82

 Center for Disease Control/ Food and Drug Administration documents on toxic shock (photocopies)

 MMWR- Morbidity and Mortality Weekly (newsletter of CDC): Toxic Shock Syndrome, 1980

 Haupt Materials: research articles about T.S.S.(photocopies)

 Nader Group Research, 1980-82

 Laboratory book (photocopy), 1981

 Medical literature (photocopies), c.1981

 Procter & Gamble Documents (photocopies), c. 1980-82

 National Women's Health Network Information Packet: Tampons and Toxic Shock Syndrome, c. 1980-1982

 "Tri-State Toxic Shock Syndrome: Results," Minnesota Department of Health (photocopies), 1981

 Research into witnesses including curriculum vitae and medical studies on T.S.S., c. 1981

 Medical articles and documents on T.S.S. to be used for cross-examination, 1980-1981

 Rebuttal Documents, 1980-1982 (8 folders)

 Dr. Shirk exhibit and Dr. Questch testimony on Pat Kehm's T.S.S. symptoms, 1982

 Press release from Procter & Gamble's decision to suspend Rely manufacture, 1980.

 Recall of newspaper ads (exhibits:15-20), 1980

 T.S.S. in Canada and foreign countries, 1980.

 Interdepartmental correspondence on improving tampons, 1980

Related Cases, 1980-1983

 Byrnes vs. Procter & Gamble, 1982

 Helton vs. Procter & Gamble

Lampshire court case, 1981
Newspaper clips on the Lampshire and the Kehm
Cases., 1980-1983
Rose vs. Procter & Gamble, 1982
Strietmatter vs. Procter & Gamble, 1983
Tom Riley correspondence related to the case, 1980-1983
Kehm Estate correspondence file, April 1982-July 1983
Erickson, Ron- transcript of telephone conversation, October 1982
Hutton, Mark- materials sent from and correspondence with, 1982
Tierno, Philip J.- correspondence and copy of T.S.S. study, 1980-1981

Box 2:

Background materials, research, and related cases (continued), 1976-83

Tom Riley correspondence related to the case, 1980-83

Correspondence during the trial, 1981-1982, including:

Agren, Alan H.
Braiman-Lipson, Judy.
Brien, James B. Jr.
Burrows, B.L.
Calder, Thomas S.
Chapman, John R.
Claar, Suzanne M.
Collins, Father Don.
Dan, Bruce B.
Dealey, Linda D.
Galligan, Michael J.
Gosselink, Carol.
Hahn, Max.
Hartigan, Doctor.
Hodges, James (judge).
House, Earline J.
Howers, Earnestine A.
Hutton, Mark B.
Jacobs, John P.
Kaufman, Stephen.
King, Robert.
Liles, Mike.
McKinley, Suzanne.
Myers, Susan Elizabeth.
Nicholson, William G.
Peterson, Donald R.
Procter & Gamble company.

Quetsch, Richard M.
 Rotbart, Dean.
 Scholl, C.R.
 Shands, Katherine.
 Siegel, Stan.
 Skopec, Francis.
 Starr, V. Hale.
 Sterenchuk, Lois.
 Tierno, Philip.
 Travis, David.
 White, Timothy S.
 Warbasse, Stephen K.
 Wood, L. Lin.
 Woodside, Frank C. III.
 Yant, Karen S.

Correspondence related to Amicus Curiae / ATLA Guidelines, 1982
 Trial transcript requests, 1982 (2 folders)
 Notes from Michele Askren and Peter Riley, 1982

Tom Riley Notes, 1980-1984

Kehm Estate File, 1980-1984

Authorization for Medical Records Disclosure, 1980
 Fee analysis report, 1984
 Inter-office memorandums on Kehm estate file, 1981-1984
 Statistician, 1981
 Notes from interview with Dr. Jacobs, 1981
 Notes from interview with Colleen Jones
 Correspondence and notes on M.A. and Phyllis Burrows, c. 1979-83
 Correspondence and notes on John H. Burrows
 Correspondence and notes on Doug Peters
 Plaintiff's answers to interrogatories, 1981-1982
 Jury Selection, 1982
 Fulgraf testimony including notes and text, c.1982
 Notes on People, c.1981-1983
 Harness, Edward, c. 1981-1983
 Hassing, Gordon, c.1981-1983
 Helms, Charles, 1981-1982
 Procter & Gamble correspondence (see also confidential materials)
 Public Citizen: Recall of Rely Ads, 1980
 Study by V. Hale Starr and Associates
 Tri-State Study by Michael Osterholm, 1981
 Telephone interviews with Dr. Reingold and Dr. Helms, 1981
 Health Research Group update package, 1981
 Notes from Lampshire case

Oregon Study and newsletters on T.S.S., 1981.
 Trial Argument Notes (4 folders)
 Trial Notebook including correspondence, analysis of medical records, and articles on the case, 1980-1982 (2 folders)
 Rough drafts and original notes dealing with research for the case and medical expert witness
 Re: inspection of documents at Cincinnati, 1981
 Notes on People, 1980-1982
 Feinstein, Ralph and Horowitz, Ralph, 1980-1982
 Labowitzh, Judith, 1980
 O'Reily, James, 1982
 Osterholm, Michael, 1980-1981
 Todd, James K., 1980-1981.
 Deposition Notes, 1981
 Hassing, Gordon S, July 1981
 Kehm, Michael, c.1981
 Quetsch, Richard, c. 1981
 Tierno, Philip J., c. 1981

Box 3:

Tom Riley Notes (continued), 1980-1984
 Direct Examination Notebook
 Notes for examination and cross-examination of witnesses
 Procter and Gamble deposition notes/ argument against Procter and Gamble contempt claims, 1982-1983
 Affidavits and depositions for contempt of court hearing, c.1983
 Contempt of court argument notes, c. 1983 (3 folders)
 Amicus Curie brief notes/ correspondence, 1982-1983
 Contempt hearing pleading, c. 198
 Kehm vs. Procter & Gamble Trial Materials, 1981-96
 Interrogatories, 1981 (2 folders)
 Notice to take deposition to Procter & Gamble and Michael Kehm, 1981
 Depositions, 1981
 Hassing, Gordon S., 1981
 Todd, James, 1981
 Synopsis of depositions, 1981
 Trial Briefs and Exhibits, 1982
 Order on final pre-trial conference, March 25, 1982
 Order on Plaintiff's order against defendant's order to amend designation of witnesses, April 5, 1982
 Plaintiff's motion to amend complaint, April 15, 1982
 Amendment to amended and substituted complaint, April 15, 1982

Defendants motions in limine, c. 1982
 Plaintiff's responses to defendants motions in limine, March- April 1982 (5 folders)
 Re: Research by Center for Disease Control.
 Response to Defendants Motion
 Regarding Punitive Damages
 Exclude evidence of other T.S.S. cases and consumer complaints
 Brief in support of admission in evidence withdrawl of Rely tampons from the market
 Plaintiff's trial brief
 Instructions to the Jury and Defendant's Jury Instructions, April 31, 1982
 Closing argument transcripts, c. 1982
 Plaintiff's Exhibits, #253-272, 1982

Box 4:

Kehm vs. Procter & Gamble Trial Materials, 1981-96
 Trial Briefs and Exhibits, 1982
 Plaintiff Exhibits, #291-301, c. 1982
 Defendants Exhibit List, c. 1982
 Memorandum of the Procter & Gamble Company, Contigent Cross Motion of the Procter & Gamble Company, In Re: Tampon Litigation, c. 1982
 Appendix No.1: Reporter's Transcript, c. 1982
 Order of June 29, 1982
 Selected highlighted transcripts of testimony, c. 1982 (3 folders)
 Trial Testimony, 1982 (located in box 6)
 Volume I: Bruce B. Dan, M.D
 Volume II: Bruce B. Dan, M.D. (continued)
 Volume III: John P. Jacobs, M.D
 Volume IV: Susan Elizabeth Myers
 Volume V:
 Lois Sternchuck
 Philip M. Tierno
 Volume VI:
 Richard M. Quetsch, M.D
 Colleen Jones
 Jean Robinson
 Rebeccah Spore
 Francis Skopec, M.D.
 Earle Hass (depo)
 Joan Chapman
 Volume VII:
 Gerald J. Shirk, M.D

John Chapman (cont.)
Martin Cannon (depo)
Roscoe Carter (depo)
Charles Fulgraf (depo)
Dr. James Widder (depo)
Michael Kehm

Volume VIII:

Gordon Hassing
Charles Fulgraf
Tommy N. Evans

Volume XI:

James Todd, M.D.
Gordon Hassing (cont.)

Volume X:

Alvan R. Feinstein, M.D.
Peter Reilly
James Stone Widder
Martin Cannon

Volume XI:

Herbert Ley, JR, MD
Patrick Shlievert

Volume XII:

Roscoe Owen Carter
Edward Harness
Powell McHenry
C.Elizabeth McKinivan, M.D.
Charles Helms

Volume XIII:

Gerald J. Shirk

Cross-Examinations (located in box 6)

Materials related to contempt hearing, 1982-96

Trial Briefs related to contempt hearing, 1982-96

Viriden Pleadings- Re: Exhibits (includes copies of motions for Tom Riley contempt hearings), 1982

Procter & Gamble motion for a new trial, May 1982

Brief of appellees, c. 1982

Certificate of filing and certificate of service,
November 1982

Appellee's amended designation of record and statement of issues,
September 1982

Appellee's motions in response to defendant-
appellants, August-November 1982

Trial briefs dealing with protective order and

amicus curie brief, 1982-83 (4 folders)
Corrected memorandum in support of motion for release transcript of
hearing in Re: direction to Tom Riley to show cause why
he should not be held in contempt

Order of February 25, 1983

Tom Riley's proposed findings of fact, conclusions
Of law and order Re: Contempt, 1983-96

Petition for Writ of Mandamus to United States District Court for the
Northern District of Iowa- Appendix, In Re: The Iowa Freedom of
Informational Council and Des Moines Register and Tribune
Company (petitioners)

Writ of Mandamus decision, pleadings, and trade
secrets, March- August, 1983

Letter to the Judge Edward J. McManus, September 1982

Affidavits for contempt hearing, 1983 (3 folders)

Correspondence from David Gold and John McHughes III (1983)

List of Affidavits:

Atkinson, Linda Miller
Barker, Stephen L
Blackburn, M. Gene
Bogges, Jeff R.
Bonamarte, Michael F., III.
Brunetto, Joseph A.
Buen, James B., Jr.
Delecie, Alvin F.
Eddins, Gerald
Erickson, Ronald P.
Farvello, Anthony C.
Ferruzo, Thomas C.
Gathings, Lloyd W.
Geisness, Thomas M.
Gibbins, Bob
Griswold, James B.
Hall, Michael B
Hamilton, Willis J.
Haralson, Dale
Hutton, Mark B.
Johnson, Arthur C.
Kehm, Michael L.
Kent, Charles C.
Klein, Anthony J.
Kuttner, Bernard A.
Late, R. Gordon

Levine, Robert A.
 Luimet, Jeffrey
 Mithoff, Richard Warren
 Orlikoff, Richard
 Pickett, William H.
 Rapplete, Willard I.
 Rentschuler, Judith J.
 Rosenthal, Elden M.
 Scott, David V.
 Shuleva, Richard C.
 Simmon, G. Michael.
 Tauman, Charles S.
 Vohs, David E.
 Wentworth, John.

Depositions from contempt hearing, 1983 (8 folders)

Deposition signatures and corrections for:

Martin T. Cannon
 Roscoe Owen Carter
 Debra Lydon
 Powell McHenry
 Peter C. Riley

Depositions of:

Askren, Michele
 Calder, Thomas S.
 Cannon, Martin T.
 Kehm, Michael
 McHenry, Powell
 Riley, Peter C.
 Riley, Tom

Synopsis of Depositions

Box 5:

Kehm vs. Procter & Gamble Trial Materials, 1981-84

Transcript of testimony show cause hearing:

v.1 (April 7, 1983)
 v.2 (April 8, 1983)
 v.3 (April 14, 1983)
 v.4 (April 15, 1983)

Post-trial Materials, 1983-1992

The Price of a Life: One Women's Death from Toxic Shock, Tom Riley (Bethesda, MD: Adler & Adler, 1986)

Correspondence and book reviews of *A Price of Life*, 1986-87

Research notes for *A Price of a Life*

Media Interviews for book, c. 1986-87

Book Revisions

Book research:

Article on phosphates

Gordon Hassing and Kathleen Shands testimony, 1981

Procter and Gamble meeting with Chicago Tribune for
story on T.S.S., 1981

Wall Street Journal Articles on Kehm Trial and T.S.S., 1980-82

Merlin Bergdoll Toxic Shock Syndrome and deposition for Dunlap vs. Procter & Gamble, 1983-84

James K. Todd article in *Pediatrics*, 1983-92

Toxic Shock Syndrome caused by diapers, including case of Amanda Beaulieu, 1985-87

Procter & Gamble Diaper Service Corporation of Ohio, et al., 1982-92

Coverage of Procter & Gamble insurance trial, 1989

Post-trial correspondence, 1983-84

Box 6:

Kehm vs. Procter and Gamble trial materials, 1981-96

Trial Testimony, 1982

Volume I: Bruce B. Dan, M.D.

Volume II: Bruce B. Dan, M.D. (continued)

Volume III: John P. Jacobs, M.D.

Volume IV: Susan Elizabeth Myers

Volume V:

Lois Sternchuck

Philip M. Tierno

Volume VI:

Richard M. Quetsch, M.D.

Colleen Jones

Jean Robinson

Rebecca Spore

Francis Skopec, M.D.

Earle Hass (depo)

Joan Chapman

Volume VII:

Gerald J. Shirk, M.D.

John Chapman (cont.)

Martin Cannon (depo)

Roscoe Carter (depo)

Charles Fulgraf (depo)

Dr. James Widder (depo)

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Tommy N. Evans

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Herbert Ley, JR, MD
Patrick Shlievert

Volume XII:

Roscoe Owen Carter
Edward Harness
Powell McHenry
C.Elizabeth McKinivan, M.D.
Charles Helms

Volume XIII:

Gerald J. Shirk

Cross-Examinations, Volume I

Martin T. Cannon
Gordon Hasssing
R. Owen Carter
Herbert L. Levy
James D. Widders and Danneman
Rudolph P. Galask
Alvan R. Feinstein
Ralph I. Horowitz
T.N. Evans, M.D.
Peter Riley, Ph.D.

Box 7:

Confidential Materials

Background materials, research, and related cases, 1976-83

Early scientific articles on inhabitants of vagina, testing
animals, product quality control (photocopies)

Scientific Studies on T.S.S. including Proctor & Gamble correspondence, c. 1982 (2 folders)

Procter &Gamble memorandum and interdepartmental correspondence (5 folders), 1980-1981.

Correspondence on meetings with health professionals in Lima, Ohio, 1980
 Correspondence related to T.S.S. cases (photocopies),
 Memorandum and studies conducted on T.S.S. (photocopies)
 Correspondence and presentation related to F.D.A. investigation into T.S.S.
 (photocopy)
 Responses to T.S.S. Microbiology study, Department of Health and Human
 Services study, and discussions with doctors, 1980-81.

Documents in response to motion to produce

Vaginitis and medicated tampon correspondence and research
 "A Product for the Treatment of Vaginal Candidiasis Employing the Use Of
 Nystatin Delieverd from Surface of Foam Tampon" report
 Research patent on medicated catamenial tampon
 Delivery of Nystatin via resilient foam tampon for purpose of treating Candidiasis
 Vaginal flora- research and development report
 Vaginitis project proposal
 Procter & Gamble preparations for meeting with Scientific Advisory Group
 Catamenial products monitoring study
 Correspondence and research related to study,
 Procter & Gamble interdepartmental correspondence on T.S.S and Rely tampons (2
 folders)
 Research studies on T.S.S. and experimental programs.
 Procter & Gamble correspondence on Center for
 Disease Control T.S.S. study
 Procter and Gamble correspondence on plant in Lima, Ohio
 Tampax response to T.S.S. studies
 Procter & Gamble correspondence for meeting with Health Industry Members
 Association (HIMA)
 Procter & Gamble research, correspondence and notes on complaints relating to
 Rely
 Procter & Gamble research, correspondence and notes on Worchester Shock Case
 Procter & Gamble research, correspondence and notes relating to meeting with
 Center for Disease Control
 Procter & Gamble Market Research Department report #80295

Rebuttal Documents, 1980-1982

Documents on T.S.S. and Procter & Gamble internal correspondence on
 T.S.S.(photocopies)
 Warning Statements (photocopies)
 Interdepartmental Correspondence on Improving Tampons
 (photocopies), 1980
 Rely Complaint from Kathleen Bottomly Matrale (photocopy)
 Comparision of 5 major tampon brands (photocopy)
 Letter from ACOG on Tampon Use (photocopy)

Tom Riley Notes, 1980-1984

Kehm Estate File, 1980-1984

Procter & Gamble Correspondence (photocopies)
Notes for Examination and Cross Examination of Witnesses
Notes on People: Osterholm, Michael
Post Trial Materials, 1983-1992
Research notes for *A Price of Life*
Book Research: Procter & Gamble meeting with Chicago Tribune for story on T.S.S., 1981
Merlin Bergdoll Toxic Shock Syndrome and deposition for Dunlap vs. Procter & Gamble, 1983-84
Toxic Shock Syndrome caused by Diapers, including case of Amanda Beaulieu, 1985-87
Jonathan Shugar medical records, 1982-87 (7 folders)
Post-Trial Correspondence file: Susan Elizabeth Myers medical record, 1982