

Memorandum from the C8 Science Panel to the Settling Parties.

We, the C8 Science Panel, would like to update the Settling Parties with the precise schedule and anticipated deliverables for the closing months of our work program. We can now list the final list of 17 disease categories and a revised schedule for the remaining reports to the Court under the C8 Settlement Agreement. While we have made substantial progress through intensive effort over an extended period of time, it will not be possible to provide all of the remaining probable link evaluations by the end of July as we had planned. We ask that the Settling Parties notify Judge Beane of this update and let us know if he would like further clarification or discussion. Here we summarize the work so far, itemize our remaining plans, and explain why it is no longer possible to complete our work by July 31 as we had indicated at the hearing last year.

We have provided two batches of Probable Link reports to date. We filed Probable Link judgments for 5 reproductive outcomes in December 2011, and for diabetes and 21 different cancers in April 2012. Of these, 3 diseases were deemed to have a Probable Link with C8 in the Mid-Ohio Valley population: testicular cancer, kidney cancer and pregnancy-induced hypertension.

We are planning to file a further 7 reports with the Court on July 30. They are as follows:

- Asthma
- Chronic obstructive pulmonary disease
- Stroke
- Infectious diseases
- Thyroid disease
- Auto-immune disease
 - a) Lupus
 - b) Type 1 diabetes
 - c) Inflammatory bowel disease
 - d) Rheumatoid arthritis
- Neurological development in children

We will need an additional three months, possibly less, to complete the final series of reports, that is, before the end of October. They include the following 7 diseases:

- Liver disease
- Kidney disease
- Osteoarthritis
- Parkinson's disease
- Heart disease
- Hypercholesterolemia
- Hypertension

The primary reason that we were not able to fulfill our commitment to meet the deadline of July for all the assessments was that we underestimated the painstaking process of resolving several assessments that are very close to the balance between presence or absence of a Probable Link. The process of preparing a Probable Link assessment involves generating data from our own research, integrating that information with studies conducted by others, careful evaluation and deliberation, and then writing a document to summarize the evidence and explain our reasoning. The process of assessing the evidence and composing the documents is

far more demanding than we had anticipated at the outset, and each disease is handled separately.

In each case we have had to examine the data we have, consider consistency with published data where available, confer on how to make the results more definitive and, where necessary, go back to the data for additional analysis. For diseases which are borderline between yes and no, this necessitates additional effort, sometimes in several cycles. For all diseases, but especially those for which the evidence places them close to the “more probable than not” threshold, the process demands substantial time. In judging whether to try to truncate that level of scrutiny and rush through the remaining diseases, including some of the most important ones of concern, versus incurring a delay in order to be sure that each of the reports received our full attention, we have chosen the latter.

We apologize to the Settling Parties, the Court and the public for this delay in a lengthy process. Please be assured that this is not a function of competing commitments, each of us giving our work as Science Panel members our highest priority. We have been informed clearly by the Court and the Settling Parties, as well as the public that there is a strong desire to complete this as soon as possible and that was, and remains, our intent. We have only now determined that a delay in the final series of reports was needed, and are immediately informing the Settling Parties and, through them, the Court.

In recognition of our obligation to the public, we plan to issue a press release that will clarify what they can expect from us in July and what will be completed by the end of October, as well as the reason for this postponement. In the overall protracted timeline from the time of the Settlement, a three month delay to ensure a more thorough evaluation seems to be in everyone’s best interests.

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The C8 Science Panel
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