CAUSE NO. 93-04497-I

JAMES MARVIN COBB and EDNA FAYE COBB, WOODROW WILSON STINSON, SR. and HAZEL STINSON, JAMES MELBORN McLEOD and LOLA R. McLEOD, ELTON M. YOUNG, JOHN S. TATE and MARY A. TATE, FRANK S. JOHNSON and MAMIE L. JOHNSON, and SUSIE BARNEY, Individually and as Personal Representative of the Heirs and Estate of LEMLY BARNEY, SR., Deceased,	$ $ $ $ $ $ $ $ $ $ $ $ $	IN THE DISTRICT COURT
Plaintiffs,	$ $ $	
USG CORPORATION, ET AL.,	$ $ $	
Defendants.	$	162ND JUDICIAL DISTRICT

AFFIDAVIT

STATE OF ILLINOIS §
§
COUNTY OF Cook §

BEFORE ME, the undersigned authority, personally appeared Edith W. Hickman, who, being by me duly sworn, deposed and said:

1. My name is Edith W. Hickman. I am over 18 years of age, of sound mind, capable of making this Affidavit, and am personally acquainted with the facts stated in it.

2. I am the manager of business affairs, legal department, for USG Corporation. In this capacity, I am responsible for maintaining the United States Gypsum Company asbestos document collection. I am capable of making the statements contained in this affidavit.

[redacted]

Blumberg No. 5113 PLAINTIFF'S EXHIBIT US6-261

3. I have read the Defendant United States Gypsum Company's Motion to Quash Plaintiffs' Notice of Intention to Take Oral Deposition which was filed on October 3, 1994, and verify that every statement contained therein is true within my personal knowledge.

4. I have made a reasonable inquiry and the information known or readily obtainable by me is insufficient to enable me to either admit or deny whether the document labeled USG-76 on the exhibit list accompanying Plaintiffs' Intention to Take Oral Deposition is genuine, is authentic, is an accurate copy of the original, is a business record of another company or organization, was made contemporaneously to the event, activity or occurrence, was made in the course of a regularly conducted business activity of another company or organization or whether it is a regular practice of that business activity to make such document. The United States Gypsum Company has received this document during the course of the asbestos litigation but this document was not contained in the files of the United States Gypsum Company. I deny that this document is the business record of United States Gypsum Company, was prepared by or at its direction or that it received a copy of the document on or about the date indicated thereon or at or near the time of the events and facts recorded therein.

5. I have made reasonable inquiry and the information known or readily obtainable by me is insufficient to enable me to either admit or deny whether the document labeled USG-218 on the exhibit list accompanying Plaintiffs' Notice of Intention to Take Oral

[redacted] Page 2

Deposition is genuine, is authentic, is an accurate copy of the original, is a business record of another company or organization, was made contemporaneously to the event, activity or occurrence, was made in the course of a regularly conducted business activity of another company or organization or whether it is a regular practice of that business activity to make such document. United States Gypsum Company has received this document during the course of the asbestos litigation but this document was not contained in the files of United States Gypsum Company. I deny that this document is a business record of United States Gypsum Company or was prepared by or at its direction. I can neither admit nor deny that United States Gypsum Company received a copy of the document on or about the date indicated on this document or at or near the time of the events or facts recorded therein.

6. I have made reasonable inquiry and the information known or readily obtainable by me is insufficient to enable me to either admit or deny whether the document labeled USG-248 on the exhibit list accompanying Plaintiffs' Notice of Intention to Take Oral Deposition is genuine, is authentic, is an accurate copy of the original, is a business record of another company or organization, was made contemporaneously to the event, activity or occurrence, was made in the course of a regularly conducted business activity or whether it was a regular practice for that business activity to make such document. This document has not been found in the files of United States Gypsum Company and United States Gypsum Company cannot confirm that said document was produced to it during the

course of the asbestos litigation. I deny that this document is a business record of United States Gypsum Company, was prepared by or at its discretion or that it received a copy of the document on or about the date indicated on the document or at or near the time of the events and facts recorded therein.

7. After making reasonable inquiry, I have not located a copy of the document labeled USG-180 on the exhibit list accompanying Plaintiffs' Notice of Intention to Take Oral Deposition in the files of United States Gypsum Company, and the information readily known or obtainable by me is insufficient to enable me to admit or deny whether this document is genuine and authentic. I admit that this document is a true and correct copy of a document located in the files of United States Gypsum's outside law firm. I admit that this document was prepared at the request of United States Gypsum Company. I deny that this document is the business record of the United States Gypsum Company. After reasonable inquiry, the information known or readily obtainable by me is insufficient to enable me to either admit or deny that the document is the business record of another company or organization. I admit that the United States Gypsum Company received this document but United States Gypsum Company reserves the right to object to the admission into evidence of this document as hearsay.

8. I am unable to state whether or not the document labeled USG-163 on the exhibit list accompanying Plaintiffs' Notice of Intention to Take Oral Deposition is authentic. This document is a photograph of a product and was sent to United States Gypsum. I

am unable to respond to this document as it is described. This document was not contained in the files of United States Gypsum Company and I deny that this document is a business record of United States Gypsum Company.

Edith W. Hickman
EDITH W. HICKMAN, AFFIANT

SUBSCRIBED AND SWORN to before me, on the 7th day of October, 1994, to certify which witness my hand and official seal.

" OFFICIAL SEAL "
NORA A. KOUBA
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 4/5/96

Nora A. Kouba
NOTARY PUBLIC, in and for the state of Illinois

[redacted]