PLAINTIFF'S EXHIBIT

MON-373

CAUSE NO. 00-004978-F

ALBERT JOSEPH BOBB; JAMES RICHARD DAVIS; ARNULFO M. GUERRA; JERRY KINSEL; and IVORY STAFFORD	§	IN THE DISTRICT COURT OF
VS.	§	DALLAS COUNTY, TEXAS
GAF CORPORATION, ET AL.	§	116TH JUDICIAL DISTRICT

DEFENDANT PHARMACIA CORPORATION'S, FORMERLY KNOWN AS MONSANTO COMPANY, RESPONSE TO PLAINTIFFS' REQUEST FOR DISCLOSURE UNDER RULE 194

TO: Plaintiffs, by and through their attorneys of record, Holly J. Huart, Stephanie A. Finch, BARON & BUDD, P.C., The Centrum, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219.

Pursuant to Tex. R. Civ. P. 194, Defendant Pharmacia Corporation, formerly known as Monsanto Company (hereinafter referred to as "Defendant") serves this Response to Plaintiffs' Request for Disclosure.

(a) The correct names of the parties to the lawsuit.

Answer: Defendant's correct name is Pharmacia Corporation. Pharmacia Corporation was formerly known as Monsanto Company. Defendant has no personal knowledge regarding the correct names of other parties to this suit.

(b) The name, address and telephone number of any potential parties.

Answer: Unknown at this time.

(c) The legal theories and, in general, the factual bases of the responding party's claims or defenses.

Answer: Discovery is not complete at this time and Defendant is still in the process of developing the facts in the case as well as its legal theories. However, at this time, Defendant's defense is based upon the following legal theories:

a. The plaintiff is not entitled to damages because he does not suffer from an asbestos-related disease.

b. Defendant is not responsible for any alleged asbestos-related injury claimed by the Plaintiff because, to the extent the Plaintiff was ever on a premises owned by Monsanto, he was not exposed to asbestos fibers in sufficient concentration and for sufficient duration to have caused or contributed to the development of any asbestos-related disease. Therefore, exposure to asbestos on a premises owned by Monsanto was neither a cause in fact nor a proximate cause of the Plaintiff's alleged injuries.

c. Defendant was never an employer of the Plaintiffs. Asbestos manufacturers or insulation contractors, not Defendant, supplied the asbestos-containing products used on Monsanto's premises. Monsanto's premises were simply one of many job sites at which Plaintiff worked. As such, Defendant owed no legal duty toward Plaintiff and cannot be liable under a theory of negligence or gross negligence.

d. Because Defendant did not manufacture or supply the asbestos-containing products to which Plaintiff claims exposure, Defendant cannot be liable under a theory of strict products liability.

e. Based on the state of knowledge existing during the relevant time period, Defendant reasonably believed that workers on its premises were not exposed to unsafe levels of asbestos fibers. Furthermore, at all relevant times Monsanto acted reasonably, met or exceeded the appropriate standard of care for the circumstances and, therefore, was not negligent.

f. To the extent Plaintiff has suffered damages, such damages were caused by the acts, conduct or omissions of persons or entities other than Defendant and over whom Defendant has/had no control.

g. Plaintiff's claims are barred by the doctrine of laches and by the statute of limitations.

(d) The amount and any method of calculating economic damages.

Answer: N/A.

(e) The name, address and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case.

Answer:

Based on the pleadings and discovery served by Plaintiffs, at this time Defendant responds as follows, but reserves the right to amend the following as discovery progresses and the facts of the case develop:

Dr. R. Emmet Kelly (now deceased)
By prior deposition and/or trial testimony in:
Schmidt, et al. v. AC&S, et al.; No. D-145,280; 136th Judicial District Court of Jefferson County, Texas
Major, et al. v. ALCO Standard Corp., et al.; No. 93-CV-315; U.S. District Court for the Eastern District of Texas
Bush, et al. v. Appalachian Power Co., et al.; No. 91-C-157, Putnam County, Texas
Smith, et al. v. Monsanto Company, et al.; C.A. No. 2 91-0524; U.S. District Court, Southern District of West Virginia at Charleston
Corporate medical doctor 1946-1974

Dr. George Roush (now deceased)
10 Babler Lane
St. Louis, MO 63124
(314) 997-2234
Corporate medical doctor 1975-1988

Dr. Barry R. D. Friedlander
Exxon BioMedical Sciences
Mettlers Road
CN 2350
East Milstone, NJ 08875
Corporate medical doctor 1988-1994

Messrs. Kelly, Roush and Friedlander were corporate medical doctors and are expected to have knowledge of Defendant's corporate medical practices, procedures, and policies, as well as the general knowledge of corporate medical directors.

Dr. Jay W. O'Bryant
Beeler-Manske Clinic
818 5th Street North
Texas City, Texas 77590
(409) 948-8521

Dr. O'Bryant is a physician who was engaged and consulted by Defendant relating to medical matters at Monsanto's Texas City plant from 1946 until 1986.

Dr. James Rau
1203 South Hill
Alvin, Texas 77511
(713) 331-3591

Dr. William McDaniel
400 Hillje Street
Alvin, Texas 77511
(713) 331-3591

Drs. Rau and McDaniel are physicians who were engaged and consulted by Defendants' Chocolate Bayou plant in Alvin, Texas relating to medical matters at the Chocolate Bayou plant from 1962 until 1988.

Dr. William Gaffey
11269 Pineside Drive
St. Louis, Missouri 63146

Dr. Gaffey was corporate epidemiology director from 1979 until 1989 at Defendant's headquarters in St. Louis, MO.

Elmer Wheeler
(deceased)

Jack T. Garrett
(deceased)
By prior deposition testimony in:
Schmidt, et al. v. AC&S, et al.; No. D-145,280; 136th Judicial District Court of Jefferson County, Texas

Carl Bohl
455 Wildewood Parkway
Ballwin, Missouri 63011

Bruce W. Eley
Solutia, Inc.
575 Maryville Centre Drive, 6 North
St. Louis, Missouri 63141

John L. Henshaw
Solutia, Inc.
575 Maryville Centre Drive
St. Louis, Missouri 63141

Paul Easterday
c/o Pharmacia Corporation
800 North Lindbergh Blvd.
St. Louis, Missouri 63167

Messrs. Wheeler, Garrett, and Henshaw are former directors of Defendant's corporate industrial hygiene department in St. Louis, Missouri. Mr. Wheeler served in that capacity from 1947 until 1974; he is now deceased. Mr. Garrett served in that capacity from 1974 until 1985. Mr. Henshaw served in that capacity from 1985 until 1991. Mr. Easterday has served as the director in charge of Defendant's corporate industrial hygiene department from 1991 until the present date. Mr. Eley served as a senior industrial hygienist and a manager of industrial hygiene in Defendant's corporate headquarters in St. Louis, Missouri from 1971 until 1987. Mr. Bohl served as an industrial hygienist in Defendant's corporate headquarters from 1966 to 1991 and is believed to have occasionally visited Monsanto's Texas facilities. Messrs.

Wheeler, Garrett, Henshaw, Easterday, Bohl and Eley are expected to have knowledge of Defendant's corporate-wide industrial hygiene practices and policies.

John E. Fox
HC64 Box 605
16065 W. U.S. Hwy. 290
Harper, Texas 78631-9407
(210) 669-2744

Dan Campbell
Route 1, Box 218
Mt. Enterprise, Texas 75681
(903) 822-3837

Mr. Fox and Mr. Campbell provided industrial hygiene services at Monsanto's Texas City plant. Mr. Fox provided those services from the late 1950's until 1985 and Mr. Campbell served as the plant industrial hygienist from 1985 until August 1986, when the Texas City plant was sold to Sterling Chemicals. Further, Mr. Garrett (see above) provided industrial hygiene services for the Texas City plant from the 1950's until the 1970's or 1980's. Messrs. Fox, Garrett and Campbell are expected to have knowledge of the industrial hygiene policies and practices at the Texas City plant.

Donald L. Meade
c/o Pharmacia Corporation
FM Road 2917 (Mortenson Road)
Alvin, Texas 77512

James C. Edwards
2418 Bay Crest
Houston, Texas 77058
(713) 333-5134

Jacqueline Gaul Peterson
c/o Pharmacia Corporation
800 North Lindbergh Blvd.
St. Louis, Missouri 63167

Frank J. Bryant
c/o Pharmacia Corporation
FM Road 2917 (Mortensen Road)
Alvin, Texas 77512

Mr. Meade, Mr. Edwards and Ms. Peterson were industrial hygienists at Defendant's Chocolate Bayou plant in Alvin, Texas. Mr. Bryant is the current industrial hygienist in the plant. Mr. Meade served in that capacity from 1977 until 1979. Mr. Edwards served in that capacity from 1980 until 1981. Ms. Peterson served in that capacity from 1982 until 1986. Mr. Bryant has served in that capacity since 1986. Prior to 1977, industrial hygiene services at the Chocolate Bayou Plant were provided by Mr. Garrett (see above) and Mr. Fox (see above). Mr. Meade, Mr. Edwards, Ms. Peterson, Mr. Garrett, Mr. Fox, and Mr. Bryant are expected to have knowledge of the industrial hygiene practices and policies at Defendant's Chocolate Bayou Plant.

Harry Lundin
(address and telephone number unknown)

George Gorbell
456 Hill Trail
St. Louis, Missouri 63011
(314) 256-0585

Russell Miller
17 Taylor Woods
St. Louis, Missouri 63122
(314) 821-6747

Ray Witter
12746 Spruce Pond Road
St. Louis, Missouri 63131
(314) 567-4124

Vincent Boyen -
14592 White Birch Valley Lane
St. Louis, Missouri 63017

Messrs. Lundin, Gorbell, Miller, Witter and Boyen are former corporate safety department directors. Mr. Lundin served in that capacity from 1942 until 1946. Mr. Gorbell served in that capacity from 1947 until 1965. Mr. Miller served in that capacity from 1965 until 1978. Mr. Witter served in that capacity from 1978 until 1986. Mr. Boyen served in that capacity from 1986 until 1991. These gentlemen are expected to have knowledge of Defendant's corporate safety practices, policies and procedures.

W. B. Stallings
(address and telephone number unknown)
Safety Director 1947-1956

Charles Gilmore
3409 Nottingham Drive
College Station, Texas 77845
(409) 696-1905
Safety Director 1956-1975

John Arnold Glass
1908 16th Street North
Texas City, Texas 77590
(409) 945-2986
Safety Director 1975-1984

Robert Hammann
816 24th Avenue North
Texas City, Texas 77590
Safety Director 1984-1985

John Wilbeck
Route 4, 249 Pecan Estates
Angleton, Texas 77515
Safety Director 1985

Jacqueline Gaul Peterson
c/o Defendant Company
800 North Lindbergh Blvd.
St. Louis, Missouri 63167
Safety Director 1985-1986

These individuals are former safety department and/or loss prevention department personnel at Monsanto's Texas City plant in Texas City, Texas. They are expected to have knowledge of the safety practices, policies and procedures in place at the Texas City Plant.

Albert James Fiske
(address and telephone number unknown)
Safety Department 1961-1963

George F. Korkmas
405 Riverside Drive
Alvin, Texas 77511
Safety Department 1963-1966

James L. Kilby
239 Heather Cress Dr.
Chesterfield, Missouri 63017
314-469-3164
Safety Department 1966-1968

Willard W. Varnado
3711 Canary Grass Lne.
Houston, Texas 77059
Safety Department 1968-1969

Francis H. Dupre
15 Spring Lake Court
St. Charles, Missouri 63303
636-922-0786
Safety Department 1969-1970 and 1975-1978

Douglas K. Stephens
1116 Deats Road
Dickinson, Texas 77536
281-337-2330
Safety Department 1970-1971

Charles H. McComb
412 Carriage Creek Lne.
Friendswood, Texas 77546
281-992-1695
Safety Department 1971-1973

James C. Edwards
2418 Bay Crest
Houston, Texas 77058
Safety Department 1973-1975

Stephen L. Nevarez
(Address and telephone number unknown)
Safety Department 1978-1979

Donald A. McKee
Route 1, Box 150
Manvel, Texas 77578
Safety Department 1979-1980

John C. Usrey
403 Riverside Dr.
Alvin, Texas 77511
Safety Department 1980-1984

G. John Wilbeck
Route 4, 249 Pecan Estates
Angleton, Texas 77515
Safety Department 1984-1994

These individuals are former or current safety department personnel and directors for Defendant's Chocolate Bayou Plant in Alvin, Texas. They are expected to have knowledge of the policies, safety practices and procedures in place at Defendants' Chocolate Bayou Plant.

John Tissue
Route 1, Box 366
Somerville, TX 77879

Mr. Tissue worked in the purchasing departments of Defendant's Texas City Plant, Chocolate Bayou Plant, and a former subsidiary, Lion Oil Company from the late 1950's until the late 1980's. As such, Mr. Tissue is expected to have knowledge concerning Defendant's purchasing practices and policies, including the purchase of asbestos-containing materials, relating to Defendant's Texas City Plant, Chocolate Bayou Plant and the former Lion Oil Company facilities in El Dorado, Arkansas.

Vernon Mapes
4280 Lakewood
Livingston, Texas 77351
(409) 967-0030

Sherman M. Jones
4114 South Acres Drive
Houston, Texas 77047

Bill Burns
(believed to be deceased)
(address and telephone number unknown)

J. B. Thrash
P. O. Box 151
Apple Springs, Texas 75926
(409) 831-2950

John Elliott
3814 South Fairview
Orange, Texas 77630
(409) 886-8302

A.J. Bourgeois
1025 24th Avenue North
Texas City, Texas 77590
(409) 945-2489

L. W. Bryant
Address Unknown

E. M. Wheeler
Address Unknown

D. H. Chapman
Address Unknown

W. R. Merrill
Address Unknown

B. L. Vines
Address Unknown

William Bean
2214 21st Avenue N.
Texas City, Texas 77590

Doyle Beard
2221 23rd Street N.
Santa Fe, Texas 77517
409/327-7854

Clarence J. Cyr
2022 Evergreen Lane
La Marque, Texas 77568

Glenn O. Eirdman
Address Unknown

Robert F. Frankavich
P.O. Box 1024
Texas City, Texas 77592

Raymond F. Guidry, Jr.
P.O. Box Drawer 3489
Texas City, Texas 77592

Daniel J. Hogan, III
2707 22nd Avenue N.
Texas City, Texas 77590

Billy Joe Howard
c/o Shirley Howard, P.O.A.
P.O. Box 666
Santa Fe, Texas 77510

Robert Lee
7211 Mallard
Texas City, TX 77590

Robert R. Long
421 24th Ave. N.
Texas City, Texas 77590

Donald E. Lonsford
Address Unknown

Joe Don Lowe
14108 German Road
Bucyrus, MO 65444

Albert Allen McClintock
Address Unknown

Jimmy C. Overturf
4010 Avenue E
Santa Fe, Texas 77510
409/925-1110

Joe H. Skipper
118 20th Avenue, N.
Texas City, Texas 77590

Edward L. Smith
510 21st Avenue N.
Texas City, Texas 77590

Timothy P. Spencer
Box 289
Arcadia, Texas 77517
409/925-6160

Clarence W. Trahan
2709 19th Avenue N.
Texas City, Texas 77590

These gentlemen were, or are believed to have been, insulation installers and/or foremen at Monsanto's Texas City plant. As such, they are believed to have knowledge of the insulation products used, as well as the installation practices, procedures, and policies of Monsanto regarding the installation of insulation, and the use and availability of safety equipment and the safety practices of employees who may have installed insulation products at the Texas City Plant.

Gordon Dillon
2718 Fairfield Ave.
Texas City, Texas 77590
(409) 948-3750

Mr. Dillon was a safety inspector at Monsanto's Texas City plant.

Defendant will continue to supplement in accordance with the Tex. R. Civ. P. Also, Defendant presumes that Plaintiff has knowledge of facts relevant to his claims against Defendant.

(f) Testifying expert witness information.

Answer: Defendant hereby designates the following persons who may be called as expert witnesses and (1) who has been retained by Defendant and/or other Defendants in this cause, or (2) who may provide testimony in the nature of expert or opinion type testimony despite the fact that they are not "retained experts".

1. Dr. John Craighead
Department of Pathology
University of Vermont
College of Medicine
Burlington, Vermont 05405
(802) 425-3480

Dr. Craighead is a medical doctor and pathologist and may testify concerning the state of medical knowledge, at relevant points in time, regarding the effects of exposure to asbestos.

2. Mr. John A. Pendergrass
6700 Milkhouse Court
Mobile, Alabama 36695

Mr. Pendergrass is an industrial hygienist and may testify concerning industry practice and standards, state of the art of industrial hygiene, and state of knowledge concerning exposure to asbestos and effects thereof at relevant times, and may testify concerning the reasonableness of reliance upon established acceptable and safe levels of exposure to asbestos.

3. J. LeRoy Balzer, Ph.D.
408 Horse Trail Ct.
Alamo, California 94556

Dr. Balzer is an industrial hygienist and may testify concerning industry practice and standards, state of the art of industrial hygiene, and state of knowledge concerning exposure to asbestos and effects thereof at relevant times, and may testify concerning the reasonableness of reliance upon established acceptable and safe levels of exposure to asbestos.

4. B. K. Kwon, M.S.P.H.
601 Montrose Rd., Suite 509
Rockville, MD 20852

Mr. Kwon is an industrial hygienist and may testify concerning industry practice and standards, state of the art of industrial hygiene, and state of knowledge concerning exposure to asbestos and effects thereof at relevant times, and may testify concerning the reasonableness of reliance upon established acceptable and safe levels of exposure to asbestos.

5. Mr. Lawrence R. Birkner, CIH, CSP
2026 El Monte Drive
Thousand Oaks, CA 91362
(805) 494-8173

Mr. Birkner is an industrial hygienist and may testify concerning industry practice and standards, state of the art of industrial hygiene, and state of knowledge concerning exposure to asbestos and effects thereof at relevant times, and may testify concerning the reasonableness of reliance upon established acceptable and safe levels of exposure to asbestos.

6. James T. Knorpp, PE, CSP
2149 Misty's Run
Keller, TX
(817) 379-0840

Mr. Knorpp is a safety professional and professional engineer and may testify concerning his education, training and experience, as well as his factual observations and mental impressions and opinions and the basis for them, in the following areas: the creation, role and significance of OSHA, and relevant rules and regulations, concerning asbestos products in the work place; the process of establishing, historical development, and significance of maximum allowable concentrations, permissible exposure limits, threshold limit values, regulatory standards, and similar concepts, in general and specifically with regard to asbestos at relevant times and the reasonableness of reliance upon established acceptable and safe levels of exposure to asbestos; employer's responsibility for employee/worker work site conditions and safety, including the employer's role in connection with OSHA. Mr. Knorpp may also testify regarding matters in response to testimony of Plaintiffs' experts.

7. Dr. Mark R. Wick, M.D., FCAP
University of Virginia Health System
Department of Pathology
Box 214
O.M.S. Building, Room 2882
Charlottesville, VA 22908
(804) 924-9038

Dr. Wick is a medical doctor and pathologist and may testify concerning his education, training and experience, as well as his factual observations and mental impressions and opinions and the basis therefor, in the following areas: historical developments regarding asbestos utilization; medical aspects of asbestos-related diseases; state of the art in medicine and state of medical knowledge, at relevant points in time, concerning asbestos

and asbestos exposure and the effects thereof; relevant medical and scientific literature; the diagnostic criteria used to diagnose asbestos-related diseases; the relative risk, as well as reasonably perceived risk during relevant periods of time, from various levels of potential exposure to asbestos, as well as particular type of asbestos fiber involved; existence of a dose-response relationship and the concept of threshold levels for asbestos-related diseases; and the rate of occurrence or incidence of certain diseases in given populations. Dr. Wick may also review Plaintiff's medical records and may also review, examine and/or analyze pathology material, including tissue samples and/or blocks and/or slides, and may opine as to the appropriate diagnosis of Plaintiff's alleged disease as well as their etiology. Dr. Wick may also testify regarding matters in response to testimony of Plaintiff's experts.

8. Dr. William L. Dyson, Ph.D, CIH
Workplace Hygiene, L.L.C.
1022 Jefferson Road
P.O. Box 49176
Greensboro, NC 27410-1642

Dr. Dyson is an industrial hygienist and may testify concerning industry practice and standards, state of the art of industrial hygiene, and state of knowledge concerning exposure to asbestos and effects thereof at relevant times, and may testify concerning the reasonableness of reliance upon established acceptable and safe levels of exposure to asbestos.

9. Dr. Patrick N. Conoley, M.D.
Kelsey Seybold Clinic
6624 Fannin, Suite 1800
Houston, TX 77030

Dr. Conoley is an M.D. and a "B" reader, who may testify concerning his review of of the radiographs and CT scans of Plaintiff in this case and the significance of various x-ray findings on the radiographs of Plaintiff.

10. Dr. Peter J. Barrett, M.D.
10 Martin's Lane
Hingham, MA 24043
(617) 749-5876

Dr. Barrett is an M.D., is board certified in diagnostic radiology and nuclear medicine and has been a "B" reader from NIOSH since 1984. Dr. Barrett may testify concerning the significance of asbestos related abnormalities and neoplastic disease based upon his review of the radiographs of Plaintiff as to the presence or absence of radiographic abnormalities related to asbestos and the significance of same.

11. Dr. Gail D. Stockman
703 East Marshall Avenue, Suite 4002
Longview, Texas 75601
(903) 753-0787

Dr. Stockman may testify regarding the pulmonary diseases and illnesses alleged by Plaintiff. More specifically, Dr. Stockman may testify regarding specific medical complaints and history of Plaintiff's and whether those alleged diseases or illnesses could be or were caused by any alleged exposure to materials from the premises of Defendant. Dr. Stockman may address issues regarding alleged medical risks to Plaintiff in the future due to Plaintiff's alleged exposure to materials from the premises of Defendant. Dr. Stockman may offer testimony in response to any reports or testimony offered by Plaintiff's experts.

12. Mr. Kim Bloom, M.D.
6550 Fannin, Suite 2403
Houston, Texas 77030
(713) 790-6250

Dr. Bloom is a specialist in pulmonary diseases and a certified B-reader. He may testify regarding specific medical complaints and history of Plaintiff and whether those complaints could be or were caused by any alleged exposure to materials from the premises of Defendant. Dr. Bloom may also testify regarding alleged medical risks to Plaintiff in the future and the effects of the alleged illnesses and diseases on Plaintiff in the past and in the future. Dr. Bloom may also offer testimony in response to the reports or testimony offered by Plaintiff's experts.

13. Robert M. Ross, M.D.
6550 Fannin Street, Suite 2403
Houston, Texas 77030
(713) 383-6100 (phone)
(713) 383-6103 (fax)

Dr. Ross is a specialist in pulmonary diseases and a certified B-reader. He may testify regarding specific medical complaints and history of Plaintiff and whether those complaints could be or were caused by any alleged exposure to materials from the premises of Defendant. Dr. Ross may also testify regarding alleged medical risks to Plaintiff in the future and the effects of the alleged illnesses and diseases on Plaintiff in the past and in the future. Dr. Ross may also offer testimony in response to the reports or testimony offered by Plaintiff's experts.

14. Venessa Ann Holland, M.D., MPH, P.A.
Environmental Pulmonary Consultants
7515 S. Main Street, Suite 670
Houston, Texas 77030
(713) 799-2224 (Telephone)
(713) 799-2225 (Facsimile)

Dr. Holland may testify regarding the pulmonary diseases and illnesses alleged by Plaintiff. More specifically, Dr. Holland may testify regarding specific medical complaints and history of Plaintiff and whether those alleged diseases or illnesses could be or were caused by any alleged exposure to materials from the premises of Defendant. Dr. Holland may address issues regarding alleged medical risks to Plaintiff in the future due to Plaintiff's alleged exposure to materials from the premises of Defendant. Dr. Holland may offer testimony in response to any reports or testimony offered by Plaintiff's experts.

15. Scott G. Donaldson, M.D., F.C.C.P
Pulmonary/Critical Care
375 Municipal Drive, Suite 218
Richardson, Texas 75080
(972) 680-0666
(972) 680-2499 (fax)

Dr. Donaldson may testify regarding the pulmonary diseases and illnesses alleged by Plaintiff. More specifically, Dr. Donaldson may testify regarding specific medical complaints and history of Plaintiff and whether those alleged diseases or illnesses could be or were caused by any alleged exposure to materials from the premises of Defendant. Dr. Donaldson may address issues regarding alleged medical risks to Plaintiff in the future due to Plaintiff's alleged exposure to materials from the premises of Defendant. Dr. Donaldson may offer testimony in response to any reports or testimony offered by Plaintiff's experts.

16. Kathryn A. Hale, M.D.
6550 Fannin Street
Smith Tower, Suite 1236
Houston, Texas 77030
(713) 790-2076 (Telephone)
(713) 790-3648 (Facsimile)

Dr. Hale is a specialist in pulmonary diseases and may testify regarding the pulmonary diseases and illnesses alleged by Plaintiff. More specifically, Dr. Hale may testify regarding specific medical complaints and history of Plaintiff and whether those alleged diseases or illnesses could be or were caused by any alleged exposure to materials from the premises

of Defendant. Dr. Hale may address issues regarding alleged medical risks to Plaintiff in the future due to Plaintiff's alleged exposure to materials from the premises of this Defendant. Dr. Hale may offer testimony in response to any reports or testimony offered by Plaintiff's experts.

Defendant also designates the following witnesses to testify through their deposition and/or trial testimony from other cases:

1. Dr. Emmett Kelly testified by deposition, and at trial, in the case of Rita Mae Schmidt, et al. v. A.C. & S., et al.; No. D-145,280; In the District Court of Jefferson County, Texas; 136th Judicial District. Dr. Kelly's testimony, both at trial, and on deposition, is designated here only to the extent that he gave expert or opinion type testimony in that deposition.

2. Mr. Jack T. Garrett in the case of Rita Mae Schmidt, et al. v. A.C. & S., et al.; No. D-145,280; In the District Court of Jefferson County, Texas; 136th Judicial District. Mr. Garrett's deposition testimony is designated here only to the extent that he gave expert or opinion type testimony in that deposition.

3. Joe Shrode in the case of Claude J. Tomplait v. Combustion Engineering, et al.; U.S. District Court for the Eastern District of Texas, Beaumont Division; and/or in Samuel R. Porter v. Fibreboard Corporation, et al., also in the U.S. District Court for the Eastern District of Texas, Beaumont Division, and/or Mr. Shrode's deposition testimony in the Clarence Borel trial, also in the U.S. District Court for the Eastern District of Texas.

4. Dr. Corwin Hinshaw, expert regarding state of the medical art, in the cases of Jimmie L. Vaughan v. Johns-Manville, CA-3-01-0070-F, USDA, N.D. Tex; Antonio Mendoza, et al v. Fibreboard Corporation, et al., CA.-2-80-006, USDC, N.D. Tex; In Re: Related Asbestos Cases, C-83-6251-RFP, USDC, N.D. Calif.

Defendant also designates any and all expert witnesses designated herein by Plaintiffs.

Defendant also designates any and all expert witnesses designated herein by other Defendants.

(g) Any discoverable indemnity and insuring agreements.

Answer: Defendant's insuring agreements are voluminous and are contained in approximately 31 three-ring notebook binders located at the headquarters offices of Defendants in St. Louis, Missouri. Those binders will be made available to Plaintiffs in the St. Louis, Missouri area at a mutually agreed upon time. Other responsive agreements will be made available to Plaintiffs at the offices of counsel for Defendant at a mutually agreed upon time. Please contact Defendant's counsel to arrange an agreeable date and time.

(h) Any discoverable settlement agreements.

Answer: None that this Defendant has been made aware of at this time.

(i) Any discoverable witness statements.

Answer: Defendant will make available to Plaintiff copies of statements and testimony relevant to the subject matter of the case from persons with knowledge of relevant facts. This production will occur at counsel for Defendant's office at a mutually agreed-upon time and date. Please contact Defendant's counsel to arrange an agreeable date and time.

(j) Medical records and bills relating to the injuries and damages asserted by Plaintiff.

Answer: See Answer to subpart (k) below.

(k) Medical records and bills obtained by Defendant by virtue of an authorization furnished by the requesting party.

Answer: These records are fairly voluminous and, therefore, they will be made available to Plaintiffs for inspection and copying at the offices of counsel for Defendant at a mutually agreeable time. Please contact counsel for Defendant to arrange a date and time to inspect and copy such records.

Respectfully submitted,

ELLIS, CARSTARPHEN, DOUGHERTY
& GOLDENTHAL P.C.

By: _____

Edward M. Carstarphen
State Bar No. 03906700
G. Joe Ellis
State Bar No. 06575050
Douglas B. Dougherty
State Bar No. 06031650
720 N. Post Oak, Ste. 330
Houston, Texas 77024
Telephone: (713) 647-6800
Facsimile: (713) 647-6884

ATTORNEYS FOR DEFENDANT
PHARMACIA CORPORATION, FORMERLY
KNOWN AS MONSANTO COMPANY

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of June, 2001, a copy of the foregoing was sent by United States certified mail, return receipt requested, to counsel for Plaintiffs, Holly J. Huart, Stephanie A. Finch, BARON & BUDD, P.C., The Centrum, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219, and was sent by regular United States mail to all other known counsel of record.

G. Joe Ellis