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U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

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LORETTA G. WHYTE
CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

THIS DOCUMENT RELATES TO
Member Case No. 09-2892

ORDER AND RULE TO SHOW CAUSE

In connection with the first bellwether trial in this matter, *Alexander, et al v. Gulf Stream, et al*, various motions in limine, directed to the testimony of proposed expert witnesses, were filed. One such motion (Rec. Doc. No. 2895) was filed by defendant Gulf Stream Coach, Inc. ("Gulf Stream") with regard to one of plaintiffs' expert witnesses, Mary C. DeVany. In the memorandum in support of that motion, it was brought to the attention of the Court that Ms. DeVany had previously offered certain relevant testimony on Tuesday, July 29, 2008 (after she had been retained in this matter). DeVany's testimony, before the Board of Industrial Insurance Appeals for the State of Washington, in the matter entitled "*In Re Steven R. Vaughn*, Docket No. 07 13382, Claim No. Y-965493, (hereafter, "the *Vaughn* matter"), Industrial Appeals Judge Nancy E. Curington Presiding, is the subject of this Order.

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During her examination by counsel in the *Vaughn* matter, DeVany was asked about her qualifications by way of her previous consultations and retentions as an expert in the field of industrial hygienics. Referring to this case, she responded, in part, as follows:

- Q. Okay. And, what litigation are you involved in?
- A. I'm currently involved in, umm, a large federal case -- series of federal cases -- actually, approximately thirty thousand federal cases, involving, umm, individual exposures to people that were given FEMA trailers and portable housing units in response to Katrina -- hurricanes Katrina and Rita. And, I'm the expert witness coordinating all the expert work for all the litigation in the entire gulf coast for the plaintiffs.
- Q. And, how did -- how did you get that appointment, for lack of a better term?
- A. Well, I -- how can I say this? I am -- I am the workplace advisor -- exposure -- chemical exposure advisor to the Sierra Club. People, within weeks after the hurricanes, came to the Sierra Club with complaints of headaches, nausea, nosebleeds, respiratory irritation. And, the Sierra Club came to me to see if I could help them figure out what the problem was, if there was one, and evaluate what the -- what these exposures might involve. And, I identified formaldehyde as the exposure that was occurring as a result of living in those trailers.

And then, umm, we -- I prepared procedures to actually, physically test those trailers and portable housing units for formaldehyde. And, once we had objective data showing that formaldehyde levels were truly excessive, umm, the Sierra Club went out -- came out with a press release, they got the Federal government involved and, umm, I was -- I was the expert on formaldehyde toxicity and use in manufacturing that testified before Congress about how formaldehyde got into these trailers, what the health effects are, and what the Federal government should do to help reduce these exposures and control the health effects to people living in these units.

- Q. So, in terms of the multi-party litigation you just mentioned, did all the attorneys for the parties involved in that litigation have to agree upon you as an expert, did the Judge appoint you, how did that work?

- A. Judge Englehart (Phonetic) had - - he's the Federal Judge, umm, in that whole jurisdiction, umm - - I don't want to say complained severely, but what - - it was actually, he complained to all the - - the, uhh, parties involved saying since it wasn't a - - it's not a class action, all these different lawsuits are clogging up his Federal court system. There are truly an excess of thirty thousand of them.

And - - and so, he told these - - all these law firms along the whole gulf coast to get together and to form one central committee, and to present to him, since the cases are so similar - - present to him one Complaint, one Request for Interrogatories and Discoveries, you know, one Motion every time something comes up. And, to agree upon one expert witness that he could work with to help him evaluate the science behind formaldehyde, how formaldehyde's measured, its toxic effect, how it got into the trailers in the first place, and someone he could rely upon to produce Affidavits to, umm, evidentiary hearings before him and explain the chemistry, physiology and toxicology of formaldehyde.

And, these law firms along the gulf coast got together and decided I should be the one.

Transcript of DeVany testimony, Page 52, Line 4 - Page 54, Line 7.¹ The actual transcript of this testimony was not attached to Gulf Stream's Memorandum, but a brief description of it was provided.

The Court issued an Order and Reasons (Rec. Doc. No. 3083) on the motion in limine directed toward DeVany's testimony, indicating its strong displeasure over such statements if, in fact, made by DeVany, further indicating that she would be admonished at trial, and urging counsel to reconsider whether DeVany should be called as a witness in the first bellwether trial. The undersigned also ordered counsel to produce the entire transcript of DeVany's testimony after reading the memorandum in support of the motion in limine regarding DeVany's testimony in this

¹The relevant pages are attached to this Order as Exhibit A.

trial. Thus, the Court has now had the benefit of the entirety of DeVany's July 29, 2008 testimony by way of that transcript in the *Vaughn* matter in Washington.

At the bellwether trial, plaintiffs elected not to call DeVany as a witness.² Hence, the Court takes up the issue of DeVany's prior testimony in the State of Washington herein.

By way of background, DeVany has been involved in pursuit of the underlying inquiry in this litigation since April 2006 (if not earlier)³, when she and/or her associates began testing the formaldehyde levels in certain of the temporary housing units (THU's) in which displaced residents of the Gulf Coast region were residing following Hurricanes Katrina and Rita. In that regard, she testified before a committee in Congress. Of further importance, for purposes of this Order, is the fact that DeVany is a plaintiff-selected, retained and compensated expert witness, with pages of academic credentials and experience⁴ which suggest a sophisticated intellect and clear ability to understand not only her field of expertise, but the various complexities involved in litigation of the type in which she has been involved. In short, DeVany is hardly an unknowing innocent newcomer to serving as an expert in litigation.

²On September 17, 2009, during the course of the first bellwether trial, DeVany met with the undersigned and his law clerk, apologized for what she considered an error, and pledged her cooperation to rectify the situation.

³In her report, DeVany states that the Sierra Club, whom she advised, began investigating "within weeks of initial notification and began sampling trailers for formaldehyde shortly thereafter. Sampling continued into the Spring of 2006." DeVany Affidavit and Report, p. 16.

⁴See attached curriculum vitae attached as Exhibit B.

Although there might well be other statements on the transcript of DeVany's *Vaughn* testimony which are in need of correction or clarification, the Court focuses on five particular statements (from the above-quoted passage) that relate to this Court, the undersigned, and these proceedings:

(1) DeVany affirmatively asserts that "I'm the expert witness coordinating all the expert work for all the litigation in the entire Gulf Coast for the plaintiffs." (Page 52, Lines 9-11) This comes as news to the undersigned. Indeed, there are many experts on the plaintiffs' side of the case alone, many of whom have no relationship whatsoever to the field of "industrial hygienics." Neither DeVany nor any counsel in this case has ever represented her status as "the expert witness coordinating all the expert work for all the litigation in the entire Gulf Coast for the plaintiffs." Indeed, nowhere in her report in this case does she make such a representation or suggest such exalted status. Such a breathtakingly broad and sweeping representation made to others would be quite impressive, were it not so unfounded.

(2) DeVany states that the undersigned is "the Federal judge, umm, in that whole jurisdiction." (Page 53, Lines 13-14). Of course, it is well known, and easily confirmable, that there are twelve active judges in the Eastern District of Louisiana, of which the undersigned is only one – and then is not even the Chief Judge in this jurisdiction. Thus, it appears that, in order to further enhance her later testimony that she had been exclusively selected to "work with and help" the undersigned, DeVany improperly (and quite incorrectly) elevated the undersigned to being "the Federal judge in that *whole* jurisdiction." (emphasis added)

(3) DeVany also stated that the undersigned “- - I don’t want to say complained severely, but what - - it was actually, he complained to all the - - the, uhh, parties involved ...” (Page 53, Lines 14-16) In making this comment, DeVany was presumably referencing the number of lawsuits/claimants in this multi-district litigation (MDL). To be clear: the undersigned has not “complained severely”, and has not “complained” at all, to the parties or anyone else, ever, about the assignment of any case or group of cases on his docket. To the contrary, the undersigned has served as an Article III federal judge for seven years and ten months, embracing each and every case assigned to him (subject to appropriate recusal), attempting to understand each and every detail, in consideration of the arguments and respective positions taken by the parties to each piece of litigation. Moreover, except as set forth in Footnote 2, the undersigned has never met nor had a single conversation with DeVany, and thus it is unknown how she would be in a position to characterize any comment by the undersigned as a “complaint”, much less one made “severely.”

(4) Regarding this alleged “complaint”, DeVany asserts that the undersigned said “since it wasn’t a - - it’s not a class action⁵, all these different lawsuits are clogging up his Federal court system. There are truly an excess of thirty thousand of them.” (Page 53, Lines 17-19) Having disposed of her characterization of the Court’s “complaint”, the Court makes equally clear that “all these different lawsuits” related to alleged formaldehyde exposure in FEMA trailers are *not*

⁵DeVany’s representation that this MDL was “not a class action” is rather puzzling: her testimony in the *Vaughn* matter occurred on July 29, 2008; the Court held its class certification hearing in this MDL on December 2, 2008; and the Court issued a ruling denying class certification in this MDL on December 29, 2008. Were she the “expert witness coordinating all the expert work for all the litigation in the entire Gulf Coast for the plaintiffs”, she would surely have known such an important ruling in this case had not yet been made.

“clogging up his Federal court system.”⁶ When an MDL is assigned, it is the Court’s understanding that consideration is given with regard to the status of the docket for potential venues and assigned judges. As was the case when the initial assignment of this MDL was made, and is the case today, the docket in Section N in the Eastern District of Louisiana is not “clogged up”, but accommodates MDL 1873 quite comfortably.

(5) Lastly, after her string of misstatements regarding the role and thought process of the undersigned, DeVany then places herself in the best light: “And, to agree upon *one expert witness that he could work with to help him* evaluate the science behind formaldehyde, how formaldehyde’s measured, its toxic effect, how it got into the trailers in the first place, and *someone he could rely upon* to produce Affidavits to, umm, evidentiary hearings before him and explain the chemistry, physiology and toxicology of formaldehyde. And, these law firms along the gulf coast got together and decided I should be the one.” (Page 53, Line 25 - Page 54, Line 7, emphasis added) Again, to be clear, and this was certainly known to DeVany at the time she made the statement: never has the Court in this MDL sought “one expert witness that [the judge] could work with to help him evaluate the science” There are many experts for each of the parties in this case, and the issues on which DeVany claims some expertise are very much disputed by other experts. Thus, the Court has not suggested nor selected a single expert, but has rather determined that the presentation of competing experts of differing opinion should be presented to the juries which will hear the bellwether cases.

⁶Perhaps use of the possessive “his” was merely an innocent but unfortunate word selection. Of course it should go without saying that the undersigned has never referred to this Court or its docket as “his Federal court system”, as the Federal court system belongs to the people of the United States pursuant to Article III of the United States Constitution.

The Court has never requested or relied upon DeVany "to produce Affidavits" of any sort; has never relied on her to serve in any capacity at all; and has never asked DeVany to work with the Court or to explain any issue in this case, other than what plaintiffs' counsel has sought to elicit from her as part of their presentation. This self-aggrandizing statement, too, is not just inaccurate, it is patently false.

When first brought to the Court's attention in Gulf Stream's memorandum in support of its motion in limine, it was hoped that perhaps DeVany's statements were taken out of context, or were merely the result of an innocent, mistaken, or unintentional but cavalier description of her role in this litigation offered by her while testifying in the State of Washington. Thus, that is the reason the Court ordered the production of the entirety of the transcript from the *Vaughn* matter. Review of the transcript, and particularly the relevant passage above, leaves no doubt in the mind of the Court, however, that DeVany was more than reckless with the facts. Each of the above-quoted passages which the Court has refuted is far out of the boundaries of simple mistake. In coming to this conclusion, the Court again is mindful that DeVany has submitted an extensive list of qualifications, accomplishments, educational degrees earned, and professional association memberships, all of which discount the notion that her testimony was an unintentional departure from the reality of her role in this litigation.

Given her intellectual sophistication, as well as her prior knowledge of the actual facts set forth herein, the Court concludes that DeVany's statements in the *Vaughn* matter served to grossly overstate her importance in this litigation, and to incorrectly portray herself as the single expert exclusively advising this Court, and upon whom this Court would rely. Without a doubt, DeVany

knew that she had not been granted such status, and that she did not work with the undersigned in any way regarding the science behind formaldehyde, etc. Moreover, given her unfounded statement regarding the undersigned's status as the federal judge "in that *whole* jurisdiction", it is clear that DeVany sought to exaggerate the role of the undersigned, and then attach herself to that exaggerated position by claiming to be the appointed expert upon whom this Court would rely. In order to facilitate this image, DeVany created the fiction of an overwhelming court docket in order to further support a motivation for the Court to crown her as that handpicked expert in this case. She wrongly presented herself to have the imprimatur of this Court in asserting her credentials.

The Court carefully guards its authority, and is compelled to correct misstatements attributed to the undersigned as to what the Court has ordered (and what it has not ordered). The improper invocation of the Court's authority (and the name of the undersigned) is taken very seriously. Of course, the gravity of statements made under oath that are not only inaccurate or erroneous, but are flat out untrue, cannot be overstated.

Accordingly, **IT IS ORDERED** that:

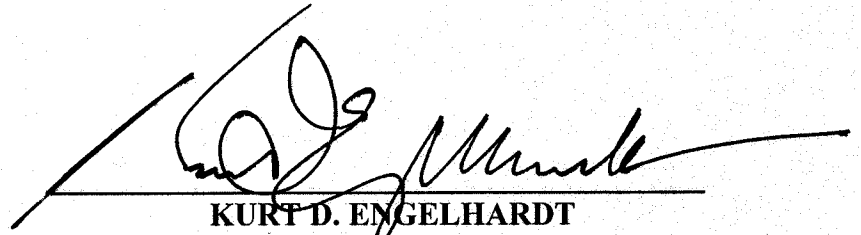
(1) DeVany shall send a copy of this Order, along with a written statement setting forth accurate facts, to the judge and attorneys involved in the *Vaughn* matter, specifically Industrial Appeals Judge Nancy E. Curington, Attorney Bruce R. Colven, and Assistant Attorney General Steve Vinyard, at their current addresses, within fifteen (15) days of this Order, certified mail, return receipt requested.⁷ DeVany shall provide to this Court a sworn certification that she has complied

⁷The Court is indeed concerned that such statements may have been made elsewhere.

with this Order, to which certification shall be attached copies of the correspondence she has sent to each of these individuals.

(2) If DeVany has not complied with the provisions set forth in Paragraph No. 1 hereinabove, she shall show cause, in writing, within fifteen (15) days of this Order, why she should not be sanctioned in the amount of Five Thousand and No/100 (\$5,000.00) Dollars for her failure to comply with the provisions of Paragraph No. 1.

New Orleans, Louisiana, this 24th day of September, 2009.



KURT D. ENGELHARDT
United States District Court

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IN RE: STEVEN R. VAUGHN

DOCKET NO. 07 13382

CLAIM NO. Y-965493

Longview, Washington
Tuesday, July 29, 2008

T E S T I M O N Y

Page No.

STEVEN R. VAUGHN (Continued from previous hearing)	
Further Redirect Examination (Claimant)	4
JAY D. SOLINGER	
Direct Examination (Claimant)	23
MARY C. DeVANY	
Direct Examination (Claimant)	48
Cross-Examination (Department)	110
Redirect Examination (Claimant)	117
Recross-Examination (Department)	121
Further Redirect Examination (Claimant)	122
STEVEN R. VAUGHN	
Further Redirect Examination (Claimant)	123

E X H I B I T S

(see next page)

BOARD OF
INDUSTRIAL INSURANCE APPEALS
OLYMPIA, WASHINGTON

RECEIVED

AUG 22 2008

TRANSCRIPT DESK

1 A. Yes.

2 Q. -- as a consultant or an expert?

3 A. I'm sorry; yes.

4 Q. Okay. And, what litigation are you involved in?

5 A. I'm currently involved in, umm, a large federal case -- series
6 of federal cases -- actually, approximately thirty thousand
7 federal cases, involving, umm, individual exposures to people
8 that were given FEMA trailers and portable housing units in
9 response to Katrina -- hurricanes Katrina and Rita. And, I'm
10 the expert witness coordinating all the expert work for all
11 the litigation in the entire gulf coast for the plaintiffs.

12 Q. And, how did -- how did you get that appointment, for lack of
13 a better term?

14 A. Well, I -- how can I say this? I am -- I am the workplace
15 advisor -- exposure -- chemical exposure advisor to the Sierra
16 Club. People, within weeks after the hurricanes, came to the
17 Sierra Club with complaints of headaches, nausea, nosebleeds,
18 respiratory irritation. And, the Sierra Club came to me to
19 see if I could help them figure out what the problem was, if
20 there was one, and evaluate what the -- what these exposures
21 might involve. And, I identified formaldehyde as the exposure
22 that was occurring as a result of living in those trailers.

23 And then, umm, we -- I prepared procedures to actually,
24 physically test those trailers and portable housing units for
25 formaldehyde. And, once we had objective data showing that
26 formaldehyde levels were truly excessive, umm, the Sierra Club

1 went out -- came out with a press release, they got the
2 Federal government involved and, umm, I was -- I was the
3 expert on formaldehyde toxicity and use in manufacturing that
4 testified before Congress about how formaldehyde got into
5 these trailers, what the health effects are, and what the
6 Federal government should do to help reduce these exposures
7 and control the health effects to people living in these
8 units.

9 Q. So, in terms of the multi-party litigation you just mentioned,
10 did all the attorneys for the parties involved in that
11 litigation have to agree upon you as an expert, did the Judge
12 appoint you, how did that work?

13 A. Judge Englehart (Phonetic) had -- he's the Federal Judge, umm,
14 in that whole jurisdiction, umm -- I don't want to say
15 complained severely, but what -- it was actually, he
16 complained to all the -- the, uhh, parties involved saying
17 since it wasn't a -- it's not a class action, all these
18 different lawsuits are clogging up his Federal court system.
19 There are truly an excess of thirty thousand of them.

20 And -- and so, he told these -- all these law firms along
21 the whole gulf coast to get together and to form one central
22 committee, and to present to him, since the cases are so
23 similar -- present to him one Complaint, one Request for
24 Interrogatories and Discoveries, you know, one Motion every
25 time something comes up. And, to agree upon one expert
26 witness that he could work with to help him evaluate the

1 science behind formaldehyde, how formaldehyde's measured, its
2 toxic effect, how it got into the trailers in the first place,
3 and someone he could rely upon to produce Affidavits to, umm
4 evidentiary hearings before him and explain the chemistry,
5 physiology and toxicology of formaldehyde.

6 And, these law firms along the gulf coast got together
7 and decided I should be the one.

8 Q. Okay. All right. And, you mentioned testimony before
9 Congress. You, uhh, testified in front of Congressman
10 Laxman's committee last year; is that correct?

11 A. Yes.

12 Q. Okay. Uhh, do you remember what month that was?

13 A. July.

14 Q. Okay. All right. Uhh, have you -- we talked about some of
15 the other, uhh, parties you've worked for. Have you ever
16 testified in front of any, uhh, State legislatures, to your
17 recollection?

18 A. Once years and years ago, in the 80s, regarding, umm, control
19 of hazardous energy sources, which became a law in the State
20 of Washington and federally, called the lock-out/tag-out
21 standard.

22 Q. Okay. Umm, do you -- first of all, do you belong to any
23 professional associations or organizations?

24 A. Yes.

25 Q. Okay. Which ones?

26 A. I belong to the American Society of Safety Engineers.

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 PHONE (360) 546-0999 • FAX (360) 546-0777 • E-MAIL mdevany@earthlink.net

MARY C. DEVANY

<p>SUMMARY OF QUALIFICATIONS</p>	
	<p>1987 Certified Safety Professional in Comprehensive Practice (by examination) 1990 Certified Hazardous Materials Manager at the Master (highest) level (by examination) 1990 Qualified as Instructor for OSHA compliance by the Federal OSHA Training Institute 1995 Certified Lead Paint Construction Site Auditor, Paint & Coatings Manufacturers' Assc.</p>
<p>ACCOMPLISHMENTS</p>	
	<p><i>Consulting</i> to organizations in the public and private sectors; throughout North America, Europe, and Asia; in the areas of occupational hygiene, community health, industrial safety, protection of the environment, and product safety/liability <i>Corporate policy and program development</i> for compliance with environmental and occupational safety and health regulations; site/field monitoring and evaluation, implementation, and specification of remediation and corrective actions; liaison work with outside agencies representing environmental and occupational safety and health compliance, enforcement, and legal entities <i>All phases of air, water, and hazardous waste</i> auditing, monitoring, evaluation, control methods, permitting, policies, compliance programs, design, and remediation – including compliance programs and policies, permit applications, education, training, annual reporting, and recordkeeping. Examples include: Solid and Hazardous Waste Minimization Plans; Air Discharge Permit applications and modifications; reporting for conditionally exempt, small, and large quantity hazardous waste generators (RCRA); water quality and discharge evaluation.</p>

monitoring, and pretreatment methodology, including industrial and municipal wastewater for POTW's (publicly owned treatment works); Stormwater Pollution Prevention Plans; community noise evaluations; Environmental Impact Statements; and SARA reports, sections 304, 313 Form R (chemical emergency release reporting). Development and implementation of sampling and remediation plans; chemical process environmental engineering design evaluations; and pre-startup safety and environmental engineering reviews

Preparing construction site specific safety programs and employee training

Preparing and delivering health, safety, and environmental training and education, to: corporate managers, government officials, OSHA compliance personnel, physicians, nurses, industrial hygienists, environmental engineers, safety professionals, union and non-union hourly plant personnel, operations supervisors, and construction workers in various trades

Conducting in-depth indoor air quality investigations, including fungal contamination of ventilation ductwork and building materials, carbon monoxide entrainment, inadequate illumination, excess humidity, malfunctioning Carbon Dioxide probes in ventilation systems, poor make-up air, diesel exhaust entrapment, inadequately designed HVAC (heating, ventilating, and air conditioning) systems, and even undiagnosed medical conditions that gave the appearance of being caused by the building's air but were completely unrelated. Sampling and remediation plan development

Developing and conducting site-specific chemical emergency response certification courses for personnel at all levels, from first responders to incident commanders -- for the chemical, pulp and paper, grain handling, warehousing, and food processing industries, as well as municipalities and governmental agencies

Developing and coordinating the professional experience course for Certified Hazardous

Materials Managers Certified Safety Professionals, and Certified Industrial Hygienists: 3-hour sessions once per week for seven months (32-week course) and the 40-hour course during the OR Governor's Occupational S &H Conference.

Comprehensive site safety, health, and environmental auditing

Experienced in public hearings testimony for proposed new and modified projects, *OSHA legal testimony and expert witness work:* for plaintiffs and defendants, civil and criminal cases; before hearings boards, administrative law judges, boards of appeal, and county, state and federal courts: Washington, Oregon, Indiana, Connecticut, California, Pennsylvania, Texas, and Alaska. Prevailed in 40 of the 43 cases. Many cases were settled prior to trial; those that went to trial resulted in awards of various kinds, including monetary awards ranging from \$40,000 to \$4,900,000. One case resulted in the only criminal conviction (homicide) for an OSHA violation in Alaska state history. Also testified before the U.S. Congressional Committee on Oversight and Government Reform.

Environmental Advisor for post-war environmental remediation efforts in Bosnia and Herzegovina. Reported to the Director of Operations of the OSCE (*Office of Security and Cooperation in Europe*) Bosnian Mission, headquartered in Sarajevo. Includes liaison work and interfacing with the European Union (EU) Stabilization Force and NATO officials.

WORK EXPERIENCE

4/1986 - Present

DeVANY INDUSTRIAL CONSULTANTS, Vancouver, WA, USA; international public and private sector consulting in *occupational safety, industrial hygiene, environmental protection, and community health*

6/1980 - 9/1986

UNION CARBIDE CORPORATION, based at USA facilities in East Chicago, IN and Washougal, WA

Progressive promotions to *Manager of Health, Safety, and Environmental Affairs, and Director of Product Safety and Liability, Electronics Division* internationally.

Responsible for overseeing the safety, health, and environmental affairs of two electronics plants, and product safety and liability for the Electronics Division worldwide. This included 35 plants with 27,000 people throughout North America, Europe, and Asia; and the approximately 70 occupational health physicians, industrial hygienists, environmental engineers, safety professionals, and occupational health nurses located within the Division and its five subsidiaries at these sites.

Work experience after graduate school through spring of 1980, included Factory Mutual Engineering Association, Rolling Meadows, Illinois, USA, as a *Loss Prevention and Control Engineer*.

EDUCATION

MS Area of Concentration, Biochemistry, Biology Dept., Loyola Univ. of Chicago, Chicago, Illinois, USA, 1977; *University Fellow*, 1976-1977. Graduated Summa Cum Laude (4.0 gpa/4.0 scale)

BS Biology, concentrations/minors in chemistry, physics, math, and human anatomy; Univ. of Illinois, Champaign/Urbana, Illinois, USA, 1975; graduated with honors

PROFESSIONAL MEMBERSHIPS

- American Society of Safety Engineers (ASSE)
- American Industrial Hygiene Association (AIHA)
- Academy of Certified Hazardous Materials Managers (ACHMM)
- Board of Certified Safety Professionals of the Americas (Board of CSP's)
- Northwest Environmental and Energy Professionals (NEEP)
- American Public Health Association (APHA)

PROFESSIONAL LEADERSHIP POSITIONS (PAST AND CURRENT - HIGHLIGHTS ONLY)

Member and Chairperson of the Washington State Governor's Accident Prevention Panel (ASSE nominated, Governor confirmed appointment)

Executive Board, Chairman of the Professional Development and Membership Committees, Secretary, and Treasurer of the Columbia-Willamette (Portland, OR, USA) chapter of the (ASSE)

Safety Sub-committee Program Co-Chairman for the Oregon Governor's Occupational Safety & Health Conference

Board of Directors of the Silicon Forest Safety Professionals

Member of the Oregon Governor's Occupational Safety and Health Steering Committee

Professional Development Chair and Northwest Conference Coordinator - Semiconductor Safety Association

Section Chair of the Mt. St. Helens Section of the American Society of Safety Engineers

Chair (also secretary and vice-chair) - National Confined Spaces Committee, (AIHA); current member

Session Chairperson and Arranger for the Emerging Issues, Joint Industrial Hygiene Ethics Education, Social Concerns, and Confined Spaces national committees for the American Industrial Hygiene Association Annual Conference and Exposition (1993-2002)

AIHA representative on the 10-person International Joint Industrial Hygiene Ethics Education Committee (4-year term, 1997-2001)

Member of the 10-person International Taskforce on Global Sweatshops (2000-2002)

Chair (also secretary and vice-chair) - National Social Concerns Technical Committee, AIHA (2001); current member

Chair (also secretary and vice-chair) - National Emerging Issues Technical Committee, AIHA (2002); current member

Member, Occupational Health Leadership Committee, American Public Health Association

Workplace Environmental Advisor - Sierra Club, San Francisco, CA

PROFESSIONAL PRESENTATIONS AND PAPERS (HIGHLIGHTS ONLY)

International Occupational Safety and Health Board

International Occupational Safety and Health Best Practices Forum - Brisbane, Australia - Hazards of Confined Space Entry

Asian-Pacific Occupational Safety and Health Conference - Seoul, South Korea - Fall Protection/Arrest and Retrieval Systems

American Industrial Hygiene Association (AIHA) National Conference and Exposition - USA: San Diego, Atlanta, Dallas, Kansas City, Los Angeles, Washington D.C., Philadelphia, New Orleans and others, and Toronto, Canada - on Professional Ethics, Confined Space Atmospheric Hazards Detection (half day seminar), Safe Handling of Compressed Gas Cylinders (half day seminar), Emerging Issues, Environmental Health, and Social Concerns

National Academy of Certified Hazardous Materials Managers - Seattle, Portland, OR - Confined Space Entry; Safe Handling of Compressed Gas Systems; Effects of Hazardous Materials on the Reproductive System

Oregon Governor's Occupational Safety and Health Conference - Portland, OR - Health Effects of Vibration, The Safety and Health Professional as the Expert Witness; Safe Confined Space Entry, Safe Handling of Compressed Gases, Respiratory Protection, Chemical Hazard Communication, Reproductive System Toxicology, and others

Washington Governor's Occupational Safety and Health Conference - Seattle and Spokane - Evaluating and Specifying Personal Protective Equipment, Teaching Your Safety Committee to Conduct Thorough Plant Safety Audits, Hazards of Confined Space Entry, and others

Alaska Governor's Occupational Safety and Health Conference - Anchorage - The Environmental Safety and Health Professional on the Witness Stand, Reproductive System Toxicology

Clark County Safety and Environmental Professionals - Vancouver, WA - The Process Safety Standard - Rules and Requirements; The New Respiratory Protection Standard, Changes in WISHA's Fork Lift Truck Rules; Practical Implementation of

	<p>the Lockout/Tagout Rules, Chemical Emergency Response and Remediation, and others</p> <p><i>American Society of Safety Engineers (ASSE) - Portland, OR and Longview, WA - Bloodborne Pathogens; Reproductive System Toxins and Toxicology; Health Hazards of Cutting, Burning and Welding; Overview of EPA Regulations and Requirements (half day), Health Effects of Ionizing and Non-Ionizing Radiation; Accident Investigation; Implementing the Hazard Communication Standard (full day seminar); and others</i></p>
OTHER PROFESSIONAL PUBLICATIONS	
	Books, book chapters, and professional journal articles available for review upon request.
COMMUNITY VOLUNTEER ACTIVITIES AND RECOGNITIONS (HIGHLIGHTS ONLY)	
	<p>Clark County, WA, USA, Girl Scout Leader, Daisies, Brownies, Juniors, and Cadettes - 1988-1993</p> <p>National Science Olympiad Coach - 1995-2001, Division B (grades 6-9) and Division C (grades 9-12)</p> <p>Lewisville Middle School, Outstanding Volunteer, 1996-97</p> <p>American Industrial Hygiene Association award of <i>Fellow</i></p> <p>Selected by the NW Women's Journal as one of the <i>100 Most Powerful Women in the Northwest</i>, August, 2007.</p>
AWARDS RECEIVED (HIGHLIGHTS ONLY)	
	<p><i>Safety Professional of the Year, 1989 - American Society of Safety Engineers (ASSE), Mt. St. Helens Section (Longview, WA, USA), and Columbia-Willamette Chapter (Portland, OR, USA)</i></p> <p><i>Region Safety Professional of the Year, 1990 - as selected from the ASSE regional membership of over 3000, representing Oregon, Idaho, Alaska, Hawaii, Montana, and Washington</i></p> <p><i>Fellow - American Industrial Hygiene Association, 2008</i></p>

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (4)

THIS DOCUMENT RELATES TO
Member Case No. 09-2892

SEP 24 2009

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