

November the 15th 2021 hearing

by

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Paolo Cavallone, from Casale, born in the Autumn of 1945, died in the Winter of 2013 killed by malignant biphasic mesothelioma. He was not yet 68 years old. He was a couple of years older than his brother Mauro Cavallone, who had died of the same disease eight years before. Their parents had both been Eternit workers and their father had been diagnosed with asbestosis. His paternal uncle had also worked at Eternit, killed by mesothelioma when he was the father of two young children: a boy and a two-year-old girl. A first cousin of the brothers Paolo and Mauro, and their sister Laura Beltrame, who lived in the old Casale between Sant'Ilario and the Bridge on the River Po, also suffered the same fate at the age of 72.

Paolo Cavallone is one of the 392 asbestos victims listed in the charges (as well as Mauro) the Swiss entrepreneur Stephan Schmidheiny, the last surviving owner of Italian Eternit, is called to answer, before the Court of Assizes of Novara, for the voluntary murder (with possible wilfulness) of all these innocent victims.



Pathologists Donata Bellis and Narciso Mariani

Paolo Cavallone is one of the cases that pathologists Narciso Mariani and Donata Bellis, expert witnesses for the prosecution illustrated in the hearing of November the 15th, 2021 of the Eternit Bis trial, explaining the methods followed (...). The conclusion is quite clear: the 392 people listed all died of mesothelioma. Further investigations were carried out by the Prosecution's expert witnesses, consultants, pneumologists (lung specialists), Drs Massimiliano Buggiani and Pavilio Piccioni, and occupational physician Dr Ferruccio Perrelli, confirmed that those malignant mesotheliomas were caused by exposure to asbestos both occupational (62 former Casale Eternit workers) and environmental (330, including members of the community and family members of workers).

The 392 diagnoses, all of which fatal cases, were reanalyzed and "*reviewed*" by the experts appointed by the prosecutors Drs Gianfranco Colace and Mariagiovanna Compare. A complex and delicate task: "It is difficult, but still possible - Mariani and Bellis explained - to have a "differential diagnosis" of pleural mesothelioma, reviewing and considering all other pathologies that can give

similar symptoms and characteristics, such as adenocarcinoma metastases (usually from the lung or breast) or benign diseases of the pleura". Pleural plaques or pleurisy, for example.

Benign diseases? It can happen, why not, but a person from Casale, who read and still reads the wording "pleural effusion" on the report of the chest X-ray, makes a very immediate "differential diagnosis" and to all the words that follow - "further investigations must be done... let's not rush things... it is necessary..." – people cling as if to a branch in a flood. -. The X-ray is a watershed, it divides your life into *before* and *after*.

On the other hand, realistically, Dr. Massimo Miglietta, who testified at the Eternit Bis trial on October 25, as the son of a woman who died of mesothelioma, said: "I am a doctor and, in more than thirty years of profession in Casale, I have seen only three cases where the pleural effusion was not due to mesothelioma". The conclusion of the comprehensive study performed by the pathologists (who had already worked alongside Dr. Piergiacomo Betta, head of Pathology first in Casale, then in Alessandria, creator and founder of the Biological Bank of Mesothelioma, one of the first in Italy) can be summarized as follows: 392 cases "reviewed" (taking into account the diagnostic techniques at the time of the appearance of the disease, compared with current ones) are all mesotheliomas, 351 of which with "certain diagnosis" and 41 "probable". In particular, 72 diagnoses of "biphasic mesothelioma (63 certain, 3 probable), 243 of epithelioid mesothelioma (229 certain, 14 probable), 53 of sarcomatoid mesothelioma (31 certain, 22 probable).

One after the other, the three consultants, Drs Buggiani, Piccioni and Perrelli, illustrated the conclusions of their investigations, answering the questions the two Prosecutors Colace and Compare had asked them to address (...). *“After examining all the evidence concerning the cases of mesothelioma deaths in the community (resident in Casale and in the neighbouring towns) and among former Eternit workers, can the consultants state the circumstances of exposure to asbestos in mesothelioma victims and whether the disease was the cause of death. In addition, whether exposure to asbestos, in Casale (where the Eternit plant was) and surroundings, determined or contributed to the onset of the disease and death.”*



Massimiliano Buggiani and Paviglio Piccioni, pneumologists,

Ferruccio Perrelli, occupational physician

The three consultants concluded that basically there is proportional relation between cumulative exposure to asbestos and the risk of mesothelioma in exposed persons. And again, *"until induction is complete"* there is no minimum threshold of exposure to the fibre below which one is certain that

exposure does not contribute to development of mesothelioma. What does this mean? "*Induction*" is the time that elapses between the beginning of the process of carcinogenesis and the moment in which the cancer develops silently in the body, irreversibly and not yet detectable (neither through symptoms nor with diagnostic investigations). This is the time frame, there is no irrelevant, threshold that can be considered risk free however minimal it is". However, neither the time of initiation of carcinogenesis nor the time of induction can be determined. Instead, from the time of "*induction*" until the onset of symptoms (and subsequent diagnosis), exposures are less relevant. They also added that while there is no minimum threshold that excludes risk, "*higher exposures result in earlier development of the disease and thus losing more years [of life]*."

As can be seen from the report of the prosecutor's expert witnesses, the examination of the 392 cases showed that 62 were Eternit workers, but also members of the community in Casale or the surrounding area, except for one person who was in charge of preparing the company's orders in the offices of Novara and Milan and from 1991 to 2014, the youngest was 42 years old, the oldest 81. The other 330 suffered non-occupational - environmental or domestic - exposures; of these, 220 had always lived only in Casale, 92 in both Casale and neighbouring towns, and 18 only in neighbouring towns. One of them did not actually live in Casale, but had spent a good part of his life there, because he was a student and then a teacher in the town's schools. Another one spent his vacations for many years in a house in Frassinello Monferrato (a dozen kilometres from Casale), where, among other things, there was dust and Eternit artefacts. Of these cases, diagnosed between 1990 and 2016, the youngest was only 36 years old, the oldest 96.

The consultants concluded: "It does not matter whether the mesothelioma occurred as pleural or peritoneal: all those we considered were due to exposure to asbestos."

THE STORY OF TWO BROTHERS: PAOLO AND MAURO

Paolo Cavallone is among the 220 people who have always lived in Casale, among the houses one next to the other overlooking a network of streets in view of the Eternit plant in Via Oggero, a few dozen meters away. And so does his brother Mauro. The neighbourhood is called Ronzone, with an appendage called Rotondino. They were proud to be "*ronzon-rotondinesi*" the nickname of those born and bred in the district. Their parents and uncle had worked at Eternit, just a stone's throw from their home, very convenient. Paolo did not work there, nor did Mauro. They dedicated themselves to other professions, which they shared as well as being brothers. Every morning they walked out and every evening as they walked back, they saw the factory there, a grey, dusty and sometimes like a huffing elephant, a stranger to them, but a presence "on the *sapè* (the threshold) of the house".

The reconstruction by the pathologists continued. In March 2012, complaining of chest pain, he had an X-ray: a ritual, you might say, for those who live here. Result: unilateral pleural effusion. The consultants' thick sheet summarized the various steps: the CT scan defined the effusion as "*substantial*" and highlighted "*a thickening*". After being admitted to the Santo Spirito Hospital, where he underwent a thoracoscopy, cytological and histological tests, Paolo Cavallone was discharged in April with the diagnosis of *right pleural neoplasm*, more precisely *malignant biphasic mesothelioma*. Before the summer and then in the Autumn, he had chemo, in October a *talca* was

performed to try and contain the discomfort due to the accumulation of the liquid, but the situation did not improve. He died on January 26, 2013.

What the medical report does not tell us is that, ever since he developed *that* chest pain, Paolo had understood and predicted the outcome step by step. Indeed, he had already seen himself in his older brother who had received the same diagnosis in October 2004. He had helped his brother, accompanied him, consoled him until the time of his expected death on the morning of May 25, 2005 when Mauro Cavallone took off his glasses, placed them on the bedside table closing his eyes forever. Mauro had been under no illusion. "We are like yogurt - he had said - each with its own *best before date*". At 66 years old, his best before date, a few months before his first grandson was born.

OBJECTIONS RAISED BY THE DEFENSE

Defence lawyers Guido Carlo Alleva, and Astolfo Di Amato, raised an objection: "*It concerns the issue of the slides he explained, stressing they couldn't be used (...) because "our experts were not given the opportunity to examine the biological material of the 392 cases before the beginning of the trial "*". At the next hearing, the Prosecution will answer their objections.

On Monday, November 22, the plaintiffs' lawyers and the defence lawyers will cross-examine the five consultants heard on November 15.

2022 HEARINGS

These are the dates agreed until Easter: January 10, 17, 24 and 31, 2022; February 9, 14 and 21; March 2, 7, 16, 21 and 28; and April 4 and 11. Among the hearings already scheduled for December 2021, the one on Wednesday the 10th has been cancelled leaving the 6th, 13th and 20th.

<https://www.silmos.it/e-il-mesotelioma-la-causa-di-tutte-quelle-392-morti-lesito-delle-verifiche-fatte-dai-consulenti-dei-pm/>