

# Texaco, Pennzoil hope to agree out of court on pending lawsuit

## Pennzoil says CBS is using media to influence court

HOUSTON (AP) — Executives of Pennzoil Co. and Texaco Inc. indicated they hope to negotiate an out-of-court settlement of their multibillion-dollar lawsuit, but they remain far apart on what terms would be acceptable.

Pressure for a settlement increased following the Texas Supreme Court's decision on Monday that Texaco pay Houston-based Pennzoil \$11.1 billion for wrongfully interfering on a Pennzoil's planned merger with Getty Oil Co.

"While we continue, as we have in the past, to remain open to a reasonable and economic resolution of this case, we will not allow this unjust and ill-considered decision to be the basis for an extortionary settlement that would severely damage the interests of hundreds of thousands of Texaco shareholders, employees and business partners," Texaco President James W. Kinnear said at a New York news conference Tuesday.

In Houston, Pennzoil Chairman J. Hugh Liedtke said he believes "at some point, settlement is the wise thing."

A settlement would allow both companies to proceed with their own business without the disruptions stemming from the litigation and Texaco's bankruptcy, he said.

The executives accused each other of impeding the settlement process.

nzoil and later Texaco, was "trying to improve Texaco's position by using the media for some public relations gimmick."

Monday's ruling came just as the "60 Minutes" segment was nearing completion, the *Houston Chronicle* reported.

Roy Brunett, a spokesman for "60 Minutes," confirmed that correspondent Mike Wallace and the show's producer, George Crile, have been researching and interviewing in preparation of a report on the Texas judicial system, but he declined to give details on the project.

Jamail pointed out what he believes ties Texaco to CBS. David Boies, Texaco's lead attorney in its litigation with Pennzoil, represented "60 Minutes," Crile and Wallace in a libel suit filed against CBS by retired Gen. William Westmoreland.

Kinnear said, "Settlement is clearly a possibility. We are in favor of it." But he added that Pennzoil has not been reasonable.

Liedtke said Pennzoil had asked for \$4.1 billion, but the offer was withdrawn when Texaco filed for protection under the U.S. Bank-

ruptcy Code in April. Under the circumstances, the party that is defeated usually initiates some kind of contact. Mr. Kinnear knows my phone number and he knows Mr. (Baine P.) Kerr's. If he wants to call us collect, we'll accept it."

Kerr, who retired as Pennzoil's president in 1985, has been in charge of the Texaco litigation.

Texaco attorney David Boies said the appeal to the U.S. Supreme Court will claim Pennzoil's contract with Getty was rendered void because the company violated a Securities and Exchange Commission rule on tender offers.

The company also will claim the trial proceedings violated Texaco's constitutional rights to due process and the full faith and credit clause of the constitution.

Even if the Supreme Court became involved in the case, it is unlikely it would rule in favor of Texaco, Houston appellate attorney Michel O'Connor said.

"It's a contract case," O'Connor said. "The question is, did Pennzoil have a contract and did Texaco go in there and take the deal away from them? I think the answer is yes."

Gerald Treece, assistant dean of South Texas College of Law in Houston, said, "If the court grants review, they're going to hold for Pennzoil."

## Safety panel: Nuclear plant has problems

DALLAS (AP) — After discussions this week with plant owners and opponents, regulators still have not said when they will resume the suspended licensing hearings for the Comanche Peak nuclear power plant.

Peter Bloch, an administrative judge from the federal Atomic Safety and Licensing Board, said a schedule will be announced after plant owners and opponents file written statements on the issues to be discussed, which must be done by next Tuesday.

Bloch also said a federal licensing panel says it assumes there was a breakdown in the quality-control program for construction at the plant.

The announcement came Tuesday as Dallas-based TU Electric, the primary owner of the \$7 billion plant, sought a resumption of hearings on the utility's request for an operating license on the plant's twin 1,150-megawatt reactors near Glen Rose in Somervell County.

But Bloch said his panel's assumption does not mean the board is leaning toward denial of the plant's operating license.

Utility officials said they are optimistic about the plant and do not believe the panel's assumption will delay their plans to begin commercial operation of it in 1989.

Officials said a parallel construction review effort designed to provide quality assurances that the board has determined are lacking in Comanche Peak's original program will help the plant meet the two-year deadline.

# Dallas families guard secret of having babies with AIDS

DALLAS (AP) — Two Dallas families carefully guard a secret. It's about their babies, 6 months and 8 months old, healthy looking and their tiny fingers already grasping for toys.

They might never walk or talk. They might be dead by year's end.

The babies have AIDS, the only two Dallas infants diagnosed with having the fatal acquired immune deficiency syndrome.

And it has stunned their families that a killer disease they thought preyed only on homosexuals has crept into their homes.

"AIDS can drop into anyone's house just like it did mine," said the grandmother of the 8-month-old. "If you had told me my home would be touched by AIDS, I would have laughed and tossed you out of the house."

Nationwide, 599 children younger than 13 have been diagnosed with AIDS; 378 have died. For infants, a diagnosis within the first year of life generally means death within six months, said Dr. Margaret Oxtoby the Centers for Disease Control.

Dr. Charles Haley, epidemiologist for the Dallas County Health Department, said, "This is the beginning and it's going to get worse before it gets better. As more and more women become infected with the AIDS virus, which is sure to happen, then more and more of their children will become infected."

For the two Dallas families, neither of which wants its identity revealed for fear of neighbors' reac-

tions, no diagnosis could have been more unexpected.

Sam and Elizabeth, not their real names, have been married for nine years and are parents of two boys. They also wanted a daughter.

The couple was ecstatic when Elizabeth, 27, gave birth to a daughter. Two months ago, however, came the diagnosis of AIDS.

Doctors believe Sam became infected with the AIDS virus through tainted blood he received before de-

*"This is the beginning and it's going to get worse before it gets better."*

— Dr. Charles Haley

velopment of a screening process to prevent AIDS-contaminated blood from being used in transfusions. He didn't know he had the virus, and he passed it on to his wife. Though both are now infected, doctors don't know if either husband or wife will develop AIDS.

Sam said, "I don't understand. I'm not Mr. Good Guy or Mr. America, but I'm not a criminal."

"This happens and you say, 'Why? Why?' — and all you know is it's too late," he said, grimacing as he spotted tears streaming down his wife's cheeks. "It's a little harder for Mamma."

Elizabeth wept silently as she caressed her baby, pleading softly, "Please, don't let anything happen to my little pumpkin."

After discovering their daughters' ailment, and also their own, they were confronted with the stigma at-

tached to AIDS. When they shared the baby's diagnosis, the news cast a chill on relations with friends and relatives.

"Folks get real skittish," Elizabeth said. "It usually takes three days before they talk to us again. Some never do."

Today, Sam and Elizabeth fear neighbors will discover AIDS has invaded their household. Neither of their sons is infected with the virus, but the couple is concerned people will harass the family.

Most of Emily's neighbors, whom she has known for years, aren't aware that the woman's 8-month-old granddaughter, Amanda, lives with her. Emily has kept that a secret, telling only the garbage man and her minister she is caring for Amanda and that the baby has AIDS.

The garbage man said he would be careful handling the trash. The Methodist minister, she said, told her to stop bringing the baby to his church.

While still in the womb, Amanda contracted the deadly disease from her mother, an intravenous drug user and now a carrier of the AIDS virus.

Slightly smaller than other infants her age, Amanda has pink, plump cheeks and does not look desperately ill. But every morning, Emily, 46, pumps the mucous out of Amanda's nose with a syringe. Several times each night, she checks Amanda's heartbeat.

Family members avoid visiting the house, once fragrant with freshly baked cakes but now smelling of disinfectant. Many told Emily not to bring Amanda on visits.

"They're staying away like she has leprosy," Emily said.

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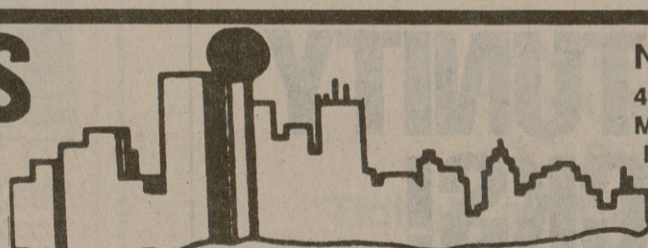
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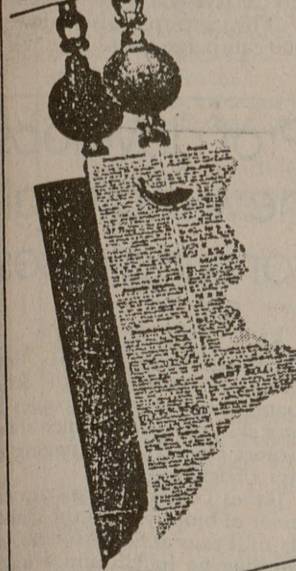


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