

By Silvana MOSSANO

33 Fact witnesses summoned 33, 22 heard

Defense lawyers Astolfo Di Amato and Guido Carlo Alleva had announced their intention to hear some ninety family members of the victims whose names appear PPs Drs Gianfranco Colace and Mariagiovanna Compare's list at the Eternit Bis, being heard in the Court of Assizes in Novara. They are the defense lawyers for Stephan Schmidheiny, accused of the willful murder of 392 people from Casale who died due to asbestos.

The c. 90 family members, will be heard in three hearings. On Wednesday, March the 16th, a little more than twenty were heard. Some had sent the medical certificates to account for their absence and the defense (lawyers Guido Carlo Alleva, Maria Cristina Amoruso and Alessio Di Amato) agreed to exclude the other witnesses that had also been called.

My question is what were they going to say? What do you ask widows and widowers, children and sibling on the habits of the lives of those who died in grief?

The questions and the expectation of precise answers made the defense's strategy clear: to instill doubts in the judges on the causes of those mesotheliomas, shifting the time frame times and circumstances thus releasing the defendant from the criminal liability.

Questions and answers were also rhetorical devices: the information is already in the trial file, in the files with the complete profile of each of the victims, together with the relative questionnaires drawn up at the time by the Mesothelioma Registry (Renam) for the Region. However, as it was repeated Wednesday by Gianfranco Pezone, the president of the Court of Assizes, following objections from the PP Colace and plaintiff lawyer Esther Gatti, the "evidence is gathered in the courtroom". And, therefore, overruled.

Starting from the scientifically undisputed assumption, that asbestos fibers causes mesothelioma, the issue on which the court case impinges on consists in deciding who is responsible and therefore for the onset of the disease. In other words, for each of the 392 cases it is necessary to prove, that the mesothelioma can be traced back to the asbestos fibers criminally spread during the so-called so-called "*periodo di garanzia*"(the time for which SS is held responsible and is liable) of Schmidheiny, in which the Swiss entrepreneur was the CEO (as well as owner) of Eternit. From 1976 to 1986: this is the decade we are focusing on. The rest is outside the remit of the trial. This is why the defense is trying to sow the seed of doubt (a legitimate role, and yet difficult and painful for the families of the victims), suggesting that the deadly fiber was inhaled before 1976: perhaps from an attic in which it had been laid, , or from the roof of a chicken coop, or in the courtyard, on the *bocce* run, in the parish soccer field where the dust had been laid to cover the mud and sludge, or from the dusty overalls of parents or grandparents or uncles who had worked at Eternit. Beware, however: can we date the dust before or after 1976? And had those relatives worked at Eternit when Schmidheiny was not yet in charge? If so, the defendant cannot answer at the trial. Were other entrepreneurs or executives, have been, perhaps, responsible? Possibly so yes, but so much time has passed, they are dead. Matter closed.

Some of the witnesses on Wednesday bolstered this defensive strategy; others, on the contrary, helped the plaintiffs' strategy and introduced information to support the PP 's accusations.

The summary of the witnesses follows in chronological order:

Piero Luigi Ogliaro, son of Luciano Ogliaro.

"My father lived, since 1961, in the same house in the street Pozzo San Evasio". Was there *polverino*¹ In the attic there? "Yes. And, yes, he helped with the insulation. And, again, yes, I believe he helped with the removal in 1990." What about Aunt Rosalia? "Well, maybe she had worked at the Eternit plant, but I'm not sure, she had emigrated to Argentina before I was born". And Luigi? "He was my grandfather, yes he had been a worker at Eternit's from 1925 to 1950".

Corradino Orazio, son of Giuseppina Dattrino.

"My mother had married my father, a policeman. After a period in Chiasso, he was transferred to Alessandria and then to Casale: until 1963 they lived in lodgings above the police station, in piazza Statuto". Was there a there a *bocce* fields leveled with *polverino*? "Well, I think so, maybe there was something near the parish of Maria Addolorata. Perhaps there was something there. In 1964, they moved to Via Montessori. Was the garage roof made of Eternit? Yes, and some pieces of corrugated AC sheets bordered the backyard. The driveway was made of gravel mixed with asbestos dust. Everything was cleaned up over a decade ago.

Patrizia Penati, widow of Giovanni Bonelli.

My husband had always lived in Sala Monferrato before we moved to Brianza in 1987." Was there a tool shed covered with asbestos slabs? "There was a tool shed, but I don't know what the roof was made of. Did you work at Eternit? Until 1986, in the workshop that made slabs, then the factory closed.

Then the factory was closed. After that, he was a worker in a pallet company and then an employee of the company that manages the Milanese Waterworks.

Piero and Rita Accatino, Giuseppina Florian's children.

Their mother lived first in Rolasco, a hamlet of Casale's, and then in via Mantova, also in the town. Were there asbestos roofs? "No, no." She worked at Eternit, "for a lifetime": She resigned in 1977 and her daughter Rita explains she had a son so Giuseppina became a full time grandmother". Did she have asbestosis? I don't know. The cause of death was mesothelioma."

Maria Grazia and Giuseppe Arditi, Rita Anselmo's children.

1 crushed broken asbestos cement sheets and pipes. Besides the emission from the plant, a relevant source of exposure in the city was the dispersion of production tailings, in particular from lathing of pressure pipes (so called *polverino*– "fine dust"). The material was given freely to whom was interested and was used mostly for thermal insulation in buildings and hardening of footpaths and courtyards

"Our mother was a homemaker and always lived in Cellamonte, in the same house. Did she ever work at Eternit? No she never worked, no." did she spend time in other areas in the countryside? "In the Castellaro region, you say? My father worked the land there. My mother, perhaps, sometimes went there, rarely". And wasn't there a tool shed? "Maybe there was' Was it covered with asbestos? Was that shed removed? We are sorry but we can't remember." And wasn't there *polverino* dumped in the backyard of the Cellamonte house? The brother and sister shake their heads, they have no memory of it. Instead, they remember "the *polverino* with which the courtyard of the nursery and elementary school had been leveled: the children scraped it with their hands to make tracks to play marbles on it.

Ultimo Vetri, widower of Ombretta Bradiani.

"My wife has always lived in Casale Popolo, except for a couple of years we spent in Balzola." Was there a slab of asbestos in the house to limit a passageway? "Sorry, I don't remember." Did your wife work? Did she employ tools that contained asbestos, for example irons? "My wife worked in a textile factory, yes, she ironed" And was she was a smoker? "But no, not a smoker, a few cigarettes when she was very young, then she stopped". And was your father-in-law a worker at the Eternit? "Yes, for years." And did your wife meet him? "Of course, he was her father, we were lived fifty meters apart". PP Dr Colace intervenes: how long did your father-in-law work at Eternit for? "Until the plant closed". That was 1986.

Claudio Greppi, son of Giovanni Greppi.

"My father lived in Casale his whole life. He worked at Smith Europea, first as a worker, then as an office worker; they made book binding machines." Were there any tools that contained asbestos? "Not to my knowledge." And was there asbestos in the houses where he lived? Had he built a *bocce* field? "I think so, but I really don't remember."

Simona Imarisio, daughter of Carla Minazzi.

"My mother lived in Casale, then Trino and then back to Casale at Ronzone, where the SantAnna hill starts and in then in Oltreponte, where she was until she passed away in 1992. In Oltreponte there were garages with asbestos roofs. And what did your mother's parents do for a living? "My grandmother used to say that my grandfather worked in the mines, and then maybe at Eternit. But most of all she talked about the mines. My mother's brother, I am sure, he worked at the Eternit plant, he died of asbestosis".

Marco Solerio, son of Angelo Solerio.

"My father was a draftsman and lived all his life in Casale Popolo." Did he have hobbies? "Yes, he grew bonsai trees." What about his parents? "My grandparents had worked at Eternit".

Gabriella Bosco, daughter of Ferruccio Bosco.

"My father worked at the Eternit plant, in the sense that he was an employee of a company that carried out work at the plant. He was an employee of a company that carried out work inside the factory. After the war, he was then hired directly by Eternit and was an employee until he retired in 1979". Did he smoke? "Like many, then he had stopped." Hobbies? "He used to go to the shed on the banks of the Po: to play playing cards, *bocce*. "Was the a beach along the River Po, asked PP Dr Colace,referring to the expanse that had formed with the dumping of asbestos in the river. "Yes, yes, I remember the beach on the Po, which for the people here was like if it was Rimini²."

2 A well known beach resort in Italy on the Adriatic Sea

Mario Bettonte, son of Italo Bettonte.

"My dad really didn't want to go to work at Eternit, but it was choice, because he was missing a few years of contributions to retire. He had previously worked in the family store, a grocery and dairy shop store in Via Sant'Evasio. And, in short, to get the pension benefits he lacked he went there from 1981 to 1986. That ended when the factory was closed. He was in the pipe manufacturing department". The defense did not ask any further questions, while the prosecutor, Dr. Colace, was interested in learning more. "My father had immediately realized, he had my dad, that the working conditions were not optimal. In some workshops was unbearable. Masks? "Hell, you couldn't even wear them there was so much dust you would suffocate". He had a blue overalls, but when he got home, you couldn't see the color, it was grayish white. And who washed her overalls? "My mother did." So, she worked in the pipe manufacturing. When she was at work on Saturdays, she cleaned the windows, for example, glass, for example, or the tubs. My father used to tell me that on Saturdays, yes I believe it was done on Saturdays, they would use some scrapers to scrape off the crust of dust that formed on the panes, which was so thick that, when it was pulled off, the light came back into the room. And the tanks? "They were the ones in which the artifacts were left in the water. When there was water, there was less black powder. The water it was but then it was discharged into the river and waste material remained on the bottom of the tub. You had to scrape it off, he did it more than once" "Did he wear boots?": "Yes, boots, I have a pair: stiff as pieces of wood". We are still between 1981 and 1986, "Yes of course. And he also complained about the dust where and he also complained about the dust where the asbestos waste was crushed under the open sky, which was then and there was a lot of dust. And there was so much dust, "eh, they shoveled it".

Paola Budel, daughter of Dino Budel.

" Ever since he had emigrated from Veneto when he was 3 years old, my father lived in Casale. For 25 years he worked at Eternit, until the plant was closed." Were there asbestos roofs in the houses you lived in?" "I remember the chicken coop in my grandparents' house." Until 1986 was he a worker in the Ronzone factory. "Yes. And he was very concerned because he considered the dust as a danger." The Prosecution asked on cross. "He wore the mask, he always wore it, to protect himself, and some of his colleagues used to tease him a little bit. They opened the window wide, so as not to suffocate, even in winter they opened them wide, and, and they would also get sick from the cold. When he came out at the end of his, he would say the meadows around the factory were twinkling. That was the impression he had, a glow, because of the dust deposits on the grass. "And who washed the overalls? "My mother. One relative told her off her, saying she should have taken them to the laundry because it was because it was dangerous to wash them by hand".

Elisabetta Costanzo, daughter of Antonietta Crevola.

"My mom worked at Eternit for 35 years: she quit when the factory closed in 1986. She was 50 years old." Did they do medical checks in the factory? "My mom went for checkups because she said she was short of breath. PP Dr Colace's asked in cross: what tasks did your mom have? "She cut the slabs and said she inhaled a lot of dust. She usually went to work on her scooter, but when the evening shift ended, my father and I, went to pick her up. And I would see so much dust, all around her."

Paola Demichelis, daughter of Franco Demichelis.

"My father lived first around Casale and then in the town, until his death. [during the war] He had been a partisan [fighting the Fascists and Germans] in the Garibaldi Brigade, my dad ". After the war, he was hired at Eternit: "He was there from 1946 until 1983, when he retired". Did he have asbestosis? "Yes, it all started: I am doctor and I followed that ordeal, which caused so much suffering in our family. He suffered from asbestosis which was recognized as an occupational disease. "Over the years it got worse, with increasing difficulty in breathing. And, later, mesothelioma developed. He had surgery twice, it was unnecessary but you only know that afterwards. Following the second surgery, he never recovered until he died on St. Joseph's Day, Father's Day. Father's Day in three days it will be 28 years ". The PP asked asks about the type of tasks that Franco Demichelis carried out: "He was responsible for the maintenance of the workshops. And in recent times, he also worked on the pipes of plastic. He always worked, he did whatever was needed." And she remembered when she came home, the overalls "I remember that smell." The smell? "Yes, his clothes had a smell, we would put them outside to air, but it wouldn't go away, it was the smell of asbestos". The voice chokes. "One day I was in primary school, and he provided me with some asbestos dust to take to school and show.

Silvana Andreone, daughter of Evasio Andreone.

"My father lived in Casale, in Oltreponte all his life and for 35 years he worked until 1984/85: he retired when the factory was about to close".. Did he suffer from asbestosis? "Yes. And then mesothelioma." Again the PP asked the defense witness to detail her answer delving in her memories: what did her father tell her? "He was a shift foreman in the workshop and he felt very responsible for the people in his team so, when something clogged up and blocked the production chain production line and it happened, he would get inside the pipes to unblock what had jammed it. There, I was struck and I was impressed by my father inside those pipes". Did they use protective suits, diving suits? suits? "I don't think so, he never told me." And the masks, did they did they wear masks? "I don't think they were wearing masks, they were all short of breath because of asbestosis."

Pierluigi Barbano, son of Remo Barbano.

"My father worked at Eternit, from 1961 until he retired." And before that, what other jobs did he do? "he was fisherman by profession." At the time there was the *Terranova* Fishermen's Cooperative. Hobbies? "He went hunting."

Pierfranca Ferrarotti, widow of Mario Portalupi.

"My husband lived in Casale all his life." In the garden, were there any asbestos artifacts? "Maybe something old was there, but I don't know if it was made of Eternit." He worked at Eternit from 1975 to 1983, he was a shift foreman. He said that it was not a healthy environment, especially when they had to cleaning of shop floor ." And after 1983?, the defense asks . "He was a an industrial oil salesman." And wasn't he self employed? "Yes,; he sold plasterboard and pvc pipes." PP Dr Colace asked about the time at Eternit: what state were hi overalls when he came home from the factory? "So dusty that I couldn't wash them. My husband used to put them in a My husband used to put them in a bag and bring them to my mother-in-law, she took care of them, they were too heavy, I couldn't do it".

Fabio Bozzetto, son of Salvatrice Ballarò, known as Salvina.

"My mother emigrated from Sicily when she was a little girl and, from the age of 14 until she retired, she worked at Linfleur, a textile factory." The defense's question follows: did she use tools, such as irons that contained asbestos? "No, mom sewed." And she lived in Casale Popolo, not exactly close to the Eternit plant "Look, as the crow flies, it's close by: there is only the Po River that divides Casale Popolo from Eternit!"

Oriana Zavattaro, daughter of Corinna Caloni.

"My mother lived in Casale. My father worked at Eternit until 1984. He died in 1989, also of mesothelioma." And who washed the suits? "My mother, yes, my mother washed his overalls".

Silvia Gario, daughter of Angela Luparia.

"My mother was really my adoptive mom. Our story begins in 1979: I met her when I was twelve years old". Silvia chokes, she struggles to swallow her tears. "She was a matron in Surgery, at the Santo Spirito Hospital in Casale". Near her house, there were asbestos artifacts: "In the Sant' Anna slope, there was an asbestos roof which was removed in 1985. Instead, in San Martino street, the neighbors had dust in the courtyard. And when she was already ill, she was very worried and she would tell me that there was asbestos in the neighbor's house. I was clueless; when people talked about asbestos, I thought of roofs. She was already dying and she was worried that I would get sick". Explain well: "It was the last weeks of her life, mom was very tired and told me about this dust that had been brought into the neighboring yard. I replied that it was old stuff, but she insisted, they put it there in 1979, when we first met, her last thought was for me was her fear that I would fall ill, in fact, she even apologized to me for making me live there".

At the next hearing, Monday, March 21, other family members of the victims will be heard.