

CAUSE NO. 90G2055

WELDON R. MOAKE AND JANICE I.
MOAKE; KEVIN R. MOAKE; DANA R.
ASHLEY; AND MACK K. MOAKE,

Plaintiffs,

VS.

OWENS-CORNING FIBERGLAS
CORPORATION (A/K/A OWENS
CORNING CORPORATION), et al.,

Defendants.

IN THE DISTRICT COURT OF

BRAZORIA COUNTY, TEXAS

239TH JUDICIAL DISTRICT

**DEFENDANT CELANESE LTD.'S RESPONSES
TO PLAINTIFF WELDON R. MOAKE'S
SECOND REQUEST FOR ADMISSION**

TO: Plaintiff Weldon Russell Moake, by and through his attorney, Stephanie Finch,
BARON & BUDD, The Centrum, Suite 1100, 3102 Oak Lawn Avenue, Dallas, Texas
75219

Pursuant to the Texas Rules of Civil Procedure (the “Rules”), Defendant Celanese Ltd. (referenced herein as “Defendant” or “Celanese”) submits these Responses to Plaintiff Weldon R. Moake’s Second Request for Admission to Premises Defendant Celanese Ltd. as follows:

GENERAL RESPONSES, OBJECTIONS AND ASSERTIONS OF PRIVILEGE

Defendant makes the following general objections to each and every request directed to it:

1. Defendant objects to the requests to the extent that they seek to compel the disclosure of information specifically exempted from discovery by the privileges afforded in the Texas Rules of Civil Procedure and Article V. of the Texas Rules of Evidence, including the attorney/client privilege, the joint defense privilege, the attorney work product

doctrine, or the investigative privilege. Withholding of documents or information on the basis of privilege, if any, will be specifically noted as part of Defendant's objections and responses after the discovery request calling for such privileged information and/or documents, if any.

2. Defendant objects to paragraph one of the DEFINITIONS regarding "Defendant," "You," "Your," and "Your Company" and paragraph three regarding "persons" because they are overly broad and unduly burdensome and pertain to corporations and entities other than those that are parties to this suit. Defendant also objects to paragraphs one and three because they include Defendant's attorneys; information and things protected by the attorney client privilege and work product doctrine are not discoverable.

3. Defendant objects to paragraph two of the DEFINITIONS because the definition of the word "document" and the instructions regarding "possession, custody or control" are overly broad, seek information specifically exempted from discovery by the privileges afforded in the Rules and Rule 503 of the Texas Rules of Evidence, including the attorney work product doctrine, and the attorney client privilege because it exceeds the scope of Rule 192.3 of the Rules. Throughout these responses, Celanese will assume that the word will have its commonly used meaning, as set forth in Rule 192.3(b), and will respond accordingly.

4. Defendant objects to the definitions of "identify" contained in paragraphs 16 and 17 of the DEFINITIONS because they are overly broad, unduly burdensome and harassing.

5. Defendant objects to DEFINITION 6 to the extent information is sought concerning asbestos in a non-friable form.

6. Defendant objects to any discovery request seeking information outside of the relevant time frame of 1964 to 1988, which is the time frame identified by plaintiff in his deposition testimony during which he allegedly conducted independent contractor work at Defendant's Premises. Accordingly, it is unduly burdensome, excessively expensive, and harassing to require Celanese to respond to any discovery request seeking information or documents outside of that relevant time frame.

7. Celanese further objects to any discovery request seeking to charge it with knowledge or information held by its "predecessors or subsidiaries" or requiring it to provide information regarding plants other than the ones identified by plaintiff in Definition 18 as "Defendant's plant(s) and/or locations that were identified in Plaintiffs' Original Petition or last amended petition as the plant(s) or facility(ies) or location(s) owned or operated by this Defendant" where Plaintiff was allegedly exposed to asbestos-containing products. Celanese operated multiple facilities and employs thousands of workers. Accordingly, it is unduly burdensome, excessively expensive and harassing to require Celanese to respond to these discovery requests as to all plants, and/or any plant at which Plaintiff never worked.

8. Defendant objects to Plaintiff's requests to the extent that they necessarily seek disclosure of trade secrets, proprietary material and other confidential information protected from discovery by the Texas Rules of Civil Procedure.

9. The presence of an objection does not mean that Celanese possesses non-privileged information responsive to a discovery request.

SPECIFIC OBJECTIONS

Each of the following specific responses and objections incorporate by reference the above-stated general responses, objections and assertions of privilege. Subject to the foregoing, Celanese specifically responds as follows:

RESPONSES TO SECOND REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility submitted to the Texas Water Commission in 1987 a Draft Hazardous Waste Permit, Proposed Permit No. HW-50123 and Compliance Plan, Proposed Compliance Plan No. CP-50123 for the Bishop, Texas facility.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case; and
- (c) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 2:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility stated in its Draft Hazardous Waste Permit, Proposed Permit No. HW-50123 and Compliance Plan, Proposed Compliance Plan No. CP-50123, which was submitted to the Texas Water Commission in 1987 that "Terebutyl Phthalate Solid, Asbestos, Fiberglass, Metal Oxide" were hazardous wastes authorized to be managed by the Celanese Engineering Resins, Inc., Bishop, Texas facility under this permit.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case; and
- (c) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 3:

Admit or Deny that ENSR Consulting and Engineering on behalf of Celanese Engineering Resins, Inc., Bishop, Texas, prepared a RCRA Facility Investigation Work Plan, Revision No. 2, for Hazardous Waste Management Permit No. HW 50123-001, dated May 1990, for the Bishop, Texas facility.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 4:

Admit or Deny that according to the RCRA Facility Investigation Work Plan, Revision No. 2, for the Hazardous Waste Management Permit No. HW50123-001, dated May 1990, which was prepared by ENSR Consulting and Engineering on behalf of Celanese Engineering Resins, Inc., Bishop, Texas, stated that "Terebutyl Phthalate Solid, Asbestos, Fiberglass, Metal Oxide" were specific wastes that were deposited in Unit No. H - Landfill Site II, South, at the Bishop, Texas facility.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 5:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited asbestos in landfills located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 6:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on asbestos being deposited in landfills located on property owned and/or operated by Celanese Engineering Resins, Inc., during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 7:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited asbestos wastes in landfills located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 8:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on asbestos wastes being deposited in landfills located on property owned and/or operated by Celanese Engineering Resins, Inc., during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 9:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited terebutyl phthalate wastes in landfills located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 10:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on terebutyl phthalate wastes being deposited in landfills located on property owned and/or operated by Celanese Engineering Resins, Inc. during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and

- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 11:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited terebutyl phthalate wastes in landfills located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese objects to this request because it is identical to and duplicative of Request No. 9. See response to Request No. 9 above.

REQUEST FOR ADMISSION NO. 12:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on terephthalate wastes being deposited in landfills located on property owned and/or operated by Celanese Engineering Resins, Inc., during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 13:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited polybutylene terephthalate wastes in landfills located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 14:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on polybutylene phthalate wastes being deposited in landfills located on property owned and/or operated by Celanese Engineering Resins, Inc., during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 15:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited polyethylene terephthalate wastes in landfills located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 16:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on polyethylene phthalate wastes being deposited in landfills located on property owned and/or operated by Celanese Engineering Resins, Inc., during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and

- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 17:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited asbestos contaminated polymer wastes in landfills located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 18:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on asbestos contaminated polymer wastes being deposited in landfills located on property owned and/or operated by Celanese Engineering Resins, Inc., during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and

- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 19:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited asbestos in Unit No. H, Landfill Site II, South, located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 20:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited terebutyl phthalate in Unit No. H, Landfill Site II, South, located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and

- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 21:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited asbestos contaminated polymer wastes in Unit No. H, Landfill Site II, South, located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 22:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited asbestos in Landfill 11E located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 23:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited asbestos in Landfill 13E located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 24:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited terebutyl phthalate wastes in Landfill 11E located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 25:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited terebutyl phthalate wastes in Landfill 13E located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 26:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited asbestos contaminated polymer wastes in Landfill 11E located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 27:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility deposited asbestos contaminated polymer wastes in Landfill 13E located on facility property during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 28:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility transported and/or had transported asbestos to off-site landfills and/or waste facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 29:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on transporting asbestos to off-site landfills and/or waste facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 30:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility transported and/or had transported asbestos wastes to off-site landfills and/or waste facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 31:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on transporting asbestos wastes to off-site landfills and/or waste facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 32:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility transported and/or had transported terebutyl phthalate wastes to off-site landfills and/or waste facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 33:

Admit or Deny that the Celanese Engineering Resins, Inc., had a company-wide policy on transporting terebutyl phthalate wastes to off-site landfills and/or waste facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 34:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility transported and/or had transported polybutylene terephthalate wastes to off-site landfills and/or waste facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and

- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 35:

Admit or Deny that Celanese Engineering Resins, Inc. had a company-wide policy on transporting polybutylene terephthalate wastes to off-site landfills and/or waste facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) -it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 36:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility transported and/or had transported polyethylene terephthalate wastes to off-site landfills and/or waste facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;

- (d) it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 37:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on transporting polyethylene terephthalate wastes to off-site landfills and/or waste facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit and to products, chemicals and/or substances not at issue in the lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue;
- (d) it constitutes an impermissible fishing expedition; and
- (e) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 38:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility transported and/or had transported asbestos contaminated polymer wastes to off-site landfills and/or waste facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;

- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 39:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on transporting asbestos contaminated polymer wastes to off-site landfills and/or waste facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

REQUEST FOR ADMISSION NO. 40:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility added and/or mixed asbestos in polymer resins which were manufactured at the Bishop, Texas facility during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, Celanese admits only that, between 1971 and 1985, limited quantities of a thermopolyester plastic product called Celanex, which contained small amounts of asbestos, were manufactured at the Bishop plant. Any contrary assertion or implication in this request is denied.

REQUEST FOR ADMISSION NO. 41:

Admit or Deny that facilities owned and/or operated by Celanese Engineering Resins, Inc., added and/or mixed asbestos in polymer resins which were manufactured during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, see Responses to Request for Admission No. 40 above and to Second Request for Production No. 39.

REQUEST FOR ADMISSION NO. 42:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility added and/or mixed asbestos in plastic resins which were manufactured at this facility during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and

- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, Celanese admits only that, between 1971 and 1985, limited quantities of a thermopolyester plastic product called Celanex, which contained small amounts of asbestos, were manufactured at the Bishop plant. Any contrary assertion or implication in this request is denied.

REQUEST FOR ADMISSION NO. 43:

Admit or Deny that facilities owned and/or operated by Celanese Engineering Resins, Inc., added and/or mixed asbestos in plastic resins which were manufactured during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, see Responses to Request for Admission No. 40 above and to Second Request for Production No. 39.

REQUEST FOR ADMISSION NO. 44:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility added and/or mixed asbestos in terephthalate resins which were manufactured at this facility during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;

- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, Celanese admits only that, between 1971 and 1985, limited quantities of a thermopolyester plastic product called Celanex, which contained small amounts of asbestos, were manufactured at the Bishop plant. Any contrary assertion or implication in this request is denied.

REQUEST FOR ADMISSION NO. 45:

Admit or Deny that facilities owned and/or operated by Celanese Engineering Resins, Inc., added and/or mixed asbestos in terephthalate resins which were manufactured during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, see Responses to Request for Admission No. 40 above and to Second Request for Production No. 39.

REQUEST FOR ADMISSION NO. 46:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility added and/or mixed asbestos in terebutyl phthalate resins which were manufactured at this facility during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, Celanese admits only that, between 1971 and 1985, limited quantities of a thermopolyester plastic product called Celanex, which contained small amounts of asbestos, were manufactured at the Bishop plant. Any contrary assertion or implication in this request is denied.

REQUEST FOR ADMISSION NO. 47:

Admit or Deny that facilities owned and/or operated by Celanese Engineering Resins, Inc., added and/or mixed asbestos in terebutyl phthalate resins which were manufactured during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, see Responses to Request for Admission No. 40 above and to Second Request for Production No. 39.

REQUEST FOR ADMISSION NO. 48:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility added and/or mixed asbestos in polybutylene terephthalate resins which were manufactured at this facility during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, Celanese admits only that, between 1971 and 1985, limited quantities of a thermopolyester plastic product called Celanex, which contained small amounts of asbestos, were manufactured at the Bishop plant. Any contrary assertion or implication in this request is denied.

REQUEST FOR ADMISSION NO. 49:

Admit or Deny that facilities owned and/or operated by Celanese Engineering Resins, Inc., added and/or mixed asbestos in polybutylene terephthalate resins which were manufactured during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and

- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, see Responses to Request for Admission No. 40 above and to Second Request for Production No. 39.

REQUEST FOR ADMISSION NO. 50:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility added and/or mixed asbestos in polyethylene terephthalate resins which were manufactured at this facility during the period between January 1, 1946 through December 31, 1980

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, Celanese admits only that, between 1971 and 1985, limited quantities of a thermopolyester plastic product called Celanex, which contained small amounts of asbestos, were manufactured at the Bishop plant. Any contrary assertion or implication in this request is denied.

REQUEST FOR ADMISSION NO. 51:

Admit or Deny that facilities owned and/or operated by Celanese Engineering Resins, Inc., added and/or mixed asbestos in polyethylene terephthalate resins which were manufactured during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;

- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, see Responses to Request for Admission No. 40 above and to Second Request for Production No. 39.

REQUEST FOR ADMISSION NO. 52:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility measured asbestos levels in ambient air in plant production areas where asbestos was added and/or mixed in polymer resins which were manufactured at the Bishop, Texas facility during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, Celanese admits only that, between 1971 and 1985, limited quantities of a thermopolyester plastic product called Celanex, which contained small amounts of asbestos, were manufactured at the Bishop plant. Any contrary assertion or implication in this request is denied.

REQUEST FOR ADMISSION NO. 53:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on measuring asbestos levels in ambient air in plant production areas where asbestos was added and/or mixed in polymer resins that were manufactured at Celanese Engineering Resins, Inc. facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, see Responses to Request for Admission No. 40 above and to Second Request for Production No. 39.

REQUEST FOR ADMISSION NO. 54:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility measured asbestos levels in ambient air in plant production areas where asbestos was added and/or mixed in plastic resins which were manufactured at this facility during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, subject to the limitations contained in Response to Request No. 40 above, admitted.

REQUEST FOR ADMISSION NO. 55:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on measuring asbestos levels in ambient air in plant production areas where asbestos was added and/or mixed in plastic resins that were manufactured at Celanese Engineering Resins, Inc. facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, see the Responses to Request for Admission No. 54 above and Second Request for Production No. 39.

REQUEST FOR ADMISSION NO. 56:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility measured asbestos levels in ambient air in plant production areas where asbestos was added and/or mixed in terephthalate resins which were manufactured at this facility during the period between January 1, 1946 and December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and

- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, subject to the limitations contained in Response to Request No. 40 above, admitted.

REQUEST FOR ADMISSION NO. 57:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on measuring asbestos levels in ambient air in plant production areas where asbestos was added and/or mixed in terephthalate resins that were manufactured at Celanese Engineering Resins, Inc. facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, see the Responses to Request for Admission No. 54 above and Second Request for Production No. 39.

REQUEST FOR ADMISSION NO. 58:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility measured asbestos levels in ambient air in plant production areas where asbestos was added and/or mixed in terebutyl phthalate resins which were manufactured at this facility during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;

- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, subject to the limitations contained in Response to Request No. 40 above, admitted.

REQUEST FOR ADMISSION NO. 59:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on measuring asbestos levels in ambient air in plant production areas where asbestos was added and/or mixed in terebutyl phthalate resins that were manufactured at Celanese Engineering Resins, Inc. facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, see the Responses to Request for Admission No. 54 above and Second Request for Production No. 39.

REQUEST FOR ADMISSION NO. 60:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility measured asbestos levels in ambient air in plant production areas where asbestos was added and/or mixed in polybutylene terephthalate resins which were manufactured at this facility during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, subject to the limitations contained in Response to Request No. 40 above, admitted.

REQUEST FOR ADMISSION NO. 61:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on measuring asbestos levels in ambient air in plant production areas where asbestos was added and/or mixed in polybutylene terephthalate resins that were manufactured at Celanese Engineering Resins, Inc. facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, see the Responses to Request for Admission No. 54 above and Second Request for Production No. 39.

REQUEST FOR ADMISSION NO. 62:

Admit or Deny that the Celanese Engineering Resins, Inc., Bishop, Texas facility measured asbestos levels in ambient air in plant production areas where asbestos was added and/or mixed in polyethylene terephthalate resins which were manufactured at this facility during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and
- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, subject to the limitations contained in Response to Request No. 40 above, admitted.

REQUEST FOR ADMISSION NO. 63:

Admit or Deny that Celanese Engineering Resins, Inc., had a company-wide policy on measuring asbestos levels in ambient air in plant production areas where asbestos was added and/or mixed in polyethylene terephthalate resins that were manufactured at Celanese Engineering Resins, Inc. facilities during the period between January 1, 1946 through December 31, 1980.

RESPONSE:

Celanese additionally objects to this request for the following reasons:

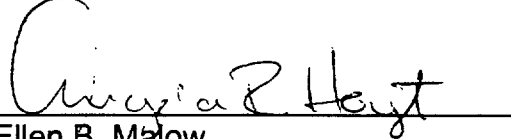
- (a) it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that it pertains to an entity not a party to this lawsuit;
- (b) it is not reasonably tailored to include matters relevant to this case;
- (c) it is not limited to the relevant time period and/or facilities at issue; and

- (d) it is propounded solely for the purpose of harassment and is unduly burdensome.

Subject to and without waiving these objections, see the Responses to Request for Admission No. 54 above and Second Request for Production No. 39.

Respectfully submitted,

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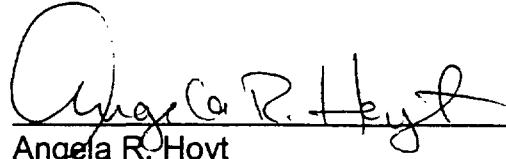
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served via facsimile and/or hand delivery and/or by United States mail, postage prepaid, to plaintiff's counsel of record on this 20th day of September, 2000.



Angela R. Hoyt