

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  
Boggess, 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 (deop)

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, 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