

Previously filed in U.S. District Court, Northern District of Ohio,  
Eastern Division, Case No. 91 CV 2500 (Judge Posner) on January 28,  
1992.]

IN THE COURT OF COMMON PLEAS  
LAKE COUNTY, OHIO

Ruth N. Burnheimer,  
Executrix, etc.,

Plaintiff

v.

Uniroyal Chemical Co., Inc.,

Defendant.

) Case No. 91 CV 001653

) Judge Martin O. Parks

) DEFENDANT'S RESPONSES TO  
) PLAINTIFF'S FIRST SET OF  
) INTERROGATORIES AND REQUEST  
) FOR PRODUCTION OF DOCUMENTS

Defendant responds to plaintiff's interrogatories and  
request for production of documents as follows:

1. Has defendant been correctly named in the  
complaint? If not, in what respect was the name of the defendant  
incorrectly designated?

ANSWER:

Uniroyal Chemical Company, Inc. is the correct name of  
the defendant.

2. With respect to plaintiff's decedent, please  
state:

A. The date when he was first and last employed by  
this defendant;

B. The job titles he held and the respective dates of  
each such title:

WED B.S. & D. BAB

10/29/92

AYK

112-3

UNIRO001005

ANSWER:

A. Date of hire: 2/28/49; Last Employed 11/11/90

|                             |          |
|-----------------------------|----------|
| B. Operator Trainee         | 2/28/49  |
| Jr. Acetylene Operator      | 5/23/49  |
| Water Pump House Operator   | 3/13/50  |
| Maintenance Helper          | 10/30/50 |
| Instrument Repair Helper    | 4/16/51  |
| 2nd Class Instrument Repair | 9/14/51  |
| 1st Class Instrument Repair | 9/08/52  |
| Instrument Repair Leader    | 9/30/74  |

3. State whether the defendant does now or has ever manufactured or sold vinyl chloride and, if so, state:

A. The plant names and addresses where such vinyl chloride was manufactured and the respective years during which said manufacture or sale occurred.

B. Whether such vinyl chloride was delivered to and or used at the Fairport Nursery Road facility during any portion of plaintiff's decedent's employment at said facility.

C. If the response to subpart B hereof is in the affirmative, state the time period of delivery or use of such and weekly quantities of such vinyl chloride delivered or used at the Fairport Nursery Road facility during the period of plaintiff's decedent's employment at said location.

ANSWER:

A. Please see Schedule I attached hereto.

B. Yes. Vinyl chloride was either made at or delivered to and used at the facility during a portion of decedent's employment there.

C. The production requirement for vinyl chloride varied by year as the plant was expanded from 1949 to 1975. Records by week and annual information no longer exist.

4. Has the defendant purchased vinyl chloride for use at its Fairport Nursery Road facility?

ANSWER: Possibly, yes.

5. If the answer to the foregoing interrogatory is in the affirmative, please state:

A. Each and every manufacturer and supplier of vinyl chloride to the Fairport Nursery Road facility during the period of time plaintiff's decedent was employed at said facility;

B. The years during which each of said manufacturers and suppliers sold or provided said vinyl chloride to the Fairport Nursery Road facility.

ANSWER:

Until 1961, most of the VC for use in the manufacture of PVC was produced at the Fairport Nursery Road facility. Beginning in 1961, most of the VC was supplied by Monochem, Inc., Geisman, Louisiana. Monochem Manufactured VC for use by Uniroyal and Borden. It is possible that these primary sources may have been supplemented by occasional purchases. Purchase records related to other manufacturers of VC from which the Fairport Nursery Road facility may have purchased VC no longer exist because these records are destroyed after seven years at the facility.

REQUEST TO PRODUCE NO. 1

1. Produce each and every record of purchase of vinyl chloride by the defendant for delivery and use at the Fairport Nursery Road facility during the period of plaintiff's decedent's employment at said location.

ANSWER:

None exist. Purchase records at the facility are destroyed after seven years.

REQUEST TO PRODUCE NO. 2

2. Produce any and all material safety data sheets with respect to the purchases of vinyl chloride referred to in the preceding request.

ANSWER:

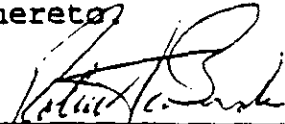
None exist with respect to purchases. However, please see Exhibit A attached hereto.

REQUEST TO PRODUCE NO. 3

3. Produce any and all reports, memoranda, case studies, abstracts, summaries, or other tangible documentation, microfilm, computer records, or the like, which were in the possession of the defendant at any time prior to when use of vinyl chloride ceased at the Fairport Nursery Road facility, and which deal in whole or in part with the health hazards associated with vinyl chloride exposure.

ANSWER: Please See Exhibit B attached hereto.

Of Counsel for Defendant:  
Uniroyal Chemical Co., Inc.

  
Robert A. Bunda (0019775)

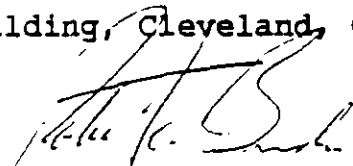
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Attorney for Defendant  
Uniroyal Chemical Co., Inc.

CERTIFICATE OF SERVICE

This is to certify that Defendant's Responses to Plaintiff's First Set of Interrogatories and Request for Production of Documents were hand delivered, this 28th day of January, 1992, to Peter J. Brodhead, Esq., attorney for plaintiff, at his office located at Spangenberg, Shibley, Traci & Lancione, 1500 National City Bank Building, Cleveland, Ohio 44114.

  
An Attorney for Defendant  
Uniroyal Chemical Co., Inc.

B:\Responses\RAB\lmb

Schedule I

Sources of Vinyl Chloride Used at the Painsville Plant

|                           |                   |
|---------------------------|-------------------|
| Uniroyal, Inc.            | 1950 through 1961 |
| Painsville Plant          |                   |
| 720 Fairport Nursery Road |                   |
| Painsville, Ohio 44077    |                   |
| <br>Monochem, Inc.        | <br>1961 to 1975  |
| P.O. Box 488              |                   |
| Geismar, Louisiana 70734  |                   |