PLAINTIFF'S EXHIBIT

DIA-1

NO. 99-06995-C

KIMBERLEY MORGAN BRAACK, Individually and as Personal Representative of the Heirs and Estate of MARY VIRGINIA MORGAN, Deceased	§ § § §	IN THE DISTRICT COURT OF
v.	§ § §	DALLAS COUNTY, TEXAS
HNA HOLDINGS, INC., ET AL.	§	68TH JUDICIAL DISTRICT

DEFENDANT ULTRAMAR DIAMOND SHAMROCK CORPORATION'S ANSWERS AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF INTERROGATORIES, FIRST REQUEST FOR PRODUCTION AND FIRST REQUEST FOR ADMISSIONS

To: Plaintiff, Kimberley Morgan Braack, Individually and as Personal Representative of the Heirs and Estate of Mary Virginia Morgan, Deceased, by and through her counsel of record, Elizabeth R. Schick, Baron & Budd, P.C., 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219.

COMES NOW, ULTRAMAR DIAMOND SHAMROCK CORPORATION, Defendant in the above-entitled and numbered cause, and pursuant to Rules 196, 197 and 198 of the Texas Rules of Civil Procedure serves this its Answers and Objections to Plaintiff's First Set of Interrogatories, Request for Production and Request for Admissions.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document was caused to be served upon all counsel of record on this the ____ day of July, 2001, by Regular Mail/Facsimile and/or Certified Main/Return Receipt Requested.

Elizabeth R. Schick
Baron & Budd, P.C.
Centrum Building
3102 Oak Lawn Ave., Suite 1100
Dallas, Texas 75219-4281

All known counsel of record

A. Christopher Derden

Respectfully submitted,

ADAMS AND REESE LLP

By:

F. LEE BUTLER
TBA No. 00785606
A. Christopher Derden
TBA No. 00790584
4400 One Houston Center
1221 McKinney
Houston, Texas 77010
Telephone: (713) 652-5151
Telecopier: (713) 652-5152

ATTORNEYS FOR DEFENDANT,
ULTRAMAR DIAMOND SHAMROCK CORPORATION

ANSWERS AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF INTERROGATORIES, REQUESTS FOR ADMISSION AND REQUESTS FOR PRODUCTION

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:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 1:

Admit that Defendant ordered, purchased or otherwise acquired asbestos-containing products, asbestos-containing friction products, and/or machinery requiring the use of asbestos or asbestos-containing products.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 1:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 2:

Admit that asbestos-containing products, asbestos-containing friction products, and/or machinery requiring the use of asbestos or asbestos-containing products were utilized on Defendant's Premises between the years 1950 and 1978.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 2:

If you admit the foregoing request, list all asbestos-containing products used at Defendant's Premises and for each product state the following:

a. What these products were used for
b. From whom these products were purchased
c. Where these products were installed
d. Specific persons or contractors who install these products
e. The first year each product was no longer purchased and installed on Defendant's Premises

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks

information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 2:

Produce all ordering and sales documents pertaining to the purchase or acquisition of such asbestos-containing products for use at Defendant's Premises, including but not limited to invoices, price quotations, purchase orders, requisitions, bills of lading, and other purchasing and/or shipping documents of the similar nature.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 3:

Admit that during the time Plaintiff's Decedent was employed by Defendant, it was foreseeable that asbestos-containing products on Defendant's Premises would or could be removed, stripped, replaced or repaired at some time after installation.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR ADMISSION NO. 4:

Admit that Plaintiff's Decedent was exposed to asbestos-containing products and/or machinery requiring or calling for the use of asbestos and/or asbestos-containing products in his occupation at Defendant's Premises.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 3:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 5:

Admit that Plaintiff's Decedent was employed by Defendant or by a predecessor-in-interest of Defendant.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 4:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 5:

If you admit the foregoing request, in whole or in part, produce Plaintiff's Decedent's employment file.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 3:

Do you contend that Plaintiff's Decedent was not exposed to asbestos while working at the Defendant's Premises? If the answer is anything other than "no", identify each and every fact which supports this contention.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 6:

Admit that Plaintiff's Decedent worked at Defendant's Premises in areas where asbestos-containing products were installed, used, prepared for use, replaced or repaired, stored or loaded, unloaded or transported.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 6:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 7:

Admit that while Plaintiff's Decedent was working on Defendant's Premises he was continuously exposed to asbestos and asbestos-containing dust without the provision of appropriate safeguards.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information

and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 7:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 8:

Admit that Defendant was negligent in the installation, maintenance, removal and/or abatement of asbestos at Defendant's Premises.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 8:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks

information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 9:

Admit that Defendant consciously decided not to warn its employees of the dangers of asbestos.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 4:

Do you contend that Defendant specifically warned Plaintiff's Decedent about the hazards of asbestos and asbestos-containing products? If the answer is anything other than "no", identify each and every fact which supports this contention.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 5:

Describe all safety precautions taken by you or directed by you to be taken (such as containment areas, warning signs, ventilation systems, evacuating the premises, etc.) for the protection of bystanders (including but not limited to Plaintiff's Decedent) from the hazards resulting from the use of asbestos-containing products at Defendant's Premises.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 10:

Admit that you did not erect containment barriers to prevent emission of asbestos dust at the work sites where your employees were using asbestos-containing materials, including the work sites where Plaintiff's Decedent was present.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 9:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 11:

Admit that you did not utilize engineering controls such as isolation or enclosure at the work sites where your employees were using asbestos-containing materials, including the work sites where Plaintiff's Decedent was present.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 10:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 12:

Admit that you did not utilize ventilation or exhaust systems to divert dust at the work sites where your employees were using asbestos-containing materials, including the work sites where Plaintiff's Decedent was present.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information

and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 11:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 13:

Admit that you did not utilize dust collection engineering controls to trap airborne asbestos dust at the work sites where your employees were using asbestos-containing materials, including the work sites where Plaintiff's Decedent was present.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 12:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore,

Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 14:

Admit that you did not require your employees to handle, mix, apply, remove, cut or score asbestos-containing products in a wet state to prevent emission of airborne asbestos fibers at the work sites where your employees were using asbestos-containing materials, including the work sites where Plaintiff's Decedent was present.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 13:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 15:

Admit that you did not evacuate the premises prior to the utilization of asbestos-containing materials at the work sites where your employees were using asbestos-containing materials, including the work sites where Plaintiff's Decedent was present.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 14:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 16:

Admit that you did not protect Plaintiff's Decedent from exposure to asbestos fibers on Defendant's Premises.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 15:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 17:

Admit that exposure to asbestos fibers on Defendant's Premises put Plaintiff's Decedent at an extreme risk of injury.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 16:

If you fail to unequivocally admit the foregoing request, produce all documents which support your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 18:

Admit that by failing to adequately protect Plaintiff's Decedent from exposure to asbestos fibers, Defendant placed Plaintiff's Decedent at an extreme degree of risk.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 17:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 19:

Admit that Defendant was aware of the presence of and/or use of asbestos-containing products on Defendant's Premises during the time period Plaintiff's Decedent was working on Defendant's Premises.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 18:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 20:

Admit that Defendant knew that asbestos fibers when inhaled could cause injury.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 19:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 21:

Admit that by knowing of the hazards of exposure to asbestos fibers and failing to protect Plaintiff's Decedent from exposure to asbestos fibers, Defendant exhibited conscious indifference to the rights, safety and welfare of Plaintiff's Decedent.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 20:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 22:

Admit that Defendant demonstrated "such an entire want of care as to establish that its acts and omissions were the result of actual conscious indifference to the rights, safety and welfare of Plaintiff's Decedent, and that such acts and omissions were a proximate cause of Plaintiff's Decedent's death."

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information

and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 21:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 23:

Admit that Defendant failed to provide safety equipment for Plaintiff's Decedent to use on Defendant's Premises.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 22:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks

information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 24:

Admit that Plaintiff's Decedent's exposure to asbestos at Defendant's Premises was a substantial contributing factor in causing his asbestos-related injury.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 23:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 25:

Admit that Defendant did not exercise reasonable care to reduce or eliminate the risk of harm posed by the use of asbestos-containing products at Defendant's Premises.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore,

Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR ADMISSION NO. 26:

Admit that Defendant did not reduce or eliminate the unreasonable risk of harm posed by the use of asbestos-containing products at Defendant's Premises.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 24:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 28:

Admit that Defendant's failure to reduce or eliminate the risk of harm to Plaintiff's Decedent posed by exposure to asbestos was a substantial factor in bringing about Plaintiff's Decedent's asbestos-related injury.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been

exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 25:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 26:

If you contend that while at the premises on which you or your employees were working with asbestos-containing materials, Plaintiff's Decedent was not exposed to sufficient quantities of asbestos dust to produce the disease(s) complained of, produce all documents supporting your contention.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 27:

If you contend that Plaintiff's Decedent is suffering from an asbestos disease as a result of exposures other than asbestos dust at the premises on which you or your employees were working with asbestos-containing materials, produce all documents supporting your contention.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 28:

If you contend that Plaintiff's Decedent does not suffer from the asbestos-related disease(s) complained of, produce all documents supporting our contention.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 29:

If you contend that Plaintiff's Decedent was not exposed to asbestos dust on Defendant's Premises, produce all documents supporting your contention.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 6:

State whether Defendant has at any time provided safety equipment at any time for workers' protection against the inhalation of asbestos dust, including but not limited to masks, respirators, other breathing devices, protective clothing, protective gloves, etc. For each such item of equipment, indicate when such was first provided to your workers, under what circumstances such were provided, and the name, address and telephone number of the person most knowledgeable concerning such provision.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 30:

Produce all documents which support your response to the foregoing interrogatory.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 7:

If you have ever had a policy requiring employees to use respirators, state when this policy was implemented; describe this policy in detail; state to whom it applied (i.e. Defendant employees and contractor employees); and describe what types and brand names of respirators were required by you.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 31:

Produce all documents which support your response to the foregoing interrogatory.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 29:

Admit that Defendant did not provide adequate safety measures and protection against asbestos dust to Plaintiff's Decedent.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 32:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 30:

Admit the Defendant did not adequately warn Plaintiff's Decedent of the extreme risk and dangers of asbestos exposure during the installation, maintenance, manufacturing and removal process.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 33:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery

of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 8:

Identify any and all warnings ever given by Defendant, if any, to Plaintiff's Decedent regarding the hazards of asbestos and the dangers inherent in the inhalation of asbestos fibers.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 9:

If Defendant or any of its predecessor or subsidiary companies have at any time published or distributed any printed material containing any warnings concerning the possibility of injury resulting from the use of asbestos-containing products or exposure to asbestos? If so, identify each person responsible for having drafted or issued the warning statements and/or written materials, and the dates when each warning was first issued or distributed.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 31:

Admit that Defendant did not adhere to all industrial, governmental, regulatory and other established measures to protect workers from harm from exposure to asbestos during the relevant time of Plaintiff's Decedent's employment.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 34:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 10:

State in detail what tests, if any, Defendant, Defendant's employees, governmental inspectors or insurance company 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 asbestos-containing products at any of Defendant's job sites. State where and when these tests were conducted, and the results of any such test.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 35:

Produce all documents identified in the foregoing interrogatory.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 11:

State each time any regulatory agency or other governing body has inspected the Defendant's Premises to determine if health and safety regulations governing exposure to asbestos were being followed. Include in your response the date and results of each inspection, and state whether a written report was generated.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 36:

Produce all documents identified in the foregoing interrogatory.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery

of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 32:

Admit that Defendant attempted to install, maintain, manufacture and/or remove asbestos in its workplace without taking adequate precautions for the protection of workers in the vicinity and/or in the plant generally.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 37:

If you fail to unequivocally admit the foregoing request, produce all documents which support your response.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 12:

State the years during which Defendant or its subsidiaries or predecessors operated a medical department and identify all persons who directed, headed or supervised said department and the years of their service in that capacity.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been

exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 13:

State the years during which Defendant or its predecessors or subsidiaries operated a safety department and identify all persons who directed, headed or supervised said department and the years of their service in that capacity.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 33:

Admit that asbestos containing materials are still in use on Defendant's Premises.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR ADMISSION NO. 34 (Improperly designated by Plaintiff as No. 33):

Admit that asbestos containing materials are no longer in use on Defendant's Premises.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 14:

State the date when Defendant ceased to use asbestos-containing products, indicating the first year each type of product was no longer purchased and/or installed.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 15:

State whether written warnings were placed at any locations adjacent or near asbestos in place at Defendant's job sites. If so, describe with specificity such signs, including size, color, wording, etc. Additionally, state the number of such signs that were installed and indicate the specific location of each such sign and the dates and length of time such sign was placed at that location.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 16:

State whether any asbestos products in place or in use have been removed or abated from Defendant's Premises. If so, list each and every abatement company or other contractor involved with the removal of asbestos, including address and telephone number, dates and particular locations of such removal.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 17:

If you contend that you have not been negligent towards Plaintiff Decedent, as Plaintiff has alleged in Plaintiff's Original Petition and any amendments thereto, state in full the basis for this contention and describe all regulations, laws, statutes, or other authority including internal procedures relating to asbestos that you have relied upon in making this contention.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 18:

If Defendant has ever been a member of any trade organization that published or disseminated any documents or information relating to asbestos, state the names of such organizations and list the dates of membership.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 19:

Identify every individual ever employed by Defendant who has made or presented a Worker's Compensation or other claim for personal injury or death resulting from inhalation of asbestos. Include in your response the date of any such claims and a description of the injury alleged.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 20:

State whether a medical monitoring program, medical examination program or other medical surveillance was provided to your employees and specifically to Plaintiff's Decedent. If so, indicate what records of such program, examination or surveillance concerning Plaintiff's Decedent exist at this time, including but not limited to reports, x-rays, medical notes and/or descriptions of any kind.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery

of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

INTERROGATORY NO. 21:

State the year our first leaned that persons could suffer physical injury through the inhalation of asbestos fibers and how Defendant became aware of the existence of asbestos hazards. Further, identify any documents that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings.

ANSWER:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this interrogatory on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this interrogatory on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 38:

Produce any and all documents, memoranda and/or other writings that reflect, indicate or in any way related to communications between you and any manufacturer of asbestos-containing products concerning or related to the asbestos contained in such products.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 39:

Produce any and all documents, memoranda and/or other writings, including but not limited to books, pamphlets, or other written materials of any kind or character in your possession that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 40:

Produce all publications in your possession that were disseminated or published by any trade association or organization and that contain information relating to the hazards of asbestos and all documents which refer to such publications.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 41:

Produce any and all documents, memoranda and/or other writings that indicate and/or reflect or refer to any inspections by any regulatory agency for the purpose of ascertaining whether health or safety regulations were being followed or adhered to at any of your job sites, including but not limited to written reports produced by such agency. This request specifically seeks any and all such documentation referring to dust hazards.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery

of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 41:

Produce any and all documents, memoranda and/or other writings that indicate and/or reflect or refer to any inspections by any regulatory agency for the purpose of ascertaining whether health or safety regulations were being followed or adhered to at any of your job sites, including but not limited to written reports produced by such agency. This request specifically seeks any and all such documentation referring to dust hazards.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 42:

Produce all safety meeting minutes or other documents, memoranda and/or writings that refer to the dangers of asbestos and/or safety measures to be used in the vicinity of asbestos at Defendant's Premises.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 43:

Produce all contracts, memoranda, and/or other writings that in any way reflect arrangements made for the removal of asbestos and/or the installation of asbestos products at any of Defendant's facilities.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 44:

Produce all documents, memoranda, and/or other writings that in any way reflect a removal plan or organized written criteria or schedule for the removal of asbestos at any of Defendant's facilities.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 45:

Produce all safety manuals and/or safety handbooks provided to Defendant's employees at any time.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 46:

Produce any and all documents related to the medical condition of Plaintiff's Decedent at any time during his employment by Defendant and/or Defendant's subsidiary. This request specifically includes all x-rays, x-ray reports, medical notes and/or medical records of any kind, including annual physical forms.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 47:

Produce the entire personnel file for Mary Virginia Morgan.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 48:

Produce all documents that relate to an inquiry made by you to any contractor working at Defendant's Premises at the same time as Defendant's employees which refer, relate or mention the hazards of asbestos, the existence or location of asbestos-containing materials and/or procedures to follow in the event that work is to be performed by your employees, including Plaintiff's Decedent, in the vicinity of asbestos-containing materials.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 49:

Produce all documents that relate to an inquiry made by any of your employees to you or to any other entity or individual which refer, relate or mention the hazards of asbestos, the existence or location of asbestos-containing materials and/or procedures to follow in the event that work is to be or has been performed by your employees, including Plaintiff's Decedent, in the vicinity of asbestos-containing materials.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 50:

Produce any and all safety guidelines, specifications and/or other documents provided to Defendant and/or its employees by any other contractors working at Defendant's job sites at the same time as Defendant's employees, including Plaintiff's Decedent, which refer, relate or mention the hazards of asbestos, the existence or location of asbestos-containing materials and/or procedures to follow in the even that work is to be performed in the vicinity of asbestos-containing materials.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks

information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 51:

Produce any and all safety guidelines, specifications and/or other documents from any source that were provided to Defendant's employees, including Plaintiff's Decedent, which refer or relate or mention the hazards of asbestos, the existence or location of asbestos-containing materials and/or procedures to follow in the event that work is to be performed by Defendant's employees in the vicinity of asbestos-containing materials.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 52:

Produce any brochures, pamphlets, catalogs, packaging, or other written material of any kind or character containing any warnings concerning the possibility of injury resulting from the use of asbestos-containing products or exposure to asbestos that have been published, distributed or disseminated by you.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 53:

Produce any photographs, videotape, film, slides or other tangible think graphically depicting images of asbestos products in place or asbestos products being

mixed, applied, fabricated, installed, repaired, maintained, utilized, removed, replaced or abated at any of Defendant's facilities.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 54:

Produce any photographs, videotape, film, slides or other tangible thing graphically depicting images of warning signs or other cautionary statements or statements restricting access to areas in the vicinity of asbestos-containing products or asbestos in place being mixed, applied, fabricated, installed, repaired, maintained, utilized, removed, replaced, or abated at any time at any of Defendant's facilities.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 55:

Produce any photographs, videotape, film, slides or other tangible thing graphically depicting images of containment areas or other restricted access areas in the vicinity of asbestos-containing products or asbestos in place being mixed, applied, fabricated, installed, repaired, maintained, utilized, removed, replaced or abated at any time at any of Defendant's facilities.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore,

Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 56:

Produce any documents, including but not limited to workers compensation claims, indicating that any individuals claimed injury as a result of exposure to asbestos products while employed by you.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 57:

Produce any memoranda, writings, or other documents, including but not limited to, corporate minutes, which in any way contain a discussion of the hazards or potential hazards of asbestos.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 58:

Produce any and all documents, including invoices, shipping receipts, bills of lading, purchase orders, or other documents of a similar nature related to the purchase of asbestos-containing products for use by Defendant's employees.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 59:

Produce any and all documents, including invoices, shipping receipts, bills of lading, purchase orders, or other documents of a similar nature related to the purchase of respirators, protective clothing, containment materials, or other protective devices for use by Defendant's employees who were to be working in the vicinity of asbestos-containing products during the course and scope of their employment duties.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 60:

Produce any and all records, documents, memoranda or other writings reflecting in any way any inspections by labor inspectors, insurance company inspectors or anyone from your company or hired by your company, that included the taking or measuring of "dust counts" at any of Defendant's facilities or at any of Defendant's job sites.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 61:

In the event that Defendant performed or had performed any dust level counts or measurements of any of its job sites with respect to asbestos dust, produce any documents, memoranda, or other writings that in any way reflect the results of such studies or counts and actions taken as a result of such counts or studies.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 62:

Produce any and all reports, writings (whether published or unpublished) and/or other documentation written, created and/or edited by any of your experts that in any way pertain to asbestos and the hazards and/or diseases that may result therefrom.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 63:

Produce any and all documents provided to any expert or fact witnesses as a result of the filing of this case.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been

exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 64:

Produce any and all curriculum vitae and/or resumes of any of the experts and/or persons with knowledge of relevant fact that you have listed in your Answers to Interrogatories.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 65:

Produce any and all documents which will be used at the time of trial, including all potential exhibits and those documents which may be used to cross-examine other witnesses or in rebuttal, and which you contend are relevant to any of Defendant's enumerated defenses in Defendant's most recently filed Answer.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 66:

Produce 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.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 67:

Produce all documents which reflect an agreement between Defendant and any of Defendant's customers to indemnify and hold harmless any individual or entity for injuries sustained by Defendant's employees, including Plaintiff's Decedent, at any of Defendant's Premises between 1955 and 1979.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 68:

Produce all documents which reflect any discussion concerning the exercise of control over Defendant's employees, including Plaintiff's Decedent, over the work of Defendant's employees, or over the safety practices of Defendant's employees while such employees were performing their duties within the course and scope of their employment at Defendant's Premises between 1950 and 1978.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 69:

Produce all documents which reflect any discussion concerning the exercise of control over or monitoring of the use of respirators, protective clothing or other protective equipment by Defendant's employees, including Plaintiff's Decedent, while such employees were performing their duties within the course and scope of their employment at Defendant's Premises between 1950 and 1978.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR PRODUCTION NO. 70:

Produce all documents used, referred to or relied upon in answering any Interrogatories or Request for Disclosure.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 35 (Improperly designated by Plaintiff as No. 34):

Admit that Plaintiff filed suit against Defendant within two (2) years of the date of Plaintiff's Decedent's death.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR ADMISSION NO. 36 (Improperly designated by Plaintiff as No. 35):

Admit that the 3-hour time-weighed average airborne concentrations of asbestos fibers to which Plaintiff's Decedent was exposed exceeded five fibers, longer than 5 micrometers, per cubic centimeter of air.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 71:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery

of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 37 (Improperly designated by Plaintiff as No. 36):

Admit that you did not measure the 3-hour time-weighted average airborne concentrations of asbestos fibers to which Plaintiff's Decedent was exposed while in your employ.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 72:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 38 (Improperly designated by Plaintiff as No. 37):

Admit that the 8-hour time-weighted average airborne concentrations of asbestos fibers to which Plaintiff's Decedent was exposed exceeded two fibers, longer than 5 micrometers, per cubic centimeter of air.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 73:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 39 (Improperly designated by Plaintiff as No. 38):

Admit that you did not measure the 8-hour time-weighted average airborne concentrations of asbestos fibers to which Plaintiff's Decedent was exposed while in your employ.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 74:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 40 (Improperly designated by Plaintiff as No. 39:

Admit that while in your employ, Plaintiff's Decedent was exposed to airborne concentrations of asbestos fibers in excess of 10 fibers, longer than 5 micrometers, per cubic centimeter of air.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 75:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery

of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 41 (Improperly designated by Plaintiff as No. 40:

Admit that you did not measure airborne concentrations of asbestos fibers in Plaintiff's Decedent's work area to determine whether Plaintiff's Decedent was exposed to airborne concentrations of asbestos fibers in excess of 10 fibers, longer than 5 micrometers, per cubic centimeter of air while in your employ.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 76:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 42 (Improperly designated by Plaintiff as No. 41):

Admit that you did not employ the following engineering control in Plaintiff's Decedent's place of employment: isolation.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 77:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 43 (Improperly designated by Plaintiff as No. 42):

Admit that you did not employ the following engineering control in Plaintiff's Decedent's place of employment: enclosure.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 78:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 44 (Improperly designated by Plaintiff as No. 43):

Admit that you did not employ the following engineering control in Plaintiff's Decedent's place of employment: exhaust ventilation.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 79:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery

of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 45 (Improperly designated by Plaintiff as No. 44):

Admit that you did not provide and require the use of the following special clothing by Plaintiff's Decedent: coveralls or similar whole body clothing.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 80:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 46 (Improperly designated by Plaintiff as No. 45):

Admit that you did not provide and require the use of the following special clothing by Plaintiff's Decedent: head coverings.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been

exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 81:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 47 (Improperly designated by Plaintiff as No. 46):

Admit that you did not provide and require the use of the following special clothing by Plaintiff's Decedent: gloves.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 82:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 48 (Improperly designated by Plaintiff as No. 47):

Admit that you did not provide and require the use of the following special clothing by Plaintiff's Decedent: foot coverings.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 83:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 49 (Improperly designated by Plaintiff as No. 48):

Admit that you did not undertake the laundering of Plaintiff's Decedent's work clothing worn during your employ.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 84:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 50 (Improperly designated by Plaintiff as No. 49):

Admit that you did not make determinations of airborne concentrations of asbestos fibers in Plaintiff's Decedent's place of employment by the membrane filter method at 400-450X (magnification) (4 millimeter objective) with phase contrast illumination.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore,

Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 85:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 51 (Improperly designated by Plaintiff as No. 50):

Admit that you did not monitor every place of employment of Plaintiff's Decedent where asbestos fibers were released in such a way to determine whether Plaintiff's Decedent's exposure to asbestos fibers was below two fibers, longer than 5 micrometers, per cubic centimeter of air.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 86:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 52 (Improperly designated by Plaintiff as No. 51):

Admit that you did not collect samples from within the breathing zone of the Plaintiff's Decedent on membrane filters of 0.8 micrometer porosity mounted in an open-face filter holder.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 87:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 53 (Improperly designated by Plaintiff as No. 52):

Admit that you did not collect samples (from within the breathing zone of the Plaintiff's Decedent on membrane filters of 0.8 micrometer porosity mounted in an open-face filter holder) of such frequency and pattern as to represent with reasonable accuracy the levels of exposure of employees, including Plaintiff's Decedent.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 88:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 54 (Improperly designated by Plaintiff as No. 53):

Admit that you did not collect samples (from within the breathing zone of the Plaintiff's Decedent on membrane filters of 0.8 micrometer porosity mounted in an open-face filter holder) at intervals of 6 months or less.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore,

Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 89:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 55 (Improperly designated by Plaintiff as No. 54):

Admit that you did not collect samples from areas of a work environment which were representative of the airborne concentrations of asbestos fibers, which may have reached the breathing zone of Plaintiff's Decedent during his employ.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 90:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 56 (Improperly designated by Plaintiff as No. 55):

Admit that you did not collect samples (from areas of a work environment which were representative of the airborne concentrations of asbestos fibers, which may have reached the breathing zone of Plaintiff during his employ) of such frequency and pattern as to represent with reasonable accuracy the levels of exposure of the Plaintiff's Decedent.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 91:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 57 (Improperly designated by Plaintiff as No. 56):

Admit that you did not collect samples (from areas of a work environment which were representative of the airborne concentrations of asbestos fibers, which may have reached the breathing zone of Plaintiff's Decedent during his employ) at intervals equal to or less than 6 months.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 92:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 58 (Improperly designated by Plaintiff as No. 57):

Admit that you did not provide and display caution signs at each location where Plaintiff's Decedent worked in which airborne concentrations of asbestos fibers may have exceeded of two fibers, longer than 5 micrometers, per cubic centimeter of air.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been

exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 93:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 59 (Improperly designated by Plaintiff as No. 58):

Admit that you did not provide and display caution signs at each location where Plaintiff's Decedent worked in which airborne concentrations of asbestos fibers may have exceeded two fibers, longer than 5 micrometers, per cubic centimeter of air.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 94:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 60 (Improperly designated by Plaintiff as No. 59):

Admit that you did not post caution signs at such a distance from such a location so that an employee may read the signs and take necessary protective steps before entering the area marked by the signs.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 95:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 61 (Improperly designated by Plaintiff as No. 60):

Admit that you did not post caution signs at all approaches to areas containing concentrations of airborne asbestos fibers in excess of two fibers, longer than 5 micrometers, per cubic centimeter of air.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 96:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 62 (Improperly designated by Plaintiff as No. 61):

Admit that you did not maintain records of any personal monitoring of the breathing zone of Plaintiff's Decedent.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information

and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 97:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial, including but not limited to the records pertaining to such monitoring.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 63 (Improperly designated by Plaintiff as No. 62):

Admit that you did not maintain records of any decision you made to forego personal monitoring of the breathing zone of Plaintiff's Decedent.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 98:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been

exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 64 (Improperly designated by Plaintiff as No. 63):

Admit that you did not maintain records of any monitoring of every place of employment of Plaintiff's Decedent where asbestos fibers are released in such a way as to determine whether every employee's exposure to asbestos fibers is below two fibers, longer than 5 micrometers, per cubic centimeter of air.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 99:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial, including but not limited to the records pertaining to such monitoring.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 65 (Improperly designated by Plaintiff as No. 64):

Admit that you did not maintain records of any decision to forego monitoring of every place of employment of Plaintiff's Decedent where asbestos fibers are released in such a way as to determine whether every employee's exposure to asbestos fibers is below two fibers, longer than 5 micrometers, per cubic centimeter of air.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 100:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 66 (Improperly designated by Plaintiff as No. 65):

Admit that you did not notify Plaintiff's Decedent in writing that he had been exposed to airborne concentrations of asbestos fibers in excess of two fibers, longer than 5 micrometers, per cubic centimeter of air as soon as was practicable but not later than 5 days of the finding.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 101:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial, including but not limited to such written notifications.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 67 (Improperly designated by Plaintiff as No. 66):

Admit that you did not provide to Plaintiff's Decedent or make available to him at your cost, medical examinations relative to exposure to asbestos.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 102:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 68 (Improperly designated by Plaintiff as No. 67):

Admit that you did not provide or make available to Plaintiff's Decedent, within 30 calendar days following his first employment in an occupation exposed to airborne concentrations of asbestos fibers, a comprehensive medical examination, which included, as a minimum, a chest roentgenogram (posterior-anterior 14x17 inches), a history to elicit symptomatology of respiratory disease and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 103:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore,

Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 69 (Improperly designated by Plaintiff as No. 68):

Admit that you did not provide or make available to Plaintiff's Decedent, comprehensive medical examinations on at least an annual basis that included, as a minimum, a chest roentgenogram (posterior-anterior 14x17 inches), a history to elicit etiology of respiratory disease and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 104:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 70 (Improperly designated by Plaintiff as No. 69):

Admit that you did not provide, or make available, within 30 calendar days before or after the termination of Plaintiff's Decedent's employment, a comprehensive medical

examination, which included, as a minimum, a chest roentgenogram (posterior-anterior 14x17 inches), a history to elicit symptomatology of respiratory disease and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 105:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objeetion. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 71 (Improperly designated by Plaintiff as No. 70):

Admit that you did not maintain and retain for at least 20 years complete and accurate records of all comprehensive medical examinations of Plaintiff's Decedent which included, as a minimum, a chest roentgenogram (posterior-anterior 14x17 inches), a history to elicit symptomatology of respiratory disease and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information

and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 106:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial, including but not limited to the records of the examinations.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

REQUEST FOR ADMISSION NO. 72 (Improperly designated by Plaintiff as No. 71):

Admit that you did not maintain and retain for at least 20 years complete and accurate records of your decision to forego providing or making available to Plaintiff's Decedent comprehensive medical examinations of Plaintiff which included, as a minimum, a chest roentgenogram (posterior-anterior 14x17 inches), a history to elicit symptomatology of respiratory disease and pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 107:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection. Neither Defendant, nor any of its subsidiaries or wholly-owned affiliates, have ever owned or operated any facility at which Plaintiffs allege to have been exposed, directly or indirectly, to asbestos or asbestos-containing products. Therefore, Defendant objects to this request for production on the grounds and to the extent it seeks information and/or materials which are not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Defendant objects to this request for production on the grounds and to the extent that it creates undue burden on Defendant.

NO. 99-06995-C

KIMBERLEY MORGAN BRAACK, Individually and as Personal Representative of the Heirs and Estate of MARY VIRGINIA MORGAN, Deceased	§	IN THE DISTRICT COURT OF
v.	§	DALLAS COUNTY, TEXAS
HNA HOLDINGS, INC., ET AL.	§	68TH JUDICIAL DISTRICT

VERIFICATION

THE STATE OF TEXAS	§
COUNTY OF BEXAR	§

BEFORE ME, a certified notary public, on this day personally appeared HAROLD D. MALLORY known to me by his Texas drivers license, to be the person whose name is subscribe to the foregoing instrument and who, being by me duly sworn, on his oath deposed and said that he has read the above and foregoing Answers and Objections to Plaintiffs' First Set of Interrogatories and that every statement contained therein is within his personal knowledge and is true and correct.

HAROLD D. MALLORY

SWORN TO AND SUBSCRIBED BEFORE ME on the 16th day of July, 2001, to certify which witness my hand and seal of office.

BEATRICE J. ALDRICH
Notary Public
State of Texas
Comm. Exp. 07-14-2004

Notary Public in and for the
State of Texas
Printed Name:_____
Commission Expires:_____

NO. 99-06995-C

KIMBERLEY MORGAN BRAACK, Individually and as Personal Representative of the Heirs and Estate of MARY VIRGINIA MORGAN, Deceased	§	IN THE DISTRICT COURT OF
v.	§	DALLAS COUNTY, TEXAS
HNA HOLDINGS, INC., ET AL.	§	68TH JUDICIAL DISTRICT

CERTIFICATE OF WRITTEN DISCOVERY

To: Plaintiff, Kimberley Morgan Braack, Individually and as Personal Representative of the Heirs and Estate of Mary Virginia Morgan, Deceased, by and through her counsel of record, Elizabeth R. Schick, Baron & Budd, P.C., 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219.

Defendant, Ultramar Diamond Shamrock Corporation files this Certificate of Written Discovery, certifying that on July 16, 2001, the following was served on Plaintiffs' counsel:

1. **Defendant Ultramar Diamond Shamrock Corporation's Answers and Objections to Plaintiff's First Set of Interrogatories, First Request for Production and First Request for Admissions.**

2. **Defendant, Ultramar Diamond Shamrock Corporation's Responses to Requests for Disclosures.**

All counsel of record have been served with the above.

Respectfully submitted,

ADAMS AND REESE LLP

By: _____

F. Lee Butler
TBA No. 00785606
A. Christopher Derden
Texas Bar Number: 00790584
4400 One Houston Center
1221 McKinney Street
Houston, Texas 77010
Telephone: (713) 652-5151
Telecopier: (713) 651-5152

ATTORNEYS FOR DEFENDANT ULTRAMAR DIAMOND SHAMROCK CORPORATION

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document was caused to be served upon all counsel of record on this the ____ day of July, 2001, by Regular Mail/Facsimile and/or Certified Main/Return Receipt Requested.

Elizabeth R. Schick
Baron & Budd, P.C.
Centrum Building
3102 Oak Lawn Ave., Suite 1100
Dallas, Texas 75219-4281

All known counsel of record

A. Christopher Derden