

# MIS Week

Vol 1 No. 26

A Fairchild Business Newspaper • Wednesday, November 12, 1980

One Dollar

## Republican Sweep Poses Dereg Questions

### NEWS SUMMARY

#### GENERAL 4

##### MCI RAPS PT&T 4

MCI Communications, the nation's second-largest long-distance telephone company, has charged Pacific Telephone and Telegraph Co. with attempting to sneak through a rate increase request of more than \$150 million.

##### SYSTEMS' SELECTION 6

Involving the end-user in initial systems selection often results in an easier training process, said Maurice L. Smith of the University of Texas Medical Branch in Galveston.

#### FINANCIAL 24

##### LANIER DEBENTURES 24

Lanier Business Products Inc. said last week that Vancouver-based Canada Development Corp. plans to buy \$30 million of Lanier's 8 $\frac{3}{8}$  percent convertible subordinated debentures.

##### N. TELECOM PROFIT DOWN 24

Northern Telecom Ltd., Canada's largest telecommunications equipment manufacturer, reported a 33 percent drop in third-quarter earnings to \$14.8 million (Canadian), or 14 cents a share, from \$22.1 million, or 74 cents a share in the prior year.

#### INFORMATION SYSTEMS 14

##### INFO/MFG SHOW SLATED 14

The sponsors of Info '80, the information management and exposition held in New York City last month, are now completing preparation for a similar conference designed specifically for the manufacturing community.

##### BURROUGHS' NEW SOFTWARE 14

Burroughs Corp. will introduce at Info/Mfg a new software package for small manufacturing users as well as a data collection terminal designed for industrial applications.

#### APPLICATIONS 9

##### SUBSCRIPTION SERVICE SPEEDED 9

A subscription service agency in Farmingdale, N.Y. has cut staff time and improved customer service with an on-line system for handling magazine subscriber inquiries and complaints.

##### LAWSUIT FOUGHT ON-LINE 10

Victor Yannacone Jr.'s new firm could not possibly have undertaken its Agent

##### SPERRY DEVELOPS PROCESSOR 14

The Sperry Univac division of Sperry Corp. last week brought out a new attached processor system for use with its "90/60," "90/70," and "90/80" computer systems.

##### VECTOR GRAPHICS UNITS 16

Vector Graphics Inc. plans to introduce its "Vector 3" line of business applications systems at Comdex '80, a conference and exhibition for dealers and distributors of computer equipment, as well as turn-key vendors and computer retailers.

Orange suit without the support of three computerized databases compiled to handle case information, he noted last week. Agent Orange is a toxic defoliant linked to cancer and liver problems as well as birth defects.

##### CPU RAISES PRODUCTIVITY 12

Plasma Cutting Services Inc., a metal-cutting firm in Los Angeles, is upgrading its Cybernation Inc. 1000 computer to improve productivity by 30 percent.

#### PERSONNEL 23

##### MODEL MIS CURRICULUM 23

In an effort to standardize MIS curriculums and to keep MIS graduates current on constantly evolving software technology, California State Polytechnic University, Pomona, is setting up a model MIS curriculum for undergraduates. Developed under the auspices of the Data Processing Management Association, the program, currently in place at Cal Poly, is expected to be used at other schools by the fall semester 1982.

##### TVA HANDICAPPED FORUM 23

The Tennessee Valley Authority last week held a seminar for other federal agencies and local businesses in an attempt to encourage the hiring and training of the handicapped. Opportunities in data processing were among areas emphasized.

#### GOVERNMENT 20

##### UTILITIES COMPUTERIZING 21

By March 1981, all U.S. public utilities will be required to offer home energy audits of their customers in compliance with a provision of the National Energy Act. The vast majority of utilities will computerize these audits, according to an Energy Dept. spokesman.

DATA BASES 10

# Attorney Builds 3 Databases For 'Agent Orange' Suit

By DAVID STAMPS

PATCHOGUE, N.Y. — Victor Yannacone Jr., who last January filed a class action damage suit against ten chemical companies on behalf of 4,000 Vietnam veterans, said last week that his law firm could not possibly have undertaken that kind of major litigation without the support of three computerized databases he has compiled to handle case information.

Yannacone has contacted some 7,000 veterans and their families out of a possible 40,000 former Vietnam combatants, who, he says, may have been exposed to harmful levels of Agent Orange, a toxic defoliant linked to cancer and liver problems and birth defects.

"We are being forced to compile enormous medical histories," Yannacone said. "The chemical companies demand family history back to the victims' grandparents, and occupational and employment histories from childhood. They want to know a mother's exposure to every known household product back to her childhood."

The interrogatory comprises 3,

000 questions per individual and Yannacone has compiled computerized files on the answers of 7,000 veterans so far. "Most of those questions relate to documents, such as hospital records," he said. "The average hospital record from a terminal cancer patient weighs eight pounds and about 30 percent of the data is relevant. This is the kind of suit that normally could only be dealt with by legions of paralegals, which is the way the defense is doing it for the chemical companies."

### 3 Basic Databases

"There are three basic databases," explained Bob Liquori, president of Interactive Computing Service For Professionals (ICSP) and a private software and systems consultant who constructed the system that Yannacone is using. "Each database involves two aspects of a claimant's case, the class action and individual suits being tried around the country."

The first database is a demographic file giving such typical information as name, rank, home town, the military unit the veteran served with, the medical problem he may have and the attor-

ney who is handling his individual case. A second serves as a legal hook, keeping track of the status of each individual case. The third database is actually three different files, each with medical histories in varying degrees of technical detail, Liquori said.

***"The significance of using data processing to fight a court battle is that it is the equalizer between small and large firms. With a budget of less than half a million a year, we are maintaining position against firms with a budget of \$4- to \$5-million." — Atty. Victor Yannacone Jr.***

Query language coded by Liquori allows lawyers accessing the files to construct customized analyses nad profiles on one or more claimants. The software is written to do 100 unique collects or 100 unique sorts for every profile. A lawyer may want to find out the names of all soldiers who were at a given place and when; or he may want the names of all the claimants who served in 1968 who have a certain medical disorder, Liquori said.

The system consists of a used Digital Equipment Corp. (DEC) "11/34" with a DEC "RP04" disk drive and a DEC 45-inch-per-second (IPS) tape drive, Liquori said. They are using a "variety of 11 begged, borrowed and stolen terminals," including two leased Qume Corp.'s

units used for word processing. The total budget, including the DEC 11/34, maintenance on equipment and the programmer's fee to the staff of two, Liquori and his partner, Janet Vandervoort, is \$7,000 per month, Liquori said.

The system is also used to generate reports, said Liquori, and its word processing capabilities are used in producing court briefs.

In 18 months, Yannacone said, he

has filed 4,000 pages, including the 184-page original complaint, all done with the help of the word processing/data processing system. "We have never asked for any extension of time to file papers," he said, "while the attorneys for the chemical companies have."

Yannacone characterizes his own firm as a "small, country practice" and likes to refer to the present court battle as a David versus Goliath conflict. The chemical companies, he noted, include Dow Chemical Co., Monsanto Co., Uniroyal, Hercules Inc., Diamond Shamrock Chemical Co. and Hooker Chemical Corp. They are represented by lawyers from among the largest law firms on Wall Street — Townley and Updike; Cadwalader, Wickerham and Taft; and Kelly, Drye and Warren.

"Our size is this," he says. "We have four members, 10 support people, including paralegals, a computer, some exotic software and we work hard."

Yannacone has also enlisted the help of lawyers from 150 law firms

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The OCR that reads  
the font you're already fond of.



# DP Techniques Seen Speeding Up Complex Litigation

CONTINUED FROM PAGE 10

around the country who represent veterans in individual Agent Orange suits. Six of those lawyers have already purchased or leased computer terminals to access the files in Yannacone's office. Liquore said that by December he expects perhaps 50 or 60 more lawyers to have such terminals.

## "DP The Equalizer"

"With a budget of less than half a million a year," Yannacone said, "we are maintaining position against firms with a budget of \$4- to \$5-million. The significance of using data processing to fight a court battle is that it is the equalizer between small and large firms. Cheaper costs of hardware and software to do the work of 100 paralegals is the means whereby a small firm with limited resources can take on a large corporation and compete on the merits of the case and not be beaten by the lack of available personnel and resources."

In the late 1960s, Yannacone used borrowed time on a number of service bureau mainframes in successfully fighting for a ban on DDT.

"Lawyers, in general, have been reluctant to use computers for anything other than billing," Yannacone said. Some are just now beginning to discover word processing, but many others are still at what Yannacone characterizes as the "clay tablet and quill pen stage."

"The management techniques for this case could be a model for major lawsuits in the future — perhaps including toxic waste dumps, tampon-related toxic shock syndrome and asbestos contaminations," Yannacone said. He suggested that the use of data processing could greatly speed up these complicated cases. "The asbestos case has taken six years so far to collect data for its 3,000 claimants and is just about at the same stage we were after 18 months."

## Court Favors Microfilm

In one ruling so far, the court has shown itself favorable to the idea of using modern technology to speed the case. In June, the defense argued that 42,000 cubic feet of government documents, which

comprised the public file on herbicides, be hand-copied onto 3x5 index cards. Yannacone argued that the documents be transferred to microfilm, citing computer search methods that would speed access to the information. The court ruled in favor of Yannacone and the file was transferred to 440 rolls of microfilm.

This case is not like the other giant cases you hear about, Yannacone said, such as the IBM antitrust case, which can drag on for decades. "Victims of Agent Orange are really dying. We have set three years as a time frame for this litigation."

Back in the '60s, on the DDT case, Yannacone said, software was light-years behind what it is today. We were using computers then to access some of the very primitive index services on biological data, just to keep track on the very obvious kinds of information. "Today," he said, "we are using some statistical analyses which actually help us to plan our court strategies."

In the future, said Yannacone,

pending the release of the Herbs' tapes (the government record of all the defoliation missions that were flown in Vietnam), his office will be able to contact all the veterans in the country who were possibly ex-

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**"Six weeks after the computer rolled through the door, we had the system up and running. And the price of the whole system is as surprising as the time it took to develop it." — Atty. Victor Yannacone Jr.**

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posed to a harmful dose of Agent Orange.

"When we elected to go with the data processing," Yannacone said, "we looked at a couple of vendors, but decided that we needed something more sophisticated and cheaper than what was available

commercially. Vendors quoted us prices of \$1 million and told us it would take a year. That was when we turned to Bob Liquori and his newly-established software firm."

The software was previously conceptualized, Liquori said, and the data had been collected or was being collected during the prior seven months. "Six weeks after the computer rolled through the door, we had the system up and running. And the price of the whole system is as surprising as the time it took to develop it."

Liquori is currently negotiating with America Telephone and Telegraph (AT&T), to lease Model "43" teleprinters for lawyers in the U.S. and Australia who wish to access the files in Yannacone's office.

For most of the 150 firms working on individual claimant's cases, this has been their first exposure to data processing and word processing, said Yannacone. Their response has been favorable; anyone who spends ten minutes at a terminal wants to take one home with him, he said.