



U.S. Department of Justice

Washington, D.C. 20530

April 15, 1994

MEMORANDUM

To: Phil Caplan
The White House

From: J. Patrick Glynn
Torts Branch
Civil Division

Subject: Doctor Eugene Saenger, Expert Witness Testimony

This memorandum is in response to your question to Eva Plaza concerning the accuracy of a statement that appeared in the Tuesday, April 12, 1994, New York Times article concerning radiation research conducted at the University of Cincinnati Hospital in the 1960's and early 1970's. According to the article, Dr. Eugene L. Saenger, the primary researcher on the experiments, retired from the University faculty "but still testifies as an expert witness in radiation cases for the Department of Justice[.]"

We raised your question with the staff of the section of the Civil Division that has handled radiation exposure cases involving the United States and received the following information:

Dr. Eugene Saenger testified as an expert witness on behalf of the Government in the following radiation cases:

Allen v. United States, 588 F.Supp. 247 (D. Utah 1984), rev'd, 816 F.2d 1417 (10th Cir. 1987), cert. denied, 484 U.S. 1004 (1988).

Johnston v. United States, 597 F.Supp. 374 (D. Kan. 1984).

Kesecker v. U.S. Department of Energy, 679 F.Supp. 726 (S. D. Ohio 1988).

Dr. Saenger has been listed by the Government as an expert witness but not called upon to offer testimony in other cases. I understand also that Dr. Saenger was deposed in the Fernald litigation, which was handled without DOJ involvement.

cc: Eva Plaza

THE WHITE HOUSE
WASHINGTON

OFFICE OF LEGISLATIVE AFFAIRS
FAX COVER SHEET

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CONFIDENTIAL AND INTENDED FOR THE RECIPIENT ONLY.

DATE: 2/2/94

TO:

Phil Caplan
G-6704

FAX #:

FROM:

Tracey Thornton
6-6493

RE:

☆ This is only a partial
list. We are still
Waiting on more witnesses.

PAGE 1 OF 2

If there are any problems with this transmission, please call
(202) 456-6493.

FAX SENT: _____

VICTIM WITNESSES:**2/2/94 House Judiciary Committee:**

Lloyd Gamble
Fairfax, VA
LSD test subject

Andrew Frosini
Ft. Myers, FL
Radiation Test Subject

Nathan Schnurman
Charles City, VA
mustard gas test subject

1/13/94 Senate Committee on Labor and Human Resources:

Charles L. Dyer
Salem, MA
Former Fernald School Resident

Austin LaRocque
Beverly, MA
Former Fernald School Resident

1/18/94 House Subcommittee on Energy and Power:

Mr. Gerald E. Mousso
Rochester, NY

Ms. Elmerine Allen Whitfield
Dallas, TX

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DATE: 3/4

TO: Phil Caplan
G-6704

FAX #:

FROM: Tracey Thornton
G-6493

RE: There is an additional
witness for Human Radiation
experimentation Hearings.

PAGE 1 OF 2

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Rochester, NY

Ms. Elmerine Allen Whitfield
Dallas, TX

1/25/94 Senate Committee on Government Affairs:

Mrs. Emma Craft
W. Nashville, TN

New