

BARON & BUDD

IN RE: ALL ASBESTOS LITIGATION § IN THE DISTRICT COURT OF
§
§ BEXAR COUNTY, TEXAS

**DEFENDANT, U.S. MINERAL PRODUCTS COMPANY'S,
OBJECTIONS AND RESPONSES TO MASTER SET OF DISCOVERY REQUESTS**

PREAMBLE

COMES NOW, UNITED STATES MINERAL PRODUCTS COMPANY ("USM"), a Defendant in the above-styled cases, and answers the Plaintiff's Interrogatories and Requests for Production as follows:

Most of these Interrogatories and Requests for Production pertain to events that occurred many years ago. Therefore, in gathering information to respond to these Interrogatories, USM and its counsel have had to rely on many documents and the information contained therein. In addition, USM and its counsel have relied on the memories of officers and employees who have been with the company since the 1950's and 1960's. USM and its counsel have also acquired information from discovery in other cases, and this information may form the basis for a particular answer. Because the process of document review is ongoing, and because new and/or additional information about past events is sometimes acquired, USM reserves the right to supplement and/or to amend these answers in the event that more accurate information becomes available. Additionally, this Defendant only manufactured and sold asbestos containing products from 1954 to 1972. Unless otherwise stated in a specific Answer to Interrogatory or Request for Production, the answers to these Interrogatories and Requests for Production shall be limited to those products in that period of time and to the State of Texas.



ANSWERS TO INTERROGATORIES

INTERROGATORY NO. 1:

State the name, address, job title, length of time employed by Defendant, and a year-by-year list of all other positions, titles, or jobs held when working for Defendant of each person who has supplied any information used in answering these interrogatories.

ANSWER NO. 1:

Objection, This interrogatory is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving its objections, U. S. Mineral states; These responses are verified by Paulette A. Kaminski, Assistant Corporate Secretary, United States Mineral Products Company, Stanhope, NJ, and were assembled by the personnel of U. S. Mineral with assistance of counsel.

INTERROGATORY NO. 2:

State whether or not you are a corporation. If so, state your correct corporate name, the state of your incorporation, the address of your principal place of business, the name and address of the person or entity authorized to accept service of process on your behalf, and whether or not you have ever held a Certificate of Authority to do business in the State of Texas.

ANSWER NO. 2:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, this Defendant responds as follows. United States Mineral Products Company is a corporation whose principal place of business is Furnace Street, Stanhope, New Jersey 07874.

State of Incorporation: New Jersey

Date of Incorporation: 1937

There is no one in the State of Texas authorized to accept service of process and they have never held any certificate of authority to do business in the State of Texas.

INTERROGATORY NO. 3:

Has Defendant or any of its predecessor or subsidiary companies at any time engaged in the mining and subsequent sale of material containing asbestos fibers? If so, identify the location of the mine(s), the years of its operation, the type of asbestos mined and whether you sold any asbestos to any Defendants in the Dallas County asbestos litigation.

ANSWER NO. 3:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, this Defendant responds as follows.

Defendant has never mined asbestos. This Defendant sold asbestos-containing Cafco products from 1954 to 1972.

INTERROGATORY NO. 4:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time manufactured or sold.

ANSWER NO. 4:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, Defendant responds as follows. See Exhibit "A" previously provided to all counsel, as well as answer to Interrogatory #6.

INTERROGATORY NO. 5:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time marketed or sold.

ANSWER NO. 5:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, Defendant responds as follows. See Exhibit "A" previously provided to all counsel, as well as answer to Interrogatory #6.

INTERROGATORY NO. 6:

If the answer to one or more of the last three interrogatories is in the affirmative or lists any products, state as to each named product the following:

- A. As to each product, state whether such product was mined, manufactured, marketed, and/or sold.

- B. The names of the companies mining, manufacturing, marketing, and/or selling each product mined, manufactured, marketed, and/or sold.
- C. The trade or brand name of each of those products mined, manufactured, marketed and/or sold.
- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product and the percentage of asbestos put in each product.
- F. The date each of the products was removed from the market and no longer sold or distributed and the reason or reasons therefor.
- G. The date asbestos was removed from such products, if ever, and the reasons therefor.
- H. A description of the physical appearance of each of the named products.
- I. A detailed description of the intended uses of the named products.
- J. Identify the last year that you sold each asbestos-containing product.

ANSWER NO. 6:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, Defendant responds as follows.

- (a) These products were manufactured, marketed and sold by USM but were not mined by them.

- (b) United States Mineral Products Company (1964 to present), formerly known as United States Mineral Wool Company, manufactured asbestos-containing CAFCO products at their Stanhope, NJ facility from 1954-1972. In 1954, at the inception of the manufacture of asbestos-containing CAFCO products, this defendant's legal name was United States Mineral Wool Company. In that year, a wholly owned subsidiary, Columbia Acoustics & Fireproofing Company, was formed to market the asbestos-containing products under the brand name of CAFCO, and to license and train contractors to apply those products.

On December 12, 1964, this defendant's legal name was changed to United States Mineral Products Company. Along with the legal name change, Columbia Acoustics and Fireproofing was liquidated and its responsibilities were performed by the CAFCO division of U.S. Mineral. The CAFCO division of U.S. Mineral marketed asbestos-containing CAFCO products from 1964-1972, after which time U.S. Mineral ceased all manufacture and sales of these products.

- (c) See Exhibit "A" previously provided.
- (d) See attached Exhibit "A" previously provided.
- (e) Objection. This Interrogatory seeks privileged, confidential information protected by the principles of trade secrecy. Without waiving this objection, U.S. Mineral responds as follows:

It states that Cafco Spray, Cafco Blaze Shield, Cafco Power Shield and Cominco contain approximately 30% chrysotile asbestos and that other relevant products contain less than 25% of chrysotile asbestos. Weather Shield contained approximately 5% chrysotile asbestos and Mark II contained approximately 80% chrysotile asbestos. Only chrysotile asbestos was used.

- (f) This Defendant began selling asbestos-containing Cafco products in 1954. This Defendant ceased to sell asbestos-containing Cafco products in 1972. USM removed asbestos from its products due to market demand.

- (g) The products listed in Exhibit "A" were altered and modified to remove all asbestos during 1969 and 1970, except for Cafco Sound Shield which was manufactured free of asbestos beginning in 1965 and thereafter was known as Cafco Sound Shield 85. In 1965, this Defendant introduced Cafco Blaze Shield Type D which contained lesser amounts of the asbestos with increased binder content and density. During 1970, this Defendant's products were manufactured in an asbestos free form and were known as Cafco Blaze Shield C/F, Cafco Heat Shield C/F, Cafco Power Shield C/F and Cafco Blaze Shield Type D C/F. USM altered and modified its products due to market demand.
- (h) Objection. This Interrogatory is overly broad and unduly burdensome. Moreover, it seeks information irrelevant to Plaintiffs' claim. Without waiving these objections, U.S. Mineral responds as follows: The physical appearance of this Defendant's asbestos-containing CAFCO products may be best described as bulk, loose, grey, fibrous materials suitable for pneumatic conveying and spraying.
- (i) See Exhibit "A" previously provided.
- (j) This Defendant ceased the sale of asbestos-containing Cafco products in 1972.

INTERROGATORY NO. 7:

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the design, preparation, or introduction into the market of the products listed in Interrogatory No. 6 still exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where the documents are currently located.

ANSWER NO. 7:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. This Defendant further objects to this request on the grounds that it is not limited in time or scope or inquiry and bears no relationship to Plaintiffs' claims. Without waiving this objection, Defendant responds as follows. Any and all relevant documents, to the extent that they may exist, will be produced for inspection and copying during regular business hours at its offices in Stanhope upon reasonable notice to its counsel.

INTERROGATORY NO. 8:

Before distributing, selling, or placing the products listed in your responses to Interrogatory Nos. 3 - 6 into the streams of commerce, were any tests conducted to determine potential health hazards involved in the use of, or exposure to, the materials such as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products tested and the date of each test.
- B. The name, address, and job title of each person conducting the tests or involved with conducting the tests.
- C. The results of the tests.

ANSWER NO. 8:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, Defendant responds as follows. Although U.S. Mineral did not conduct tests to determine potential health hazards involved in the use of or exposure to the materials such as asbestos contained in its products listed on Exhibit A before selling these products, during the entire time U.S. Mineral manufactured and sold asbestos-containing CAFCO products the Application

Manual supplied to all contractors licensed to apply U.S. Mineral's products contained rules, advice, warnings, directives, instructions and recommendations on the proper handling and application of their products, including instructions recommending the use of respiratory protection approved by the U.S. Bureau of Mines to all workmen.

INTERROGATORY NO. 9:

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the testing of the products referred to in Interrogatory No. 6 now exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER NO. 9:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, Defendant responds as follows. Not applicable.

INTERROGATORY NO. 10:

Did Defendant or any of its predecessor or subsidiary companies make any design changes or modifications as a result of those tests described in responses to Interrogatory No. 8? If the answer is affirmative, state:

- A. The trade names of the products changed.
- B. The nature of the changes made and the date of such changes or modifications.
- C. The name, address, and job title of each person responsible for having caused a change to be made, or having made a change or modification.

ANSWER NO. 10:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, Defendant responds as follows. Not applicable.

INTERROGATORY NO. 11:

After releasing the products listed in Interrogatory No. 6 to the public, were any test conducted on them to determine potential health hazards resulting from the use of or exposure to the materials, such as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products tested and the dates of such tests.
- B. The name, address, and job title of each person who conducted those tests.
- C. The results of those tests.
- D. Whether, as a result of the tests, any products were removed from the market.
- E. The names of all products removed from the market as a result of these tests.

ANSWER NO. 11:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, Defendant responds as follows. Although U.S. Mineral did not conduct medical research, the trade organization of which it was a member made a financial contribution to a research program at Mt. Sinai Hospital in the mid to late 1960's. U.S. Mineral did not conduct any health aspect studies of its asbestos-containing sprayed mineral fiber products believing that the air sampling tests based on then existing governmental standards indicated that safe levels of asbestos exposure existed except in close proximity to the spraying operation where

the use of suitable dust masks was always recommended. U.S. Mineral did retain William R. Bradley & Associates, Newark, New Jersey to conduct air sampling during the spraying of its asbestos containing CAFCO products. William R. Bradley & Associates conducted a series of tests sponsored by the Sprayed Mineral Fiber Manufacturers Association during the spraying of asbestos-containing mineral fiber products on an unknown date in 1966, 1/12/67, 3/1/67, 6/10/67 and 7/26/67. The tests reported dust levels that one in proximity to the spraying process would be exposed to if not protected by a dust mask or respirator. The 1966 test was conducted at two building construction sites. The 1/12/67 and 3/1/67 tests were conducted at U.S. Mineral's facility in Stanhope, New Jersey. The 7/26/67 test was conducted at a Smith & Kanzler facility. William Bradley and perhaps unknown assistants conducted the tests. There are reports summarizing the test results.

INTERROGATORY NO. 12:

Do any documents, including written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the potential health hazards of the products listed in Interrogatory No. 6 now exist? If so, state:

- A. The name of each product.
- B. A description of each document and how it relates to each product.
- C. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER NO. 12:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. This Defendant also objects to this request on the grounds that it is not limited in time or scope of inquiry and bears no relationship to Plaintiffs' claims. Without waiving this objection, Defendant responds as follows. Any and all relevant documents, to the extent that they may exist, will be produced for inspection and copying during regular business hours at its offices in Stanhope upon reasonable notice to its counsel.

INTERROGATORY NO. 13:

Did Defendant or any of its subsidiary companies make any design changes as a result of the tests discussed in your response to Interrogatories No. 10 or 13? If the answer is affirmative, state:

- A. The names of the products changed or modified.
- B. The name, address, and job title of each person responsible for having made a change or modification.
- C. The nature of the hazard or defect which resulted in such change or modification.

ANSWER NO. 13:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Further, the term "design changes" is vague, ambiguous and unclear without definition.

INTERROGATORY NO. 14:

Has Defendant or any of its predecessor or subsidiary companies at any time published or distributed any printed material, including brochures, pamphlets, catalogs, packaging or other written material or any kind or character containing any warnings concerning the possibility of injury resulting from the use of the asbestos-containing products listed in Interrogatory No. 6?

If so, state:

- A. The names of each relevant product.
- B. The exact wording of each warning statement on each printed material.
- C. A description of the printed material other than the warning statement.

- D. The method used to distribute the warning to persons likely to use the product.
- E. The date each warning was first issued, distributed, or placed on packaging.
- F. The name, address, and job title of each person responsible for having drafted or issued the warning.
- G. The current location of each such printed material and the custodian thereof.
- H. The form in which such literature or printed material can be accessed, i.e., the manner in which such literature is indexed or stored.

ANSWER NO. 14(a,b,c,d,e):

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, USM responds as follows:

Beginning in May, 1962, and continuing until asbestos was removed from the products, all asbestos-containing Cafco products manufactured by U.S. Mineral had the following warning on their bags:

CAUTION

This product contains asbestos. Inhalation of asbestos dust over long periods of time may be harmful. If employees are exposed to dust during use in application, those employees should be equipped with adequate personal protective devices."

In addition, for the entire period during which the asbestos-containing CAFCO products were manufactured, the application manual supplied to all contractors licensed by U.S. Mineral Products contained rules, advice, warnings, directives, instructions, and recommendations on the proper handling and application of U.S. Mineral Products, including instructions recommending the use of respiratory protection. USM further instructed its licensed applicators regarding ways to prevent and minimize dust and inhalation during its training sessions for said licensed applicators. Additionally, in 1968, USM began furnishing its licensed applicators with copies of the Sprayed Mineral Fiberal Manufacturers Association Code of Practices, which contained instructions on the application of asbestos-containing sprayed mineral fiberal products.

ANSWER NO. 14(f):

One of the participants in the decision was Milford Salny, Esq. (deceased).

ANSWER NO. 14(g):

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, USM responds as follows. The location of this printed material is in Stanhope, New Jersey at USM's offices and the custodian of records thereof is Paulette Kaminski.

ANSWER NO. 14(h):

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications.

INTERROGATORY NO. 15:

Before 1970, had you received notice that any individual or individuals, other than those Plaintiffs who have filed personal injury actions in Dallas County, Texas, is or are claiming or has or have claimed an injury as a result of using asbestos products manufactured and/or sold by your company or any of its predecessors or subsidiaries before 1970? If so, state:

- A. The name and address of each claimant.
- B. The date of notice of each claim.
- C. A description of the claim.
- D. The type of injuries allegedly sustained.

- E. The name and address of each attorney who represents each individual making a claim.
- F. The style and court number of each claim.
- G. The disposition of each claim that has been settled or taken to judgment.

ANSWER NO. 15:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. This Interrogatory is further objectionable in that its not limited in time or scope of inquiry moreover, it seeks information irrelevant to Plaintiff's claim. Without waiving these objections, USM responds as follows: to the best of this Defendant's knowledge, no.

INTERROGATORY NO. 16:

Were your asbestos products distributed, marketed, packaged, labeled and/or sold by companies other than your own? If the answer is affirmative, list the names and addresses of each of those companies, and the products in question.

ANSWER NO. 16:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, Plaintiffs have not alleged or produced evidence of an exposure to this product. U.S. Mineral entered into a private label agreement from 1964-1967 in which U. S. Mineral agreed to provide Johns-Manville with POWER-SHIELD relabeled with the Johns-Manville brandname "J Spray". This product was a spray insulation to be promoted, sold and applied by Johns-Manville. The product was manufactured by U. S. Mineral, place in bags containing the "J Spray" brandname, as well as U. S. Mineral's "Caution", and shipped F.O.B Stanhope, NJ to Johns-Manville. Additionally, U. S. Mineral sold its COMINCO All-Purpose Cement, also known as Ace Tite Cement or All Purpose Cement, to Empire Ace for resale in NY

and NJ.

INTERROGATORY NO. 17:

Did you or any of your predecessors, successors, or subsidiaries have any distributors or sales representatives or asbestos products in the State of Alabama, Florida, Mississippi, Oregon, Washington, Georgia, Tennessee, Texas and Virginia? If so, state:

- A. The name and address of each such distributor or sales representatives.
- B. The years in which such company or person distributed, marketed, or sold your products.
- C. What products were distributed, marketed, or sold and in what years.

ANSWER NO. 17:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, U.S. Mineral did not have any distributors of its asbestos-containing CAFCO products.

INTERROGATORY NO. 18:

List each employee (including only physicians and/or hygienists) who has acted in a medical advisory capacity to your company at any time during the past 40 years, including, but not limited to, physicians and industrial hygienists, and the current address, telephone number and job title of each of those individuals and who has, had or may have had any knowledge regarding the hazards of asbestos.

ANSWER NO. 18:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of

admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving this objection, U.S. Mineral states that it did not nor does it have any employee who acted in a medical advisory capacity.

INTERROGATORY NO. 19:

Does Defendant have in its possession any books, pamphlets, memoranda, or written materials of any kind or character that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings? If so, state:

- A. The name of each such publication.
- B. The date of publication and the names of the author and publisher (if any).
- C. The date received by Defendant, if known.
- D. The name, job title, and address of each person who currently has possession of each publication and its present location.

ANSWER NO. 19:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. This Defendant further objects to this request on the grounds that it is not limited in time or scope of inquiry and bears no relationship to Plaintiffs' claims. Without waiving this objection, any and all relevant documents, to the extent that they may exist, will be produced for inspection and copying during regular business hours at its offices in Stanhope upon reasonable notice to its counsel.

INTERROGATORY NO. 20:

Has Defendant or any of its subsidiary or predecessor companies at any time been a member of any trade organization or association that published or disseminated any documents or information relating to the hazards of asbestos comprised of other manufacturers, miners,

marketers, and/or sellers of asbestos products? If so, state:

- A. The name and address of each such association or organization.
- B. The dates during which Defendant or any of its subsidiaries or predecessors were members.
- C. The names and dates of any publications, minutes, or reports published, written, or disseminated by any of the named associations or organizations.
- D. Whether any of those publications are still in your possession, and if so:
 - 1. A description of the publications, including the date.
 - 2. The current location of such publications.
 - 3. The custodian of such publications.
 - 4. The method or manner in which such publications are maintained.

ANSWER NO. 20:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving these objections, USM responds as follows: Industrial Hygiene Foundation, now Industrial Health Foundation 1970-1973, and again in 1976; Thermal Insulations Manufacturer's Association 1972-1978 and again sometime thereafter to present; Sprayed Mineral Fiber Manufacturer's Association 1965 to in or around 1977; National Mineral Wool Manufacturer's Association, now Mineral Insulation Manufacturer's Association 1954 to present; and, American Society for Testing Materials 1954 to present.

Mr. James P. Verhalen and Mr. Frank Stumpf attended some meetings of the Sprayed Mineral Fiber Manufacturer's Association and for a time Mr. Verhalen was President of the Sprayed Mineral Fiber Manufacturer's Association.

Mr. James P. Verhalen attended some meetings of the Thermal Insulation Manufacturer's Association; Mr. Frank Stumpf attended some meetings of the American Society for Testing Materials; and Mr. James P. Verhalen and Mr. Frank Stumpf attended some

meetings of the National Mineral Wool Manufacturer's Association, and now Mineral Insulation Manufacturer's Association.

INTERROGATORY NO. 21:

Identify by name and location each plant or manufacturing facility in which the products listed in your answers to Interrogatory Nos. 3-6 were manufactured, assembled, or prepared for sale or marketing, specifying which plants produced each item, the dates each plant is or was in operation, and the time span during which each named item was produced or manufactured.

ANSWER NO. 21:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, U.S. Mineral Products Co., Stanhope, New Jersey.

INTERROGATORY NO. 22:

Have printed sales materials been prepared by Defendant or any of its subsidiary or predecessor companies or their agents for purposes of marketing or advertising products containing asbestos? If so, state:

- A. The name, address, and job title of each person or entity who prepared such materials.
- B. The name, address, and job title of each person who currently has possession of such materials and their present location.
- C. The date the materials were prepared.
- D. The media used to disseminate the sales materials.

ANSWER NO. 22:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Defendant further objects to this request on the grounds that it is not limited in time or scope of inquiry and bears no relationship to Plaintiffs' claims. Without waiving this objection, any and all relevant documents, to the extent that they may exist, will be produced for inspection and copying during regular business hours at its offices in Stanhope upon reasonable notice to its counsel.

INTERROGATORY NO. 23:

Have any written or printed materials or instructions of any kind or character been prepared by Defendant or any of its subsidiary or predecessor companies or their agents indicating how asbestos products should be used and maintained? If so, state:

- A. The name, address, and job title of each person who prepared such materials or instructions or assisted in their preparation.
- B. The name, address and job title of each person who currently has possession of such materials or instructions and their present location.
- C. The dates of distribution or use and the manner in which such materials or instructions were distributed to purchasers of Defendant's products or those of its subsidiaries or predecessors.
- D. The year each such written material or instruction was prepared and disclosed to potential consumers.

ANSWER NO. 23(a):

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further

objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, one of the participants in the decision was Milford Salny, Esq. (deceased).

ANSWER NO. 23(b,c,d):

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy and attorney/client privileges which consist of work product and/or party communications. Without waiving said objection, beginning in May, 1962, and continuing until asbestos was removed from the products, all asbestos-containing Cafco products manufactured by USM had the following warning on their bags:

CAUTION

This product contains asbestos. Inhalation of asbestos dust over long periods of time may be harmful. If employees are exposed to dust during use in application, those employees should be equipped with adequate personal protective devices."

In addition, for the entire period during which asbestos-containing CAFCO products were manufactured, the application manual supplied to all contractors licensed by USM products contained rules, advice, warnings, directives, and instructions, and recommendations on the proper handling and applications of USM products, including instructions recommending the use of respiratory protection. USM further instructed its licensed applicators regarding ways to prevent and minimize dust inhalation during its training sessions for said licensed applicators. Additionally, in 1968, USM began furnishing its licensed applicators with copies of the Sprayed Mineral Fiber Manufacturer's Association Code of Practices, which contained instructions on the application of asbestos-containing sprayed mineral fiber products.

INTERROGATORY NO. 24:

Does Defendant have insurance policies that might cover the claims made by Plaintiffs in these cases? If so, list the name of each insurance carrier, the amount of initial coverage, amount of coverage remaining at the present time, and the effective dates of each policy. (If properly answered, this Interrogatory need not be supplemented as to the remaining amount of

coverage.)

ANSWER NO. 24:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving these objections this Defendant states that since at least the 1950's U.S. Mineral has been insured for products liability and general liability with primary and excess coverage. These policies have been written by many companies in varying amounts at different times. Some or all of such policies may apply to claims asserted herein. Defendant refers Plaintiff to Exhibit "B" attached hereto, made a part hereof, and incorporated herein by reference.

INTERROGATORY NO. 25:

As to the disease asbestosis, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant became aware of the existence of the disease.
- C. Who within the company first discovered, recognized or understood the adverse consequences or effects of the disease and/or of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form.
- F. Who is the custodian of such information.
- G. The date of which you first received knowledge or information that asbestosis was caused by inhalation of asbestos fibers.

ANSWER NO. 25:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving these objections, USM responds as follows: USM cannot state when it first learned of an association between asbestos exposure and certain medical conditions. However, USM has been aware since the mid 1950's, that, in the absence of respiratory protection, long term exposure to heavy concentrations of airborne asbestos in an occupational setting could result in the disease known as asbestosis. So many years later, USM cannot identify the source of this information.

INTERROGATORY NO. 26:

As to the disease lung cancer, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and its relationship to asbestos exposure.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendants or its subsidiaries or predecessors in a written form.
- F. Who is the custodian of such information.
- G. the date on which you first received knowledge or information that lung cancer was caused by inhalation of asbestos dust and fibers.

ANSWER NO. 26:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving this objection, U.S. Mineral cannot identify exactly when or how it first received information that asbestos exposure was being associated with specific diseases. However, U.S. Mineral has been aware since the mid-1950's that in the absence of respiratory protection, long-term exposure to heavy concentrations of airborne asbestos in an occupational setting could result in a disease known as asbestosis and that it heard of studies regarding lung cancer and mesothelioma in the mid 1960's. A review of U.S. Mineral's documents reflects a letter from Herbert Levine dated April 11, 1966 to James P. Verhalen and others which enclosed an article entitled "Asbestos Exposure and Neoplasia".

INTERROGATORY NO. 27:

As to pleural disease, pleural thickening or pleural plaques, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and its relationship to asbestos exposure.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendants or its subsidiaries or predecessors in a written form.
- F. Who is the custodian of such information.

ANSWER NO. 27:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving this objection, U.S. Mineral cannot identify exactly when or how it first received information that asbestos exposure was being associated with specific diseases. However, U.S. Mineral has been aware since the mid-1950's that in the absence of respiratory protection, long-term exposure to heavy concentrations of airborne asbestos in an occupational setting could result in a disease known as asbestosis and that it heard of studies regarding lung cancer and mesothelioma in the mid 1960's. A review of U.S. Mineral's documents reflects a letter from Herbert Levine dated April 11, 1966 to James P. Verhalen and others which enclosed an article entitled "Asbestos Exposure and Neoplasia".

INTERROGATORY NO. 28:

As to the disease mesothelioma, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. The date on which Defendant first suspected that mesothelioma was caused by inhalation of asbestos dust and fibers.
- C. How Defendant or its subsidiary or predecessor became aware of the disease and its relationship to asbestos exposure.
- D. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- E. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendants or its subsidiaries or predecessors in a written form.

- G. Who is the custodian of such information.
- H. Whether Defendant agrees that there is no known medical cure for mesothelioma.

ANSWER NO. 28:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving this objection, U.S. Mineral cannot identify exactly when or how it first received information that asbestos exposure was being associated with specific diseases. However, U.S. Mineral has been aware since the mid-1950's that in the absence of respiratory protection, long-term exposure to heavy concentrations of airborne asbestos in an occupational setting could result in a disease known as asbestosis and that it heard of studies regarding lung cancer and mesothelioma in the mid 1960's. A review of U.S. Mineral's documents reflects a letter from Herbert Levine dated April 11, 1966 to James P. Verhalen and others which enclosed an article entitled "Asbestos Exposure and Neoplasia".

INTERROGATORY NO. 29:

As to gastro-intestinal cancer, laryngeal cancer, pharyngeal cancer or lymphatic cancer, state:

- A. The type of cancer and the date on which Defendant or its subsidiary or predecessor first learned that such diseases were caused by inhalation of asbestos fibers by humans.
- B. What cancers has the Defendant or its subsidiary or predecessor become aware can be caused by exposure to asbestos fibers?
- C. The date on which Defendant first suspected other cancers were caused by asbestos inhalation.
- D. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.

- E. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendants or its subsidiaries or predecessors in a written form.
- G. Who is the custodian of such information.

ANSWER NO. 29:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving this objection, U.S. Mineral cannot identify exactly when or how it first received information that asbestos exposure was being associated with specific diseases. However, U.S. Mineral has been aware since the mid-1950's that in the absence of respiratory protection, long-term exposure to heavy concentrations of airborne asbestos in an occupational setting could result in a disease known as asbestosis and that it heard of studies regarding lung cancer and mesothelioma in the mid 1960's. A review of U.S. Mineral's documents reflects a letter from Herbert Levine dated April 11, 1966 to James P. Verhalen and others which enclosed an article entitled "Asbestos Exposure and Neoplasia".

INTERROGATORY NO. 30:

Does Defendant contend that asbestos products can be manufactured or designed so as to eliminate all potential health hazards to persons working with or exposed to them? If the answer is affirmative, explain in detail, and attach any studies or surveys on which this answer is based.

ANSWER NO. 30:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party

communications. Further, the phrase "potential health hazards to persons working with or exposed to them" is unclear without definition. This Interrogatory requires speculation as to the various methods of use that may have been utilized by unknown persons in the past. Without waiving these objections, U.S. Mineral responds as follows: Adherence to U.S. Mineral's instructions for application and/or observance of the warning printed on bags of asbestos-containing CAFCO products would protect a worker from inhalation of asbestos dust or fibers.

INTERROGATORY NO. 31:

Describe in detail the types of packages or packaging which Defendant or any of its subsidiary or predecessor companies used for asbestos material or products, listing the dates each type of package was used, a physical description of each type of package, and providing a description of any printed material or trademarks that appeared thereon.

ANSWER NO. 31:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, Defendant responds as follows. U.S. Mineral's asbestos-containing CAFCO products were packaged in multi-wall Kraft bags weighing 50 pounds each, containing the printed trade name, application instructions and beginning in May, 1962, the following warning was printed on all bags of asbestos-containing CAFCO products:

CAUTION

This product contains asbestos. Inhalation of asbestos dust over long periods of time may be harmful. If employees are exposed to dust during use in application, those employees should be equipped with adequate personal protective devices."

INTERROGATORY NO. 32:

Has Defendant or any of its subsidiary or predecessor companies at any time entered into a "rebranding" agreement with any other company, either as buyer or seller, concerning asbestos materials or asbestos products? If so, state, as to each such agreement:

- A. The name of the company manufacturing the asbestos products.
- B. The trade name affixed to those products.
- C. The periods of time covered by each such agreement.
- D. The volume, in dollar amount, of each transaction.
- E. The initial purchaser of the products.

ANSWER NO. 32:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Further, Plaintiff has not alleged or produced evidence of an exposure to this product. Without waiving this objection, U. S. Mineral states as follows: U. S. Mineral entered into a private label agreement from 1964-1967 in which U. S. Mineral agreed to provide Johns-Manville with POWER-SHEILD relabeled with the Johns-Manville brandname "J Spray". This product was a spray insulation to be promoted, sold and applied by Johns-Manville. The product was manufactured by U. S. Mineral, place in bags containing the "J Spray" brandname, as well as U. S. Mineral's "Caution", and shipped F.O.B Stanhope, NJ to Johns-Manville. Additionally, U. S. Mineral sold its COMINCO All-Purpose Cement, also known as Ace Tite Cement or All Purpose Cement, to Empire Ace for resale in NY and NJ.

INTERROGATORY NO. 33:

List the name and address of each company from which Defendant or its subsidiary or predecessor purchased materials or asbestos products which Defendant sold or distributed in any form, stating the form of the materials, the dates of such purchases, and the ultimate disposal

of such materials.

ANSWER NO. 33:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving this objection, U.S. Mineral responds as follows: The mining and milling concern from which this Defendant purchased a vast majority of its raw asbestos fiber was Johns-Manville. Upon information and belief, minor quantities of raw asbestos may have been obtained from Carey Canada, Inc., Lake Asbestos of Quebec, Ltd., and Asbestos Corporation of America.

INTERROGATORY NO. 34:

Does Defendant or any of its subsidiaries or predecessor currently have possession of any writings or contracts on those rebranding agreements set forth in the answer to Interrogatory No.

32. If the answer is affirmative, state:

- A. The name, address, and job title of each person having custody of each of those documents and their current location.
- B. A brief description of each such document, including the dates and the parties signatory.

ANSWER NO. 34:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, due to the passage of time, no such documents have been located. Investigation continues. If such documents are located they will be provided to Plaintiffs' counsel.

INTERROGATORY NO. 35:

Prior to 1968, did any person file a claim against a Worker's Compensation carrier covering Defendant or any of its subsidiaries or predecessors alleging that he/she contracted a disease from inhaling asbestos fibers? If so, provide:

- a. A list of the claims, including each claimant's name, address and the date each claim was filed, and including the caption and jurisdiction of the claim.
- B. The disease alleged in each such claim.
- C. A brief summary of the disposition of each such claim.
- D. The name, address and title of the person having custody of the records pertaining to each such claim.

ANSWER NO. 35:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving this objection, U.S. Mineral states that no person filed a Worker's Compensation claim against it or any of its subsidiaries or predecessors prior to 1968 alleging that he/she contracted a disease from inhaling asbestos fibers.

INTERROGATORY NO. 36:

Did Defendant or any of its subsidiaries or predecessors maintain written minutes of corporate meetings, either board of directors, departmental, or otherwise, which reflect discussions pertaining to any subject matter related to asbestos, asbestos health hazards or asbestos products? If so, for each such set of minutes, state:

- A. The dates of each such meeting.
- B. The general subject matter discussed at each meeting.

- C. Who was in attendance at each meeting.
- D. Where and by whom the written minutes are presently maintained.

ANSWER NO. 36:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving this objection, U.S. Mineral states no such written minutes of corporate meetings reflecting discussions pertaining to asbestos health hazards exists.

INTERROGATORY NO. 37:

Do you or any of your subsidiaries, including foreign business entities, currently manufacture any products containing asbestos? If so, state:

- A. As to each product, whether such product is mined, manufactured, and/or marketed or sold.
- B. The names and addresses of the companies mining, manufacturing, marketing, and/or selling each of those products.
- C. The trade or brand name of each of those products mined, manufactured, marketed, and/or sold.
- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product.
- F. A description of the physical appearance of each product and its packaging.
- G. A detailed description of the intended uses of each of the named products.

H. Whether there are any warning labels on said products or containers regarding potential asbestos-related health hazards.

ANSWER NO. 37:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving this objection, this Defendant ceased the sale of asbestos containing Cafco products in 1972.

INTERROGATORY NO. 38:

State whether you or any of your predecessors and/or subsidiaries maintain, from 1940 through the present or for any portion thereof, copies of invoices, shipping documents, bills of lading, purchase orders, or other documents of a similar nature relating to the mining, manufacture, marketing, sale or distribution of asbestos products. If so, state:

- A. The location of such documents.
- B. The name and address of the custodian of the documents.
- C. The format in which the documents are kept, i.e., hard copy, microfilm, microfiche, etc.
- D. In what form the documents can be accessed, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.

ANSWER NO. 38:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Defendant further objects to this request in that it is not limited in time

or scope of inquiry and bears no relationship to Plaintiffs' claims. Without waiving this objection, any and all relevant documents that reflect shipment of asbestos-containing CAFCO products to relevant jobsites in Texas, to the extent that they may exist, will be produced for inspection and copying during regular business hours at its offices in Stanhope upon reasonable notice to its counsel.

INTERROGATORY NO. 39:

May you call company representatives as witnesses at the trial of any of these cases? If so, list:

- A. The name, address, and job title of each company representative who may be called.
- B. A summary of the testimony expected to be given by each such witness.
- C. List any and all previous times that the named witnesses have either given deposition or trial testimony in an asbestos-related case, including the jurisdiction, style of the case, case number, date of testimony, and the name of the attorney taking the deposition for the Plaintiffs in that case.

ANSWER NO. 39:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. This request is further objectionable in that it involves privileged and confidential work product trial strategy. Subject to the foregoing objection, this Defendant has not yet determined what corporate representatives they expect to call at trial in this action. In addition, USM reserves the right to call the following as corporate representatives at the trial of this cause:

- 1. Mr. James P. Verhalen, U.S. Mineral Products Co., Furnace Street, Stanhope, New Jersey, 07874.

Mr. Verhalen is Chairman of the Board of U.S. Mineral Products Co. and may testify regarding the current and historical operations of the company.

Additionally, Mr. Verhalen may testify regarding the various products manufactured by U.S. Mineral Products Co. Specifically, Mr. Verhalen may testify regarding the packaging, appearance, chemical makeup, application methods and other aspects of the various products manufactured by U.S. Mineral Products Co.

2. Paulette A. Kaminski, U.S. Mineral Products Co., Furnace Street, Stanhope, New Jersey, 07874.

Ms. Kaminski is the custodian of U.S. Mineral Products Co.'s records pertaining to asbestos-containing CAFCO products. Specifically, Ms. Kaminski will testify regarding U.S. Mineral's sales of asbestos-containing products, as reflected in the records and may authenticate documents as being kept in the ordinary course of business by USM.

Further, USM reserves the right to call additional corporate representatives at the time of trial in this cause.

INTERROGATORY NO. 40:

Have Defendant or its subsidiaries or predecessors ever acquired through purchase, reorganization, or merger another corporation, company, or business which manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos? If so, for each such entity, state:

- A. Full and correct name;
- B. Principal place of business;
- C. State of incorporation;
- D. Date of acquisition by Defendant;
- E. Whether or not the business entity was ever authorized to transact business in the State of Texas;

ANSWER NO. 40:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving this objection, not applicable.

INTERROGATORY NO. 41:

Was each of your asbestos products generally expected to reach, or packaged to reach, the consumer or user, without substantial change in the condition in which it was sold? If not, with respect to any such product, explain in what way the Defendant claims its products were altered or substantially changed after sale or distribution and before reaching the user.

ANSWER NO. 41:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving these objections, USM believes that the products were not expected to be altered before reaching the consumer.

INTERROGATORY NO. 42:

For each asbestos-containing product identified in response to Interrogatory No. 6, identify all foreseeable users such as insulators, helpers, pipefitters, welders, machinists, plasterers, drywall finishers, carpenters, boilermakers, shipwrights and riggers, etc. of any of Defendant's asbestos-containing products.

ANSWER NO. 42:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving these objections, U.S. Mineral believes that foreseeable users of its asbestos-containing CAFCO products were employees of its licensed contractors, usually members of the plastering trade, who were trained by U.S. Mineral in the proper handling and application of these products.

INTERROGATORY NO. 43:

Based upon the material contents of your asbestos-containing products, the method of manufacturing, and the method of application, can such products be generally applied without liberating asbestos fibers into the air?

- A. If there is a different answer concerning different products manufactured, sold, distributed, or used by your company, then specify the different products by precise manufacturer's name and popular name.
- B. If there is a difference in your answer depending on the year or years in which a particular product was used, then specify in detail what year or years you are referring to and the specific products you are referring to and year involved.

ANSWER NO. 43:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. USM objects to this Interrogatory on the basis that it is overly broad and vague, and misleading inasmuch as it requires this Defendant to assume the various "methods of use" made by the numerous persons in the past. USM further objects to the misleading nature of the Interrogatory in that it is just a legal standard which requires no fiber liberation rather than the applicable Texas standard of reasonable or unreasonable

dangers. This question is further objectionable due to the fact that the term "liberating" is undefined and, therefore, is vague and ambiguous.

INTERROGATORY NO. 44:

Was it a foreseeable use of your asbestos-containing products that they may have been removed, stripped, or replaced at some time after installation?

ANSWER NO. 44:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Further, this Interrogatory calls for speculation. It is vague, ambiguous and unclear, moreover, it seeks information irrelevant to Plaintiffs' claims.

INTERROGATORY NO. 45:

Before 1970, did you or your subsidiaries or predecessor(s) ever arrange for any labor inspectors, insurance company inspectors or anyone from your company to go to job sites where your products were being used or installed to make or take dust level counts? If so, state when this procedure started, the purpose of such procedures, and all results of such procedures.

ANSWER NO. 45:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said Objection, Defendant responds as follows: William R. Bradley & Associates, Newark, New Jersey conducted a series of tests sponsored by the Sprayed Mineral Fiber Manufacturers Association during the spraying of asbestos-containing mineral fiber products on an unknown date in 1966, 1/12/67, 3/1/67, 6/10/67 and 7/27/67. The tests report dust levels that one in proximity to the spraying process would be exposed to if not protected by a dust mask or respirator. The 1966 test was conducted at two building construction sites. The 1/12/67 and 3/1/67 tests were conducted at U.S. Mineral's facility in Stanhope, New Jersey. The 7/26/67 test

was conducted at a Smith & Kanzler facility. William Bradley and perhaps unknown assistants conducted the tests. There are reports summarizing the test results.

INTERROGATORY NO. 46:

If Defendant performed or had performed any dust level counts, what action, based on the results, did your company take?

ANSWER NO. 46:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said Objection, Defendant responds as follows: In the final test run by William R. Bradley & Associates, based on the water flow to fiber ratio and the nozzle used, it was determined that the then existing Threshold Limit Value was not exceeded. However, U.S. Mineral continued to recommend the use of respiratory protection approved by the U.S. Bureau of Mines to all workmen in the spray area.

INTERROGATORY NO. 47:

Has your company or its subsidiaries or predecessor(s) ever conducted or caused to be conducted any studies designed to assist in minimizing or eliminating the inhalation of asbestos dust and fibers by those exposed to the use of your company's products? If so, give the following:

- A. Name of the person or firm conducting such studies;
- B. The date the studies began and the date they were completed;
- C. Any publication or other written dissemination of the results of the studies;
- D. The nature of any action to eliminate or minimize the inhalation of asbestos dust fibers;

ANSWER NO. 47:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving these objections, U.S. Mineral responds as follows: Adherence to U.S. Mineral's instructions for application and/or observance of the warning printed on bags of asbestos-containing CAFCO products would protect a worker from inhalation of asbestos dust or fibers.

INTERROGATORY NO. 48:

Does your company have, has it ever had, or have your predecessor(s) or subsidiaries ever had, a Research Department? If so, give the year such Research Department was established, and whether or not such Research Department has operated continuously since being established. State also:

- A. The amount of time and money expended each year on research concerning asbestos or asbestos-containing products?
- B. What percentage of gross sales did your company or its predecessor(s) spend on research concerning the health effects of asbestos?
- C. State in detail the purposes, duties, and responsibilities of such Research Department.

ANSWER NO. 48:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving these objections, U.S. Mineral states as follows: during the years 1954-1972, U.S. Mineral's Research Department was responsible for the development and improvement of spray applied mineral fiber products.

INTERROGATORY NO. 49:

Does your company have, or has it ever had, or have your predecessor(s) or subsidiaries ever had, a Medical Department? If so, state:

- A. The year such Medical Department was established;
- B. Whether or not such Medical Department has operated continuously since being established;
- C. The name of each director, chief, or head of your Medical Department year by year, beginning with the first year you had a Medical Doctor or Medical Department, and the last known address and phone number of each;
- D. State the duties and responsibilities of such Medical Department.

ANSWER NO. 49:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving these objections, U.S. Mineral states as follows: This Defendant does not nor did it ever have a medical department.

INTERROGATORY NO. 50:

Did your company or its predecessor(s) or subsidiaries ever place any warning directly on any of its asbestos-containing product or on their packaging. If so, identify the product(s) and year said warning was first applied.

ANSWER NO. 50:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the

principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said Objection, Defendant responds as follows: U.S. Mineral's asbestos-containing CAFCO products were packaged in multi-wall Kraft bags weighing 50 pounds each, containing the printed trade name, application instructions and beginning in May, 1962, the following warning was printed on all bags of asbestos-containing CAFCO products:

CAUTION

This product contains asbestos. Inhalation of asbestos dust over long periods of time may be harmful. If employees are exposed to dust during use in application, those employees should be equipped with adequate personal protective devices."

In addition, for the entire period during which asbestos-containing products were manufactured, the application manual supplied to all contractors licensed by USM contained rules, advice, warnings, directives, and instructions, and recommendations on the proper handling and applications of USM products, including instructions recommending the use of respiratory protection. USM further instructed its licensed applicators regarding ways to prevent and minimize dust inhalation during its training sessions for said licensed applicators. Additionally, in 1968, USM began furnishing its licensed applicators with copies of the Sprayed Mineral Fiber Manufacturer's Association Code of Practices, which contained instructions on the application of asbestos-containing sprayed mineral fiber products.

INTERROGATORY NO. 51:

Did your company or its predecessor(s) or subsidiaries ever stamp or place the name of the company, its initials, or any identifying logo on any of its asbestos-containing products? If so, please state the name brand names of such products, a description of such stamp or logo and the dates such were placed on the referred products.

ANSWER NO. 51:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, yes. See picture of CAFCO bag attached as Exhibit "C."

INTERROGATORY NO. 52:

Has your company, or your predecessor(s) or subsidiaries, ever devised a research plan to develop, or actually developed or had developed, a product which did not contain asbestos and which could be substituted for one or more of your asbestos-containing products? If so, state the date that such research plan was begun and when such asbestos-free product was first placed on the market.

ANSWER NO. 52:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, yes. The products listed in Exhibit A were altered and modified to remove all asbestos during 1969 and 1970, except for Cafco Sound Shield which was manufactured free of asbestos beginning in 1965 and thereafter was known as Cafco Sound Shield 85. In 1965, this Defendant introduced Cafco Blaze Shield Type D which contained lesser amounts of the asbestos with increased minor content and density. During 1970, this Defendant's products were manufactured in an asbestos-free form and were known as Cafco Blaze Shield C/F, Cafco Heat Shield C/F, Cafco Power Shield C/F and Cafco Blaze Shield Type D C/F. This Defendant altered and modified its products due to market demand. This Defendant ceased the sale of asbestos-containing Cafco products in 1972.

INTERROGATORY NO. 53:

Did your company or its predecessor(s) or subsidiaries ever recall any products containing asbestos from the market or stream of commerce? If so, state:

- A. All details of such recall;
- B. The name of the product recalled, including the reason for the recall and the names and current addresses of those individuals who determined that it should take place;

- C. The dates of recall;
- D. The purpose for the recall.

ANSWER NO. 53:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving these objections, U.S. Mineral states as follows: No.

INTERROGATORY NO. 54:

Before 1970, did you ever manufacture or sell products which did not contain asbestos and which could be substituted for your asbestos-containing products? If so, state the date such asbestos-free products were first placed on the market.

ANSWER NO. 54:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, yes. The products listed in Exhibit "A" were altered and modified to remove all asbestos during 1969 and 1970, except for Cafco Sound Shield which was manufactured free of asbestos beginning in 1965 and thereafter was known as Cafco Sound Shield 85. In 1965, this Defendant introduced Cafco Blaze Shield Type D which contained lesser amounts of the asbestos with increased minor content and density. During 1970, this Defendant's products were manufactured in an asbestos-free form and were known as Cafco Blaze Shield C/F, Cafco Heat Shield C/F, Cafco Power Shield C/F and Cafco Blaze Shield Type D C/F. This Defendant altered and modified its products due to market demand. This Defendant ceased the sale of asbestos-containing Cafco products in 1972.

INTERROGATORY NO. 55:

Have any products you identified in your response to Interrogatory Nos. 52 and 54 not performed as intended? Please list all such products that have not performed as intended.

ANSWER NO. 55:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Further, Objection is made to the term "not performed as intended" it is vague, ambiguous, and unclear without definition.

INTERROGATORY NO. 56:

Did your company or its predecessor(s) or subsidiaries ever make, order, or arrange for any industrial hygiene surveys regarding asbestos or asbestos-containing dust? If so, give the date of such surveys and state who, or what entity, was responsible for completion of such surveys.

ANSWER NO. 56:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, Defendant responds as follows: William R. Bradley & Associates, Newark, New Jersey conducted a series of tests sponsored by the Sprayed Mineral Fiber Manufacturers Association during the spraying of asbestos-containing mineral fiber products on an unknown date in 1966, 1/12/67, 3/1/67, 6/10/67 and 7/27/67. The tests report dust levels that one in proximity to the spraying process would be exposed to if not protected by a dust mask or respirator. The 1966 test was conducted at two building construction sites. The 1/12/67 and 3/1/67 tests were conducted at U.S. Mineral's facility in Stanhope, New Jersey. The 7/26/67 test was conducted at a Smith & Kanzler facility. William Bradley and perhaps unknown assistants conducted the tests. There are reports summarizing the test results.

INTERROGATORY NO. 57:

As to either the threshold limit values or maximum allowable concentrations of both asbestos dust and total dust provided by the American Conference of Governmental Industrial Hygienists, state:

- A. The year in which Defendant or any predecessor(s) or subsidiaries were first advised of such limits or concentrations;
- B. The name of the employee or official of the company receiving such advice;
- C. How Defendant received notice of such limits or concentrations.

ANSWER NO. 57:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving these objections, U.S. Mineral responds as follows: The specifics regarding when, how and who first learned of the threshold limit values provided by the American Conference of Governmental Industrial Hygienists are not known. Such knowledge would appear to have been acquired by 1966 and possibly earlier.

INTERROGATORY NO. 58:

Were the threshold limit values or maximum allowable concentrations inquired about in Interrogatory No. 63 for total dust, and not asbestos dust alone?

ANSWER NO. 58:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving these objections, U.S. Mineral responds as follows:

the Threshold Limit Values set by the American Conference of Governmental Industrial Hygienists stated that a worker could be exposed to five million particles per cubic foot of dust containing asbestos over a lifetime of working eight hours per day.

INTERROGATORY NO. 59:

State in detail what tests, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using, working with or around, or installing your asbestos-containing products.

ANSWER NO. 59:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving said objection, U. S. Mineral responds as follows: beginning in December, 1966 and continuing through August, 1967, U. S. Mineral as a member of SMFMA, participated in a series of tests conducted by William R. Bradley & Associates to determine the dust levels that one in proximity to the spraying process would be exposed to if not protected by a dust mask or respirator. Additionally, USM's product was tested in 1966 for compliance with the TLV by the Industrial Commission of Ohio, the Division of Safety and Hygiene. In January of 1967, the Florida State Board of Health tested USM's asbestos-containing CAFCO spray products and concluded that the asbestos dust levels were more of a nuisance than a potential health hazard. There are reports summarizing these tests.

INTERROGATORY NO. 60:

Please state the following with respect to each expert witness you that you may call during trial of these cases. Please designate with specificity the expert witnesses that you will call, including:

- (a) The name, address, and job classification of each such expert witness;
- (b) The subject matter on which the expert is expected to testify;

- (c) The substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion;
- (d) Whether any person identified in subparagraph (a) above has provided a report or other documentation to you, and if so, identify each such document or report;
- (e) Identify all documents that you have provided to each person identified in response to subparagraph (a) above;
- (f) Describe in detail the education and work history of, and identify any books, treatises, articles, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to subparagraph (a) above. Alternatively, in lieu of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answers.

ANSWER NO. 60:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Further, the identity, mental impressions, and opinions of non-testifying experts who have been informally consulted or retained in anticipation of litigation or to prepare for trial and anything they have reviewed and prepared is exempt from discovery. Without waiving this objection, this Defendant has not yet determined what expert witnesses it expects to call at trial of this action. U.S. Mineral products Company reserves the right to call any witnesses listed by the Plaintiffs or any Defendant (including Defendants that may be dismissed from the case before trial), and hereby incorporates by reference a list of expert witnesses designated by Plaintiffs and other Defendants. In addition, U.S. Mineral Products Co. reserves the right to call the following as expert witnesses at the trial of this cause.

1. Mr. James P. Verhalen, U.S. Mineral Products Company, 41 Furnace Street, Stanhope, New Jersey 07874

Mr. Verhalen is the Chairman of the Board of U.S. Mineral Products Company and may testify regarding the current and historical operations of the company. Additionally, Mr. Verhalen may testify regarding the various products manufactured by U.S. Mineral Products Company. Specifically, Mr. Verhalen may testify regarding the packaging, appearance, chemical makeup, application methods and other aspects of the various products manufactured by U.S. Mineral Products Company. Mr. Verhalen will testify about the "state of the art" i.e. facts known and not known at various times throughout the 1950's, 60's and 70's.

2. Dr. Eric Chatfield, 2071 Dickson Road, Mississauga, Ontario, Canada

Dr. Chatfield will testify regarding airborne levels of asbestos fibers and the development an use of technology to measure airborne levels of asbestos fibers. Additionally, Dr. Chatfield will testify regarding the history of regulations and standards for asbestos fiber levels. He may also testify regarding analytical methods employed by Plaintiff's experts for quantification of asbestos fibers.

3. Dr. John E. Craighead, Department of Pathology, University of Vermont, College of Medicine, Burlington, Vermont 05405

Dr. Craighead is a pathologist specializing in the effects of minerals on the human body, including the biological effects of asbestos. Dr. Craighead will testify regarding the relationship between the inhalation of different types and levels of asbestos fibers and lung cancer and mesothelioma. Additionally, he is expected to testify regarding the biological effects of asbestos on humans and animals. Specifically, Dr. Craighead will opine that the mere presence of asbestos-containing materials in buildings is not a health hazard and that low levels of exposure to asbestos do not present an increased risk of lung cancer and mesothelioma to building occupants. He is expected to further opine that there is a lack of epidemiological proof showing a causal connection between levels of asbestos commonly found in ambient air and disease. In addition, Dr. Craighead is expected to testify that processed chrysotile does not cause mesothelioma, regardless of the concentrations found.

4. Dr. Janet Hughes, Tulane Medical Center, 1700 Perdido Street, New Orleans, Louisiana 70112

Dr. Hughes will testify regarding the quantitative assessment of both relative and comparative risks and the epidemiological data upon which such assumptions are based. She is also expected to testify regarding the methodology of risk assessment. Specifically, Dr. Hughes is expected to discuss the estimates of potential lifetime cancer risk from airborne asbestos fibers in the buildings at issue and compare those risks with other encountered risks. She will opine that the risks for this exposure is low in comparison to risks for other activities.

5. Dr. Richard Lee, F.J. Lee Group, Inc., 350 Hochberg Road, Monroeville, Pennsylvania 15146

Dr. Lee is a microscopist, materials analyst, and theoretical physicist. He may testify about the development of scientific knowledge and techniques regarding the measurement of levels of asbestos in the air of buildings. He may testify about the development and use of scientific technology and techniques for measuring asbestos in both air and material samples. He may also testify about the standards and methods used for air sampling during the time periods at issue in this case as well as the reported levels of asbestos in buildings and in the ambient air. Dr. Lee may also testify about the current methodologies for electron microscopy, and about the methodology and techniques utilized by Plaintiff's experts. He may also testify about the history of standards governing asbestos exposure. Dr. Lee may testify regarding levels of asbestos found in all types of buildings and in outdoor air, and about his laboratory work in analyzing and producing bodies of air sampling data for EPA and other governmental and private entities. He may testify about his analysis of samples taken in an ongoing nationwide study of airborne levels in buildings. He may testify about his analysis of air samples taken in an EPA-sponsored study in Texas. He may opine that concentrations of asbestos fibers in buildings containing asbestos-containing materials are extremely low, and are comparable to levels in ambient outdoor air we all breathe. He may testify about mineralogy, including work he has done in analyzing minerals other than asbestos. He may testify about "settled dust" analyses based on his own tests or those of others. He may opine that analyses of "settled dust" do not produce reliable quantifications of asbestos structures in dust. He may opine that analyses of settled dust samples do not offer data relevant to a determination of the amount of asbestos in the air. He may explain the lack of significance of the data generated by "settled dust" analyses in light of governmental definitions of asbestos-containing materials. Dr. Lee may testify regarding any experts, including their laboratory protocol, and in light of EPA and OSHA methods and regulations.

6. Dr. J. Bernard L. Gee, Yale University School of Medicine, Department of Internal Medicine, 333 Cedar Street, LMP 5038, New Haven, Connecticut 06510

Dr. Gee, a pulmonologist, will testify concerning the etiology of asbestos-related diseases and the history and development of scientific knowledge of asbestos-related disease. He will describe different types of asbestos fiber and their relationship, if any, to disease. He will compare the risk from this type of exposure to risks from other sources.

7. Dr. Hans Weill, Tulane Medical Center, 1700 Perdido Street, New Orleans, Louisiana 70112

Dr. Weill will testify regarding all facts of asbestos-related disease including policy making, medical knowledge, epidemiology, risk assessment, respiratory system functioning, physiology, and other subjects. He may also comment on any fiber release testing or "settled dust" analyses by Plaintiffs' witnesses. Dr. Weill will opine that the mere presence of asbestos-containing material in buildings does not pose a health hazard and that low levels of exposure of building occupants to asbestos-containing material does not pose an increased risk of lung cancer or mesothelioma.

Dr. Weill will also testify regarding his epidemiological studies as well as those of others and will state that there is a lack of epidemiological proof showing causal connection between levels of asbestos commonly found in ambient air and disease. Dr. Weill will opine that the risk of disease associated with exposure to amphiboles is greater than the risk of disease associated with exposure to chrysotile.

8. Dr. Tom Howard, Osler Medical Center, Suite 300, 930 S. Harbor City Melbourne, Florida 32901 (407) 725-5050.
9. Dr. Steven Levin, Department of Environmental Medicine, Mt. Sinai Medical School, One Gustave Levy Place, New York, New York, will testify as a physician on the Plaintiff's past and/or present medical condition.
10. Dr. Paul Harford, 1301 West 38th St., Suite 600, Austin, Texas 78705 will testify as a physician on Plaintiffs' past and/or present medical condition.
11. Dr. Martin Lewis, Palms of Pasadena Hospital, 1501 Pasadena Avenue South, St. Petersburg, Florida, will testify as a physician on Plaintiffs' past and/or present medical condition.
12. Dr. David H. Groth, 8953-C Harper Points Drive, Cincinnati, Ohio 45249, will testify as a physician on Plaintiffs' past and/or present medical condition.
13. Dr. John D. McAllister, deceased, by deposition will testify as a physician on Plaintiffs' past and/or present medical condition.
14. Dr. Richard Gaze, deceased, by deposition will testify as a physician on Plaintiffs' past and/or present medical condition.
15. Dr. Jeffrey L. Levin, Chief Occupational Medicine, University of Texas Health Science Center, P. O. Box 2003, Tyler, Texas, will testify as a physician on Plaintiffs' past and/or present medical condition.

16. Dr. Joanne Pizzino, University of Texas Health Science Center, P. O. Box 2003, Tyler, Texas will testify as a physician on Plaintiffs' past and/or present medical condition.
17. Dr. Thomas Kurt, 3645 Stratford, Dallas, Texas, will testify as a physician on Plaintiffs' past and/or present medical condition.
18. Dr. William I. Christensen, Chairman, Lovelace Occupational Medicine, 5655 Jefferson Street, N.E., Albuquerque, New Mexico, will testify as a physician on Plaintiffs' past and/or present medical condition.
19. Dr. Elliot McCaughey, The Canadian Tumor Reference Center, Clinic Studies Unit Building, 60 Ruskin Avenue, Ottawa, Ontario, Canada, K1y 4M9 will testify as a physician on Plaintiffs' past and/or present medical condition.
20. Dr. Kenneth Wallace Smith, deceased, by deposition.
21. Dr. Harry Demopoulos, pathologist, 550 First Avenue, New York, New York.
22. Dr. H. Corwin Hinshaw (by deposition), retired Emeritus Professor of Medicine at the University of California School of Medicine, P.O. Box 546, Belvedere, California 94920.
23. Dr. Edward A. Gaensler, Boston University Medical Center, 80 East Concord Street, Boston, Massachusetts 02118.

Drs. Weill, Demopoulos, Hinshaw, Howard, and Gaensler, if called to testify, are expected to provide testimony in the following areas:

- a. Anatomy and function of the respiratory and circulatory system;
- b. The nature of asbestos;
- c. The symptomatology, disease process and diagnosis of asbestos and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- d. The nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- e. The effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system;

- f. Methods of diagnosis of various diseases particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- g. Incidence of lung cancer among individuals with asbestosis, compared with non-asbestotic asbestos workers and with the general population;
- h. Cigarette smoking and its effect on the lung;
- i. The relationship of cigarette smoking to cancer of the lung and cancers of other sites with reference to epidemiological studies and physiologic effect;
- j. Difference between impairment and disability;
- k. Effect of asbestosis on disability and life expectancy;
- l. The lack of a relationship between presence of pleural plaques and a later development of any form of cancer; and
- m. The history of evolution and knowledge of asbestos-related diseases.

It is also expected that Drs. Weill, Demopoulos, Hinshaw, Gaensler, and Howard will testify that the medical community became aware that insulators with prolonged intense exposure might be at risk for asbestos-related diseases in the late 1960's or early 1970's. Drs. Hinshaw, Weill, Demopoulos, and Gaensler will not testify concerning the diagnosis or physical condition of these particular Plaintiffs.

- 24. Dr. R. Keith Wilson, Respiratory Consultants of Houston, 6535 Fannin, Fondren Building, Houston, Texas 77030.
- 25. Dr. Peter Heidbrink, a board certified pulmonary specialist at Southwest Pulmonary Associates, St. Paul Professional Building #2, 5959 Harry Hines Boulevard, Suite 711, Dallas, Texas 75235.
- 26. Dr. George Delclos, Pulmonary Section F907, Methodist Hospital, 6565 Fannin, Houston, Texas.
- 27. Dr. Gregory Foster, North Texas Pulmonary Associates, 375 Municipal Drive, Suite 140, Richardson, Texas 75080.
- 28. Dr. Paul M. Stevens, a board certified pulmonary disease specialist and Professor of Medicine at the Baylor College of Medicine in Methodist Hospital in Houston, Texas.

Drs. Stevens, Wilson, Heidbrink, Delclos, and Foster will testify concerning his examination and diagnosis of the physical condition of the particular Plaintiffs. It is expected that Drs. Wilson, Heidbrink, Stevens, Delclose, Foster and Garcia will testify that the Plaintiffs do not have asbestosis and will further testify concerning the overall condition and the relationship of that condition, if any, to Plaintiff's exposure to asbestos. Each doctor will also testify concerning the following areas:

- a. Anatomy and function of the respiratory and circulatory systems;
- b. The nature of asbestos;
- c. The symptomatology, disease process and diagnosis of asbestos and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- d. The nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- e. The effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system;
- f. Methods of diagnosis of various diseases particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other government warnings, smoking, and some areas of state-of-the-art.
- g. Incidence of lung cancer among individuals with asbestos, compared with non-asbestotic asbestos workers and with the general population;
- h. Cigarette smoking and its effect on the lung;
- i. The relationship of cigarette smoking to cancer of the lung and cancers of other sites with reference to epidemiological studies and physiologic effect;
- j. Difference between impairment and disability;
- k. Effect of asbestosis on disability and life expectancy;
- l. The lack of a relationship between presence of pleural plaques and a later development of any form of cancer.

29. Dr. Elliott Hinkes, a board certified oncologist and hematologist at 301 North Prairie Avenue, Suite 311, Inglewood, California 90301. Dr. Hinkes will testify concerning the relationship of asbestos and smoking to the development of cancer. Dr. Hinkes will also testify concerning the incidence of lung cancer among individuals with asbestosis or exposure to asbestos-containing insulation products.
30. Dr. Keith Morgan, who will testify on state-of-the-art and the Saranac papers, to the effect that the Defendants could not have known and users were at risk until approximately the late 1960's.
31. Dr. Forde A. McIver, Pathology Associates, P.A., 135 Rutledge Avenue, Charleston, South Carolina 29401. Dr. McIver will testify on state-of-the-art and the Aranac papers, to the effect that the Defendants could not have known end users were at risk until approximately the late 1960's.
32. Dr. Joseph M. Miller, Box 365, New Hampton, New Hampshire. Dr. Miller will testify
33. Dr. Jesse Steinfield, who will testify concerning government warnings, smoking and some areas of state-of-the-art.
34. Dr. Stephen Ayres, Sanger Hall Room 1-014, Box 565, MCV Station, Richmond, Virginia 23298. Dr. Ayres will testify on state-of-the-art and the Saranac papers, to the effect that the Defendants could not have known end users were at risk until approximately the late 1960's.
35. Dr. Elvin Adams, General Conference of SDA's, 6840 Eastern Avenue, N.W., Washington, D.C. 20012. Dr. Admas will testify on asbestos-related diseases' effects, and in particular on smoking's effects.
36. Dr. Thomas Wheeler, The Methodist Hospital, Department of Pathology, 6565 Fannin Street, Mail Station 205, Houston, Texas 77030. Dr. Wheeler will testify regarding general pathology and the pathology of the Plaintiff and/or Plaintiff's decedent.
37. Dr. Robert O'Neal, Route 1, Box 168, Perkinston, Mississippi 39573. Dr. O'Neal will testify regarding general pathology and the pathology of the Plaintiff and/or Plaintiff's decedent.
38. Dr. Andrew Churg, The University of British Columbia, 2211 Westbrook Mall, Vancouver, B.C. Canada V6T1W5, phone number 604-228-7111. Dr. Churg will testify regarding general pathology and the pathology of the Plaintiff and/or Plaintiff's decedent.

39. Dr. James Robert Shepherd, III, University of Texas Health Center at Tyler, Department of Radiology, P.O. Box 2003, Tyler, Texas 75710. Dr. Shepherd is a B reader and will testify regarding the radiographs of the Plaintiff and/or Plaintiff's decedent.
40. Phillip Cagle, M.D., 6565 Fannin, M.S. 205, Houston, Texas 77030, (713) 798-4661/790-2201. Dr. Cagle will testify regarding the physical condition of plaintiff, and in addition he will testify with regards to his examination of plaintiff and/or his review of pathology slides, x-rays and/or independent medical examinations.
41. Dr. Sam H. Cade, Jr., Radiology Department, Baylor University Medical Center, 3500 Gaston Avenue, Dallas, Texas ;75242. Dr. Cade is a B reader and will testify regarding the radiographs of the Plaintiff and/or Plaintiff's decedent.
42. Dr. Allan Shulkin, Medical City Dallas Hospital, 7777 Forest Lane, Suite 202, Dallas, Texas 75230 will testify as a physician on Plaintiffs' past and/or present medical condition.
43. Dr. Bobby F. Craft, Industrial Health, Inc., 640 East Wilmington Avenue, Salt Lake City, Utah 84106. Dr. Craft will testify that the medical community became aware that insulators with prolonged intense exposure might be at risk for asbestos-related diseases in the late 1960's or early 1970's.
44. Dr. Jeffrey S. Lee, Building 512, University of Utah, Salt Lake City, Utah 84112. Dr. Lee will testify that the medical community became aware that insulators with prolonged intense exposure might be at risk for asbestos-related diseases in the late 1960's or early 1970's.
45. Dr. Oscar Auerbach, 158 Long Hill Drive, Short Hills, New Jersey 07078. Dr. Auerbach will testify regarding the pathology of the Plaintiff and/or Plaintiff's decedent.
46. Dr. Donald Greenberg, The Methodist Hospital, Department of Pathology, 6565 Fanning, 2nd Floor, Houston, Texas 77030. Dr. Greenberg will testify regarding the pathology of the Plaintiff and/or Plaintiff's decedent.
47. Dr. Michael D. Henderson, 330 Rittiman Road, San Antonio, Texas 78209. Dr. Henderson will testify concerning the relationship of asbestos and smoking to the development of cancer. Dr. Henderson will also testify concerning the incidence of lung cancer among individuals with asbestosis or exposure to asbestos-containing insulation products.
48. All physicians who have seen, examined, and/or treated Plaintiff and/or Plaintiff's decedent.

49. R. Brent Harrison, M.D., The University of Mississippi Medical Center, Department of Radiology, 2500 North State Street, Jackson, Mississippi 39216, (601) 984-2515 will testify as a physician on Plaintiffs' past and/or present medical condition.

Dr. Harrison is a B-Reader and may testify regarding the radiographs of the plaintiff and/or plaintiff's decedent.
50. William Emory, M.D., Ochsner Clinic, 1514 Jefferson Highway, New Orleans, Louisiana 70121, (504) 838-4055 will testify as a physician on Plaintiffs' past and/or present medical condition.
51. A. Mitchell Polinsky, Ph.D., Stanford University, Stanford, California 94305 will testify as a physician on Plaintiffs' past and/or present medical condition.
52. Dr. Robert N. Jones, Tulane University School of Medicine, Pulmonary Diseases Section, 1700 Perdido Street, New Orleans, Louisiana 70112, (504) 588-5265 will testify as a physician on Plaintiffs' past and/or present medical condition.
53. Louis Calvin Solmon, University of California in Los Angeles, Los Angeles, California concerning the utility of asbestos-containing products.
54. Mr. Phillip Bettoli, GAF Corporation, 1361 Alps Road, Wayne, New Jersey 07470. Mr. Bettoli will testify concerning the utility of asbestos-containing products.
55. Charles Henry Drummond, III, Ceramic Engineering, Ohio State University, 2041 College Road, Columbus, Ohio 43210 concerning the utility of asbestos-containing products.
56. James E. Lockey, M.D., M.S., 3848 Chimney Hill Drive, Cincinnati, Ohio 45241 will testify as a physician on Plaintiffs' past and/or present medical condition.
57. Dr. Richard Cohen, 19242 Panorama Dr., Saratoga, California, (415) 424-5156 will testify as a physician on Plaintiffs' past and/or present medical condition.
58. Dr. Barry Castleman, 722 Linden Avenue, Baltimore, Maryland, (301) 462-5135 will testify as a physician on Plaintiffs' past and/or present medical condition.
59. Dr. Joseph Wagoner, 103 Woodland Terrace, Huddleston, Virginia, 24104, (703) 297-5894 will testify as a physician on Plaintiffs' past and/or present medical condition.
60. Dr. Gerritt Schepers, 6527 Sunnyhill Ct., McClean, Virginia, (703) 790-8466 will testify as a physician on Plaintiffs' past and/or present medical condition.

61. Dr. Scott G. Donaldson, 375 Municipal Drive, Suite 140, Richardson, Texas 75080 (214) 680-0666 will testify as a physician on Plaintiffs' past and/or present medical condition.
62. Dr. David Ozonoff, Boston University, School of Public Health, Bldg. A-501, 80 E. Concorde Street, Boston, MA 02118, (617) 638-4620 will testify as a physician on Plaintiffs' past and/or present medical condition..
63. Dr. Thomas Mancuso, 5127 Elsworth, Pittsburgh, PA (412) 683-6321 will testify as a physician on Plaintiffs' past and/or present medical condition.
64. Dr. David Egilman, Occupational & Environmental Health Services, 100 Jefferson Blvd., 3 Jefferson Place, Ste. 100, Warwick, Rhode Island 02888, (401) 739-5959 will testify as a physician on Plaintiffs' past and/or present medical condition.
65. Dr. David Lilienfeld, Box 1057, Mt. Sinai School of Medicine, 1 Gustave Levy Place, New York, NY 10029-6574, (212) 241-4785 will testify as a physician on Plaintiffs' past and/or present medical condition.
66. Dr. Robert G. Fraser, The University of Alabama at Birmingham, Department of Diagnostic Radiology, 619 19th Street, Birmingham, Alabama 35233, (205) 934-3240 will testify as a physician on Plaintiffs' past and/or present medical condition.
67. Dr. Arthur N. Rohl, 10 Stouts Valley Road, Easton, PA 18042, (215) 258-5965 will testify as a physician on Plaintiffs' past and/or present medical condition.
68. Dr. James E. Girard, 6328 Karmich Street, Fairfax Station, Virginia 22039 (703) 425-4770 will testify as a physician on Plaintiffs' past and/or present medical condition.
69. Dr. John D. McCann, 195 Bouffard, LaSalle, Ontario, British Columbia N9J1E9 (519) 734-7889 will testify as a physician on Plaintiffs' past and/or present medical condition.
70. Dr. Eugene Mark, Massachusetts General Hospital, Department of Pathology, 32 Fruit Street, Boston, Massachusetts 02114, (617) 726-8891 will testify as a physician on Plaintiffs' past and/or present medical condition.
71. Dr. Joseph Calhoun, #1 Saint Vincent Circle, Suite 160, Little Rock, Arkansas 72005 666-9400 will testify as a physician on Plaintiffs' past and/or present medical condition.
72. Norman G. P. Helgeson, M.D., Baylor University Medical Center, 3500 Gaston Avenue Dallas, Texas 75246 will testify as a physician on Plaintiffs' past and/or present medical condition.

73. Dr. Richard L. Meyer, Baylor University Medical Center, Pathology Department, 3500 Gaston Avenue, Dallas, Texas 75246, (214) 820-3308 will testify as a physician on Plaintiffs' past and/or present medical condition.
74. Dr. Robert W. Baird, 3600 Gaston Avenue, Suite 956, Dallas, Texas 75246, (214) 820-2773 will testify as a physician on Plaintiffs' past and/or present medical condition.
75. Thomas Newsome, M.D., 3600 Gaston Avenue, Suite 904, Dallas, Texas 75246, (214) 821-5410 will testify as a physician on Plaintiffs' past and/or present medical condition.
76. Lloyd W. Kitchens, M.D., 3320 Live Oak, Suite 700, Dallas, Texas 75204, (214) 824-4901 will testify as a physician on Plaintiffs' past and/or present medical condition.
77. J. Michael Jordan, M.D., 3600 Gaston Avenue, Suite 956, Dallas, Texas 75246 (214) 820-2773 will testify as a physician on Plaintiffs' past and/or present medical condition.
78. S. Donald Greenburg, M.D., Methodist Hospital, Department of Pathology, 6565 Fannin Second Floor, Houston, Texas 77030, or One Baylor Plaza, Baylor College of Medicine, Houston, Texas 77030, (713) 798-4661 will testify as a physician on Plaintiffs' past and/or present medical condition.
79. R. Keith Wilson, M.D., 6550 Fannin, Suite 2403, Houston, Texas 77030 (713) 790-6250 will testify as a physician on Plaintiffs' past and/or present medical condition.
80. Paul M. Stevens, M.D., Board Certified Pulmonary Disease Specialist and Professor of Medicine Baylor College of Medicine, Methodist Hospital, Respiratory Disease Associates, 6550 Fannin, Suite 1215, Houston, Texas 77030, (713) 790-6492 will testify as a physician on Plaintiffs' past and/or present medical condition.
81. Gregory Foster, M.D., North Texas Pulmonary Associates, 375 Municipal Drive, Suite 140, Richardson, Texas 75080, (214) 680-0666 will testify as a physician on Plaintiffs' past and/or present medical condition.
82. Kaye Kilburn, M.D., USC School of Medicine, 2025 Zonal Avenue, Room 201, Los Angeles, CA 90033, (213) 342-1829 will testify as a physician on Plaintiffs' past and/or present medical condition.

83. Mark C. Clark, M.D., Austin Diagnostic Clinic, 801 West 34th Street, Austin, Texas 78705, (512) 459-1111 will testify as a physician on Plaintiffs' past and/or present medical condition.
84. Dr. William Nicholson, Mt. Sinai Medical Center, One Gustave Levy Place, New York, New York 10029 will testify as a physician on Plaintiffs' past and/or present medical condition.
85. Dr. John Dement, Duke University Medical School, Department of Occupational & Environmental Medicine, 2200 West Main Street, #700, Durham, NC 27710 will testify as a physician on Plaintiffs' past and/or present medical condition.
86. Dr. Richard A. Lemen, Public Health Service, Deputy Director, National Institute of Occupational Safety and Health Centers for Disease Control, 1600 Clifton Road, N.W. Bldg. 1, Rm 3007, MS/D35, Atlanta, GA 30333, (404) 639-3773
87. Alan M. Segrave, Materials Analytical Services, Inc., 3597 Parkway Lane, Suite 250, Norcross, Georgia 30092 (404) 448-3200. Mr. Segrave may testify as an expert in air sampling.
88. Defendants reserve the right to call as expert witnesses all physicians who have seen, examined, or treated plaintiff; reviewed plaintiff's medical records; and/or been designated as a witness by any other party to this action.
89. Defendants reserve the right to use any affidavit, deposition, answer to interrogatories, and/or answers to requests for admissions made by any party to this action.
90. Defendants incorporate by reference, the depositions listed in Defendants' Designation of Deposition Testimony.
91. Defendants reserve the right to call any witness who may be necessary for rebuttal testimony.

INTERROGATORY NO. 61:

Please state the name, present address and present telephone number, along with the experience and qualifications, if applicable, of each and every person, known to Defendant or to Defendant's agents, having knowledge of facts relevant to these cases involving, but not limited to:

- (a) identification of asbestos-containing products to which each and every individual Plaintiff, separate and distinct from all other Plaintiffs within the group, allegedly was exposed or facts disputing the identification of asbestos-containing products in this case.
- (b) Each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged damages, injuries and/or facts disputing each and every Plaintiff's alleged damages and/or injuries;
- (c) the negligence of any person or entity other than Defendant which Defendant contends was a cause of each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged injuries and/or damages;
- (d) each of Defendant's defenses enumerated in Defendant's last filed Answer in each of these cases.

ANSWER NO. 61:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Further, it seeks information protected by the work product rule and attorney/client privilege. Without waiving these objections, Defendant responds as follows: Defendant has not yet determined what corporate representatives they expect to call at trial in this action. In addition, USM reserves the right to call the following as corporate representatives at the trial of this cause:

1. Mr. James P. Verhalen, U.S. Mineral Products Company, 41 Furnace Street, Stanhope, New Jersey 07874

Mr. Verhalen is the Chairman of the Board of U.S. Mineral Products Company and may testify regarding the current and historical operations of the company. Additionally, Mr. Verhalen may testify regarding the various products manufactured by U.S. Mineral Products Company. Specifically, Mr. Verhalen may testify regarding the packaging, appearance, chemical makeup, application methods and other aspects of the various products manufactured by U.S. Mineral Products Company. Mr. Verhalen will testify about the "state of the art" i.e. facts known and not known at various times throughout the 1950's, 60's and 70's.

2. Ms. Paulette Kaminski, U.S. Mineral Products Company, 41 Furnace Street, Stanhope, New Jersey 07874

Ms. Kaminski has knowledge of the history of U.S. Mineral Products Company and will testify concerning same. In addition, she is the custodian of the records for U.S. Mineral Products Company and has knowledge sufficient to give the proper predicate for the admissibility of U.S. Mineral Products Company's standard exhibits (documents already received by counsel for Plaintiff).

3. Dr. Eric Chatfield, 2071 Dickson Road, Mississauga, Ontario, Canada

Dr. Chatfield will testify regarding airborne levels of asbestos fibers and the development an use of technology to measure airborne levels of asbestos fibers. Additionally, Dr. Chatfield will testify regarding the history of regulations and standards for asbestos fiber levels. He may also testify regarding analytical methods employed by Plaintiff's experts for quantification of asbestos fibers.

4. Dr. John E. Craighead, Department of Pathology, University of Vermont, College of Medicine, Burlington, Vermont 05405

Dr. Craighead is a pathologist specializing in the effects of minerals on the human body, including the biological effects of asbestos. Dr. Craighead will testify regarding the relationship between the inhalation of different types and levels of asbestos fibers and lung cancer and mesothelioma. Additionally, he is expected to testify regarding the biological effects of asbestos on humans and animals. Specifically, Dr. Craighead will opine that the mere presence of asbestos-containing materials in buildings is not a health hazard and that low levels of exposure to asbestos do not present an increased risk of lung cancer and mesothelioma to building occupants. He is expected to further opine that there is a lack of epidemiological proof showing a causal connection between levels of asbestos commonly found in ambient air and disease. In addition, Dr. Craighead is expected to testify that processed chrysotile does not cause mesothelioma, regardless of the concentrations found.

5. Dr. Janet Hughes, Tulane Medical Center, 1700 Perdido Street, New Orleans, Louisiana 70112

Dr. Hughes will testify regarding the quantitative assessment of both relative and comparative risks and the epidemiological data upon which such assumptions are based. She is also expected to testify regarding the methodology of risk assessment. Specifically, Dr. Hughes is expected to discuss the estimates of potential lifetime cancer risk from airborne asbestos fibers in the buildings at issue and compare those risks with other encountered risks. She will opine that the risks for this exposure is low in comparison to risks for other activities.

6. Dr. Richard Lee, F.J. Lee Group, Inc., 350 Hochberg Road, Monroeville, Pennsylvania 15146

Dr. Lee is a microscopist, materials analyst, and theoretical physicist. He may testify about the development of scientific knowledge and techniques regarding the measurement of levels of asbestos in the air of buildings. He may testify about the development and use of scientific technology and techniques for measuring asbestos in both air and material samples. He may also testify about the standards and methods used for air sampling during the time periods at issue in this case as well as the reported levels of asbestos in buildings and in the ambient air. Dr. Lee may also testify about the current methodologies for electron microscopy, and about the methodology and techniques utilized by Plaintiff's experts. He may also testify about the history of standards governing asbestos exposure. Dr. Lee may testify regarding levels of asbestos found in all types of buildings and in outdoor air, and about his laboratory work in analyzing and producing bodies of air sampling data for EPA and other governmental and private entities. He may testify about his analysis of samples taken in an ongoing nationwide study of airborne levels in buildings. He may testify about his analysis of air samples taken in an EPA-sponsored study in Texas. He may opine that concentrations of asbestos fibers in buildings containing asbestos-containing materials are extremely low, and are comparable to levels in ambient outdoor air we all breathe. He may testify about mineralogy, including work he has done in analyzing minerals other than asbestos. He may testify about "settled dust" analyses based on his own tests or those of others. He may opine that analyses of "settled dust" do not produce reliable quantifications of asbestos structures in dust. He may opine that analyses of settled dust samples do not offer data relevant to a determination of the amount of asbestos in the air. He may explain the lack of significance of the data generated by "settled dust" analyses in light of governmental definitions of asbestos-containing materials. Dr. Lee may testify regarding any experts, including their laboratory protocol, and in light of EPA and OSHA methods and regulations.

7. Dr. J. Bernard L. Gee, Yale University School of Medicine, Department of Internal Medicine, 333 Cedar Street, LMP 5038, New Haven, Connecticut 06510

Dr. Gee, a pulmonologist, will testify concerning the etiology of asbestos-related diseases and the history and development of scientific knowledge of asbestos-related disease. He will describe different types of asbestos fiber and their relationship, if any, to disease. He will compare the risk from this type of exposure to risks from other sources.

8. Dr. Hans Weill, Tulane Medical Center, 1700 Perdido Street, New Orleans, Louisiana 70112

Dr. Weill will testify regarding all facts of asbestos-related disease including policy making, medical knowledge, epidemiology, risk assessment, respiratory system functioning, physiology, and other subjects. He may also comment on any fiber release testing or "settled dust" analyses by Plaintiffs' witnesses. Dr. Weill will opine that the mere presence of asbestos-containing material in buildings does not pose a health hazard and that low levels of exposure of building occupants to asbestos-containing material does not pose an increased risk of lung cancer or mesothelioma.

Dr. Weill will also testify regarding his epidemiological studies as well as those of others and will state that there is a lack of epidemiological proof showing causal connection between levels of asbestos commonly found in ambient air and disease. Dr. Weill will opine that the risk of disease associated with exposure to amphiboles is greater than the risk of disease associated with exposure to chrysotile.

9. Dr. Tom Howard, Osler Medical Center, Suite 300, 930 S. Harbor City Melbourne, Florida 32901 (407) 725-5050.
10. Dr. Steven Levin, Department of Environmental Medicine, Mt. Sinai Medical School, One Gustave Levy Place, New York, New York, will testify as a physician on the Plaintiff's past and/or present medical condition.
11. Dr. Martin Lewis, Palms of Pasadena Hospital, 1501 Pasadena Avenue South, St. Petersburg, Florida, will testify as a physician on Plaintiffs' past and/or present medical condition.
12. Dr. David H. Groth, 8953-C Harper Points Drive, Cincinnati, Ohio 45249, will testify as a physician on Plaintiffs' past and/or present medical condition.
13. Dr. John D. McAllister, deceased, by deposition will testify as a physician on Plaintiffs' past and/or present medical condition.

14. Dr. Richard Gaze, deceased, by deposition will testify as a physician on Plaintiffs' past and/or present medical condition.
15. Dr. Jeffrey L. Levin, Chief Occupational Medicine, University of Texas Health Science Center, P. O. Box 2003, Tyler, Texas, will testify as a physician on Plaintiffs' past and/or present medical condition.
16. Dr. Joanne Pizzino, University of Texas Health Science Center, P. O. Box 2003, Tyler, Texas will testify as a physician on Plaintiffs' past and/or present medical condition.
17. Dr. Thomas Kurt, 3645 Stratford, Dallas, Texas, will testify as a physician on Plaintiffs' past and/or present medical condition.
18. Dr. William I. Christensen, Chairman, Lovelace Occupational Medicine, 5655 Jefferson Street, N.E., Albuquerque, New Mexico, will testify as a physician on Plaintiffs' past and/or present medical condition.
19. Dr. Elliot McCaughey, The Canadian Tumor Reference Center, Clinic Studies Unit Building, 60 Ruskin Avenue, Ottawa, Ontario, Canada, K1y 4M9 will testify as a physician on Plaintiffs' past and/or present medical condition.
20. Dr. Kenneth Wallace Smith, deceased, by deposition.
21. Dr. Harry Demopoulos, pathologist. 550 First Avenue, New York, New York.
22. Dr. H. Corwin Hinshaw (by deposition), retired Emeritus Professor of Medicine at the University of California School of Medicine, P.O. Box 546, Belvedere, California 94920.
23. Dr. Edward A. Gaensler, Boston University Medical Center, 80 East Concord Street, Boston, Massachusetts 02118.

Drs. Weill, Demopoulos, Hinshaw, Howard, and Gaensler, if called to testify, are expected to provide testimony in the following areas:

- a. Anatomy and function of the respiratory and circulatory system;
- b. The nature of asbestos;
- c. The symptomatology, disease process and diagnosis of asbestos and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- d. The nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;

- e. The effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system;
- f. Methods of diagnosis of various diseases particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- g. Incidence of lung cancer among individuals with asbestosis, compared with non-asbestotic asbestos workers and with the general population;
- h. Cigarette smoking and its effect on the lung;
- i. The relationship of cigarette smoking to cancer of the lung and cancers of other sites with reference to epidemiological studies and physiologic effect;
- j. Difference between impairment and disability;
- k. Effect of asbestosis on disability and life expectancy;
- l. The lack of a relationship between presence of pleural plaques and a later development of any form of cancer; and
- m. The history of evolution and knowledge of asbestos-related diseases.

It is also expected that Drs. Weill, Demopoulos, Hinshaw, Gaensler, and Howard will testify that the medical community became aware that insulators with prolonged intense exposure might be at risk for asbestos-related diseases in the late 1960's or early 1970's. Drs. Hinshaw, Weill, Demopoulos, and Gaensler will not testify concerning the diagnosis or physical condition of these particular Plaintiffs.

- 24. Dr. R. Keith Wilson. Respiratory Consultants of Houston, 6535 Fannin, Fondren Building, Houston, Texas 77030.
- 25. Dr. Peter Heidbrink, a board certified pulmonary specialist at Southwest Pulmonary Associates, St. Paul Professional Building #2, 5959 Harry Hines Boulevard, Suite 711, Dallas, Texas 75235.
- 26. Dr. George Delclos, Pulmonary Section F907, Methodist Hospital, 6565 Fannin, Houston, Texas.
- 27. Dr. Gregory Foster, North Texas Pulmonary Associates, 375 Municipal Drive, Suite 140, Richardson, Texas 75080.

28. Dr. Paul M. Stevens, a board certified pulmonary disease specialist and Professor of Medicine at the Baylor College of Medicine in Methodist Hospital in Houston, Texas.

Drs. Stevens, Wilson, Heidbrink, Delclos, and Foster will testify concerning his examination and diagnosis of the physical condition of the particular Plaintiffs. It is expected that Drs. Wilson, Heidbrink, Stevens, Delclose, Foster and Garcia will testify that the Plaintiffs do not have asbestosis and will further testify concerning the overall condition and the relationship of that condition, if any, to Plaintiff's exposure to asbestos. Each doctor will also testify concerning the following areas:

- a. Anatomy and function of the respiratory and circulatory systems;
- b. The nature of asbestos;
- c. The symptomatology, disease process and diagnosis of asbestos and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- d. The nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- e. The effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system;
- f. Methods of diagnosis of various diseases particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other government warnings, smoking, and some areas of state-of-the-art.
- g. Incidence of lung cancer among individuals with asbestos, compared with non-asbestotic asbestos workers and with the general population;
- h. Cigarette smoking and its effect on the lung;
- i. The relationship of cigarette smoking to cancer of the lung and cancers of other sites with reference to epidemiological studies and physiologic effect;
- j. Difference between impairment and disability;
- k. Effect of asbestosis on disability and life expectancy;
- l. The lack of a relationship between presence of pleural plaques and a later development of any form of cancer.

29. Dr. Elliott Hinkes, a board certified oncologist and hematologist at 301 North Prairie Avenue, Suite 311, Inglewood, California 90301. Dr. Hinkes will testify concerning the relationship of asbestos and smoking to the development of cancer. Dr. Hinkes will also testify concerning the incidence of lung cancer among individuals with asbestosis or exposure to asbestos-containing insulation products.
30. Dr. Keith Morgan, who will testify on state-of-the-art and the Saranac papers, to the effect that the Defendants could not have known and users were at risk until approximately the late 1960's.
31. Dr. Forde A. McIver, Pathology Associates, P.A., 135 Rutledge Avenue, Charleston, South Carolina 29401. Dr. McIver will testify on state-of-the-art and the Aranac papers, to the effect that the Defendants could not have known end users were at risk until approximately the late 1960's.
32. Dr. Joseph M. Miller, Box 365, New Hampton, New Hampshire. Dr. Miller will testify
33. Dr. Jesse Steinfield, who will testify concerning government warnings, smoking and some areas of state-of-the-art.
34. Dr. Stephen Ayres, Sanger Hall Room 1-014, Box 565, MCV Station, Richmond, Virginia 23298. Dr. Ayres will testify on state-of-the-art and the Saranac papers, to the effect that the Defendants could not have known end users were at risk until approximately the late 1960's.
35. Dr. Elvin Adams, General Conference of SDA's, 6840 Eastern Avenue, N.W., Washington, D.C. 20012. Dr. Admas will testify on asbestos-related diseases' effects, and in particular on smoking's effects.
36. Dr. Thomas Wheeler, The Methodist Hospital, Department of Pathology, 6565 Fannin Street, Mail Station 205, Houston, Texas 77030. Dr. Wheeler will testify regarding general pathology and the pathology of the Plaintiff and/or Plaintiff's decedent.
37. Dr. Robert O'Neal, Route 1, Box 168, Perkinston, Mississippi 39573. Dr. O'Neal will testify regarding general pathology and the pathology of the Plaintiff and/or Plaintiff's decedent.
38. Dr. Andrew Churg, The University of British Columbia, 2211 Wesbrook Mall, Vancouver, B.C. Canada V6T1W5, phone number 604-228-7111. Dr. Churg will testify regarding general pathology and the pathology of the Plaintiff and/or Plaintiff's decedent.

39. Dr. James Robert Shepherd, III, University of Texas Health Center at Tyler, Department of Radiology, P.O. Box 2003, Tyler, Texas 75710. Dr. Shepherd is a B reader and will testify regarding the radiographs of the Plaintiff and/or Plaintiff's decedent.
40. Phillip Cagle, M.D., 6565 Fannin, M.S. 205, Houston, Texas 77030, (713) 798-4661/790-2201. Dr. Cagle will testify regarding the physical condition of plaintiff, and in addition he will testify with regards to his examination of plaintiff and/or his review of pathology slides, x-rays and/or independent medical examinations.
41. Dr. Sam H. Cade, Jr., Radiology Department, Baylor University Medical Center, 3500 Gaston Avenue, Dallas, Texas ;75242. Dr. Cade is a B reader and will testify regarding the radiographs of the Plaintiff and/or Plaintiff's decedent.
42. Dr. Allan Shulkin, Medical City Dallas Hospital, 7777 Forest Lane, Suite 202, Dallas, Texas 75230 will testify as a physician on Plaintiffs' past and/or present medical condition.
43. Dr. Bobby F. Craft, Industrial Health, Inc., 640 East Wilmington Avenue, Salt Lake City, Utah 84106. Dr. Craft will testify that the medical community became aware that insulators with prolonged intense exposure might be at risk for asbestos-related diseases in the late 1960's or early 1970's.
44. Dr. Jeffrey S. Lee, Building 512, University of Utah, Salt Lake City, Utah 84112. Dr. Lee will testify that the medical community became aware that insulators with prolonged intense exposure might be at risk for asbestos-related diseases in the late 1960's or early 1970's.
45. Dr. Oscar Auerbach, 158 Long Hill Drive, Short Hills, New Jersey 07078. Dr. Auerbach will testify regarding the pathology of the Plaintiff and/or Plaintiff's decedent.
46. Dr. Donald Greenberg, The Methodist Hospital, Department of Pathology, 6565 Fanning, 2nd Floor, Houston, Texas 77030. Dr. Greenberg will testify regarding the pathology of the Plaintiff and/or Plaintiff's decedent.
47. Dr. Michael D. Henderson, 330 Rittiman Road, San Antonio, Texas 78209. Dr. Henderson will testify concerning the relationship of asbestos and smoking to the development of cancer. Dr. Henderson will also testify concerning the incidence of lung cancer among individuals with asbestosis or exposure to asbestos-containing insulation products.
48. All physicians who have seen, examined, and/or treated Plaintiff and/or Plaintiff's decedent.

49. R. Brent Harrison, M.D., The University of Mississippi Medical Center, Department of Radiology, 2500 North State Street, Jackson, Mississippi 39216, (601) 984-2515 will testify as a physician on Plaintiffs' past and/or present medical condition.

Dr. Harrison is a B-Reader and may testify regarding the radiographs of the plaintiff and/or plaintiff's decedent.

50. William Emory, M.D., Ochsner Clinic, 1514 Jefferson Highway, New Orleans, Louisiana 70121, (504) 838-4055 will testify as a physician on Plaintiffs' past and/or present medical condition.
51. A. Mitchell Polinsky, Ph.D., Stanford University, Stanford, California 94305 will testify as a physician on Plaintiffs' past and/or present medical condition.
52. Dr. Robert N. Jones, Tulane University School of Medicine, Pulmonary Diseases Section, 1700 Perdido Street, New Orleans, Louisiana 70112, (504) 588-5265 will testify as a physician on Plaintiffs' past and/or present medical condition.
53. Louis Calvin Solmon, University of California in Los Angeles, Los Angeles, California concerning the utility of asbestos-containing products.
54. Mr. Phillip Bettoli, GAF Corporation, 1361 Alps Road, Wayne, New Jersey 07470. Mr. Bettoli will testify concerning the utility of asbestos-containing products.
55. Charles Henry Drummond, III, Ceramic Engineering, Ohio State University, 2041 College Road, Columbus, Ohio 43210 concerning the utility of asbestos-containing products.
56. James E. Locky, M.D., M.S., 3848 Chimney Hill Drive, Cincinnati, Ohio 45241 will testify as a physician on Plaintiffs' past and/or present medical condition.
57. Dr. Richard Cohen, 19242 Panorama Dr., Saratoga, California, (415) 424-5156 will testify as a physician on Plaintiffs' past and/or present medical condition.
58. Dr. Barry Castleman, 722 Linden Avenue, Baltimore, Maryland, (301) 462-5135 will testify as a physician on Plaintiffs' past and/or present medical condition.
59. Dr. Joseph Wagoner, 103 Woodland Terrace, Huddleston, Virginia, 24104, (703) 297-5894 will testify as a physician on Plaintiffs' past and/or present medical condition.
60. Dr. Gerritt Schepers, 6527 Sunnyhill Ct., McClean, Virginia, (703) 790-8466 will testify as a physician on Plaintiffs' past and/or present medical condition.

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62. Dr. David Ozonoff, Boston University, School of Public Health, Bldg. A-501, 80 E. Concorde Street, Boston, MA 02118, (617) 638-4620 will testify as a physician on Plaintiffs' past and/or present medical condition..
63. Dr. Thomas Mancuso, 5127 Elsworth, Pittsburgh, PA (412) 683-6321 will testify as a physician on Plaintiffs' past and/or present medical condition.
64. Dr. David Egilman, Occupational & Environmental Health Services, 100 Jefferson Blvd., 3 Jefferson Place, Ste. 100, Warwick, Rhode Island 02888, (401) 739-5959 will testify as a physician on Plaintiffs' past and/or present medical condition.
65. Dr. David Lilienfeld, Box 1057, Mt. Sinai School of Medicine, 1 Gustave Levy Place, New York, NY 10029-6574, (212) 241-4785 will testify as a physician on Plaintiffs' past and/or present medical condition.
66. Dr. Robert G. Fraser, The University of Alabama at Birmingham, Department of Diagnostic Radiology, 619 19th Street, Birmingham, Alabama 35233, (205) 934-3240 will testify as a physician on Plaintiffs' past and/or present medical condition.
67. Dr. Arthur N. Rohl, 10 Stouts Valley Road, Easton, PA 18042, (215) 258-5965 will testify as a physician on Plaintiffs' past and/or present medical condition.
68. Dr. James E. Girard, 6328 Karmich Street, Fairfax Station, Virginia 22039 (703) 425-4770 will testify as a physician on Plaintiffs' past and/or present medical condition.
69. Dr. John D. McCann, 195 Bouffard, LaSalle, Ontario, British Columbia N9J1E9 (519) 734-7889 will testify as a physician on Plaintiffs' past and/or present medical condition.
70. Dr. Eugene Mark, Massachusetts General Hospital, Department of Pathology, 32 Fruit Street, Boston, Massachusetts 02114, (617) 726-8891 will testify as a physician on Plaintiffs' past and/or present medical condition.
71. Dr. Joseph Calhoun, #1 Saint Vincent Circle, Suite 160, Little Rock, Arkansas 72005 666-9400 will testify as a physician on Plaintiffs' past and/or present medical condition.
72. Norman G. P. Helgeson, M.D., Baylor University Medical Center, 3500 Gaston Avenue Dallas, Texas 75246 will testify as a physician on Plaintiffs' past and/or present medical condition.

73. Dr. Richard L. Meyer, Baylor University Medical Center, Pathology Department, 3500 Gaston Avenue, Dallas, Texas 75246, (214) 820-3308 will testify as a physician on Plaintiffs' past and/or present medical condition.
74. Dr. Robert W. Baird, 3600 Gaston Avenue, Suite 956, Dallas, Texas 75246, (214) 820-2773 will testify as a physician on Plaintiffs' past and/or present medical condition.
75. Thomas Newsome, M.D., 3600 Gaston Avenue, Suite 904, Dallas, Texas 75246, (214) 821-5410 will testify as a physician on Plaintiffs' past and/or present medical condition.
76. Lloyd W. Kitchens, M.D., 3320 Live Oak, Suite 700, Dallas, Texas 75204, (214) 824-4901 will testify as a physician on Plaintiffs' past and/or present medical condition.
77. J. Michael Jordan, M.D., 3600 Gaston Avenue, Suite 956, Dallas, Texas 75246 (214) 820-2773 will testify as a physician on Plaintiffs' past and/or present medical condition.
78. Carl Lovick, 2021 Idaho Avenue, Libby, Montana 59932 may testify as to working conditions and any other work-related topics relevant to this cause of action.
79. S. Donald Greenburg, M.D., Methodist Hospital, Department of Pathology, 6565 Fannin Second Floor, Houston, Texas 77030, or One Baylor Plaza, Baylor College of Medicine, Houston, Texas 77030, (713) 798-4661 will testify as a physician on Plaintiffs' past and/or present medical condition.
80. R. Keith Wilson, M.D., 6550 Fannin, Suite 2403, Houston, Texas 77030 (713) 790-6250 will testify as a physician on Plaintiffs' past and/or present medical condition.
81. Paul M. Stevens, M.D., Board Certified Pulmonary Disease Specialist and Professor of Medicine Baylor College of Medicine, Methodist Hospital, Respiratory Disease Associates, 6550 Fannin, Suite 1215, Houston, Texas 77030, (713) 790-6492 will testify as a physician on Plaintiffs' past and/or present medical condition.
82. Gregory Foster, M.D., North Texas Pulmonary Associates, 375 Municipal Drive, Suite 140, Richardson, Texas 75080, (214) 680-0666 will testify as a physician on Plaintiffs' past and/or present medical condition.
83. Kaye Kilburn, M.D., USC School of Medicine, 2025 Zonal Avenue, Room 201, Los Angeles, CA 90033, (213) 342-1829 will testify as a physician on Plaintiffs' past and/or present medical condition.

84. Mark C. Clark, M.D., Austin Diagnostic Clinic, 801 West 34th Street, Austin, Texas 78705, (512) 459-1111 will testify as a physician on Plaintiffs' past and/or present medical condition.
85. Dr. William Nicholson, Mt. Sinai Medical Center, One Gustave Levy Place, New York, New York 10029 will testify as a physician on Plaintiffs' past and/or present medical condition.
86. Dr. Frank Mazza, Austin Pulmonary and Critical Care, 1305 West 34th Street, Suite 400, Austin, Texas 78705-1169 (512) 459-6599 will testify as a physician on Plaintiffs' past and/or present medical condition.
87. Dr. John Dement, Duke University Medical School, Department of Occupational & Environmental Medicine, 2200 West Main Street, #700, Durham, NC 27710 will testify as a physician on Plaintiffs' past and/or present medical condition.
88. Dr. Richard A. Lemen, Public Health Service, Deputy Director, National Institute of Occupational Safety and Health Centers for Disease Control, 1600 Clifton Road, N.W. Bldg. 1, Rm 3007, MS/D35, Atlanta, GA 30333, (404) 639-3773
89. Alan M. Segrave, Materials Analytical Services, Inc., 3597 Parkway Lane, Suite 250, Norcross, Georgia 30092 (404) 448-3200. Mr. Segrave may testify as an expert in air sampling.
90. Roger Shack, P. O. Box 356, Montevallo, Al. 35115 may testify as to working conditions and any other work-related topics relevant to this cause of action.
91. Nathan Fochtmann, Route 6, Box 49, Montevallo, Al 35115 may testify as to working conditions and any other work-related topics relevant to this cause of action.
92. Melvin Newman, Carpenter, 4541 Baystone Drive, Oak Cliff, Texas 75211, may testify as to working conditions and any other work-related topics relevant to this cause of action.
93. Edgar Dilley, Ironworker, 1009 Brookhollow, Irving, Texas 75061 may testify as to working conditions and any other work-related topics relevant to this cause of action.
94. James Martine, Carpenter, 1505 W. Main, Lancaster, Texas 75146 may testify as to working conditions and any other work-related topics relevant to this cause of action.
95. Roy Garrison, Carpenter, Rt. 1, Box 161, Eustace, Texas 75124 may testify as to working conditions and any other work-related topics relevant to this cause of action.

96. Nick Sarap, Carpenter, 3260 Earle Drive, Fort Worth, Texas 76117-3531 may testify as to working conditions and any other work-related topics relevant to this cause of action.
97. Raymond Walker, Millwright, 1306 Elaine, Weatherford, Texas 76086 may testify as to working conditions and any other work-related topics relevant to this cause of action.
98. John A. Morse, Boilermaker, Rt. 1, Box 219-1, Pittsburg, Texas 75686 may testify as to working conditions and any other work-related topics relevant to this cause of action.
99. Roy Eschmann, Plasterer, 932 DeWitt Circle, Dallas, Texas 75224 may testify as to working conditions and any other work-related topics relevant to this cause of action.
100. Richard Ivers, c/o Asbestos Workers Local Union No. 21, 11580 Reeder Road, Dallas, Texas 75229 may testify as to working conditions and any other work-related topics relevant to this cause of action.
101. Johnny Johnson, c/o Asbestos Workers Local Union No. 21, 11580 Reeder Road, Dallas, Texas 75229 may testify as to working conditions and any other work-related topics relevant to this cause of action.
102. Troy Rice, c/o Asbestos Workers Local Union No. 21, 11580 Reeder Road, Dallas, Texas 75229 may testify as to working conditions and any other work-related topics relevant to this cause of action.
103. Tommy Thompson, 4615 Willow Bend, Arlington, Texas 76015 may testify as to working conditions and any other work-related topics relevant to this cause of action.
104. Lawrence Smith, Plasterer & Fireproofer, 2729 Pleasant, Dallas, Texas 75217 may testify as to working conditions and any other work-related topics relevant to this cause of action.
105. Herbert Williams, Plasterer & Fireproofer, 1616 Summit, Mesquite, Texas 75149 may testify as to working conditions and any other work-related topics relevant to this cause of action.
106. H. Wally Shipley, Plasterer & Fireproofer, 421 Jamestown Drive, Garland, Texas 75043 may testify as to working conditions and any other work-related topics relevant to this cause of action.
107. Weldon Cook, Plasterer & Fireproofer, 526 Long Worth, Duncanville, Texas 75116 may testify as to working conditions and any other work-related topics relevant to this cause of action.

108. Larry Gibson, Plasterer & Fireproofers, P.O. Box 1137, Scurry, Texas 75158 may testify as to working conditions and any other work-related topics relevant to this cause of action.
109. Thomas Stallcup, Plasterer & Fireproofers, 1715 Waldrip, Irving, Texas 75061 may testify as to working conditions and any other work-related topics relevant to this cause of action.
110. Alvin Stenzel, Jr., Plasterer & Fireproofers, 1107 Mistywood Lane, Allen, Texas 75002 may testify as to working conditions and any other work-related topics relevant to this cause of action.
111. Willie Carroll, Plasterer & Fireproofers, P.O. Box 530631, Grand Prairie, Texas 75053-0631 may testify as to working conditions and any other work-related topics relevant to this cause of action.
112. Ernest Sumruld, Plasterer & Fireproofers, 611 West Cliff, Euless, Texas 76040 may testify as to working conditions and any other work-related topics relevant to this cause of action.
113. Billy Gregg, Plasterer & Fireproofers, Rt. 1, Box 125, Dike, Texas 75437 may testify as to working conditions and any other work-related topics relevant to this cause of action.
114. J.R. Gentle, Plasterer & Fireproofers, 410 Willow Lane, Willspoint, Texas 75169 may testify as to working conditions and any other work-related topics relevant to this cause of action.
115. Elmer Gray, Plasterer, Fireproofers & Laborer, 4020 Colonial, Dallas, Texas 75215 may testify as to working conditions and any other work-related topics relevant to this cause of action.
116. Terry Yearout, Insulator, 3071 Mason Drive, Mesquite, Texas 75150 may testify as to working conditions and any other work-related topics relevant to this cause of action.
117. Johnny Sharp, Insulator, 1500 Champion, Rockwall, Texas 75087 may testify as to working conditions and any other work-related topics relevant to this cause of action.
118. Ray Gilbert, Plasterer & Fireproofers, 6123 Revere Pl., Dallas, Texas 75214 may testify as to working conditions and any other work-related topics relevant to this cause of action.

119. Will Hinds, Plasterer, Fireproofers & Insulator, 2517 Havenhurst, Farmers Branch, Texas 75234 may testify as to working conditions and any other work-related topics relevant to this cause of action.
120. Raymond Chitsey, Plasterer & Fireproofers, P.O. Box 1245, Rowlett, Texas 75008 may testify as to working conditions and any other work-related topics relevant to this cause of action.
121. James Reed, Insulator, 1805 Wellington, Grand Prairie, Texas 75051 may testify as to working conditions and any other work-related topics relevant to this cause of action.
122. Rodger Carroll, Insulator, 1114 SE 2nd Street, Grand Prairie, Texas 75051 may testify as to working conditions and any other work-related topics relevant to this cause of action.
123. Bob Stout, Insulator, 3251 Mapleleaf Lane, Dallas, Texas 75233 may testify as to working conditions and any other work-related topics relevant to this cause of action.
124. John Blanton, Laborer, 1831 Idaho, Dallas, Texas 75216 may testify as to working conditions and any other work-related topics relevant to this cause of action.
125. James Bradshaw, Pipefitter, Rt. 3, Box 292, Kaufman, Texas 75142 may testify as to working conditions and any other work-related topics relevant to this cause of action.
126. Jack Cullom, Insulator, Rt. 3, Box 189, Waco, Texas 76708 may testify as to working conditions and any other work-related topics relevant to this cause of action.
127. George Etoch, Plasterer, 1406 Michna, Wichita Falls, Texas 76302 may testify as to working conditions and any other work-related topics relevant to this cause of action.
28. Ronnie Floyd, Insulator 630 Southview Drive, Lucas, Texas 75002-7208 may testify as to working conditions and any other work-related topics relevant to this cause of action.
128. Albert Goodner, Plasterer, Villa France, Apt. 123, 1831 W. Pioneer Drive, Irving, Texas 75061 may testify as to working conditions and any other work-related topics relevant to this cause of action.
129. Evern Gray, Plasterer, 5103 Watson Drive, Dallas, Texas 75241 may testify as to working conditions and any other work-related topics relevant to this cause of action.
130. Carl Green, Carpenter, 1230 Fairmont, Irving, Texas 75062 may testify as to working conditions and any other work-related topics relevant to this cause of action.

131. Richard Horn, Insulator, Rt. 1, Box 516-E, Springtown, Texas 76082 may testify as to working conditions and any other work-related topics relevant to this cause of action.
132. William Hughes, Insulator, 3441 Antilles, Mesquite, Texas 75150 may testify as to working conditions and any other work-related topics relevant to this cause of action.
133. Jimmie Jones, Laborer, 6603 Kenwall Street, Dallas, Texas 75209 may testify as to working conditions and any other work-related topics relevant to this cause of action.
134. J.W. McGinty, Rt. 1, Box 27, Jonesboro, Texas 76538 may testify as to working conditions and any other work-related topics relevant to this cause of action.
135. Charles McQuinney, 9494 Larga Drive, #126, Dallas, Texas 75220-6942 may testify as to working conditions and any other work-related topics relevant to this cause of action.
136. Bobby Nobles, Laborer, 2749 Easter, Dallas, Texas 75216 may testify as to working conditions and any other work-related topics relevant to this cause of action.
137. Stanley Riggs, Plasterer, 818 Valley View Drive, Grand Prairie, Texas 75050 may testify as to working conditions and any other work-related topics relevant to this cause of action.
138. A.C. Ross, Laborer, 6835 Atha Drive, Dallas, Texas 75217 may testify as to working conditions and any other work-related topics relevant to this cause of action.
139. Hershel J. Self, 228 N. Murphy Rd., Plano, Texas 75074 may testify as to working conditions and any other work-related topics relevant to this cause of action.
140. John Singleton, Laborer, 4534 Collins, Dallas, Texas 75210 may testify as to working conditions and any other work-related topics relevant to this cause of action.
141. Bill Tate, 2712 Sadler, Fort Worth, Texas 76133 may testify as to working conditions and any other work-related topics relevant to this cause of action.
142. Richard Thorne, Carpenter, 1917 Evergreen, Garland, Texas 75040 may testify as to working conditions and any other work-related topics relevant to this cause of action.
143. Jerry Williams, 1416 Hillcrest, Mesquite, Texas 75149 may testify as to working conditions and any other work-related topics relevant to this cause of action.

The above listed individuals may testify as to where RODNEY ERIC BURCHETT may have worked.

144. Steve Sheeran, 2315 Westbrook Drive, Carrollton, Texas 75007 may testify about the manufacture, content, sales, marketing, testing, applications and uses of fireproofing and acoustic products in Texas and elsewhere, and the availability of asbestos-free fireproofing and acoustic products.
145. Ron Henderson, Ceiling Systems, Inc., 1535 SE 9th, Portland, Oregon (503) 234-9515 may testify as to working conditions and any other work-related topics relevant to this cause of action.
146. Defendants reserve the right to call as expert witnesses all physicians who have seen, examined, or treated plaintiff; reviewed plaintiff's medical records; and/or been designated as a witness by any other party to this action.
147. Defendants reserve the right to use any affidavit, deposition, answer to interrogatories, and/or answers to requests for admissions made by any party to this action.
148. Defendants incorporate by reference, the depositions listed in Defendants' Designation of Deposition Testimony.
149. Defendants reserve the right to call any witness who may be necessary for rebuttal testimony.

INTERROGATORY NO. 62:

Please identify documents which will be used at time of trial, (Exhibit List, Deposition List), which are relevant to each of Defendant's enumerated defenses in Defendant's last filed Answer.

ANSWER NO. 62:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. It is not limited to the time or scope of inquiry. Moreover, it seeks information protected by the work product rule and attorney/client privilege, and involves this Defendant's trial strategy.

U.S. Mineral anticipates the admission of the following exhibits:

1. All medical and employment records obtained by Deposition on Written Questions or produced by any party herein, as well as the report of any physician performing an independent medical exam in this case.
2. All records reflecting shipments of products to the state of the alleged exposure by each of the Plaintiffs in this case.
3. Copy of the American Thoracic Society's standards for diagnosis of non-malignant diseases related to asbestos.
4. State-of-the-art documents, the majority of which are on Plaintiff's list of exhibits and are in their possession, which include medical and Industrial Hygiene documents.
5.
 - USM-150. Warning label contained on U.S.M. bags.
 - USM-151. Stumpf letter to British Information Services, November 7, 1968.
 - USM-152. Stumpf Memo to Verhalen, March 13, 1967.
 - USM-153. Stumpf Memo to Neilly, December 24, 1964.
 - USM-154. W.J. Haag Inter-office Memo, July 12, 1965.
 - USM-155. F.M. Stumpf Inter-office Memo, July 2, 1965.
 - USM-156. Stumpf Memo to Verhalen, September 2, 1966.
 - USM-157. Research Department Memo, September 8, 1964.
 - USM-158. Stumpf Memo to Verhalen, February 20, 1964.
 - USM-159. Polakoski Memo to Stumpf, January 8, 1963.
 - USM-160. Stumpf Memo to Schlemmer, January 9, 1962.
 - USM-161. O'Rourke Memo to Schneider, January 31, 1966.
 - USM-162. Ludlum letter to Acoustical Engineering, November 11, 1959.
 - USM-163. Letter of J.K. Ludlum, Columbia Acoustics to Acoustic Engineering of Carolinas, Inc., recommending use of dust masks. February 20, 1958.
 - USM-164. Memo with directors for application CAFCO Blaze-Shield Type H. December 30, 1965.
 - USM-165. CAFCO Bulletin No. 34 re: Bureau of Mines Approval Respirators & Filters - No. 32 re: Health Hazards to Workmen.
 - USM-166. Memo to Fischer from Schlemmer. February 13, 1962.
 - USM-167. Memo to Schlemmer from Verhalen.
 - USM-168. Letter of Selikoff to Contracting Plasterers' and Lathers' International Association. December 10, 1969.
 - USM-169. OSHA Regulations "Standard for Exposure to Asbestos Dust", Federal Register, Vol. 37, No. 110 (June 7, 1972).
 - USM-170. Division of Safety - Los Angeles Memo to Safedi Efgineers. September 21, 1966.
 - USM-171. Letter from George A. Sherman, Chief, California Department of Industrial Relations, to James P. Verhalen. February 7, 1967.
 - USM-172. Stumpf letter to U.S. Bureau of Mines. March 28, 1963.

- USM-173. Letter between USM and Wisconsin Bureau of Facilities. January 2, 1973.
- USM-174. Letter between Wisconsin Bureau of Facilities and USM, 4/19/73.
- USM-175. Letter from Stumpf to Health Ed. Consultant, Portland, Oregon. 3/13/69.
- USM-176. Insulation Hygiene Progress Reports. Spring, 1969.
- USM-177. Insulation Hygiene Progress Reports. Summer, 1969.
- USM-178. Insulation Hygiene Progress Reports. Fall, 1969.
- USM-179. Insulation Hygiene Progress Reports. Winter, 1969.
- USM-180. Federal Specifications - Sound Absorbing Materials Trowel and Spray Application. 9/3/64.
- USM-181. GSA Guide Specifications for Sprayed-On Fire Protection, May, 1964.
- USM-182. Memo from O'Rourke to Stumpf. 6/20/61.
- USM-183. Memo from O'Rourke to Schlemmer. 1/17/62.
- USM-184. Bureau of Mines - New Approvals re: Respiratory devices. 7/9/62, 10/6/58.
- USM-185. Memo to O'Rourke from Stumpf. 7/26/61.
- USM-186. Letter of John V. Wiman, Columbia Acoustics to Minnesota Mining and Manufacturing Co. 6/29/61.
- USM-187. Letter of Minnesota Mining to Wiman of Columbia Acoustics. 7/28/61.
- USM-188. Letter of Stumpf to companies. 4/8/63.
- USM-189. Memo of Columbia Acoustics re: Bureau of Mines Approved Respirators and Filters. 5/2/63.
- USM-190. Letter of Stumpf to Employers Mutual of Wausau. 9/17/67.
- USM-191. Letter of Employers Mutual to Columbia Acoustics. 9/6/57.
- USM-192. Letter of Stumpf to Johns-Mansville. 9/17/57.
- USM-193. Letter of Smith, M.D., Johns-Mansville to Stumpf. 9/30/57.
- USM-194. Application Manual for CAFCO Blaze-Shield Standard, Heat-Shield, Type H.
- USM-195. SMFMA letter to State Health Commissioner. 9/2/70.
- USM-196. Letter of Williams Reitze from Mt. Sinai to SMFMA re: draft of Recommended Health Safety Practices. 4/2/70.
- USM-197. Selikoff, Irving J., M.D., "Partnership for Prevention - The Insulation Industry Hygiene Research Program." April 1970.
- USM-198. Letter of H. Levine of SMFMA to SMFMA members. 5/27/70.
- USM-199. Letter of O'Rourke, V.P. Sales, USM to American Hygiene Association. 7/28/68.
- USM-200. USM-Hygienic Guide Series on "Asbestos."
- USM-201. Letter of CADWALADER, WICKERSHAM & TAFT to Dr. Smith of Johns-Mansville Corp. 7/6/66.
- USM-202. Threshold Limit Values for Substance in Workroom Air adopted by ACGIH for 1972.
- USM-203. SMFMA - Inspection procedure for Field Applied Sprayed Fire Protection Materials.

USM-204. Letter of J. Balzer of University of California, Berkeley, School of Public Health to H. Levine of Asbestospray Corp. 4/8/70.

USM-205. SMFMA Bulletin No. T-1-68, Sprayed Fiber Application Practice.

USM-206. W.R. Bradley letter to H. Levine. 4/28/69.

USM-207. F. Stumpf letter to H.L. Levine, L. Jenne, M. Lieff. 11/1/68.

USM-208. SMFMA Recommended Code of Practices for Application of Sprayed Fireproofing Materials.

USM-209. 3/68. PBS Guide Spec Section 0920, Sprayed Fiber Protection.

USM-210. 5/65. General Services Administration Public Buildings Service Interim Guide Specification.

USM-211. 11/64. GSA Public Buildings Service Interim Guide Spec.

USM-212. 2/7/67. Letter from Levine to Kodaras Labs.

USM-213. 9/72. Amendment 2: Sprayed Fire Protection.

USM-214. 3/12/70. Levine letter to Jenne, Toth, Gropp.

USM-215. 3/9/70. Selikoff letter to Levine.

USM-216. 6/15-18/70. Mt. Sinai Medical School Post Grade School Asbestosis brochure.

USM-217. 1/31/70. Levine letter to Selikoff.

USM-218. 9/11/67. Inter-Office Memo from Verhalen to all CAFCO Sales Personnel.

USM-219. 4/22/68. Letter from Levine to Wittkop (BEH), Toth (S&K), O'Rourke, Binger.

USM-220. 8/11/69. Letter from William Nicholson to Gropp.

USM-221. Undated. IIHRP - SMFMA Launch NYC Program.

USM-222. Undated. Sprayed Fiber Story, handwriting on top states "Edited Version."

USM-223. 1/6/69. Letter from Levine to Toth (S&K), Gropp, Jenne (Keene), Binger with Letter from Selikoff to Levine dated 12/16/68 attached.

USM-224. 5/19/71. Letter from Selikoff to Levine.

USM-225. 7/17/70. Statement approved by Dr. William J. Nicholson.

USM-226. 9/19/67. Research Department - Open Projects.

USM-227. 10/20/60. Schneider Memo to O'Rourke.

USM-228. Research Bulletin No. 312 (on dusting and flaking). Dated September 9, 1965.

USM-229. Flaking Resistance Tests of CAFCO. 10/16/58.

USM-230. Letter from Wiman to R. Harvey. 2/11/59.

USM-82A. August 15, 1962 Research Report No. C-315 signed by Frank M. Stumpf.

USM-231. International Testing test results. 4/17/62.

USM-232. Research test memo from Stumpf to O'Rourke. 2/17/64.

USM-233. Tests on CAFCO, Blaze-Shield Type D. Circa 1969.

USM-234. Research department test results. 9/9/65.

USM-235. International Testing test results. 8/16/66.

USM-236. Article, "Fireproofing Return Air Plenums" by Kodaras from Air Conditioning, Heating and Ventilating, December, 1968.

USM-237. William Bradley test results. 7/2/69.
 USM-238. Kodaras test results. 12/30/69.
 USM-239. International Testing test results. 4/27/64.
 USM-240. USM-S.D. Sumski test results. 7/20/67.
 USM-241. USM-U.S. Mineral test results. 7/28/66.
 USM-242. Letter from Sumski to Stumpf. 5/1/62.
 USM-243. Tabershaw Cooper test results. 7/17/70.
 USM-244. F. Stumpf memo to N. Buttino. 6/30/69.
 USM-245. F. Stumpf letter to International Testing Labs. 2/2/62.
 USM-246. D. Oris letter to H. Sommers. 2/10/64.
 USM-247. Patent application. 1/24/64.
 USM-248. Patent certificate. 1/21/64.
 USM-249. F. Stumpf memo to J. Verhalen. 5/21/63.
 USM-250. F. Stumpf letter to H. Sommers. 3/1/62.
 USM-251. Associated Testing Labs test results. 1/13/60.
 USM-252. Associated Testing Labs test results. 10/29/59.
 USM-253. ASTM standard specifications. 9/5/72.
 USM-254. SMFMA bulletin "Sprayed Fiber Application Practice". Undated.
 USM-255. H. Levine letter to J. Ferro. 12/8/70.
 USM-256. P. Maresca letter to H. Levine. 8/18/70.
 USM-257. H. Levine letter to F. Stumpf. 12/3/69.
 USM-258. Minutes of annual meeting. 1/29/69.
 USM-259. J.P. Verhalen memo to R.E. Schlemmer. 4/26/63.
 USM-260. Letter from A. Rohl. 11/3/70.
 USM-261. Technical Bulletin #C363. 9/28/62.
 USM-262. Letter from H. Malarek to R. Colville. 9/10/62.
 USM-263. Memo from F. Stumpf to J. Verhalen. 3/2/67.
 USM-264. Memo from J. Verhalen to F. Stumpf. 3/23/67.
 USM-265. Federal Register Rules. 12/7/71.
 USM-266. Memo from J. Verhalen to R. Sc'demmer. 1/2/62.
 USM-267. Letter from N.W. Hendry at Johns-Manville. 10/1/68.
 USM-268. Memo from F. Stumpf to R. Schlemmer. 10/19/66.
 USM-269. Massachusetts Dept. of Labor and Industries Recommended Safe Practices, Mineral Data Sheet No. 3 - Mica. 1/69.
 USM-270. Massachusetts Dept. of Labor and Industries Recommended Safe Practices, Mineral Data Sheet No. 2 - Asbestos. 12/68.
 USM-271. Massachusetts Dept. of Labor and Industries Recommended Safe Practices, Mineral Data Sheet No. 24 - Dispersoid Respirators Highly Toxic Dusts. 12/68.
 USM-272. Letter from R. Rickles at NYC Dept. of Air Resources to J. Verhalen. 4/29/70.
 USM-273. Memo from F. Stumpf to H. Gropp. 6/23/65.
 USM-274. Letter from E. Sommers of Universal Insulating machine to F. Stumpf. 4/22/63.

- USM-275. USM Research Report No. 365. 10/9/69.
- USM-276. USM Research Report No. 366. 11/12/69.
- USM-277. The Asbestosis Research Council Recommended Code of Practice. 12/66.

- USM-278. Letter from H. Levine to W. Geoghagan of Diesel Construction. 1/12/70.
- USM-279. Letter from H. Levine to Jenne of Keene, Lieff of Philip Carey, and Stumpf of USM. 12/29/69.
- USM-280. The Asbestosis Research Council Provisional Notes for Guidance for the Application of Sprayed Asbestos Coatings. 6/69.
- USM-281. Letter from R. Hackney of Johns-Manville to J. Verhalen. 3/18/66.
- USM-282. Letter from W. Nicholson to H. Levine. 5/15/69.
- USM-283. Letter from I. Selikoff to H. Levine. 10/9/68.
- USM-284. Federal Specification for Sound Absorbing Materials. 9/3/64.
- USM-285. Withdrawn.
- USM-286. NYC Dept. of Air Resources Commissioner's Order. Undated.
- USM-287. Tabershaw-Cooper Report to SMFMA. 11/5/70.
- USM-288. Tabershaw-Cooper Report to SMFMA. 9/23/70.
- USM-289. Research Report re: Vibration Resistance of CAFCO Spray. 2/25/57.
- USM-290. Letter from Levine to Selikoff. 6/23/66.
- USM-291. Letter from Selikoff to Toth. 2/9/70.
- USM-292. Letter from Levine to Toth and Lieff. 5/6/68.
- USM-293. Letter from Levine to Empire Pryro-Spray. 2/3/70.
- USM-294. Letter from Selikoff to Contractors Association of New York. 2/2/70.
- USM-295. Research Bulletin re: Sound-Shield. 4/10/59.
- USM-296. Sales Bulletin re: Blaze-Shield. 3/31/60.
- USM-297. 1969. Article "A Dust Survey Carried Out in Buildings Incorporating Asbestos-Based Materials In Their Construction", Byrom, et al.
- USM-298. Letter from Francis Joyce to Bechtel Corporation with 9/1/70 Report of Tabershaw-Cooper attached. 9/3/70.
- USM-299. Factor Mutual Report on Blaze-Shield. 3/26/59.
- USM-300. SMFMA Technical Committee Report. 5/22/68.
- USM-301. Letter from Levine to William J. Stanley. 10/26/70.
- USM-302. "Asbestos in the Air and the General Public". Undated.
- USM-303. Letter from Selikoff to Goldberg. 9/8/70.
- USM-304. Letter from Verhalen to EPA. 7/3/70.
- USM-305. Letters from Editor, Chemical Week. 10/8/66.
- USM-306. Reprint of Chapter 2, "Asbestosis" by Kenneth Smith, M.D. from the Pneumoconioses. Undated.
- USM-307. Letter from O'Rourke to Levine. 7/17/68.
- USM-308. Letter from Lange to Stumpf. 9/23/57.
- USM-309. Letter from Stumpf to Lange. 10/3/57.
- USM-310. Minutes of Meeting, Board of Examiners with 7/15/70 Tabershaw-Cooper Report attached. 7/21/70.
- USM-311. Letter from Cooper to Levine. 11/5/70.

- USM-312. Letter from Levine to Cooper. 6/10/70.
- USM-313. Letter from Levine to Fowler. 10/27/70.
- USM-314. Letter from Levine to SMFMA members. 10/8/70.
- USM-315. Kodaras Report on Sprayed Mineral Fiber Dusting Tests. 7/10/67.
- USM-316. Kodaras Report for SMFMA. 12/26/67.
- USM-317. Article "Application of Sprayed Inorganic Fiber Containing Asbestos: Occupational Health Hazards" by Reitze, Nicholson, Holaday and Selikoff. 8/3/71.
- USM-318. Letter from B. Walls of Cadwalader, Wickersham & Taft to J. Verhalen. 11/27/61.
- USM-319. Letter from R. Porter of Keasbey & Mattison to J. Verhalen. 11/10/61.
- USM-320. Letter from J. Verhalen to G. Reycraft of Cadwalader, Wickersham & Taft. 11/20/65.
- USM-321. Certification of Incorporation of Sprayed Mineral Fiber Manufacturers Association, Inc. 12/1/65.
- USM-322. Constitution and By-Laws of Sprayed Mineral Fiber Manufactures Association, Inc. Undated.
- USM-323. Memorandum from J. Verhalen to Members of SMFMA re: Meeting on 12/7/65. 12/4/65.
- USM-324. Letter from J. O'Rourke to J. Edmonds of American Institute of Steel Construction. 1/26/66.
- USM-325. Letter from J. Verhalen as SMFMA Member to H. Levine. 12/8/76.
- USM-326. Letter from H. Levine as SMFMA Member to Mr. Weatherby of Keene, Mr. Toth of Philip Carey, and Mr. Gropp of USM. 9/29/69.
- USM-327. Letter from H. Levine as SMFMA Member to Mr. Jenne of Keene Corp., Mr. Roth & Mr. Lieff of Philip Carey, and Mr. Gropp & Mr. Stumpf of USM. 4/8/70.
- USM-328. Letter from W. Reitze of Mt. Sinai to H. Levine as President of SMFMA. 4/1/70.
- USM-329. Letter from H. Levine as SMFMA Member to USM, Philip Carey, Keene Corp., and Asbestospray Corp. 6/24/69.
- USM-330. Letter from Levine to Verhalen. 3/10/66.
- USM-331. Letter from Selikoff to Binger of SMFMA. 2/9/70.
- USM-332. Letter from Levine to Stumpf (USM), Jenne (Keene), and Lieff (S&K). 2/5/69.
- USM-333. Letter from Levine to Stumpf (USM), Lieff (S&K), and Jenne (Baldwin). 10/22/68.
- USM-334. Letter from Levine to Wilson (Baldwin), Lieff (S&K), Stumpf (USM), Verhalen (USM), Boyer (Cadwalader). 3/4/66.
- USM-335. Letter from Selikoff to Levine. 5/12/69.
- USM-336. Letter from Levine to Jenne (Keene), Toth (Philip Carey), and Gropp (USM). 5/19/69.
- USM-337. Letter from Levine to Wilson (Baldwin), Lieff (S&K), USM (Stumpf). 4/12/66.

- USM-338. Letter from Levine to Verhalen (USM), Wittkop (Baldwin), Binger (S&K), Boyer (Cadwalader). 5/10/66.
- USM-339. Letter from Levine to Jenne (Keene), Toth & Lieff (Philip Carey), and Gropp & Stumpf (USM). 2/26/70.
- USM-340. Letter from Levine to Verhalen. 11/11/66.
- USM-341. Letter from Levine to Lieff. 3/6/66.
- USM-342. Letter from Levine to Wilson (Baldwin), Lieff (S&K), Stumpf (USM), Verhalen (USM), and Boyer (Cadwalader). 3/4/66.
- USM-343. Letter from Levine to Verhalen. 3/7/66.
- USM-344. Letter from Levine to Wilson (Baldwin), Lieff (S&K), and Stumpf (USM) with attached article "Asbestos Exposure and Neoplasia". 4/11/66.
- USM-345. Letter from Levine to Insulation Industry Health Research Fund c/o Selikoff. 9/11/68.
- USM-346. Letter from Levine to SMFMA Board of Directors. 1/4/71.
- USM-347. Letter from Selikoff as President-Elect of New York Academy of Sciences of Levine. 4/10/68.
- USM-348. Letter from Levine to Jenne (Keene), Toth (Philip Carey), and Gropp (USM). 12/13/69.
- USM-349. Letter from Selikoff to Carroll of Contracting Plasterers' and Lathers' International Association. 12/10/69.
- USM-350. Sampling Report of Reitze and Rohl re: sampling at 127 John Street in NYC on 9/3/70. Undated.
- USM-351. Sampling Report of Reitze & Rohl re: sampling at 1 State Street in NYC on 9/16/70. Undated.
- USM-352. Letter from R. Hebblethwaite of Florida State Board of Health to L. Benavides of Dade County Health Department. 1/24/67.
- USM-353. CAFCO Sales and Application Manual.
- USM-354. Letter from A.E. Binger to I. Selikoff 2/4/70.
- USM-355. Letter from H.L. Levine to I. Selikoff 2/4/70.
- USM-356. Research Reports C-308, C-309, C-310 and C-311 dated 8/20/65.
- USM-357. Wet Bond strength test results dated 9/25/56 and signed by Frank Stumpf.
- USM-358. Bulletin No. 21 "Vibration Resistance of CAFCO Spray Type I.
- USM-359. Charts, diagrams, slides, photographs and other demonstration materials used in conjunction with the testimony of Dr. Eric Chatfield.
- USM-360. Charts, diagrams, slides, photographs and other demonstration materials used in conjunction with the testimony of Dr. Bernard Gee.
- USM-361. Charts, diagrams, slides, photographs and other demonstration materials used in conjunction with the testimony of Dr. Craighead.
- USM-362. Charts, diagrams, slides, photographs and other demonstration materials used in conjunction with the testimony of Dr. Janet Hughes.
- USM-363. USM invoices for sales in the State of Texas.
- USM-215. Article: "Asbestos: Scientific Developments and Implications for Public Policy" by B.T. Mossman, J.B.L. Gee, etc.

- USM-216. Article: "Asbestos - Related Diseases" by Brooke T. Mussman. PhD. and J. Bernard L. Gee, dated June 29, 1989.
- USM-217. Article: "Symposium on Health Effects of Exposure to Asbestos in Buildings", Harvard University, dated December 14-16, 1988.
- USM-218. Article: "The Derivation and Use of Asbestos Risk Estimates", by Janet M. Hughes.
- USM-219. OSHA Asbestos Regulations, dated July 7, 1972.
- USM-220. United States Environmental Protection Agency Regulation for Asbestos, dated April 6, 1973.
- USM-221. OSHA Asbestos Regulations, dated July 1, 1976.
- USM-222. EPA Asbestos Containing Materials in School Buildings: A Guidance Document", Parts I and II, dated March, 1979.
- USM-223. EPA Purple Book, dated June, 1985.
- USM-224. EPA Pink Book, dated October, 1985.
- USM-225. Final Asbestos Standards, dated June 20, 1986.
- USM-226. EPA Asbestos Containing Materials in School", dated October 30, 1987.
- USM-227. EPA Green Book.
- USM-228. Chart depicting relative risks of in-place asbestos and every day activities.
- USM-229. Article: "Comments Relative to Proposed OSHA Rulemaking Concerning Asbestosis", by Hans Weill and Janet Hughes, dated April, 1991.
- USM-230. Hans Weill's Curriculum Vitae.
- USM-231. Janet Hughes' Curriculum Vitae.
- USM-232. Roger Morse's Curriculum Vitae.
- USM-233. Eric Chatfield's Curriculum Vitae.
- USM-234. Charles Blake's Curriculum Vitae.
- USM-235. Edward Gaensler's Curriculum Vitae.
- USM-236. John Craighead's Curriculum Vitae.

- 6. Any and all contracts, specifications, correspondence, invoices, purchase orders, memoranda, records, documents, or writing of any nature which identify or document sales or the presence of asbestos products at the jobsites where Plaintiffs claim exposure, as well as contracts with any licensed applicator for the state(s) of Plaintiff's alleged exposure to CAFCO products.
- 7. U.S. Mineral reserves the right to use Exhibits listed by any other party to this action, including those listed by Plaintiff's counsel [all documents listed in this answer to Interrogatory have been previously produced to Plaintiff's counsel, but counsel for Defendant will make the documents available for reasonable inspection and copying at a mutually agreeable date and time at the office of Livingston & Markle, 55 Waugh Drive, Suite 200, Houston, Texas 77007.

INTERROGATORY NO. 63:

Please state when you first received a copy of the Fleischer/Drinker Report published in 1945/1946.

ANSWER NO. 63:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving the said Objection, Defendant responds as follows: To the best of its knowledge, U.S. Mineral never received a copy of this report during any time relevant to this lawsuit.

INTERROGATORY NO. 64:

When, if ever, did Defendant or any of its predecessors-in-interest first receive a copy of the article entitled "A Study of Asbestos in the Asbestos Textile Industry", published in 1938 in Public Health Bill, No. 241, U.S. Public Health Service and authored by W. (c) Dreessen ("the Dreessen Report")?

- (a) Identify the name and position of the employee or officer who received same;
- (b) Please produce all documents generated by Defendant which discuss or in any way reference the "Dreessen" study prior to 1968;
- (c) Please produce all documents upon which your responses above are based;
- (d) Please identify the name(s) and address(es) of any person(s) who can verify your above response;
- (e) Did Defendant ever rely on the Dreessen Report in whole or in part as a basis that Defendant's asbestos products could be used in the workplace without risk of asbestos-related health impacts to the consumer and/or bystander;
- (f) If so, please produce every document which evidences in any way that Defendant relied on the Dreessen Report in whole or in part for the proposition stated in Interrogatory No. 63(a) above;

- (g) If your answer to 63(e) is yes, when was the first date Defendant relied on the Dreessen report in whole or in part for the proposition stated in 63(e) above?

ANSWER NO. 64:

Objection, overbroad, vague and burdensome, it is also global and multifarious and not reasonably calculated to lead to relevant discoverable information; violates the work product exemption of Rule 166b(3)(a) of the Texas Rules of Civil Procedure and the lawyer-client privilege found in Rule 503 of the Texas Rules of Civil Evidence; this request is asking for a party's investigation and information gathered in anticipation of litigation, which is privileged from discovery; this request is designed to harass this party; vexatious and serves no useful purpose in the development of admissible evidence at trial.

RESPONSE TO REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

Please produce a true and correct copy of each photograph of each asbestos-containing product identified in answer to Interrogatory No. 4.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Without waiving the said Objection, Defendant responds as follows: Subject to this objection, a photograph of Blaze-shield Type D bag, has been previously produced to Plaintiff's counsel on numerous occasions in the past. If Plaintiff's counsel desires, Defendant will make an original photograph available for inspection and copying at the office of counsel for Defendant, upon reasonable request.

REQUEST FOR PRODUCTION NO. 2

Please produce any diagrams or schematics indicating, stating or detailing the existence of any of your subsidiaries, predecessors, or divisions as defined on Page 1 of these Interrogatories and Request for Production.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

United States Mineral Products Company objects to this request on the grounds that it seeks information which is irrelevant and not calculated to lead to the discovery of admissible evidence. This request is overly broad and unduly burdensome. Further objection is made to the request to the extent it seeks information protected by the principles of trade secrecy, attorney/client privilege, work product and/or party communications. Furthermore, it requests the creation of a document rather than the production of an existing document.

REQUEST FOR PRODUCTION NO. 3

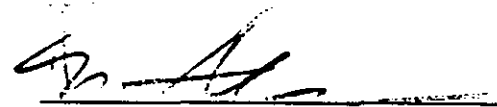
Please produce copies of all reports of Defendants' experts and any and all documents relied upon by such experts.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3

Objection, overbroad, vague and burdensome, it is also global and multifarious and not reasonably calculated to lead to relevant discoverable information; violates the work product exemption of Rule 166b(3)(a) of the Texas Rules of Civil Procedure and the lawyer-client privilege found in Rule 503 of the Texas Rules of Civil Evidence; this request is asking for a party's investigation and information gathered in anticipation of litigation, which is privileged from discovery; this request is designed to harass this party; vexatious and serves no useful purpose in the development of admissible evidence at trial.

Respectfully submitted,

LIVINGSTON & MARKLE

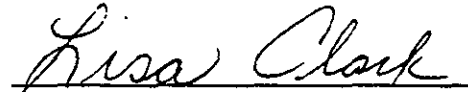


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ATTORNEY FOR DEFENDANT,
U.S. MINERAL PRODUCTS CO.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument has been served upon all counsel of record pursuant to Rule 21a, T.R.C.P., on or about October 7, 1994.

A handwritten signature in cursive script, reading "Lisa Clark", written over a horizontal line.

Lisa Clark
Legal Assistant

Re: All Asbestos Cases
Bexar County, Texas

STATE OF NEW JERSEY)

)

)

SS:

VERIFICATION

)

COUNTY OF SUSSEX)

I, **PAULETTE A. KAMINSKI**, being first duly sworn, deposes
and says:

That she is Assistant Corporate Secretary for **UNITED STATES MINERAL PRODUCTS COMPANY**; that she verifies the foregoing **OBJECTIONS AND RESPONSES TO MASTER SET OF DISCOVERY REQUESTS**, and is duly authorized to do so; that any information contained therein which is not within her personal knowledge has been assembled by authorized employees and representatives of **UNITED STATES MINERAL PRODUCTS COMPANY**, and deponent is informed and believed that the facts stated therein are true.

Paulette A. Kaminski
PAULETTE A. KAMINSKI
Assistant Corporate Secretary
U.S. Mineral Products Company

Sworn to and subscribed
before me this 14th day
of September, 1994.

Patricia M. Dooley
Notary Public

PATRICIA M. DOOLEY
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires July 28, 1998