PLAINTIFF'S
EXHIBIT
DOW-416a

NO. 99-03130-C

CLARENCE W. HELWEG, ET AL.	§	IN THE DISTRICT COURT OF
	§	
	§	
VS.	§	DALLAS COUNTY, TEXAS
	§	
OWENS-CORNING FIBERGLAS	§	
CORP., ET AL.	§	68TH JUDICIAL DISTRICT

DEFENDANT THE DOW CHEMICAL COMPANY'S SUPPLEMENTAL RESPONSES TO PLAINTIFFS' REQUEST FOR DISCLOSURES

TO: Plaintiffs, by and through their attorneys of record, Holly J. W. Huart and Stephanie Finch, Baron & Budd, P.C., 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219.

COMES NOW, The Dow Chemical Company, defendant in the above-numbered cause, and pursuant to the Texas Rules of Civil Procedure, defendant files this its supplemental responses to Plaintiffs' Request for Disclosures:

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

Since plaintiffs have not yet been produced for deposition, defendant reserves the right to supplement these fact and expert witness lists based upon information obtained in plaintiffs depositions.

ANSWER:

FACT WITNESSES

(1) All plaintiffs named in this lawsuit.

(2) All medical providers for the plaintiffs, including nurses, physicians, hospitals and custodians of medical records.

(3) Any person or entity designated by any other party or any person deposed in this lawsuit.

(4) Gary Truver
622 Commerce Street
Clute, Texas 77531
(409) 655-7451

Mr. Truver is employed by U. S. Contractors, former employer of plaintiff and will testify concerning the relationship of U. S. Contractors and The Dow Chemical Company and U. S. Contractors' responsibility to its employees.

(5) Ken McGowen
Post Office Drawer 66
Freeport, Texas 77541
(409) 239-2022

Mr. McGowen is employed by the successor to Winway Corporation and will testify concerning the relationship of Winway to The Dow Chemical Company and Winway's responsibility to its employees.

(6) Bruce Horvath
1708 Avery Street
Parkersburg, West Virginia
(304) 428-7325

Mr. Horvath is a former industrial hygienist employed by The Dow Chemical Company at its Freeport facility and will testify concerning industrial hygiene issues including those touching on asbestos.

(7) Robert Soule
360 Debbie Drive
Indiana, Pennsylvania
(412) 349-7702

Mr. Soule is a former industrial hygienist employed by The Dow Chemical Company at its Freeport facility and will testify concerning industrial hygiene issues including those touching on asbestos.

(8) Roger L. Daniel
H.C.R. 5, Box 574-674
Kerrville, TX 78028
(830) 896-4513

Mr. Daniel is a former industrial hygienist employed by The Dow Chemical Company at its Freeport facility and will testify concerning industrial hygiene issues including those touching on asbestos.

(9) Harold Hoyle
1360 Coronado Terrace
Daytona, Florida 32725

Mr. Hoyle is a former industrial hygienist with The Dow Chemical Company in Midland, Michigan and will testify concerning the corporate knowledge of The Dow Chemical Company with regard to asbestos.

(10) F. B. Crouch
2141 Riverside
West Columbia, Texas
(unlisted number, can be reached through counsel for defendant)

Mr. Crouch will testify concerning the uses of asbestos on the premises of The Dow Chemical Company in Freeport, Texas and precautions that were taken with respect to these products.

(11) M. Gerald Ott, Ph.D.
Director of Epidemiology
BASF Corporation
Parsippany, NJ

Dr. Ott is a former Dow biostatistician and epidemiologist who undertook some early reviews of insulators employed by Dow at the Freeport facility comparing their health to a control group of employees. This work was done in the late 1960s and early 1970s.

(12) Mr. Tim Scott
The Dow Chemical Company
2301 Brazosport Blvd.
APB Bldg.
Freeport, TX 77541
(409) 238-7815

Mr. Scott is the Head of Security and custodian of fingerprint data at Dow. Mr. Scott will testify concerning his failure to find any fingerprint records on Mr. Rodriguez.

F. Experts:

ANSWER:

A. 1. Mr. Harold Hoyle
1360 Coranado Terrace
Daytona, FL 32725

2. Mr. Hoyle worked as an industrial hygienist at Dow Chemical. He will testify as to matters concerning state-of-the-art, industrial hygiene matters, and occupational health issues.

3 Mr. Hoyle will testify generally that Dow did not have any indication of any problem of any asbestos-related disease in any of its employees until the 1970's. He will testify that Dow took reasonable and necessary precautions to protect its employees and was not negligent in its actions towards its employees. He will offer testimony concerning the monitoring that was done of the Dow employees that were working in asbestos-related fields, and the fact that monitoring data suggested that all exposures were within existing government and industry exposure limits.

4. (A) Documents reviewed by Mr. Hoyle have been made available to plaintiff's counsel.
(B) No resume or bibliography is available.

B. 1. Dr. Jack Peterson
2830 Via Viejah Oeste
Alpine, California 91901
(619) 445-9668

2. Dr. Peterson will testify concerning state-of-the-art, industrial hygiene matters, and occupational health issues.

3. Dr. Peterson will testify that The Dow Chemical Company was not negligent in any respect with respect to its employees or contractor employees. He will testify that reasonable precautions were taken with respect to the handling of asbestos in the facilities and that Dow at all times acted as a reasonably prudent plant owner with respect to asbestos on its premises. This testimony is based on his review testimony of Dow employees, such as Harold Hoyle, and his review of Dow's documents concerning exposures to asbestos on its premises. It will also be based upon his knowledge of state-of-the-art treatment of asbestos in the work place

4. (A) Documents reviewed by Dr. Peterson have been made available to plaintiff's counsel.
(B) Attached is Dr. Peterson's curriculum vitae.

C. 1. Mr. J. LeRoy Balzer
408 Horse Trail Court
Walnut Creek, CA 94595

2. Mr. Balzer will testify concerning state-of-the-art, industrial hygiene matters, and occupational health issues.

3. Mr. Balzer will testify that The Dow Chemical Company was not negligent in any respect with respect to its employees or contractor employees. He will testify that reasonable precautions were taken with respect to the handling of asbestos in the facilities and that Dow at all times acted as a reasonably prudent plant owner with respect to asbestos on its premises. This testimony is based on his review testimony of Dow employees, such as Harold Hoyle, and his review of Dow's documents concerning exposures to asbestos on its premises. It will also be based upon his knowledge of state-of-the-art treatment of asbestos in the work place

4. (A) Documents reviewed by Mr. Balzer have been made available to plaintiff's counsel.
(B) Attached is Mr. Balzer's curriculum vitae.

D. 1. Mr. John Spencer
Environmental Profile, Inc.
813 Frederick
Baltimore, MD 21228
(410) 744-0700

2. Mr. Spencer will offer testimony concerning state-of-the-art, industrial hygiene matters, and occupational health issues.

3. Mr. Spencer will testify that The Dow Chemical Company was not negligent in any respect with respect to its employees or contractor employees. He will testify that reasonable precautions were taken with respect to the handling of asbestos in the facilities and that Dow at all times acted as a reasonably prudent plant owner with respect to asbestos on its premises. This testimony is based on his review testimony of Dow employees, such as Harold Hoyle, and his review of Dow's documents concerning exposures to asbestos on its premises. It will also be based upon his knowledge of state-of-the-art treatment of asbestos in the work place

4. (A) Documents reviewed by Mr. Spencer have been made available to plaintiff's counsel.

(B) Attached is Mr. Spencer's curriculum vitae.

E. 1. Dr. Ralph Cook
RRC Consulting, L.L.C.
1401 Harwood Court
Midland, Michigan 48640-2765
(517)837-9607

2. Dr. Cook will offer testimony concerning epidemiology studies that were done concerning the Dow Freeport facility.

3. Dr. Cook will testify that the epidemiology studies that were performed concerning the Dow Freeport facility did not indicate any excess of asbestos related illnesses or diseases among the employees. This testimony will be based upon epidemiology work that was done by the epidemiology staff at The Dow Chemical Company.

4. (A) Documents reviewed by Dr. Cook have been made available to plaintiffs' counsel.

(B) No resume or bibliography is available.

F. 1. Gregory G. Bond, Ph.D.
The Dow Chemical Company
Midland, Michigan

2. Dr. Bond will offer testimony concerning epidemiology studies that were done concerning the Dow Freeport facility.

3. Dr. Bond will testify that the epidemiology studies that were performed concerning the Dow Freeport facility did not indicate any excess of asbestos related illnesses or diseases among the employees. This testimony will be based upon epidemiology work that was done by the epidemiology staff at The Dow Chemical Company.

4. (A) No resume or bibliography is available.

G. 1. John R. Holcomb, M.D.
4410 Medical Dr., Suite 440
San Antonio, Texas 78229
(210) 692-9400

2. Dr. Holcomb may testify concerning plaintiff's medical condition and medical causation issues.

3. Dr. Holcomb is a potential doctor who may perform individual medical examinations on plaintiff Vicente Rodriguez. As soon as the examination and the report of Dr. Holcomb is completed, it will be provided to plaintiffs.

4. (A) No documents have been submitted to, or reviewed by Dr. Holcomb in anticipation of his testimony.
(B) Attached is a copy of Dr. Holcomb's curriculum vitae.

H. 1. Robert Marshall Ross, M.D.
6550 Fannin St. Suite 2403
Houston, Texas 77030
(713) 383-6100

2. Dr. Ross may testify concerning plaintiff's medical condition and medical causation issues.

3. Dr. Ross is a potential doctor who may perform individual medical examinations on plaintiff(s) filing a claim against Dow. As soon as the examination and the report of Dr. Ross is completed, it will be provided to plaintiffs.

4. (A) No documents have been submitted to, or reviewed by Dr. Ross in anticipation of his testimony.
(B) Attached is a copy of Dr. Ross's curriculum vitae.

I. 1. Kathryn Ann Hale, M.D.
Baylor College of Medicine
Pulmonary Section
6550 Fannin St., Suite 1236
Houston, Texas 77030
T: 713/790-2076

2. Dr. Hale may testify concerning plaintiff's medical condition and medical causation issues.

3. Dr. Hale is a potential doctor who may perform individual medical examinations on plaintiff(s) filing a claim against Dow. As soon as the examination and the report of Dr. Hale is completed, it will be provided to plaintiffs.

4. (A) No documents have been submitted to, or reviewed by Dr. Hale in anticipation of his testimony.
(B) Attached is a copy of Dr. Hale's curriculum vitae.

J. 1. Dr. Gregory Foster
Pulmonary Medicine Consultants
375 Municipal Dr., #218
Richardson, Texas 75080
(972) 680-0666

2. Dr. Foster may testify concerning plaintiff's medical condition and medical causation issues.

3. Dr. Foster is a potential doctor who may perform individual medical examinations on plaintiff(s) filing a claim against Dow. As soon as the examination and the report of Dr. Foster is completed, it will be provided to plaintiffs.

4. (A) No documents have been submitted to, or reviewed by Dr. Foster in anticipation of his testimony.
(B) Attached is a copy of Dr. Foster's curriculum vitae.

Respectfully submitted,

MEHAFFY & WEBER

By: _____

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ATTORNEYS FOR DEFENDANT
THE DOW CHEMICAL COMPANY

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing instrument were served upon plaintiffs' counsel of record via certified mail, return receipt requested, and to all other counsel of record via U.S. Mail on this the 4th day of October, 2000.

Arthur R. Almquist / Elna N. Griggs