

**IN THE SUPERIOR COURT OF CLARKE COUNTY
STATE OF GEORGIA**

ANNA M. EVANS,

Plaintiff,

v.

**GEORGIA-PACIFIC, LLC,
individually and as successor in interest
to Georgia-Pacific Corporation and
Bestwall Gypsum Company; UNION
CARBIDE CORPORATION; and JOHN
DOES NO. 1-10,**

Defendants.

CIVIL ACTION FILE

NO. SU10CV-1212-S

**GEORGIA-PACIFIC LLC'S OBJECTIONS AND RESPONSES TO
PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS**

COMES NOW Defendant, Georgia-Pacific LLC f/k/a Georgia-Pacific Corporation ("Georgia Pacific"), pursuant to the Georgia Civil Practice Act, and responds as follows to Plaintiff's Request for Production of Documents ("Requests"):

PRELIMINARY STATEMENT

Some of the events which may be relevant to the matters inquired into by these Requests occurred more than forty (40) years ago. Many of the individuals who might have had personal knowledge of the matters to which Plaintiff's Requests relate are deceased or are otherwise unavailable to Georgia-Pacific, and investigations to date indicate that at least some information and documents which might relate to matters inquired into by these Requests may not have been retained pursuant to normal record retention policies or are otherwise unable to be found. Georgia-Pacific is engaged in a continuing investigation to locate or confirm the absence of such information.

Georgia-Pacific's Response to these Requests is based upon reasonable investigation and is believed to be accurate as of the date made. However, Georgia-Pacific's investigation of matters that may be relevant to these Requests is continuing, and Georgia-Pacific cannot exclude the possibility that it may be able to obtain more complete information or even information which indicates that the Response being supplied is incorrect. In that event, Georgia-Pacific reserves the right to supplement this Response in accordance with the requirements of the Georgia Civil Practice Act.

GENERAL OBJECTIONS

Because of the nature of these Requests, a number of objections (set forth below) ("General Objections") apply and are appropriate in response to many of the Requests. To the extent there are additional specific objections not set out below which are appropriate for an individual Request, that additional objection will be set out in response to the Request.

Georgia-Pacific objects to these Requests to the extent that they seek to impose an undue burden on Georgia-Pacific, seek discovery in violation of the attorney-client privilege, attorney work product doctrine and/or investigative privileges, or seek to require responses on behalf of other defendants, persons or entities. Georgia-Pacific also objects to these Requests to the extent that they fail to relate to the relevant time periods, job sites, working conditions, alleged injuries or products at issue in this case and are, therefore, overly broad, unduly burdensome, misleading and seek discovery from Georgia-Pacific which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Specifically, Georgia-Pacific notes that Bestwall Gypsum Company ("Bestwall"), which Georgia-Pacific acquired in 1965, manufactured and sold a limited line of products that contained asbestos as a constituent ingredient (hereinafter, "asbestos-containing products")

beginning in 1956. Georgia-Pacific's Gypsum Division neither sold nor manufactured such products until the Company's acquisition of Bestwall in 1965. Georgia-Pacific's Gypsum Division ceased the manufacture of all such products in 1977.

Georgia-Pacific is also aware of documents indicating shipments of asbestos to some of its non-Gypsum facilities. Most of these shipments consisted of small quantities of asbestos during limited time periods. Georgia-Pacific is in the process of investigating the potential uses of these asbestos shipments, and additional information may be located that will require supplementation of this Response. However, at this time, Georgia-Pacific believes that none of these shipments of raw asbestos or products that may have used these fibers are at issue in this case.

Georgia-Pacific, therefore, objects to responding to these Requests to the extent that they seek information regarding any Bestwall or Georgia-Pacific Gypsum Division facility not involved in the manufacture or sale of asbestos-containing products or any time period before 1956 or after 1977, on the ground that such information is irrelevant to this litigation and not reasonably calculated to lead to the discovery of admissible evidence and that such a request is improperly and unnecessarily broad and burdensome. On the basis of these objections, unless otherwise stated, Georgia-Pacific's Responses set out herein are limited to the time period during which Bestwall and Georgia-Pacific's Gypsum Division manufactured and/or distributed asbestos-containing products and to the relevant products and facilities. Georgia-Pacific also objects to these Requests to the extent that they would require Georgia-Pacific to provide information that is as equally available to Plaintiff as to Georgia-Pacific, or seek information that is in published medical and scientific literature or is otherwise in the public domain.

Some of these Requests call for Georgia-Pacific to characterize state of knowledge or

awareness of another corporation at any given time with regard to a particular fact, event, or subject. Georgia-Pacific can respond to such Requests, if at all, only by stating on information and belief the degree of knowledge of a particular fact, event or subject as held by another person or entity at a particular time, and such response is in no way intended nor should it be deemed to constitute an acknowledgment by Georgia-Pacific that such knowledge is attributable to it.

Georgia-Pacific's responses are made without in any way waiving: (1) the right to object, on the grounds of competency, relevancy, materiality, hearsay or any other ground, to the admissibility or use of any such document or information for any purpose, in whole or in part, in any subsequent stage or proceeding in this action or any other action; or (2) the right to object on any and all grounds, at any time, to any other discovery procedure relating to the subject matter of these requests.

Georgia-Pacific objects to, and hereby incorporates by reference to, each of Plaintiff's Requests on the foregoing and following grounds:

1. Georgia-Pacific objects to these Requests to the extent that they seek information protected by the attorney-client privilege.
2. Georgia-Pacific objects to these Requests to the extent that they seek information protected by the attorney work product doctrine, and any other statutory or common law privilege.
3. Georgia-Pacific objects generally to these Requests to the extent that they purport to request information and documents not in the possession, custody, or control of Georgia-Pacific.
4. Georgia-Pacific objects to any Request which seeks information about any asbestos-containing products it may have manufactured or sold because Plaintiff have not

produced any evidence of exposure to any Georgia-Pacific asbestos-containing product.

5. Georgia-Pacific objects to these Requests to the extent that they are overly broad, unduly burdensome, vague, ambiguous, not relevant to the subject matter of the litigation, and not reasonably calculated to lead to the discovery of admissible evidence.

6. Georgia-Pacific objects to these Requests on the grounds that they exceed the scope of discovery permissible under the Georgia Civil Practice Act.

7. Georgia-Pacific objects to these Requests on the grounds that they are not limited to claims related to the use of Georgia-Pacific's products.

8. Georgia-Pacific objects to these Requests on the grounds that its investigation is continuing and reserves the right to supplement its response.

9. Georgia-Pacific object to these Requests, and any production of documents requested hereby, on the grounds that such documents have been previously produced to this Plaintiff's counsel.

SPECIFIC OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

Please produce all documents and tangible things relied upon in answering Plaintiff's Interrogatories to Defendant Georgia-Pacific, LLC.

RESPONSE:

Georgia-Pacific objects to Request No. 1 on the grounds that it is overly broad and unduly burdensome. The burden and impracticality of attempting to produce each document or tangible used, related to, or referred to in connection with the preparation of the answers to Plaintiff's Interrogatories over time outweighs any benefit to the parties of such information. Georgia-Pacific further objects to this Request to the extent it seeks information or documents

which are protected from disclosure by the attorney-client privilege and/or the attorney work product doctrine.

Subject to and without waiving these objections, Georgia-Pacific states that documents responsive to this Request are contained in Georgia-Pacific's collection of non-privileged corporate documents related to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 2:

Please produce all documents and tangible things requested to be identified in Plaintiff's Interrogatories to Defendant Georgia-Pacific, LLC.

RESPONSE:

Georgia-Pacific objects to Request No. 2 on the grounds that it is vague, ambiguous, overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action. Georgia-Pacific further objects to this Request to the extent it seeks information or documents which are protected from disclosure by the attorney-client privilege and/or the attorney work product doctrine.

Subject to and without waiving these objections, Georgia-Pacific states that documents responsive to this Request may be contained in its collection of non-privileged corporate documents related to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel

for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 3:

Please produce all documents and tangible things related to any meeting attended by any of Defendant's employees, former employees, or representatives that indicate any discussion, consideration, or information regarding asbestos. This Request for Production specifically seeks, but is not limited to: meeting agendas, minutes, notes or memoranda from any proceeding, symposium or conference, as well as from safety committees, purchasing committees or other groups within Defendant's organization.

RESPONSE:

Georgia-Pacific objects to Request No. 3 on the grounds that it is vague, ambiguous, overly broad, unduly burdensome, and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding the alleged hazards of exposure to raw asbestos fibers or to asbestos-containing products not manufactured or sold by Georgia-Pacific or Bestwall. Georgia-Pacific further objects to this Request to the extent it seeks information or documents which are protected from disclosure by the attorney-client privilege and/or the attorney work product doctrine.

Subject to and without waiving these objections, to the extent any exist, documents responsive to this Request would be contained in Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of

Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 4:

Please produce all documents and tangible things relating to Defendant's establishment of the medical, safety, and industrial hygiene departments. This Request for Production specifically seeks, but is not limited to, any policies, procedures or guidelines given to each such department by Defendant's management, and any programs, testing, or other actions taken by each such department regarding the hazards of asbestos or nuisance dust in general.

RESPONSE:

Georgia-Pacific objects to Request No. 4 on the grounds that it is vague and ambiguous, particularly in its use of the phrase "nuisance dust in general," and is overly broad, unduly burdensome, not sufficiently limited in time, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information concerning subjects and/or products which are not an issue in this case and as there is no allegation that Plaintiff was employed by Georgia-Pacific or otherwise worked at a Georgia-Pacific manufacturing facility. Georgia-Pacific further objects to this Request to the extent it seeks information that is protected from discovery by the attorney-client privilege and/or the physician-patient privilege or is otherwise protected from disclosure. Georgia-Pacific also objects as it did not have a "medical department" or an "industrial hygiene department."

Subject to and without waiving these objections, documents responsive to this Request may be contained in Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific

sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 5:

Please produce all documents and tangible things relating to health or safety inspections of Defendant, by local, state or federal regulatory agencies. This Request for Production specifically seeks, but is not limited to: all documents and tangible things relating to any violations, citations, or warnings, and includes inspections for asbestos and other dust hazards, whether the inspections were of plants, distribution centers, contractors or sales-centers/dealerships.

RESPONSE:

Georgia-Pacific objects to Request No. 5 on the grounds that it is vague and ambiguous in its use of the phrase "other dust hazards," and is overly broad, unlimited in time, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as there is no allegation that Plaintiff was employed by Georgia-Pacific or otherwise worked at a Georgia-Pacific manufacturing facility. Georgia-Pacific further objects to this Request to the extent it seeks information that is protected from discovery by the attorney-client privilege and/or the physician-patient privilege.

Subject to and without waiving these objections, documents responsive to this Request are contained in Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel

on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 6:

Please produce all the closing binders and/or final transaction documents related to all transactions in which Defendant acquired any business entity which manufactured, mined, distributed, supplied, or sold asbestos-containing products.

RESPONSE:

Georgia-Pacific objects to Request No. 6 on the grounds that it is overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action. Georgia-Pacific also objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or by the attorney work product doctrine. Georgia-Pacific further objects to this Request on the ground that the information sought is available to Plaintiff's counsel through public filings and public documents.

Subject to and without waiving these objections, documents responsive to this Request may be contained in Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiff's counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 7:

Please produce all the closing binders and/or final transaction documents related to all transactions in which Defendant was acquired by another entity.

RESPONSE:

Georgia-Pacific objects to Request No. 7 on the grounds that it is overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action. Georgia-Pacific also objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or by the attorney work product doctrine. Georgia-Pacific further objects to this Request on the ground that the information sought is available to Plaintiff's counsel through public filings and public documents.

REQUEST FOR PRODUCTION NO. 8:

Please produce all the closing binders and/or final transaction documents related to all transactions in which Defendant agreed to assume tort liabilities of any third party which manufactured, mined, distributed, supplied, or sold asbestos-containing products.

RESPONSE:

Georgia-Pacific objects to Request No. 8 on the grounds that it is overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products not at issue in this case. Georgia-Pacific also objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or by the attorney work product doctrine. Georgia-Pacific further objects to this Request on the ground that the information sought is available to Plaintiff's counsel through public filings and public documents.

Subject to and without waiving these objections, Georgia-Pacific states it has never

agreed to assume tort liabilities for a third party that mined asbestos. By way of further response, Georgia-Pacific states that documents pertaining to its acquisition of Bestwall Gypsum Co. in 1965 are contained in its collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 9:

Please produce all the closing binders and/or final transaction documents related to all transactions in which Defendant agreed to indemnify, defend or hold harmless the tort liabilities of any third party which manufactured, mined, distributed, supplied or sold asbestos-containing products.

RESPONSE:

See Georgia-Pacific's objections and response to Request No. 8, above, incorporated herein by reference.

REQUEST FOR PRODUCTION NO. 10:

Please produce all the closing binders and/or final transaction documents related to all transactions in which Defendant changed its name or form of business entity.

RESPONSE:

Georgia-Pacific objects to Request No. 10 on the grounds that it is overly broad, unduly burdensome, and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action. Georgia-Pacific also objects to this Request to

the extent that it seeks information protected from discovery by the attorney-client privilege and/or by the attorney work product doctrine. Georgia-Pacific further objects to this Request to the extent the information sought is available to Plaintiff's counsel through public filings and public documents.

REQUEST FOR PRODUCTION NO. 11:

Please produce all documents and tangible things, received or obtained by Defendant that indicate that inhaled asbestos fibers can be hazardous to human or non-human health. This Request for Production specifically seeks, but is not limited to: all responsive books, articles, reports, pamphlets and manufacturer's instructions.

RESPONSE:

Georgia-Pacific objects to Request No. 11 to the extent that it is vague, ambiguous, overbroad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products and/or circumstances of exposure not at issue in this case, and/or information regarding products not manufactured or sold by Georgia-Pacific or Bestwall. Georgia-Pacific also objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or by the attorney work product doctrine.

Subject to and without waiving these objections, documents responsive to this Request may be contained in Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in

Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 12:

Please produce all documents and tangible things relating to the inventories of all Defendant's libraries, research repositories, or other archives that contain magazines, journals, books, publications or other documents related to asbestos, pneumoconiosis, or any other dust-related disease (including, but not limited to, the effects of exposure to asbestos, industrial hygiene measures relating to asbestos dust, and medical information or research relating to asbestos or its effects on animals or humans, populations at risk, etc.). This Request for Production specifically seeks, but is not limited to: all card catalogs, indices, holding lists, databases, other record management systems, and subscription lists for periodicals such as: Journal of the American Medical Association, Industrial Medicine, Journal of Industrial Hygiene and Toxicology, National Safety News, Industrial Hygiene Foundation Digest, and Public Health Reports of the United States, as well as any Japanese or European Publications.

RESPONSE:

Georgia-Pacific objects to Request No. 12 to the extent that it is vague, ambiguous, overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action. Georgia-Pacific further objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or the attorney work product doctrine.

Subject to and without waiving these objections, Georgia-Pacific states that, at one time, it maintained a general library, which was dismantled in 1994. The general library, however, was not created or maintained as a medical or scientific library, and Georgia-Pacific currently has no reliable records of the materials that may have been contained in the library. Any information maintained by Georgia-Pacific responsive to this Request would be contained in Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate

documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 13:

Please produce all documents and tangible things containing information concerning the hazards of asbestos or nuisance dust in general that Defendant received at any time.

RESPONSE:

Georgia-Pacific objects to Request No. 13 on the grounds that it is vague and ambiguous in its use of the phrase "nuisance dust in general," and is overly broad, unduly burdensome, not sufficiently limited in time or scope, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding the alleged hazards of exposure to raw asbestos fibers or to asbestos-containing products not manufactured or sold by Georgia-Pacific or Bestwall and to the extent it seeks information regarding years and decades during which neither Georgia-Pacific nor Bestwall manufactured or sold asbestos-containing products. Georgia-Pacific further objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or by the attorney work product doctrine, or is otherwise protected from disclosure.

Subject to and without waiving these objections, non-privileged documents responsive to this Request may be contained in Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's

collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 14:

Please produce all documents and tangible things containing information concerning the hazards of asbestos or nuisance dust in general that Defendant published, distributed, or disseminated at any time.

RESPONSE:

Georgia-Pacific objects to Request No. 14 on the grounds that it is vague and ambiguous in its use of the phrase "nuisance dust in general," and is overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding the alleged hazards of exposure to raw asbestos fibers or to asbestos-containing products not manufactured or sold by Georgia-Pacific or Bestwall. Georgia-Pacific further objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or by the attorney work product doctrine.

Subject to and without waiving these objections, documents responsive to this Request may be contained in Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's

counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 15:

Please produce all documents and tangible things, created by any of Defendant's employees, former employees, or representatives at any time, that refer to any documents or tangible things responsive to the Request for Production immediately above.

RESPONSE:

Georgia-Pacific objects to Request No. 15 on the grounds that it is vague and ambiguous in its reference to "representatives," and is unlimited in time and scope, overly broad, and unduly burdensome, as it would be impossible to identify every document or "tangible thing" ever created by any of Georgia-Pacific's thousands of employees, former employees, or "representatives" which may refer to documents sought in the Request above. Georgia-Pacific also objects as it seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding the alleged hazards of exposure to raw asbestos fibers or to asbestos-containing products not manufactured or sold by Georgia-Pacific or Bestwall. Georgia-Pacific further objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or by the attorney work product doctrine.

Subject to and without waiving these objections, documents responsive to this Request may be contained in Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel

on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 16:

Please produce all documents and tangible things relating to Defendant's document and record retention (and/or destruction) policies or procedures, including, but not limited to:

- a. any supplements, addenda, memoranda, operating bulletins, revisions, or any other superseding instructions that refer to the stoppage, suspension or resumption of responsive policies or procedures; and
- b. policies or procedures regarding documents or records created, maintained, or stored by electronic, digital, optical and/or magnetic means (such as microfilm, microfiche, imaging, scanning, or storage on tapes, disks, CD or DVD-based media, databases, or on any computer hardware, backup system, download system, file dumping or other system of information management, whether on-site or off-site).

RESPONSE:

Georgia-Pacific objects to Request No. 16 on the grounds that it is overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action. Georgia-Pacific further objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or by the attorney work product doctrine.

Subject to and without waiving these objections, Georgia-Pacific states that it has had document retention policies at certain time periods depending upon the nature of the contents and the type of document. When Georgia-Pacific began receiving claims against it alleging injury caused by any of its products which contained asbestos as a constituent ingredient, it gathered and preserved all existing documents which might concern such products. Georgia-Pacific further states that, to the best of its knowledge, since the time it became involved in asbestos litigation, all records or documents relating to its asbestos-containing products have been

retained. By way of further response, Georgia-Pacific incorporates herein by reference its Preliminary Statement to these responses. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 17:

Please produce all exhibits and demonstrative aids that Defendant plans to use at trial in this matter.

RESPONSE:

Georgia-Pacific objects to Request No. 17 on the ground that the Request is premature. Georgia-Pacific further objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or by the attorney work product doctrine.

Subject to and without waiving these objections, Georgia-Pacific has not made a determination regarding which exhibits and/or demonstrative aids, if any, it may use at the trial of this case.

REQUEST FOR PRODUCTION NO. 18:

Please produce all documents and tangible things relating to communications between Defendant and any of its workers' compensation insurance carriers or any other insurance companies, made at any time, regarding asbestos-containing products, the hazards of asbestos or nuisance dust in general and any asbestos-related studies, analyses or testing conducted by any insurance carriers.

RESPONSE:

Georgia-Pacific objects to Request No. 18 on the grounds that it is vague and ambiguous

in its use of the phrase “nuisance dust in general,” and is overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products not at issue in this case, information regarding years during which neither Georgia-Pacific nor Bestwall manufactured or sold asbestos-containing products, and as there is no allegation that Plaintiff was employed by Georgia-Pacific or otherwise worked at a Georgia-Pacific manufacturing facility. Georgia-Pacific also objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or the attorney work product doctrine and/or the physician/patient privilege.

Subject to and without waiving these objections, Georgia-Pacific states to the best of its current knowledge, no such documents exist.

REQUEST FOR PRODUCTION NO. 19:

Please produce copies of all affidavits, depositions, and trial transcripts of Defendant’s employees, former employees, or representatives taken in any matter involving an alleged injury or claimed property damage, incurred at any time, due to asbestos. This Request for Production includes all affidavits, depositions, and trial transcripts of all persons listed or to be listed by Defendant as having knowledge of relevant facts.

RESPONSE:

Georgia-Pacific objects to Request No. 19 on the grounds that it is vague, ambiguous, overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding affidavit, deposition, and/or trial testimony which has no connection to the claims made in this case and which relate to products and/or circumstances of exposure and/or locations of exposure not alleged or at issue in this case. Georgia-Pacific also objects to this Request on the ground that it seeks information which is a matter of public record and public

filings and is available to Plaintiff's counsel through other means. Georgia-Pacific further objects to this Request on the grounds that Plaintiff's counsel already possesses much – if not all of - the information and documents sought by this Request.

Subject to and without waiving these objections, Georgia-Pacific states that if Plaintiff will narrow her request or refer to specific testimony of Georgia-Pacific's employees or former employees potentially relevant to this case, Georgia-Pacific will endeavor to respond.

REQUEST FOR PRODUCTION NO. 20:

Please produce copies of all affidavits, depositions, and trial transcripts, in the possession of Defendant, of all experts Defendant intends to call at trial.

RESPONSE:

Georgia-Pacific objects to Request No. 20 on the grounds that it is overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding affidavit, deposition, and/or trial testimony which has no connection to the claims made in this case and which relates to products and/or circumstances of exposure and/or locations of exposure not alleged or at issue in this case. Georgia-Pacific also objects to this Request on the ground that it seeks information which is a matter of public record and public filings and is available to Plaintiff's counsel through other means.

Subject to and without waiving these objections, Georgia-Pacific does not possess "all affidavits, depositions, and trial transcripts" ever given by the three expert witnesses it has designated for use at trial in this case. Georgia-Pacific anticipates that these witnesses will provide, as part of their file at depositions (if noticed by Plaintiff in this case) information concerning their past testimony. If Plaintiff will identify a particular transcript or affidavit given by any of Georgia-Pacific's designated expert witnesses and relevant to issues in this case,

Georgia-Pacific will endeavor to locate and to produce such testimony.

REQUEST FOR PRODUCTION NO. 21:

Please produce all documents and tangible things related to inventory, stock-on-hand, warehousing, or other storage of asbestos or asbestos-containing products at any location owned, operated, or controlled by Defendant between 1960 and the present day.

RESPONSE:

Georgia-Pacific objects to Request No. 21 on the grounds that it is overly broad, unduly burdensome, and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding the alleged hazards of exposure to raw asbestos fibers or to asbestos-containing products not manufactured or sold by Georgia-Pacific or Bestwall and as it seeks information regarding years and decades during which neither Georgia-Pacific nor Bestwall manufactured or sold asbestos-containing products.

Subject to and without waiving these objections, documents responsive to this Request may be contained in Georgia-Pacific's collection of non-privileged corporate, plant and sales documents relating to its asbestos-containing products. Although these documents have been made available to Plaintiffs' counsel in connection with other cases, at the request of Plaintiff's counsel, Georgia-Pacific will once again make such documents available for inspection and copying in Atlanta, Georgia, at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 22:

Please produce all documents and tangible things that indicate Defendant's participation in, or funding of, any research regarding the health effects of asbestos exposure.

RESPONSE:

Georgia-Pacific objects to this Request to the extent it requests information that is not relevant to the claims asserted in this litigation, and Georgia-Pacific also objects to producing

any materials that are protected by the attorney-client privilege, the work product doctrine or any other applicable privilege.

To the extent Plaintiff is seeking information about historical research related to health effects performed during the time that Georgia-Pacific manufactured asbestos-containing products. Georgia-Pacific states that it did not believe its products presented health hazards and did not commission research on the subject during the time period that the product was manufactured.

When Georgia-Pacific first heard a suggestion that there might be a potential health hazard to persons using asbestos-containing products, it began a reformulation program which resulted in the elimination of asbestos from its asbestos-containing products. In the course of that reformulation, many product tests were conducted. It is also possible that through its membership in various trade organizations, Georgia-Pacific helped financially support test, studies, surveys, and/or research falling within the scope of this request. From time to time, Georgia-Pacific contracted for air sampling and dust counts at its Gypsum Division manufacturing facilities where asbestos-containing products were produced. Moreover, in November, 1973, testing of asbestos-containing products similar to those manufactured by Georgia-Pacific was conducted through the Gypsum Association in which Georgia-Pacific was a member. The tests were conducted with OSHA approval. The results of the testing are contained in a report dated November 19, 1973 entitled "Evaluation of Exposure to Asbestos During Mixing and Sanding of Joint Compounds," which was finalized and made available to members in spring 1974. To the extent that Georgia-Pacific has located any such information in the Company's files and to the extent it is not covered by an applicable privilege or protection, Georgia-Pacific has included any such documents in the materials available for inspection and

previously produced to this Plaintiff's counsel.

In preparation for the ongoing defense of litigation, Georgia-Pacific has sponsored and continues to sponsor studies on reformulated joint compound product. Specifically, Georgia-Pacific has funded studies of exposure to respirable chrysotile fibers resulting from the sanding and sweeping of a premixed joint compound product which has been reformulated in accordance with Georgia-Pacific's historical formulas for such products. Additionally, Georgia-Pacific has funded studies in which animals are exposed to sanded reformulated premixed joint compound. The sponsored work has resulted in various published articles, including without limitation G.P. Brorby, et al., Re-Creation of Historical Chrysotile-Containing Joint Compounds, *Inhalation Toxicology*, 2008, 20:1043-1053; and D.M. Bernstein, et al., A Biopersistence Study Following Exposure to Chrysotile Asbestos Alone or in Combination with Fine Particles, *Inhalation Toxicology*, 2008, 20:1009-1028. Georgia-Pacific is willing to produce copies of any published articles resulting from the studies. As to unpublished documents relating to the studies, many of those documents are protected by the work product doctrine, the attorney-client privilege or both. Georgia-Pacific will make available for inspection any non-privileged or non-protected documents and will provide a log of protected and/or privileged materials to the extent those materials are requested and to the extent Georgia-Pacific is required to do so under the governing law.

REQUEST FOR PRODUCTION NO. 23:

Please produce all documents and tangible things indicating any industrial hygiene advice, related to the hazards of asbestos, that Defendant received from any insurance carrier at any time.

RESPONSE:

Georgia-Pacific objects to Request No. 23 on the grounds that it is vague, ambiguous, overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably

calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products not manufactured or sold by Georgia-Pacific or Bestwall, information regarding products and/or circumstances of exposure not at issue in this case, and information regarding years during which neither Georgia-Pacific nor Bestwall manufactured or sold asbestos-containing products. Georgia-Pacific also objects to this Request on the ground that it seeks information that is protected from discovery by the attorney-client privilege, and/or the attorney work product doctrine.

Subject to and without waiving these objections, Georgia-Pacific states to the best of its current knowledge, no such documents exist.

REQUEST FOR PRODUCTION NO. 24:

Please produce the personnel records of all witnesses listed in the disclosures that Defendant have made or will make in this case.

RESPONSE:

Georgia-Pacific objects to Request No. 24 on the grounds that it is overly broad, unduly burdensome and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action. Georgia-Pacific further objects to this Request on the ground that it seeks private and/or confidential personal information regarding witnesses listed in the disclosures made pursuant to the Georgia Civil Practice Act.

REQUEST FOR PRODUCTION NO. 25:

Please produce all reports, writings (whether published or unpublished) and other documents and tangible things that were written, created and/or edited by any expert Defendant plans to call at trial, and that pertain, in any way, to the hazards of asbestos.

RESPONSE:

See Georgia-Pacific's objections and response to Request No. 20, above, incorporated herein by reference. By way of additional response, Georgia-Pacific states that it produced to

Plaintiff's counsel the written report of Dr. Victor Roggli for this case. Its other expert witnesses have not drafted written reports. Georgia-Pacific further notes that its experts will produce and/or discuss their reliance materials at their noticed (assuming they are to be noticed) depositions in this case. If Plaintiff will describe a particular article or report or "writing" in which she is interested and which is relevant to the issues or to the experts' opinions in this case, Georgia-Pacific will ask its experts to provide such materials.

REQUEST FOR PRODUCTION NO. 26:

Please produce all documents and tangible things Defendant's counsel provided to any of Defendant's expert or fact witnesses as a result of the filing of this case.

RESPONSE:

Georgia-Pacific objects to Request No. 26 on the grounds that it is overly broad and unduly burdensome. Georgia-Pacific also objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or by the attorney work product doctrine. Subject to and without waiving these objections, to date, Georgia-Pacific has provided its expert witnesses with the following documents and tangible things: Georgia-Pacific provided Dr. Roggli with copies of all medical records received by Georgia-Pacific in connection with this case and with pathology materials which were transmitted to counsel for Georgia-Pacific by Mr. Thomas at Heard Robbins. Georgia-Pacific provided to Dr. Charles Weaver and Dr. John Henshaw copies of Plaintiff's Sworn Information Statement and all attachments (medical records and bankruptcy claims documents), Plaintiff's discovery and videotaped deposition transcripts, Plaintiff's responses to Georgia-Pacific's and to Union Carbide Corporation's written discovery requests, certain of Plaintiff's medical records and (to Dr. Henshaw) the reports produced by Plaintiff for her expert witnesses and the April 11, 2011 report of Dr. Victor Roggli (received by Georgia-Pacific on April 19, 2011 and produced to Plaintiff's

counsel that day). Georgia-Pacific reserves the right to supplement this Response should additional materials be provided to its expert witnesses prior to their testimony in this matter.

REQUEST FOR PRODUCTION NO. 27:

Please produce all agreements between Defendant and any manufacturer of asbestos-containing products in which Defendant agreed to act on the manufacturer's behalf in representing, selling, or distributing the manufacturer's products.

RESPONSE:

Georgia-Pacific objects to Request No. 27 on the grounds that it is vague, ambiguous, overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products not manufactured or sold by Georgia-Pacific or Bestwall and products not at issue in this case.

Subject to and without waiving these objections, documents responsive to this Request may be contained in Georgia-Pacific's collection of non-privileged corporate documents related to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 28:

Please produce all documents or tangible things that show in any way, how any asbestos-containing product mined, manufactured, marketed, produced, researched, sold, distributed, or patented by Defendant at any time was to be altered or substantially changed after the product was sold or distributed and before reaching the consumer or user.

RESPONSE:

Georgia-Pacific objects to Request No. 28 on the grounds that it is vague, ambiguous, overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products not at issue in this case.

Subject to and without waiving these objections, Georgia-Pacific states that it was generally expected that its asbestos-containing joint systems products would reach the consumer or user without substantial change in the condition in which the products were sold, and therefore, upon information and belief, it possesses no documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 29:

Please produce all documents and tangible things that indicate, in any way, Defendant's knowledge or awareness of asbestos-free substitutes or alternatives for any product mined, manufactured, marketed, produced, researched, sold, distributed, or patented by Defendant regardless of Defendant's belief of the viability of such substitutes or alternatives.

RESPONSE:

Georgia-Pacific objects to Request No. 29 on the grounds that it is vague, ambiguous, overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products not at issue in this case. Georgia-Pacific objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or attorney work product doctrine.

Subject to and without waiving these objections, documents responsive to this Request may be contained in Georgia-Pacific's collection of non-privileged corporate documents related to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific

sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 30:

Please produce all documents and tangible things relating to cost-risk analyses, cost-benefit analyses, or any other study, analysis, report, or document generated or obtained by Defendant at any time, that discusses the cost of abating, removing, replacing, or encapsulating asbestos or implementing any safeguards or engineering controls designed to protect persons from the hazards of asbestos or nuisance dust in general.

RESPONSE:

Georgia-Pacific objects to Request No. 30 on the grounds that it is vague and ambiguous in its use of the phrase "nuisance dust in general" and to the extent it does not identify the location of the asbestos to which it refers, the safeguards or engineering controls it describes, or the "persons" it mentions. Georgia-Pacific further objects on the grounds that it is overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products or circumstances of exposure to asbestos not at issue in this case and as there is no allegation that Plaintiff was employed by Georgia-Pacific or otherwise worked at a Georgia-Pacific manufacturing facility. Georgia-Pacific also objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or by the attorney work product doctrine.

Subject to and without waiving these objections, documents responsive to this Request may be contained in Georgia-Pacific's collection of non-privileged corporate documents related to its asbestos-containing products. Although these documents have been produced to Plaintiffs'

counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 31:

Please produce all documents and tangible things evidencing health surveys, epidemiological studies, environmental testing, air monitoring, or dust level counts conducted at any time by Defendant or at Defendant's request related to the use of Defendant's asbestos-containing products.

RESPONSE:

Georgia-Pacific objects to Request No. 31 on the grounds that it is vague, ambiguous, overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products not at issue in this case and as there is no allegation that Plaintiff was employed by Georgia-Pacific or otherwise worked at a Georgia-Pacific manufacturing facility. Georgia-Pacific also objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or attorney work product doctrine and/or physician-patient privilege, or is otherwise protected from disclosure. Georgia-Pacific further objects to this Request to the extent that it exceeds the bounds of permissible discovery under the Georgia Civil Practice Act.

Subject to and without waiving these objections, non-privileged documents responsive to this Request may be contained in Georgia-Pacific's collection of non-privileged corporate documents related to its asbestos-containing products. Although these documents have been

produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time. *See also* Georgia-Pacific's objections and response to Request No. 22, above, incorporated herein by reference.

REQUEST FOR PRODUCTION NO. 32:

Please produce any and all documents identifying precautions taken by you to protect users of your asbestos-containing product(s) from the potential hazards associated with asbestos.

RESPONSE:

Georgia-Pacific objects to Request No. 32 on the grounds that it is vague, ambiguous, overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products not at issue in this case. Georgia-Pacific objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or attorney work product doctrine.

Subject to and without waiving these objections, documents responsive to this Request are contained in its collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such

documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 33:

Please produce any and all advertisements, brochures, product manuals, or any other such documents relating to any asbestos containing product(s) manufactured, sold, or otherwise distributed by you.

RESPONSE:

Georgia-Pacific objects to Request No. 33 on the grounds that it is vague, ambiguous, overly broad, unduly burdensome, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products not at issue in this case.

Subject to and without waiving these objections, documents responsive to this Request are contained in its collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 34:

Please produce all documents and tangible things that indicate, in any way, each and every asbestos fiber supplier to this Defendant for any asbestos-containing product.

RESPONSE:

Georgia-Pacific objects to Request No. 34 on the grounds that it is overly broad, unduly

burdensome, unlimited in time, and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly to the extent it seeks information regarding products and/or circumstances of exposure not at issue in this case. Georgia-Pacific also objects to this Request to the extent it seeks information that is protected from disclosure by the attorney-client privilege and/or the attorney work product doctrine.

Subject to and without waiving these objections, documents responsive to this Request are contained in Georgia-Pacific's collection of non-privileged corporate documents related to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case and counsel for Georgia-Pacific provided to Plaintiff's counsel, in early 2011, copies of all formulas for joint compounds manufactured at the Marietta, Georgia plant – which would be the plant at issue in the instant case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 35:

Please produce all documents and tangible things relating to Defendant's manufacture, marketing, making, research, sale, distribution, or patenting of any asbestos-containing product or other asbestos contaminant contained within your product. This Request for Production specifically seeks, but is not limited to: packaging, instructions, package inserts, warnings, advertisements, and records of safety or health testing for each such product.

RESPONSE:

Georgia-Pacific objects to Request No. 35 on the grounds that it is vague and ambiguous, particularly in its reference to "other asbestos contaminant," and is overly broad, unduly

burdensome, unlimited in time, and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly to the extent it seeks information regarding products and/or circumstances of exposure not at issue in this case and as it seeks information regarding years during which neither Georgia-Pacific nor Bestwall manufactured or sold asbestos-containing products. Georgia-Pacific also objects to this Request to the extent it seeks information that is protected from disclosure by the attorney-client privilege and/or the attorney work product doctrine.

Subject to and without waiving these objections, documents responsive to this Request would be contained in Georgia-Pacific's collection of non-privileged corporate documents related to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 36:

Please produce all documents and tangible things that indicate, in any way, Defendant's arrangements with other entities to further distribute, market, package, label, or sell any asbestos-containing product. This request specifically seeks, but is not limited to, items such as contracts, "rebranding agreements," shipping documents, purchase orders, invoices, requisitions, and correspondence.

RESPONSE:

Georgia-Pacific objects to Request No. 36 on the grounds that it is overly broad, compound, unduly burdensome, and seeks information which is irrelevant and not reasonably

calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products and time periods not at issue in this case.

Subject to and without waiving its objections, Georgia-Pacific states that documents responsive to this Request are contained in Georgia-Pacific's collection of non-privileged corporate documents related to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 37:

Please produce all documents and tangible things that indicate, in any way, how any asbestos-containing product was to be altered or substantially changed after the product was sold or distributed and before reaching the consumer or user.

RESPONSE:

See Georgia-Pacific's objections and response to Request No. 28, above, incorporated herein by reference.

REQUEST FOR PRODUCTION NO. 38:

Please produce all documents and tangible things that indicate, in any way, the dust-creating potential of any asbestos-containing product manufactured, marketed, made, researched, sold, distributed, or patented by Defendant.

RESPONSE:

Georgia-Pacific objects to Request No. 38 on the grounds that it is vague and ambiguous in its reference to "dust-creating potential," and is overly broad, unduly burdensome, and seeks

information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products not at issue in this case. Georgia-Pacific also objects to this Request to the extent that it seeks information protected from discovery by the attorney-client privilege and/or attorney work product doctrine. Georgia-Pacific further objects to this Request to the extent that it seeks information within the purview of an expert witness.

Subject to and without waiving these objections, documents responsive to this Request may be contained in its collection of non-privileged corporate documents relating to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 39:

Please produce all documents and tangible things that indicate, in any way, any research or discussion involving Defendant on the issue of degradation of asbestos into any substance Defendant maintains is not hazardous or is somehow less hazardous than asbestos. This Request for Production includes, but is not limited to, copies of all articles in Defendant's possession which would be responsive to the Interrogatory immediately above.

RESPONSE:

Georgia-Pacific objects to Request No. 39 on the grounds that it is vague and ambiguous, particularly in its reference to an undefined Interrogatory, and is overly broad, assumes facts not in evidence, and seeks information which is irrelevant and not reasonably calculated to lead to

the discovery of admissible evidence in this action, particularly as it seeks information regarding exposure to raw asbestos fiber and/or asbestos-containing products not at issue in this action.

Subject to and without waiving its objections, Georgia-Pacific states that documents responsive to this Request, to the extent they exist, would be contained in Georgia-Pacific collection of non-privileged corporate documents related to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 40:

Please produce all documents and tangible things that indicate, in any way, Defendant's knowledge or awareness of asbestos-free substitutes or alternatives for any product or component manufactured, marketed, made, researched, sold, distributed, or patented by Defendant regardless of Defendant's belief of the viability of such substitutes or alternatives.

RESPONSE:

See Georgia-Pacific's objections and response to Request No. 29, above, incorporated herein by reference.

REQUEST FOR PRODUCTION NO. 41:

Please produce all documents and tangible things relating to membership in or any asbestos-related communication with any trade or industry organization.

RESPONSE:

Georgia-Pacific objects to Request No. 41 on the grounds that it is unlimited in time, overly broad and unduly burdensome, as it would be impossible to identify every trade or

industry organization to which Georgia-Pacific or any of its thousands of employees, former employees and/or representatives belonged. Similarly, it would be impossible to identify each and every employee, former employee and/or representative who may have belonged to any such organization. Georgia-Pacific further objects on the ground the Request seeks information regarding the alleged hazards of exposure to raw asbestos fibers or non-asbestos dusts or to asbestos-containing products not manufactured or sold by Georgia-Pacific or by Bestwall, as such information is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action. Georgia-Pacific also objects to this Request to the extent it seeks information regarding years during which neither Bestwall nor Georgia-Pacific manufactured or sold asbestos-containing products, as such information is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action.

Subject to and without waiving its objections, Georgia-Pacific states that documents responsive to this Request are contained in Georgia-Pacific's collection of non-privileged corporate documents related to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiff's counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 42:

Please produce all documents and tangible things relating any medical or scientific consulting you have undertaken with outside experts or groups regarding the possible hazards of asbestos, including but not limited to all drafts, reports, tests, surveys, invoices, expert witnesses, and correspondence.

RESPONSE:

Georgia-Pacific objects to this Request to the extent that the Request inquires about experts that Georgia-Pacific has identified to testify in litigation or with whom Georgia-Pacific has consulted in defense of litigation. This Request is overly broad and unduly burdensome and would require the Company to compile information on the experts utilized in numerous asbestos cases over the years. Moreover, it improperly requests information that intrudes upon the Company's work product protection. To the extent Georgia-Pacific was required by the applicable law to identify experts who will testify in this case, it has done so -- but to request further information exceeds the bounds of proper discovery. To the extent that Georgia-Pacific discovers information in its files unrelated to the defense of litigation that reflects medical or scientific consulting on the hazards of asbestos, Georgia-Pacific will produce such information. Georgia-Pacific also incorporates herein by reference its response and objections to Request No. 22 above.

REQUEST FOR PRODUCTION NO. 43:

Please produce all documents and tangible things relating to any asbestos-related illness suffered by any of your employees or contractors, including but not limited to workers' compensation claims of any kind, OSHA or other governmental communications and civil suits.

RESPONSE:

Georgia-Pacific objects to Request No. 43 on the grounds that it is vague and ambiguous, particularly in its use of the phrase "asbestos related illness," and is overly broad, unduly burdensome, unlimited in time, calls for expert scientific or medical opinion or conclusions within the purview of expert witness testimony, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as Plaintiff is not alleged to have been employed by Georgia-Pacific nor to have

otherwise worked at a Georgia-Pacific plant or manufacturing facility and Plaintiff's exposure, if any, would be entirely different from that of a Georgia-Pacific employee involved in the manufacture of its asbestos-containing products. Georgia-Pacific further objects to the extent this Request seeks information which is protected from disclosure by the attorney-client privilege or the attorney work product doctrine. Lastly, Georgia-Pacific objects to this Request to the extent it seeks information on Georgia-Pacific's employees which may be protected from discovery based on 29 C.F.R. Section 1910.1020 or other privacy rights.

REQUEST FOR PRODUCTION NO. 44:

Please produce all documents or tangible things which show the presence or absence of Defendant's asbestos and/or asbestos-containing products at any worksites or locations identified in discovery where Plaintiff was present.

RESPONSE:

Georgia-Pacific objects to Request No. 44 on the grounds that it is overly broad, unduly burdensome, unlimited in time and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products and time periods not at issue in this case. Georgia-Pacific further objects to the extent this Request seeks information which is protected from disclosure by the attorney-client privilege or the attorney work product doctrine. Georgia-Pacific further objects to this Request as it seeks to have Georgia-Pacific prove a negative and as it improperly seeks to shift the burden of proof in this case by asking Georgia-Pacific to produce documents showing that its products were not at some specified location.

Subject to and without waiving these objections, Georgia-Pacific states that documents which would disprove some of Plaintiff's identification of Georgia-Pacific products are contained in Georgia-Pacific's collection of non-privileged documents relating to its asbestos-containing

products referenced in response to multiple other Requests and which have been previously copied and produced to Plaintiff's counsel. Georgia-Pacific also refers Plaintiff to its objections and response to Request No. 46, below, incorporated herein by reference.

REQUEST FOR PRODUCTION NO. 45:

To the extent not previously answered in Plaintiff's Interrogatories, for each product identified by Plaintiff in written discovery responses or sworn testimony, please produce all documents and tangible things relating to cost-risk analyses, cost-benefit analyses, or any other study, analysis, report, or document generated or obtained by Defendant at any time, that discusses the cost of abating, removing, replacing, or encapsulating asbestos or implementing any safeguards or engineering controls designed to protect persons from the hazards of asbestos or nuisance dust in general.

RESPONSE:

Georgia-Pacific refers Plaintiff to its objections and response to Request No. 30, above, incorporated herein by reference.

REQUEST FOR PRODUCTION NO. 46:

Please produce any and all documents, including but not limited to, invoices, billing records, sales records, contracts, or any other like document that reflect the distribution of your product to any supply house, distributor or job site identified by Plaintiff, including, but not limited to, the University of Georgia and Farmers Hardware.

RESPONSE:

Georgia-Pacific objects to Request No. 46 on the grounds that it is vague and ambiguous, particularly in its use of the phrase "any other like document," and is overly broad and unduly burdensome. Georgia-Pacific further objects to this Request to the extent that it seeks information which is commercially sensitive and/or information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products not at issue in this case and/or years during which neither Bestwall nor Georgia-Pacific manufactured or sold asbestos-containing products. Georgia-Pacific also objects to the extent this Request seeks information which is protected from

disclosure by the attorney-client privilege or the attorney work product doctrine. Georgia-Pacific further notes that Plaintiff did not identify any "supply houses" in her deposition testimony or through any discovery responses served in this case.

Subject to and without waiving these objections, Georgia-Pacific states that its Gypsum Division sold its asbestos-containing products through the Distribution Division. Georgia-Pacific operated more than 175 Distribution Centers for many years. Records regarding sales of such products originated from the individual Distribution Centers and consist principally of large volumes of sales invoices, which are generally organized chronologically by customer name and not by "job site" or "worksite". At the request of Plaintiff's counsel, sales records documents which are believed to cover the geographic area at issue in this case will be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 47:

To the extent not previously answered in Plaintiff's Interrogatories, for each product identified by Plaintiff in written discovery responses or sworn testimony, please produce any and all documents identifying to precautions taken by you to protect users of your asbestos-containing product(s) from the potential hazards associated with asbestos.

RESPONSE:

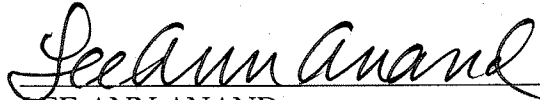
Georgia-Pacific objects to Request No. 47 on the grounds that it is overly broad, unduly burdensome, vague, ambiguous, and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence in this action, particularly as it seeks information regarding products not at issue in this case and as Plaintiff was never a "user" of Georgia-Pacific asbestos-containing products. Georgia-Pacific further objects to this Request to the extent that it seeks information which is protected from disclosure by the attorney-client privilege and/or attorney work product privilege.

Subject to and without waiving these objections, Georgia-Pacific states that documents

responsive to this Request are contained in its collection of non-privileged corporate documents related to its asbestos-containing products. Although these documents have been produced to Plaintiffs' counsel in connection with multiple other cases (and, specifically, counsel for Georgia-Pacific sent nine (9) CDs containing copies of the *entirety* of Georgia-Pacific's collection of non-privileged corporate documents relating to its asbestos containing products to Plaintiff's counsel on 3/19/10 in connection with another Georgia asbestos case), at the request of Plaintiffs' counsel, such documents will once again be made available for inspection and copying in Atlanta, Georgia at a mutually agreeable time.

Georgia-Pacific reserves the right to modify, alter, amend and/or supplement these Objections and Responses to Plaintiff's Request for Production of Documents as deemed necessary by this Defendant and/or as is required by the Georgia Civil Practice Act.

This 25th day of April, 2011.


LEE ANN ANAND
Georgia Bar No. 004922
Attorney for Georgia-Pacific, LLC

NELSON MULLINS RILEY & SCARBOROUGH LLP
201 17th Street, NW, Suite 1700
Atlanta, Georgia 30363
(404) 322-6000

**IN THE SUPERIOR COURT OF CLARKE COUNTY
STATE OF GEORGIA**

ANNA M. EVANS,

Plaintiff,

v.

**GEORGIA-PACIFIC, LLC,
individually and as successor in interest
to Georgia-Pacific Corporation and
Bestwall Gypsum Company; UNION
CARBIDE CORPORATION; and JOHN
DOES NO. 1-10,**

Defendants.

CIVIL ACTION FILE

NO. SU10CV-1212-S

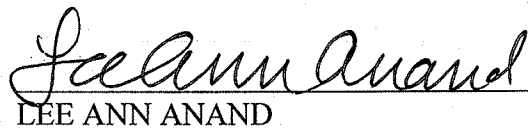
CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the foregoing
**DEFENDANT GEORGIA-PACIFIC, LLC's OBJECTIONS AND RESPONSES TO
PLAINTIFF'S FIRST INTERROGATORIES** via electronic mail (with an offer to send the
same pleadings via U.S. Mail) to ensure delivery to the following counsel for Plaintiffs listed
below and by serving all known defense counsel of record via email:

Robert C. Buck, Esq.
Buck Law Firm
1050 Crown Pointe Parkway, Suite 940
Atlanta, Georgia 30338

Ian Cloud, Esq.
Jory D. Lange, Jr. Esq.
Heard Robins Cloud & Black, LLP
9 Greenway Plaza
Suite 2300
Houston, TX 77046

This 25th day of April, 2011.

A handwritten signature in cursive script, reading "Lee Ann Anand", is positioned above a horizontal line.

LEE ANN ANAND

Georgia Bar No. 004922

Attorney for Georgia-Pacific, LLC

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