

3M Legal Department Drove Clinical Research Decisions

From: Mark Morken
To: Scott Waite
CC: Michelle Stevens; Mark Scott; Inmaculada Soria
Sent: 7/10/2015 10:32:52 PM
Subject: RE: [EXTERNAL] RE: Message to address safety and efficacy of forced air warming

[REDACTED]
[REDACTED] Given
the ongoing legal situation, decisions were made previously (at a high level) not to pursue clinical research work on this topic.
[REDACTED]

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Applied to Life.™

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[REDACTED] Given
the ongoing legal situation, decisions were made previously (at a high level) not to pursue clinical research work on this topic.
[REDACTED]

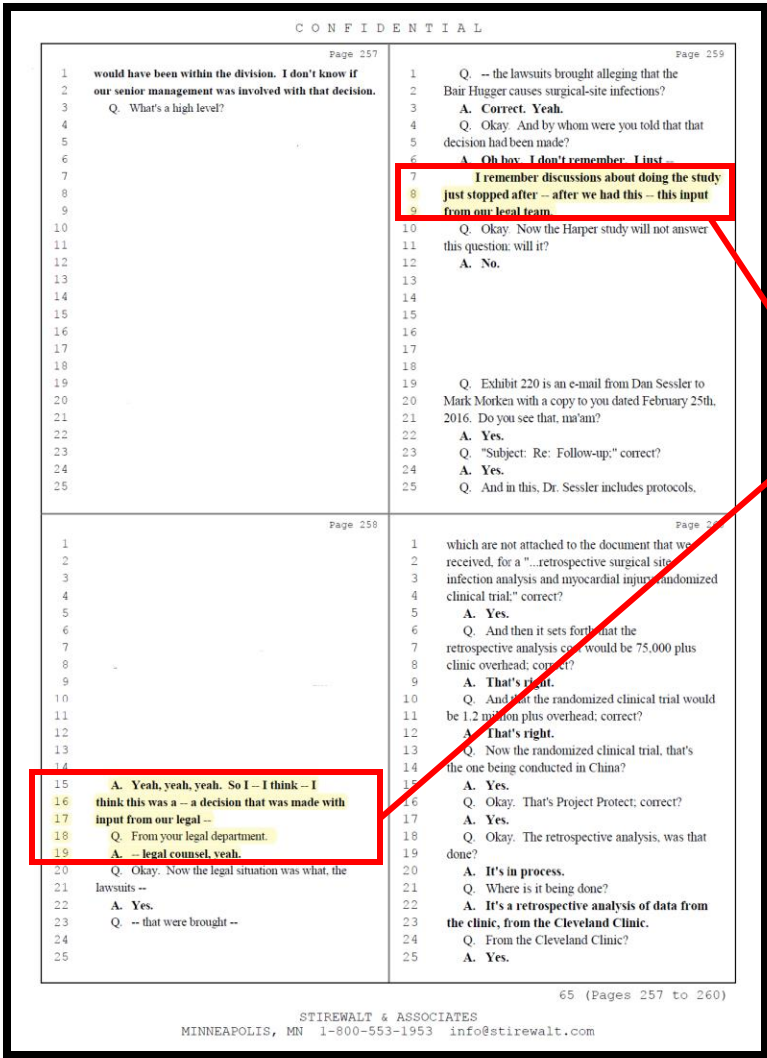
Trial Exhibit
0134A

Confidential – Subject To Protective Order

3MBH01330587

P-134-0001

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15 A. Yeah, yeah, yeah. So I -- I think -- I
16 think this was a -- a decision that was made with
17 input from our legal --
18 Q. From your legal department.
19 A. -- legal counsel, yeah.

7 I remember discussions about doing the study
8 just stopped after -- after we had this -- this input
9 from our legal team.

Michelle Hulse Stevens
3M Medical Director
Infection Prevention Division

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IN THE CIRCUIT COURT OF JACKSON COUNTY,
MISSOURI AT INDEPENDENCE

KATHERINE O'HAVER,
Plaintiff,
Case
Divis

Defendants.

CONFIDENTIAL
VOLUME I
VIDEOTAPED DEPOSITION
JAY ISSA
FEBRUARY 3, 2011
9:00 A.M.

COURT REPORTER: Mari Skal
Stirewalt

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MINNEAPOLIS, MN 1-800-553-1953

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Q. Did you look at -- strike that.

Did you look at any internal CFD
studies performed by 3M?

A. **Actually, yesterday, it was the first time
that counsel shared with me a CFD that I
was not aware of that was done in 2015.**

Q. 2015?

A. Correct.

Q. What study was that? Who performed that
study?

A. **The one that was shared with me yesterday,
it was a CFD done by Andy Chen at 3M on
the request from legal.**

Q. **You're telling me that the only CFD**

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performed by 3M on the Bair
y that was requested by

that I'm talking about,

ne you're aware of?

ne I'm aware of, yes.

report?

report.

not an expert in

id dynamics. Correct?

t Dr. Elghobashi's CFD

on a super-computer?

rote in his article.

er or not the internal

by 3M was done on a

25 super-computer?

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Q. Did you look at any internal CFD
studies performed by 3M?

A. Actually, **yesterday, it was the first
time that counsel shared with me a
CFD that I was not aware of that was
done in 2015.**

A. **The one that was shared with me
yesterday, it was a CFD done by Andy
Chen at 3M on the request from
legal.**

Q. You're telling me that the only CFD
internal study performed by 3M on
the Bair Hugger **was a study that was
requested by legal?**

A. The internal one that I'm talking
about, Andy Chen, **yes.**