

In a message dated 5/1/2010 5:31:06 P.M. Pacific Daylight Time, jfedoruk@exponent.com writes:

Dear Ms. Kramer

We have never spoken before, nor have you ever bothered to contact me to check the accuracy of your claims about my professional activities. Still, you have felt it proper to send a letter to numerous parties making false claims about my professional activities.

As a starting point the following represent false claims.

1. That I peer reviewed an ACOEM mold position document. The link for this claim as provided in your letter is cited below. If you read this document it actually states that 101 ACOEM council/committee members were "asked" to review the ACOEM mold document i.e. not that they actually reviewed the document. I did not provide peer review on this document.
2. You state that I was involved with "mock mold trials" at a UCLA mold conference and provide a link to a program description of the conference. Indeed, you claim that there are "disciples of Dr. Harber's and Dr. Fedoruk's AOEC/PEHSU mock mold trial." I have never participated in mock mold trail at UCLA. The program brochure does not identify me as participating in any mock trial.

There are more false claims which I simply cannot respond to on such short notice. However, I plan to fully respond. If you actually check the references in the links cited in your letter, you will see that they do not document these two claims about me. In the interim, as an initial step, I am requesting that you remove your false information concerning my professional activities from your web site immediately.

Respectfully,

M J Fedoruk

<http://freepdfhosting.com/06b310e607.pdf>

**Superior Court of the State of California
For The Country of Los Angeles
Department 19 Hon. Warren L. Ettinger, Judge**

Reporter's Daily Transcript of Proceedings
April 22, 2005, Testimony of Marion (Joe) Fedoruk of Exponent & UC Irvine AOEC/PEHSU

Darcy Dee vs. PCS Property Management, Inc
Case No. LC059943

Pg: 166: 2-16

Q: Now you were asked earlier this afternoon about the ACOEM paper. Do you remember that?

Dr. Marion (Joe) Fedoruk: Yes.

Q: American College of – what was it?

A: Occupational and Environmental Medicine

Q: And you were asked and you said that you relied on that for a determination about the amount of spores that would be required to have health effects on humans; is that correct?

A: Toxic effect, yes.

Q: What does the paper say about that briefly?

A: Well, it's basically millions of spores. I think actually over a million was the estimate.

Q: Was there any evidence of millions of spores within unit 307 at the subject property while plaintiff Dee lived there?

A: No.

.....
February 23, 2005

371: 26-28; 372:1-7

Q: Which part of the study (sic ACOEM Mold Statement) did you rely on, Doctor, in coming to your opinions and conclusions in the matter?

Dr. Fedoruk: Number one, toxicity section.

Q: Okay. Which specific part of the toxicity section:

A: Well, I have read the entire part, the whole part of the toxicity section, and then also the conclusions that were reached by the ACOEM in their – with respect to toxicity.

.....
392: 9-21

"Q: Okay. Do you agree with this position of Dr. Ordog's statement as to the ACOEM study: "that the study was not performed by medical toxicologists who are experts in the medical treatment of patients with mold and mycotoxin exposure"?

Dr. Fedoruk: Was not performed by medical toxicologists. **It included medical toxicologists as part of that because I was sent a copy of it to review. I am a board -certified toxicologist.** So before it was published, I know ACOEM sent that document out to a number of people for comment, for review. "

Emails between VeriTox and ACOEM, April 2003

Jennifer Hobden, Veritox employee to VeriTox owner, Bryan Hardin, April 22, 2003

Bryan,

Do you know who was on the ACOEM Council of Scientific Affairs and ACOEM Board of Directors with the position statement was reviewed and accepted? If not, do you know where I could find this out?

Reply to Jennifer from Bryan Hardin:

...I can ask Jonathan Borak for a list of his Council on Scientific Affairs membership – why do you want to know? Something needed for a deposition, I assume?

Jennifer Hobden's response:

Hi Bryan,

We need this info for a declaration of Bruce's. I did find the Board of Directors info moments after sending that request...however the Council on Scientific Affairs membership would be very helpful.

Thanks!

Jen

April 22, 2003, Bryan Hardin To Jonathan Borak, Overseer of the ACOEM Peer Review Process

Jonathan – as you can see below, Bruce Kelman is needing to know, for purposes of a declaration in litigation, details of the peer review process for the ACOEM statement. Are you comfortable providing us the membership roster for your Council on Scientific Affairs or other committee that was the peer review body?

Borak reply to Bryan Hardin:

I do not know how many because I do not know how many reviewed the MS and agreed, but did not respond. Also, I have not maintained any of the files or emails. It was certainly **more than a dozen:** there are more than that on the Board alone.

Jonathan.

Testimony, Bruce Kelman in the Haynes Case, February 18, 2005

Page 51: 11-22

Q: All right. So, it doesn't surprise you to learn that he's (sic Dr. Eckardt Johanning) called it in a speech in Boston, "Undemocratic and not objective"?

Bruce Kelman: Well, I guess I would have trouble with the characterization of Dr. Johanning of "unobjective". **I'd say critical review by 100 critical, very critical, physicians is quite objective**, and I would also have to say that normally when one picks a learned body, you don't do it democratically. You pic the people that have the best scientific credentials and best knowledge in the area.