

1 A Well, they're both dated the same date, but
2 yeah, I agree there's a change between what we're
3 calling TY 469 and TY 89.

4 Q Well, look at TY 89 in the lower right, don't
5 you see the date November 16, 1995?

6 A Yes.

7 Q So it is a later draft, isn't it?

8 A That's correct.

9 Q And if you look at the fax number on the
10 bottom, you can see it was faxed to ChemRisk's Alameda
11 office on November 16, 1995, correct?

12 A Yes.

13 Q So comparing the two drafts, November 14, '95
14 and November 16, '95, the contact information on the
15 November 16, '95 draft has been changed, hasn't it?

16 A Yes.

17 Q It's been changed to Dr. Zhang, care of Tony Ye
18 at Tony Ye's home address and phone number, right?

19 A Correct.

20 Q What happened that the contact information got
21 changed from you at ChemRisk's office address in Irvine
22 to Tony Ye's address at home?

23 A I think we went over this in the last
24 deposition, but what was decided was because Tony was
25 the main interactor and translator for us with

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1 Dr. Zhang, that it would be more appropriate for Tony to
2 be the contact that submitted the paper.

3 So it was decided obviously within that time
4 frame to shift it from me, who was -- again, I was the
5 project lead and the interactor with Dr. Zhang, you
6 know, without having the ability to directly speak with
7 him because I don't speak Chinese, it just made more
8 sense to make it Tony.

9 And I think we also discussed that within this
10 same time frame, Bill Butler and Tony made plans and had
11 basically formed a separate company, which, I don't
12 recall the exact time frame, but right around
13 November/December of 1995 was when Environmental Risk
14 Analysis, Bill Butler's company, was formed, and so we
15 had that additional issue that I couldn't -- it wouldn't
16 be appropriate, knowing that, to have Tony receive mail
17 from a journal at McLaren/Hart in Alameda, which is

18 where he was working at this moment, in November, in the
19 future when it was submitted. So we decided to use his
20 home address on that basis.

21 Q That decision was made by who?

22 A I don't recall anybody specifically being -- or
23 solely being the decider of that, but it was
24 collectively decided between -- I believe it was Bill
25 Butler and I.