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Deaths blamed on IBM

■ **Lawsuit:** Its workers allegedly were exposed to cancer-causing chemicals.

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Citing a high incidence of cancer among workers at IBM Corp. in San Jose, a wrongful death lawsuit filed last week in Santa Clara County Superior Court blames the company for exposing employees to fatal levels of cancer-causing chemicals since the mid-1960s.

The lawsuit was brought on behalf of the families of five former San Jose International Business Machines Corp. workers who have died of cancer, as well as four other current or former IBM employees now stricken with the disease. In addition to IBM, the suit names as defendants a host of other companies responsible for manufacturing the chemicals used by IBM, including Shell Oil Co. and Union Carbide Corp.

However, the suit focuses mostly on IBM and whether the

company took the necessary precautions for employees who worked in "clean rooms" and areas where disk drives and microcircuitry were manufactured. All the workers involved in the court case, including the five who died of cancer — Michael White, John Thomas, Suzanne Rubio, Mose Jefferson and Christopher Copuz — worked in such chemical-filled environments.

"Motivated by a desire for unwarranted economic gain and profit, defendants willfully and recklessly ignored knowledge of the health hazards," the suit states. "The objective of these defendants was maximizing production, but in doing so, these defendants endangered the health, welfare and safety of IBM workers."

IBM spokeswoman Tara Seton said Friday the company would have no comment beca-

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IBM sued over cancer deaths of S.J. workers

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officials had not yet reviewed the suit. In the past, IBM and other representatives of the semiconductor industry have defended their safety records, denying any link between work conditions and cancer clusters.

IBM has been confronted with similar allegations in recent years as current and former IBM chemists and researchers have come forward with concerns about what they contend has been a mysterious pattern of cancer among certain workers, particularly those toiling in the clean rooms.

A story last year in the Mercury News' West magazine detailed how some of these employees have tried to get IBM to examine the issue. For example, Gary Adams, a longtime IBM chemist who has fought cancer, alerted the company to his concerns as early as the mid-1980s, according to that account.

Adams, a Campbell resident, is not a plaintiff in the Santa Clara County lawsuit but has described in detail how IBM colleagues and friends contracted cancer over many years. His calls for medical monitoring programs were rejected by top IBM officials, who assured him such a program was unnecessary.

Another lawsuit involving the

IBM safety issue has been pending in New York since 1996, when lawyers targeted Union Carbide and other manufacturers of the chemicals used by IBM. That suit now involves more than 100 plaintiffs, including the families of 11 people dead of cancer.

The sweeping suit, known on the East Coast as simply the "IBM case," attributes a variety of cancers to chemicals used in the semiconductor industry, particularly within IBM.

San Jose attorney Amanda Hawes, who has been involved in the massive New York case, filed last week's suit in Santa Clara County. She said the case is aimed at forcing IBM to correct a

long history of health problems for the company's workers.

"It concerns me that given all the technology we have at our fingertips, what were they doing with it?" Hawes said. "The story about the IBM scientists (and cancer) has been out there."

The suit alleges that IBM has misled its employees for years by assuring them that the clean rooms were safe and had been tested for side effects and carcinogens. Hawes' court papers maintain IBM has "no factual basis" for those assertions and never conducted tests to determine whether employees were exposed to hazardous chemicals.

The IBM employees involved

in the suit held various positions, such as researchers and scientists, but all had "hands-on" exposure to the chemicals, according to Hawes. Some were young when they contracted cancer: Suzanne Rubio was 36 when she died of breast cancer.

"People are told that clean means safe," Hawes said of IBM's attitude about the clean rooms. "The average person assumes when they hear that that somebody has actually investigated, and (IBM) can't make that showing."

The suit does not specify a dollar amount but is seeking punitive damages against IBM and the chemical makers.

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