

Toxic trial deliberations continue

# Judge rejects request by jury

By DAN KENNEDY

BOSTON — U.S. District Court Judge Walter Jay Skinner turned down a request by the jury in the Woburn leukemia trial Thursday to review written transcripts of testimony by three hydrogeologists.

The three-man, three-woman jury completed its third day of deliberations before going home at about 4 p.m. The jurors have now deliberated about 17 hours without reaching a verdict.

According to Kevin P. Conway, an attorney for the eight East Woburn families who brought the lawsuit, the jurors

asked to see transcripts of testimony by Dr. George Pinder, who was hired by the plaintiffs to study the East Woburn aquifer; Dr. John H. Guswa, who was hired by W.R. Grace & Co., one of the defendants, to study the aquifer; and Steven P. Maslansky, hired by Grace to study the company's Cryovac manufacturing plant in East Woburn.

"It was literally a third of the trial they were asking for," Conway said. He added Judge Skinner turned them down because the transcripts haven't been checked for accuracy, and because it would be a massive

job to remove sections pertaining to private bench conferences involving the judge and the lawyers.

As to when the jury may return a verdict, Conway commented, "Everyone speculates as to what the jury's doing, but who knows? We'd like to see the jury come back today, but I might be telling you the same thing next Friday."

The plaintiffs claim that chemicals disposed of on the ground at the Cryovac plant, 369 Washington St., and on property formerly owned by Beatrice Foods Co. leached into groundwater and contaminated

municipal wells G and H, which were closed in 1979 after 15 years of use.

The Beatrice property is an undeveloped piece of land that is part of the Riley Leather Co. tannery, 228 Salem St. Beatrice owned the tannery from 1978 to 1983 and retains environmental liability.

If the jury finds one or both defendants liable for contaminating the wells, a second phase of the trial will be held to determine whether the chemicals could have caused six leukemia deaths and two illnesses the plaintiffs say they suffered.