



GIRARDI | KEESE  
LAWYERS

March 30, 2006

Mr. Richard Zitrin  
ZITRIN & MASTROMONACO  
One Ferry Building  
Suite 202  
San Francisco, CA 94111

RE: WILLITS

Dear Richard:

I believe this is the status of the situation. The court has dismissed approximately half of the cases on the statute of limitations.

Apparently there was one minor involved, which would be a mistake. The next action that the court has promised is to determine whether or not any of the minor cases can survive. It's my opinion that they cannot.

The next assault would be to file a Motion to Dismiss the rest of the cases based upon the fact that there is not sufficient scientific data to support a causal relationship. From the review that I have done, I feel fairly confident that almost all of the cases will be dismissed.

I say this because I don't believe that we will ever get expert testimony to save them. Certainly, the people we have discussed the matter with, who have testified for us on many occasions are unwilling to help. In short, I believe that the probability of any type of a recovery by way of verdict will be a small fraction of \$13,500,000.00, which has been offered.

While I hesitate to go through the next couple of sentences, I believe that I should do so. I believe that I have been involved in more toxic cases than any lawyers in the country. I believe I know almost every scientific article and know virtually all of the experts who have testified in this type of litigation.

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I have been to Willits on several occasions and I believe that this settlement would have been beneficial to the people there but for its derailment.

In my opinion, the letters that have been sent truly make any possible resolution impossible.

The status of the case was this. At the beginning of the lawsuit, the plaintiffs' lawyers obtained written approval to permit global settlement and have the matter apportioned with oversight by a respected retired Superior Court Judge.

The lawyers involved in this case has massive experience in this area, and I believe, clearly, were well equipped to assist various individuals in this fashion.

Apparently, you are of the view that written authorization to lawyers to enter into a global settlement on a case which requires extraordinary experience and expertise is wrong.

You are of the view that we should appoint a committee of 13, the majority of whom, (7), could then bind the 600. Who appoints the committee? Is there an election? Do various members campaign to get on the committee?

It's your view that even the people that the Judge will dismiss shall have 2 members on the committee.

At the end of the day, this committee, who knows nothing about the law, nothing about the scientific articles on chromium and other chemicals, have no clues concerning the potential testimony, will now decide the case. I believe that there will be massive liability if any lawyer turned the decision-making process over to a bunch of people who do not have a clue. As I gave this matter considerable thought, we have formulated the opinion that the idea is not very good.

I think it's unfortunate that vitriolic letters were sent without anyone having much of an understanding about the case. I am very happy that I am not responsible for losing \$13,500,000.00. I am sending a copy of this letter to Justice Panelli, just in case he doesn't agree with these comments.

With kind regards,



THOMAS V. GIRARDI  
TVG/kc