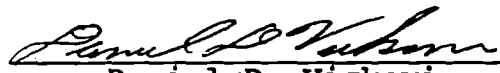
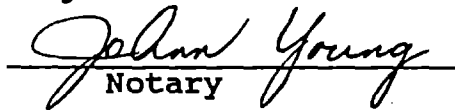


COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF ALLEGHENY) SS:

Before me, the undersigned authority, a Notary Public in and for said Commonwealth and County, personally appeared Daniel D. Vickovic, who, being duly sworn, deposes and says that he is ASSISTANT SECRETARY OF WESTINGHOUSE ELECTRIC CORPORATION, and that he signs the foregoing WESTINGHOUSE ELECTRIC CORPORATION'S ANSWERS TO PLAINTIFFS' MASTER INTERROGATORIES AND REQUESTS FOR PRODUCTION on behalf of that defendant and is duly authorized so to do; that the matters stated in the foregoing document are not necessarily within the personal knowledge of deponent and that deponent is informed that there is no officer of WESTINGHOUSE ELECTRIC CORPORATION who has personal knowledge of all such matters; and that the facts stated in the foregoing document have been assembled by authorized employees and counsel of defendant and deponent is informed by those authorized employees that the facts stated in the foregoing document are true.


Daniel D. Vickovic
Assistant Secretary

SWORN TO and subscribed
before me this 18th day
of June, 1992.


Notary

Notarial Seal
Jo Ann Young, Notary Public
Pittsburgh, Allegheny County
My Commission Expires Aug. 2, 1993
Member, Pennsylvania Association of Notaries

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Defendant Westinghouse Electric Corporation's Answers to Plaintiffs' Master Interrogatories and Requests for Production has been forwarded to counsel for Plaintiffs via certified mail return receipt requested and to all other known counsel of record via U.S. Mail, regular delivery, on this the 24th day of June, 1992.



Mark A. Hendrix
ATTORNEYS FOR DEFENDANTS

RIE:7342
U:\W-TX\INTEROG.ANS
June 16, 1992
10:36am

DEFENDANT WESTINGHOUSE ELECTRIC CORPORATION'S ANSWERS TO
PLAINTIFFS' MASTER INTERROGATORIES AND REQUESTS FOR PRODUCTION -
Page 67

IN RE: ASBESTOS CASES

§ IN THE DISTRICT COURT OF
§
§ HARRIS COUNTY, T E X A S
§
§ MASTER ASBESTOS FILE

**DEFENDANT WESTINGHOUSE ELECTRIC CORPORATION'S
ANSWERS AND OBJECTIONS TO PLAINTIFFS'
INTERROGATORIES AND REQUEST FOR PRODUCTION TO DEFENDANTS**

Defendant, Westinghouse Electric Corporation ("Westinghouse") hereby responds to Plaintiffs' Interrogatories and Request for Production to Defendants as follows:

PRELIMINARY STATEMENT AND GENERAL OBJECTION

The information sought in these interrogatories and requests for production has been provided to plaintiffs many times previously. Some of these matters have been the subject of numerous depositions. Also, plaintiffs' counsel have reviewed hundreds of thousands of pages of Westinghouse documents previously produced, as evidenced by the inclusion of Westinghouse documents in plaintiffs' Master Exhibit List. Therefore, Westinghouse objects to these discovery requests as redundant, overly broad, and intended only to harass and waste the resources of Westinghouse. Westinghouse respects the fact that these discovery requests are in a form which has been used in asbestos cases against defendants whose primary business was the manufacture of asbestos thermal insulation. For the reasons set forth below, Westinghouse respectfully submits that this discovery, as applied to Westinghouse, is unduly burdensome and would require Westinghouse to invest massive financial and manpower resources which far outweigh the likelihood that this effort would lead to the discovery of admissible evidence. Westinghouse

respectfully suggests that discovery rules and principles of fairness, relevance and relative burdens must be considered in evaluating plaintiffs' discovery and Westinghouse's responses to that discovery.

The basic premise of every lawsuit is for the plaintiff to state a claim and to pursue discovery on that claim. There is no authority for plaintiffs to seek discovery completely without regard to whatever Westinghouse products they have any basis to believe might have been responsible for their injuries. Plaintiffs have had years to discuss their claims with other plaintiffs, to interview co-worker witnesses, and to review numerous documents produced by their employers and other entities. These form interrogatories and requests are not limited in any fashion to the product(s) reasonably believed by plaintiffs to have been sold, distributed or manufactured by Westinghouse and from which they reasonably believe they were exposed to some type of asbestos. Without this basic information, it would be unduly burdensome for Westinghouse to attempt to respond because to do so would require review of documents from thousands of files relating to many different products and issues having nothing to do with this litigation. It would be patently unfair to allow plaintiffs to conduct a massive fishing expedition through use of these form discovery requests without any focus on the products at issue.

Westinghouse is not now, nor has it ever been, a miner of asbestos fiber or a manufacturer of the kinds of block, mud and cement thermal insulation products which have been the focus of asbestos personal injury litigation. It has never been a member of the "asbestos industry" as that term has commonly been used in asbestos litigation. Because they fail to give weight to this key fact, these form interrogatories are overly broad and burdensome as applied to Westinghouse.

Westinghouse is not a company with several locations and a small number of readily identifiable product lines. It is a broadly diversified, worldwide corporation that has employed upwards of 100,000 people and manufactures several thousand basic products and thousands of variations of those products. Westinghouse has been engaged principally in the manufacture, sale and service of equipment and components for the generation, transmission, utilization and control of electricity. However, especially in recent years, its businesses have expanded to include a wide range of products and services that are unrelated to electrical manufacturing.

Many of the products that Westinghouse manufactures and sells are complex; many consist of hundreds or even thousands of components. Many of these components, as well as other materials, are supplied to Westinghouse by other companies. Westinghouse does not maintain records by which it might identify the composition of each component of each product. Similarly, Westinghouse does not know and cannot determine the ultimate destination of each product sold because many of its sales are not to the ultimate user.

Westinghouse's portfolio of businesses and products changes almost continually. Changes occur when Westinghouse develops new products, discontinues old products, acquires other companies or their product lines, or divests itself of subsidiaries or product lines. Changes similarly occur when Westinghouse adds suppliers to and deletes suppliers from its product lines. Westinghouse has not and does not maintain its business records according to products' content, asbestos or otherwise. Therefore, it is not possible for Westinghouse to answer many of the interrogatories because of the broad categorical manner in which they are framed.

The plaintiffs' interrogatories are also objectionable because of their length, repetitiveness and scope. The plaintiffs have propounded 56 interrogatories, most of which have between five

and twenty subparts. In many, if not most instances, the questions are beyond the scope of what may be considered reasonable inquiry. Plaintiffs' interrogatories are not limited to information relating to sales of Westinghouse products to plaintiffs' respective employers, but rather plaintiffs seek information regarding all sales made at any time to any entity in any state in the country, without regard to the employment history of any particular plaintiff.

Even a cursory analysis of plaintiffs' interrogatories reveals that plaintiffs have merely filed form questions, without regard to the facts or circumstances pertaining to Westinghouse. Therefore, Westinghouse objects to each of the interrogatories as unduly broad, burdensome and oppressive, and as demanding an investigation into matters which are irrelevant and immaterial to these proceedings and which are not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Westinghouse also objects to these interrogatories to the extent that they seek to elicit information that is protected by the attorney client privilege, the attorney work-product doctrine and investigative privilege, party communications privilege, trial preparation material and to the extent that they seek to elicit an expert witness opinion beyond the scope of permissible discovery. Westinghouse further objects to the extent Plaintiffs seek disclosure of information protected by the trade secret privilege. Westinghouse moves the Court for a protective order, if necessary, to suppress the requests to the extent they seek proprietary data or alternatively, upon the Court's order of disclosure, imposing safeguards to restrict the dissemination of the privileged information.

Westinghouse objects to Plaintiffs' Request for Production as beyond the scope of permissible discovery. Under the Texas Rules of Civil Procedure, the permissible scope of discovery is limited to matters which are "relevant to the subject matter in the pending action."

These requests for documents are overbroad and reach beyond the scope of what may be considered reasonable inquiry.

Similarly, Plaintiffs have neither limited their interrogatories or requests to a specific time period within which Plaintiffs allege the specific acts or practices at issue in these proceedings took place, nor have they limited their request to documents related to those alleged acts or practices. Therefore, Westinghouse objects to each of the Requests and Interrogatories as unduly broad, burdensome and oppressive, and as demanding an investigation into matters which are irrelevant and immaterial to these proceedings and which are not reasonably calculated to lead to the discovery of relevant, material or admissible evidence.

By responding below, Westinghouse does not waive any of its objections as stated above or in its responses to interrogatories propounded by plaintiffs in this litigation. In particular, Westinghouse reserves objections as to the relevance or admissibility of the following information. Westinghouse will produce all non-privileged documents, once plaintiffs have agreed to a suitable protective order, to the extent they have not been produced previously, at a mutually agreed upon date and time, upon Plaintiffs limiting their request to specific Westinghouse products, at specific locations and for more limited time frames.

Without waiving these objections, Westinghouse states that beginning in approximately 1985, it made an effort to identify those of the various Westinghouse divisions which it reasonably believed likely to have documents that could be relevant in asbestos personal injury cases. Documents were collected from these locations, copied and placed in a repository in Richmond, Virginia. Documents showing specific sales such as invoices, purchase orders and the like, to the extent any may have been present, were not included in the documents identified

for copying. These documents are segregated according to the division from which they were collected. They are not organized according to type of product, date or place of sale, customer name or geographical region. These documents are being made available for plaintiffs' review.

Westinghouse cannot reasonably respond to those interrogatories which seek confirmation of specific sales to specific customers or geographic regions. Documents stored at Westinghouse Records Services are not maintained by customer name or purchaser name. Documents are generally stored according to their source and according to broad categories such as general business records, financial records, engineering records, etc. Sales orders are initially kept at the Westinghouse or WESCO office receiving the order. Once the order is filled and payment is received from the customer, the sales order is considered closed. After a one to three year period, closed orders are then sent to the records services facility for retention. Sales orders are only retained for a limited period of time, generally for a period of less than ten years.

Without waiving these objections, and subject thereto, Westinghouse further responds to the interrogatories as follows:

INTERROGATORIES

1. Identify the registered name of answering defendant, as well as all prior names or predecessor entities by which defendant has existed.

RESPONSE: Westinghouse Electric Corporation is incorporated in Pennsylvania. The principle place of business is Westinghouse Electric Corporation, Westinghouse Building, Gateway Center, Pittsburgh, Pennsylvania 15222. Westinghouse began business as The Westinghouse Electric Co., which was incorporated on January 8, 1886. In 1889, the charter of the Charters Improvement Co., which was incorporated in Pennsylvania on April 9, 1872, was purchased and the name of Charters Improvement Co. was changed to Westinghouse Electric and Manufacturing Company and remained so until changed to the present title on May 10, 1945.

2. Identify all past and present divisions, subsidiaries or affiliated companies of the answering defendant, having any function which now or in the past engaged in any phase of mining, manufacturing, sale, supply, purchase, application, installation, relabeling, processing or distribution of asbestos or asbestos-containing products. With respect to each of such divisions, subsidiaries or companies, set forth with particularity the precise relationship with the answering defendant the dates thereof, and identify the nature and extent of such functions during the relevant periods of time in which such activities have or had occurred.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to this Interrogatory as it is overly broad and vague, burdensome, harassing and not reasonably limited in time or scope. In addition, Westinghouse objects to this Interrogatory to the extent that it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections and the foregoing General Objection, Westinghouse states that it has now and has had in the past numerous subsidiaries, none of which has ever been a miner or miller of asbestos fiber. Thus, Westinghouse has never been a member of the industry to which this Interrogatory and many others relate, and in which other defendants may have participated. Westinghouse has many divisions, plants and facilities located throughout the United States and in many locations outside of the United States. Westinghouse does not oppose reasonably tailored discovery concerning any particular location or facility whose products are actually at issue in these cases.

3. List by brand name all of your asbestos-containing products. Your asbestos-containing products includes all products which contain any amount of asbestos manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed by you or for you by others. By you and yours, Plaintiffs refer to Defendant, to all your predecessors in interest, (whether by purchase, merger, consolidation or otherwise), to all of your subsidiaries, divisions, joint ventures or affiliates. As to each product, state the following:

- a. type of product (e.g., acoustical plaster, fireproofing, etc.);
- b. the date the product first went into production;

- c. the last date the product was produced;
- d. the last date the product was sold;
- e. all manufacturing locations;
- f. dates of manufacture at each location;
- g. the percentage of asbestos (state if percentage is by volume or weight), and the dates and all reasons for any modification thereof;
- h. the type of asbestos;
- i. the specific source of asbestos with dates;
- j. the color, physical characteristic, and appearance of the product;
- k. a full and precise description of the package in which the product was sold, including, but not limited to, type of package, size, color(s), and writings thereon;
- l. all other names under which the product was sold;
- m. the number and dates of each patent or patent application as to the product;
- n. if the product continued to be produced after the deletion of asbestos, all reasons why the asbestos was deleted, the identity of the person who made the decision to delete the asbestos, and the date the product was first produced without the asbestos;
- o. if the product is no longer produced, all reasons it was discontinued, the identity of the person who made the decision to discontinue the product, the brand name of the replacement product, and the date the replacement product first went into production;
- p. a precise description of your identifying logo or initials and the dates of inclusion on the product;
- q. state during what period of time such product has been associated with defendant;
- r. identify all sales literature, including brochures, advertisements, pamphlets or other material describing such product, its uses and methods of application or installation;

- s. identify any warning labels, inserts or other writings provided with such product and with every such printed warning; state what period of time it has or had accompanied the product, the exact wording of the warning, any amendments made to the wording, where the warning was located on each product or packaging, and on what asbestos products the warning appear(ed);
- t. geographic distribution range of each such product.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory for any products not alleged to have contributed to the injuries of plaintiffs on the grounds that it is overly broad and unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Westinghouse further objects that this Interrogatory is overly broad, burdensome and harassing. Subject to and without waiving these and the foregoing General Objection, Westinghouse responds as follows:

Because of the unlimited scope of this Interrogatory, the number of years Westinghouse has been in business, the size of its operations, and the way its divisions have customarily retained and stored records, much of the information sought by this Interrogatory cannot be provided. Historically, Westinghouse has manufactured and sold equipment and components for the generation, transmission, use and control of electricity. Since its founding in the 1800's, Westinghouse has sold many thousands of different products, with hundreds of thousands of variations of those products.

Westinghouse did not mine, manufacture or sell asbestos fiber. Where Westinghouse incorporated asbestos into a product it was used as the best commercially available material to satisfy a particular need incidental to the end product being manufactured. Consequently, it was not routinely done.

Based upon good faith information and belief, the following is a list of the types of products sold by Westinghouse which at some point in time may have contained some amount of asbestos. No attempt is made to distinguish between these products as to the type or amount of the asbestos ingredient or the potential or lack of potential for the release of loose, respirable asbestos fibers into the air. In many instances, these "products" are themselves components in other end-products. Further, only certain variations of these products contained asbestos during certain periods; many other variations contained no asbestos.

- air conditioners and compressors
- armatures
- brakes for motors, bridge hoists, cranes and
other industrial equipment and linings
- bus ways
- circuit breakers
- condensers
- control rod drive mechanisms
- control items such as relays, contactors, arc

chutes overhead controls, and switches
CPL arrester
CRC test press
DC contactor
electronic tubes
elevators
escalators
fans
flexible laminate
floodlights, aviation lights and light
 fixtures
fluorescent lights
gaskets in equipment
generators
governors
heat transfer products
heating coils
high voltage incandescent lamp, 230V
induction heating equipment and systems
JF autostarter
lighting arrestors
liquid slip regulator
mercury lamp
mercury vapor rectifier
micarta
molded line traps
molded parts for electrical equipment,
 including:
 spacer barrier
 mounting or terminal blocks
 electrical insulator sleeve
 plug board
 barrier support
 coil shield
motors (split phase, traction, D.C.,
 fractional horse, capacitors, single
 phase) and internal insulating materials
moveable building wall panels
network protectors
oxygen analyzer probe assembly
oxygen shield
power reclosures
pumps
range timer

reactor components
reductor gears
sleeving
SVS arrester
steam & gas turbines and ancillary insulation
switchgears
tape
thermal demand meter
toasters
transducers
transformers
valves
varnish treated paper
welding electrodes
welding machines
wire wound resistor assembly

Upon information and belief, Westinghouse distributed, through Westinghouse Electric Supply Company (WESCO), a Westinghouse division, numerous products, manufactured by Westinghouse and other companies, some of which contained asbestos at some points in time. The following is a list of asbestos-containing products of other companies that were available for sale through WESCO.

American Beauty Heater Cord
Armored Thermostat Cable
Asbestos Insulated Heat-resisting Fixture Cord,
Type AF
Asbestos Insulated Wire and Cable
Asbestos Ranger and Rheostat Wire "Rockbestos"
Collyer Asbestos Heater Cord
General Cable Asbestos Insulated Fixture Wire
General Cable Asbestos Insulated Flexible Cord
Heater Cord Type HPO
Rockbestos Asbestos Varnished Cambric Wire
Types ABC and AVP
Rockbestos Asbestos-covered Nickel Cord
Rockbestos AVC Boiler Room Wire and Cable
Rockbestos AVC Switchboard Wire
Rockbestos Heat Resisting Fixture Wire
Rockbestos Power Cable
Rockbestos Stove Wire
Rockbestos Table LH Hotbed or Industrial Heating Cable
Thermostat Cable

Westinghouse has been in business since the 1870's. It has manufactured countless variations of electrical motors, switches, transformers and electric machinery for decades. There was no reason to make a record of the first or last date on which any one of these many types of equipment first or last contained any amount of asbestos.

Westinghouse cannot determine the percentages of asbestos and other components/ingredients contained in all of the products listed above, for several reasons. For the most part, there are no records containing this information. To the extent records exist, they do not generally quantify the extent of asbestos ingredient. Historically, there was no reason for Westinghouse to determine or keep a record of the percentage, in terms of the weight, size or volume of a particular end-product which was comprised of an asbestos-containing ingredient. Thus, there is no way to verify those percentages at this point in time, except as can be determined or approximated from the records.

Westinghouse made efforts to identify those of the various Westinghouse divisions which it reasonably believed likely to have documents that could be relevant in asbestos cases. These documents contain a great deal of information about various products shown on the list above. For example, process specifications which explain the manufacturing and/or use of a particular product are included. Material cards showing the particular type of asbestos used to form a particular component of a product are also included. Upon identification of the type of product(s) which the plaintiffs have reason to believe was manufactured by Westinghouse and from which they may have been exposed to asbestos, Westinghouse will review the documents collected for relevant, responsive information, and will make those documents available for inspection and copying by plaintiffs.

Westinghouse is unable, based upon presently available information, to determine the names of distributors for all of the products listed above. The documents collected from various Westinghouse divisions likely contain some information responsive to this request. The burden of ascertaining that information is substantially the same for the plaintiffs as it is for Westinghouse.

The records presently available indicate that the following entities supplied asbestos fibers to Westinghouse during various time frames:

1. Vermont Asbestos Mines
Division of Ruberoid Company
500 9th Avenue
New York, New York
2. Phillip Carey Manufacturing Company
Lockland Station
Cincinnati, Ohio
3. Johns-Manville Sales Corporation
22 East 40th Street
New York, New York
4. Keasby Mattison & Co.

Amber, Pennsylvania

5. Bell Asbestos Mines, Ltd.
Thetford Mines
Quebec, Canada
6. Palveton Mining Co.
6721 Windsor Mill Road
Baltimore, Maryland
7. Fisher Scientific Company
717 Forbes Street
Pittsburgh, Pennsylvania
8. General Insulation Company
330 Binney Street
Cambridge, Massachusetts
9. Hinman Asbestos Corp.
212 Binney Street
Cambridge, Massachusetts
10. Asbestos & Mineral Corp.
18-19 Broadway
New York, New York
11. Vermont Asbestos Corp.
500 Fifth Avenue
New York, New York
12. Johns-Manville
Greenwood Plaza
Denver, Colorado
13. Clarks Asbestos Company
1893 East 55th Street
Cleveland, Ohio
14. Asbestos Fiber Distributors
New York, New York
15. Union Carbide Corp.
270 Park Avenue
New York, New York 10017

4. Did you claim your asbestos product(s) to be safe, effective and/or easy to handle? If so, identify all documents, which have made such assertions, including, but not limited to, brochures or advertisements (radio, television or printed), and revisions thereof by publication(s) and date. Your asbestos products includes all products which contain any amount of asbestos manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed by you or for you by others.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory as to products not alleged to have contributed to the injuries of the plaintiffs on the grounds that it is overly broad and unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Westinghouse further objects to this Interrogatory as it is overly broad, burdensome and harassing, and it is not reasonably limited in time or scope. If the plaintiffs will specifically identify the product(s) which is/are alleged to have given off airborne asbestos fibers, which were a substantial factor in causing the alleged asbestos-related illnesses which are the subject of these lawsuits, Westinghouse will endeavor to answer this Interrogatory for such product(s) to the extent it reasonably can do so.

Subject to and without waiving these and the foregoing General Objection, Westinghouse responds as follows: Westinghouse contends that some asbestos-containing products can be safe depending upon their low potential, if any, to release loose, friable fibers, or because the asbestos ingredient in them does not become airborne due to its location and how the product is used. Only loose, friable asbestos fibers are capable of being hazardous to a person. Products which are encapsulated by the manufacturing process, or encapsulated asbestos which is located in the internal components of a particular piece of equipment, or from which, because of the nature of the product, loose, friable fibers are not normally released, do not present a health risk. Similarly, a product which might contain some amount of asbestos does not present a health risk to a particular worker unless that particular worker breathes sufficient quantities of fibers from that product.

Westinghouse's Industrial Hygiene Department would have been the most likely source of documents containing such information, if any. Hundreds of thousands of pages of documents from this defendant have been previously produced to the Ness, Motley lawfirm and plaintiffs' counsel have subsequently designated some of these documents as exhibits in numerous jurisdictions, including Harris County, and have used them in multiple depositions, hearing and the like. Westinghouse opposes unfocused production of documents from this department. Upon identification of the type of product(s) which the plaintiffs have reason to believe was manufactured by Westinghouse and from which they may have been exposed to asbestos, Westinghouse will review the documents collected for relevant, responsive information.

5. Did you specifically inform the purchaser or user of your products at the time your product was sold, installed, used, supplied or subsequently, that your products could cause lung cancer, asbestosis, and mesothelioma? If so, identify the document containing such information by date and location.

RESPONSE: See Preliminary Statement, General Objection, and Objections and Response to Interrogatory No. 4. Westinghouse further objects to responding to this Interrogatory for any products not alleged to have contributed to the injuries of the plaintiffs on the grounds that it is overly broad and unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence.

6. Identify any and all labelling or relabelling agreements between answering defendant and other entities, including other Defendants concerning asbestos containing products and materials.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory for any products not alleged to have contributed to the injuries of the plaintiffs. Subject to and without waiving these and the foregoing General Objection, Westinghouse responds as follows: Many of Westinghouse's products were sold to distributors. If the plaintiffs will identify the distributors, Westinghouse will investigate any distribution arrangements it may have had with those entities.

7. Have you ever mined asbestos? If so, as to each mine and type of asbestos produced there, state the following:

- a. the location;
- b. the dates of operation by you;
- c. the type (e.g., chrysotile, amosite, etc.) produced;
- d. the grade of each type of asbestos fiber produced, the percentage of each grade to the total fiber produced by year or other period, and the recommended use of the grade of fiber;
- e. the gross annual sales in dollars and in volume for each type and grade of asbestos fiber;

- f. a full and precise description of the package in which the asbestos fiber was sold, including, but not limited to, type of package, size, color(s), and writing thereon;
- g. all names under which the asbestos fiber was sold;
- h. the identity of all records reflecting the sale or transfer of said asbestos fiber;
- i. the identity of the present custodian of photographs of the burlap bags in which the asbestos fibers was stored and/or shipped;
- j. the address of each sales office and sales region for the sale of the asbestos fiber;
- k. the name of each authorized distributor of the asbestos fiber produced;
- l. the identity of each owner and operator of the mine prior to the date you first began operation of the mine, and the dates thereof, and
- m. the identity of each owner and operator of the mine subsequent to your ceasing operation of the mine.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory as it is overly broad and unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Subject to and without waiving these and the foregoing General Objection, Westinghouse is not now and never has been a member of the asbestos mining and bulk insulation industry (commonly referred to as the "asbestos industry"). Westinghouse has never mined or milled asbestos ore or sold raw asbestos products. Further, neither present nor former subsidiaries of Westinghouse have ever been a miner or miller of asbestos fibers.

8. Is answering defendant aware of the possible connection between exposure to asbestos or asbestos products and:

- a. Asbestosis?
- b. Lung cancer, all cell types?
- c. Mesothelioma?
- d. Colon cancer?
- e. Stomach cancer?

- f. Laryngeal cancer?
- g. Cancer of the kidney?
- h. Cancer of the Esophagus?
- i. Other gastrointestinal cancers?
- j. Pneumoconiosis?

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory because of the argumentative, categorical manner in which it is phrased. In the instant cases Westinghouse has not been adequately informed to offer any opinions as to causal relationships, if any, between various substances and any diseases that the plaintiffs allegedly have. Provided it were offered specific product identification and specific locations and durations of exposure to asbestos-containing products allegedly manufactured by Westinghouse, Westinghouse would defer to the reasoned judgment and opinions of its medical expert witnesses on all such questions of human diseases, their causes, and diagnoses. Subject to and without waiving this and the foregoing General Objection, Westinghouse responds as follows:

Westinghouse has not learned that mere exposure to asbestos, without more, constitutes a health hazard. Westinghouse generally has learned that inhalation of certain types and quantities of asbestos fibers over certain periods of time is associated with increased risk of health hazards for some people.

9. If your answer to the above interrogatory, as to any or all of its sub-parts, is affirmative, identify:

- a. When and how defendant first learned of such connections;
- b. If knowledge was obtained by attendance at any conference, lecture, convention, symposium or meeting, identify such meeting and provide the identity of person attending or documents obtained;
- c. If knowledge was obtained from medical or scientific studies, or any other published work, identify same;
- d. If otherwise obtained, identify manner of receipt of document or communication.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse was a member of the American Hygiene Foundation (AHF) and has learned that AHF distributed abstracts which summarized articles dealing with industrial hazards including asbestos in the mid-1930's. Westinghouse learned that inhalation of certain types and quantities of asbestos fibers, over significant periods of time, was being associated with increased risks of disease for some people

by the early 1940's. The specifics of exactly how or when Westinghouse personnel acquired such knowledge or awareness is not reasonably known or ascertainable, but it is probable that it came from reading government publications or other public documents, reports, studies or journals, including industrial hygiene and medical journals. Westinghouse obtained this level of knowledge based upon what was published at that time, all of which was based on the relevant work histories, dose, fiber type, length of exposure and other variables of the particular study, periodical or journal.

10. With regard to any knowledge obtained subsequent to that identified in the above interrogatory, and up until the time that you ceased to sell and/or manufacture asbestos products, identify:

- a. All documents or other communications, oral or written, concerning the casual connection between exposure to asbestos or asbestos products and disease, and identify of persons so communicating;
- b. Did answering defendant obtain from or transmit any such information to other defendants in this case? If so, identify:
 1. manner of receipt or communication for each contact;
 2. all documents and persons involved.

RESPONSE: See Preliminary Statement and General Objection. See Responses to Interrogatories Nos. 8 and 9. Westinghouse maintains general reference materials and technical libraries throughout the corporation, which may include various industry periodicals, occupational health and medicine periodicals and other topical reference materials. There is no central indexing system that contains all of the information requested by this Interrogatory for all departments within the corporation. Thus, Westinghouse objects to this Interrogatory on the grounds that it is unduly broad and burdensome, and that it seeks information which is not reasonably calculated to lead to the discovery of material or admissible evidence.

11. As to any knowledge possessed by answering defendant at any time referred to in answers to the preceding three interrogatories did you educate your employees, distributors, or purchasers about the hazards known to you and any safety precautions necessary to guard against cancer and other diseases arising from the use and handling of your asbestos containing products? If so, identify:

- a. When and in what manner customers, insulators, non-employee factory workers and the general public were so informed;
- b. Documents communicating or otherwise disseminating such information;
- c. Programs initiated or sponsored to establish or promote safety procedures, methods or usage of asbestos containing products;
- d. Published articles or reports by employees (present or prior), including those of medical directors, scientists, engineers or other professionals;
- e. Symposia or lectures sponsored for the benefit of asbestos workers and/or the general public.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory as to products not alleged to have contributed to the injuries of the plaintiffs.

Subject to and without waiving these and the foregoing General Objection, see Response to Interrogatory No. 5. Westinghouse further states that it supplied its employees with cautions or instructions regarding the use of asbestos. The cautions or instructions were located on one or more of the following internal documents: Material Cards, Process Specification forms, or Safe Practice Data Sheets. Hundreds of pages of these materials have been previously produced and such documents have been the subject of depositions of former and current Westinghouse employees.

A Material Card is an internal document which controls a material or a part which is purchased by brand name, trade name, catalogue number or other standard. Process Specification forms are internal documents which outline the required procedures for given manufacturing processes. Safe Practice Data Sheets were a means of communicating cautions and instructions at the plant level.

The first Safe Practice Data Sheet containing information about asbestos was written in 1953. The earliest date a caution or instruction would have appeared on a Material Card was probably in the mid to late 1950's. The same is true of cautions or instructions on Process Specification forms.

Westinghouse also believes that it provided some distributors and/or purchasers, with Westinghouse Material Cards and Process Specification Forms containing cautions or instructions regarding the use of asbestos. Given the size and scope of the company's operations, it is not reasonably possible to determine the specifics of how and when such materials were provided to specific purchasers, but it was routinely provided upon the request of a purchaser for the kind of information found in Material Cards and/or process specs.

12. When, before 1972, and by what manner were you first aware of the health hazards relating to exposure to asbestos or asbestos products for insulators, plasterers, pipefitters, boilermakers, operators, sheet metal workers, helpers, drywall finishers, mechanics, carpenters, shipfitters, machinist and bystanders exposed to inhalers.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory as it seeks information which is neither relevant nor reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Subject to and without waiving these and the foregoing General Objection, see Response to Interrogatory Nos. 8 and 9.

13. Did you perform, direct to be performed, finance, sponsor or receive the results of any studies or tests concerning potential health hazards involved with the use of asbestos containing materials? If so, identify such studies or tests and state:

- a. When, where and at what intervals such studies were performed;
- b. Were such studies in writing or reported at a later date in writing;
- c. Were the results of such studies published or otherwise disseminated? If so, state to whom and when;
- d. Who performed such studies;
- e. What were the results of such studies?

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory on the grounds that it is not limited to surveys related to asbestos-containing products manufactured by Westinghouse that Plaintiffs' claim caused their injuries. Subject to and without waiving these and the foregoing General Objection, Westinghouse responds as follows:

In August 1974, a report titled "Identification and Quantification of Fibrous Dust and Ferruginous Bodies in Lungs of Autopsied Adults" was published by the Industrial Health Foundation, Inc. Westinghouse's name, along with Alcoa and Gulf Oil, appears on the cover of this report. The report was prepared by Paul Gross, M.D., John M. G. Davis, Ph.D. and Russell A. Harley, Jr., M.D. This report studied the mineral fiber (including asbestos) content of human lungs. Westinghouse has no present knowledge of the reason for the appearance of its corporate name on this report.

14. During the time period that you manufactured, sold, supplied, applied, distributed or installed asbestos containing products, what tests have been performed by any governmental agency, body, commission or health organization including, but not limited to, the U.S. Public Health Service, OSHA, or NIOSH, in your plants or on job sites owned or controlled by you concerning: specific hazards associated with the use and handling of asbestos and asbestos' products; any restrictions in use of same; requirements for medical surveillance and examinations for your workers, dust monitoring or availability of safety equipment? If such findings were made, identify:

- a. The date or dates of such findings and by which organization or entity such findings were made;
- b. The form in which such findings were made and, if written, the exact wording of same or location in regulation, order, bulletin, report or other writing;
- c. What steps were taken to comply with such findings and the dates when such acts of compliance occurred;
- d. How users of or bystanders exposed to asbestos or asbestos containing products were informed of such findings and if such information was written identifying same.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to responding to this Interrogatory because it seeks information that is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Westinghouse further objects to this Interrogatory as overly broad, burdensome and harassing. Subject to and without waiving these and the foregoing General Objection, Westinghouse is presently unaware of having performed, participated in, or having been the subject of any studies or tests concerning the potential effects of exposure to asbestos dust.

15. During the time that you manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed asbestos containing products, did you perform, direct to be performed, finance, sponsor or receive the results of any dust monitoring

tests at job sites where asbestos-containing products were being applied and/or removed? If so, state:

- a. The date and location of the first such test;
- b. When, where and at what intervals subsequent tests were performed;
- c. Who performed such tests;
- d. Where the results of such tests are maintained;
- e. What steps were taken by you to improve results of such tests, and dates when such improvements were made.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory for any products not alleged to have contributed to the plaintiffs' injuries and for any worksites where the plaintiffs did not work. Although products were sold directly to jobsites, they were also often sold to contractors and Westinghouse would have no knowledge of the actual location where those materials were used.

Subject to and without waiving these and the foregoing General Objection, based upon presently available information, Westinghouse did not routinely go to worksites owned or controlled by others to conduct any tests or studies of asbestos exposure levels.

16. If your answer to the above interrogatory is in the negative, state your reasons for not performing dust monitoring tests.

RESPONSE: See Preliminary Statement, General Objection and Objections and Responses to Interrogatories Nos. 14 and 15. Moreover, Westinghouse objects to this Interrogatory, as worded, to the extent that it implies that Westinghouse had a legal duty and right to conduct tests at jobsites or premises which it did not possess, control or operate. Westinghouse further objects to this Interrogatory as overly broad, burdensome and harassing, and because it is not reasonably limited to asbestos-related tests or tests at facilities where Westinghouse products were used.

17. During the time that Defendant sold, manufactured, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed asbestos containing products, did the Defendant ever have any inspectors or anyone from your company or hired by your company whose job it was to go to areas where your asbestos containing products were being

used, removed or installed to make a dust level count? If so, state when this procedure started, the purpose of such procedure and the findings and what action, if any, was taken in response to the findings, and attach results.

RESPONSE: See Preliminary Statement, General Objection and Objections and Response to Interrogatory No. 15. Upon information and belief, Westinghouse did not routinely go to work sites owned or controlled by others to conduct any tests or studies of asbestos exposure levels.

18. During the time that Defendant manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied, or installed asbestos containing products, identify any medical examination programs offered or sponsored by answering defendant or its insurance carrier(s) for employees of its insured handling or otherwise exposed to asbestos and asbestos products. With respect to each program; state:

- a. Manner of communication with employees about such program;
- b. Whether examination was mandatory or optional;
- c. What percentage of workers permitted to undergo such examination participated;
- d. What percentage of workers were found to have asbestosis or mesothelioma;
- e. With respect to (d), what percentage of such workers were paid disability or workmen's compensation benefits or for whose benefit medical expenses were paid to undergo treatment for such conditions.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to this interrogatory because it is unlimited in time and fails to identify with specificity the Westinghouse products allegedly involved and the relevant Westinghouse divisions allegedly at issue. Westinghouse will supplement its response upon further clarification by Plaintiffs.

19. Does the Defendant have or has it ever had, a Medical department, and/or a research department and/or an Industrial Hygiene department. If so, give the date upon which such medical department and/or Industrial Hygiene department was established, and whether or not such department has operated continuously since being established.

- a. Name each director, chief or head of your Medical department and/or Industrial Hygiene department year by year with the first year you had a director of such department. Give the last known address of each.
- b. State in detail the duties, responsibilities and purpose of such department(s);

RESPONSE: See Preliminary Statement and General Objection. Westinghouse has had a Medical Department concerned with the health of Westinghouse employees. It has retained plant physicians and nurses in numerous locations over many years. There is no central index identifying such personnel and the other detailed information requested in this Interrogatory. Westinghouse first employed a medical director in 1920.

The following persons were or are the principal medical personnel:

T. L. Hazelett, M.D., Corporate Medical Director before 1950 (deceased);

Harry Burr, Administrator of Medical Services, (1954-1982)
34 Anglewing Drive
Hilton Head, South Carolina 29995

E. C. Curtis, M.D.
(1982-present)
Westinghouse Electric Corporation
Pittsburgh, PA 15222

The Medical Department's role is to provide medical services where appropriate to Westinghouse employees. The administrator of medical services advises the corporation on such topics as the layout for plant medical department, the acquisition of medical equipment and the feasibility of placing medical services departments at particular plants.

Westinghouse has had an Industrial Hygiene Department since the early 1930's. A number of industrial hygienists have been given employment within the department since its inception. Westinghouse is not presently aware of the existence of records that indicate the names of all such employees. However, the following persons are known to have been employed in the Industrial Hygiene Department:

H. W. Speicher (deceased)
G. Stewart
W. E. Piros
C. W. Bickerstaff
E. C. Barnes (deceased)
Z. R. Heasley
J. Adams
K. Bodden
K. Gollner

R. Sampson
G. Arsensman
M. A. Perriello
D. Whittier
R. J. Wengrzyn

Currently the Industrial Hygiene and Corporate Product and Safety departments are within the department of Environmental Affairs. Corporate Medical is located within Corporate Human Resources.

The title "Industrial Hygiene" defines the department's function. The Industrial Hygiene Department's primary role relates to identifying and reducing conditions in the workplace which are hazardous or dangerous to Westinghouse employees or which in some form threaten worker safety.

Westinghouse has had a Safety Department since the 1930's. The title given to the Safety Department has changed over the years. For example, at one time the Safety Department was known as Accident Prevention. Westinghouse employed personnel at various facilities whose primary responsibility was job-site safety. It does not have central records which identify those employees. At the corporate level, the following persons are known to have been employed within the Safety Department:

H. J. Duffus
J. F. Van Namee
W. H. Ziefel
P. Palmieri

Currently the Safety Department is within the department of Environmental Affairs. The title "Safety" defines the department's functions. The Safety Department's primary role relates to identifying and reducing conditions in the workplace which are hazardous or dangerous to Westinghouse employees or which in some form threaten worker safety. Westinghouse has employed safety personnel at various locations and times, some of whom were certified industrial hygienists.

20. Identify all asbestos related trade organizations, associations, or other entities including, but not limited to the Gypsum Association, Vermiculite Institute, Asbestos Textile Institute, Industrial Hygiene Foundation, Magnesia Insulation Manufacturers Association, National Insulation Manufacturers Association, Asbestos Information Association, National Insulation Contractors Association, Thermal Insulation Manufacturers Association, Quebec Asbestos Manufacturers Association, Quebec Asbestos Producers Association to which you have belonged

or in you have participated and as to each respective organization, identify the dates of membership or participation.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse has never been a member of the "asbestos industry" as that term is commonly used in asbestos litigation and therefore, has not been a member of organizations of the "asbestos industry," including the Asbestos Textile Institute, National Insulation Manufacturers Association, National Insulation Contractors Association, National Mineral Wool Association, Asbestos Cement Products Group, Air Hygiene Committee of the Asbestos Textile Institute, or Asbestos Information Association.

Westinghouse objects to the incredible burden which would be imposed by reviewing its records to identify organizations to which its thousands of employees (past or present) may have belonged over the past years. There is no central repository of such information. Individual Westinghouse health and safety professional employees have undoubtedly belonged to various professional, trade, industrial and safety, hygiene or health organizations such as the American Industrial Hygiene Association, Health Physics Society, and the Society of Safety Engineers. Westinghouse's records would not include the dates individual memberships were commenced or terminated or who, if anyone, attended meetings.

Westinghouse cannot reasonably determine all of the trade and industry associations, groups and organizations of which it has been member over the past twenty-five years. Nevertheless, without waiving these objections or the General Objection, Westinghouse can verify the following memberships.

(a) National Electrical Manufacturers Association ("NEMA"), 2101 L Street Northwest, Washington, D.C. NEMA is a trade organization for the electrical manufacturing industry, and includes companies that manufacture equipment used for the generation, transmission, distribution control and utilization of electrical power. Westinghouse has been a member of NEMA since its inception in 1926. Before that, Westinghouse was a member of a predecessor organization since about 1915.

(b) The American Society for Testing and Materials ("ASTM"), 1016 Race Street, Philadelphia, Pa. ASTM is an organization of engineers, scientists, professionals and others representing business firms, government agencies, educational institutions and laboratories. ASTM establishes voluntary consensus standards for various products, materials and services.

(c) Electronic Industries Association ("EIA"), Eye Street, N.W., Washington, D.C. EIA is an organization representing manufacturers of all types of electronic products which monitors and reports on regulatory and legislative events and provides informational services to its customers.

(d) American National Standards Institute ("ANSI"), 1430 Broadway, New York, New York. ANSI is a certification authority and clearinghouse for nationally coordinated voluntary safety, engineering and industrial standards.

(e) Charter member of the National Safety Council.

(f) The Industrial Health Foundation and its predecessors in name, from approximately 1936 through 1984.

(h) The American Ceramic Society, 1935.

21. Identify any documents, not currently on file in the Master Asbestos File of Harris County, either received by you from those trade organizations, associations or other entities identified in the preceding interrogatory or else submitted by you to those trade associations, organizations or other entities that relate to any relationship between asbestos exposure and disease.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to this Interrogatory on the grounds that it is subject to various interpretations, the primary one being that it presupposes that Westinghouse is a member of the "asbestos industry" (i.e., an asbestos mining or bulk insulation manufacturing operation). Westinghouse objects to this Interrogatory on the grounds that it is unduly broad and burdensome, and that it seeks information which is not reasonably calculated to lead to the discovery of material or admissible evidence.

Westinghouse maintains general reference materials and technical libraries throughout the corporation, which may include various industry periodicals, occupational health and medical periodicals and other topical reference materials which may or may not be duplicative of documents currently on file. There is no central indexing system that contains all of the information requested by this Interrogatory for all departments within the corporation for comparison with any index which may be on file in Harris County.

Further, Westinghouse does not have records readily available from which it can reasonably determine the journals, periodicals, magazines and other publications to which its environmental, industrial hygiene, safety, research and development or medical departments might have subscribed during the last 93 years. The publications issued by these organizations are equally available to the plaintiffs and, therefore, the information sought regarding these publications should be sought from the organizations themselves and not from Westinghouse. Westinghouse objects to any suggestion that it should be required to conduct a massive, burdensome search in an attempt to verify precisely which publications were received and by which individuals within the corporation.

Subject to and without waiving these and the foregoing General Objection, Westinghouse states that as a member of the National Safety Council, Industrial Health Foundation and American Industrial Hygiene Foundation, Westinghouse probably would have received the publications of those organizations routinely distributed to members of those organizations. Westinghouse will make available for Plaintiffs' inspection the hundreds of thousands of documents in its Corporate Industrial Hygiene library and files.

22. Identify all agreements, oral or written, between you, any of the other defendants in this lawsuit, and/or any other organizations, associations or other entities identified in your answer

to Interrogatory No. 20 and/or any medical or scientific foundations, not currently on file in the Master Asbestos File of Harris County, relating to the standardization of:

- a. Specifications for paper or burlap bags, or other packaging to be used for the transport and/or storage of asbestos-containing products during the time that you manufactured, sold, distributed, or applied asbestos-containing products.
- b. Warning or caution labels to be applied to asbestos products and/or their packaging, cartons, containers, or boxes during the time that you manufactured, sold, distributed, or applied asbestos-containing products.
- c. Methods of dissemination of public relation information to defendant's purchasers, advertisers, distributors, factory workers, contractors, insulators, users, consumers of asbestos products and/or the general public pertaining to asbestos health hazards.
- d. Safety equipment and/or protective clothing to be utilized while handling defendant's asbestos products.
- e. Medical programs related to asbestos health hazards to be offered or sponsored by defendant.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory as it is overly broad, vague, unduly burdensome and harassing, and to the extent that it seeks information which is neither relevant nor reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Westinghouse also objects to responding to this Interrogatory as to products not alleged to have contributed to the injuries of the plaintiffs on the grounds that it is overly broad and unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Westinghouse further objects to this Interrogatory as it is not reasonably limited in time or scope. If the plaintiffs will specifically identify the product(s) which is/are alleged to have given off airborne asbestos fibers, which were a substantial factor in causing the alleged asbestos-related illnesses which are the subject of these lawsuits, Westinghouse will endeavor to answer this Interrogatory for such product(s) to the extent it reasonably can do so.

23. Did you direct to be performed, sponsor, finance or receive the results of any studies or tests performed by the Saranac Lake Laboratory to the Trudeau Foundation relating to asbestos exposure and its effects upon human life? If so, identify:

- a. All documents summarizing findings or results of those studies or tests which you have in your possession or control;
- b. All communications, oral or written, between answering Defendant and Saranac personnel including, but not limited to, Gerrit W. H. Schepers, M.D. and George Wilbur Wright, M.D.;
- c. All documents relating to Saranac Studies received or submitted by you whether directly, through associated or predecessor companies, through other companies, or through trade associations, organizations or other entities;
- d. All recommendations or findings of such studies relating to:
 - 1. adequacy or inadequacy of threshold limit values;
 - 2. substitution of materials other than asbestos.
- e. Medical programs related to asbestos health hazards to be offered or sponsored by defendant.

RESPONSE: See Preliminary Statement and General Objection. Subject to the foregoing General Objection, Westinghouse would respond that it had no involvement with studies performed by the Saranac Lake Laboratory relating to asbestos exposure.

23.[sic] Did you direct to be performed, sponsor, finance or receive the results of any studies or tests performed by the Saranac Lake Laboratory to the Trudeau Foundation relating to asbestos exposure and its effects upon human life? If so, identify:

- a. All documents summarizing findings or results of those studies or tests which you have in your possession or control;
- b. All communications, oral or written, between answering defendant and Saranac personnel including, but not limited to, Gerrit W. H. Schepers, M.D. and George Wilbur Wright, M.D.;
- c. All documents relating to Saranac studies received or submitted by you whether directly, through associated or predecessor companies, through other companies, or through trade associations, organizations or other entities;
- d. All recommendations or findings of such studies relating to:
 - 1. adequacy or inadequacy of threshold limit values;

2. substitution of materials other than asbestos.

- e. Where documents and/or communications identified in answers to (a) - (d) of this Interrogatory are maintained.

RESPONSE: See Preliminary Statement, General Objection and Response to the foregoing Interrogatory No. 23.

24. Prior to December 31, 1989, has any employee of answering Defendant ever made a claim for any asbestos related disease under the Occupational Disease or Workmen's Compensation Statute of any state? If so, state:

- a. The date that Defendant first received notice of such claim;
- b. The total number of such claims per year received to date;
- c. The number of such claims for which disability benefits and/or medical expenses were paid by Defendant;
- d. Identify all persons to whom disability benefits and/or medical expenses were paid by Defendant and the exact medical diagnosis, disease and/or condition for which such benefits/expenses were paid.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory on the grounds that it is overly broad, burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Westinghouse also objects to this request as seeking patently irrelevant information not discoverable under any theory and as being posed for the sole purpose of harassing Westinghouse and seeking to further the plaintiffs' counsel's own national agenda. Westinghouse further objects to this interrogatory to the extent Plaintiffs failed to confine their request to a specific time frame. Westinghouse will supplement its response upon Plaintiffs limiting their request to a relevant time period.

25. Identify each and every magazine or trade publication in which answering Defendant advertised its asbestos products form [sic] 1950 until the time you ceased mining, milling, selling, distributing, and/or applying asbestos containing products.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory because it is overly broad and unduly burdensome. Westinghouse further objects to the extent the Interrogatory assumes Westinghouse mined or milled "asbestos products." Westinghouse prepared and published various sales or promotional

literature relating to the products it has manufactured over the years. If the plaintiffs will identify those products which they reasonably believe to be at issue in this case, Westinghouse will endeavor to determine whether it has copies of any such sales or promotional literature relating to any asbestos-containing product so identified.

26. As to the person(s) answering these interrogatories, state:

- a. name;
- b. title or position with defendant;
- c. length of time employed by defendants.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Westinghouse further objects to this Interrogatory to the extent it calls for information protected by the attorney/client privilege or attorney work product doctrine. Subject to and without waiving these and the foregoing General Objection, Westinghouse responds as follows: All interrogatory answers are derived from numerous sources, persons and documents over an extended period. The person signing these responses does so to satisfy the requirement for an officer or employee of the corporation answering the interrogatories to affix his signature. Such signing person does not necessarily have direct knowledge regarding the matters included in these responses. No single officer, employee or agent of Westinghouse has direct knowledge of each and every answer requested. For purposes of compliance with Texas Rule of Civil Procedure 168, please refer to the affidavit appended to these responses. The affiant, Daniel Vickovic, Assistant Secretary, has his office at Six Gateway Center, Pittsburgh, Pennsylvania 15222.

27. Have you ever sold raw asbestos fiber? If so, state the dates you were involved in the sale of raw asbestos fiber.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory as it is overly broad, vague and unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Subject to and without waiving these and the foregoing General Objection, Westinghouse states that it is not now and never has been a member of the asbestos mining and bulk insulation industry (commonly referred to as the "asbestos industry"). Westinghouse has never mined or milled asbestos ore or sold raw asbestos products. Further, Westinghouse states that neither its present nor former subsidiaries have ever been a miner or miller of asbestos fibers.

28. State whether or not you have any information as to your relative market share regarding each of your asbestos containing products. If so, as to each year between 1940 or the time that you began mining, milling, selling, distributing and/or applying asbestos containing products until cessation of same, and with respect to each type of product, provide such information or opinion as to your market share and identify each document which provides any information to assist you in this determination. Give the same answers as to asbestos containing products in the Texas Gulf Coast area.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to this Interrogatory because it is overly broad and unduly burdensome and seeks information that is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence.

29. Have you designated distributors of your asbestos containing products in the State of Texas? If so, then state the name of all companies, their addresses, give the years that each was a designated distributor and the products each distributed.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory for any products not alleged to have contributed to plaintiffs alleged injuries on the grounds that it is overly broad, unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Subject to and without waiving these and the foregoing General Objection, Westinghouse is unable, based upon presently available information, to determine the names of all the distributors or dates of sales for all of its products. Documents stored at Westinghouse Records Services are not maintained by customer name or purchaser name. Documents are generally stored according to their source and according to broad categories such as general business records, financial records, engineering records, etc. There is no single length of time for which Westinghouse records are retained. The various retention periods for different types of documents are determined by many factors, including: regulations and statutes of governments in various countries, contractual requirements, types of documents, litigation requirements, available space, and individual employees' predilections. The various corporate locations periodically purge their files of "dead documents."

Sales orders are initially kept at the Westinghouse or WESCO office receiving the order. Once the order is filled and payment is received from the customer, the sales order is considered closed. After a one to three year period, closed orders are then sent to the records services

facility for retention. Thereafter, sales orders are only retained for a limited period of time, generally for a period of less than ten years.

30. If you did not have designated distributors in the State of Texas, then state by what method sales of asbestos containing materials were made. Give the name and addresses of all Defendant's sales offices, relating to asbestos containing products, located in the State of Texas.

RESPONSE: See Preliminary Statement, General Objection and Response to Interrogatory 29.

31. Did you ever have a division or subsidiary company engaged in the contracting business of applying insulation products? If so, give the name of such division or subsidiary company, the full address of the home office of such division or subsidiary company, and the dates such division or subsidiary company was engaged in the contracting business.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory for any products not alleged to have contributed to plaintiffs alleged injuries on the grounds that it is overly broad, unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence.

32. Based upon the contents of your products, the method of manufacturing and the method of application, could or can your products be generally applied or removed without liberating asbestos fibers? Your answer may be limited to those asbestos-containing products that have been identified in any Harris County asbestos case.

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

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory for any products not alleged to have contributed to the injuries of the plaintiffs on the grounds that it is overly broad and unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Westinghouse further objects to this Interrogatory to the extent it calls for scientific expertise which is not within the possession of Westinghouse. This interrogatory is an incomplete hypothetical and Westinghouse cannot respond with more specific facts about Westinghouse products involved and/or allegedly used by Plaintiffs, the specific division and time frame. Subject to and without waiving these and the foregoing General Objection, Westinghouse responds as follows: See Objections and Response to Interrogatory No. 4.

33. Was it anticipated that your asbestos containing products may have to be removed, stripped, disturbed, or replaced at any time after installation?

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory for any products not alleged to have contributed to the injuries of the plaintiffs on the grounds that it is overly broad and unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Subject to and without waiving these and the foregoing General Objection, components of electrical equipment that were coated with phenolic resin, for example, would not be expected to wear out.

34. Did the defendant, during the time it mined, manufactured, milled, sold or applied asbestos-containing products, give users or other persons exposed to asbestos containing products or their employers who would be applying, using, removing your asbestos containing products instructions concerning safety precautions to use in applying, using or removing such products? If so, describe such instructions, to whom they were given, the dates they were given, and the manner of giving such instructions.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to responding to this Interrogatory for any products not alleged to have contributed to the injuries of the plaintiffs on the grounds that it is overly broad and unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Subject to and without waiving these and the foregoing General Objection, see Objections and Responses to Interrogatories Nos. 5 and 11.

35. If you have pled that the Plaintiff misused Defendant's asbestos containing products, then state in what manner the defendant contends that Plaintiff misused its products? If "Yes", then state in what manner and under what circumstances each product was misused. Also state what Plaintiff could have done to avoid such misuse.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse intends to assert all valid defenses available to it, including where applicable, a defense of contributory negligence. Discovery on this issue is continuing. If plaintiffs are able to establish that exposure to respirable asbestos fibers from a Westinghouse product was a substantial cause of any injuries allegedly suffered by plaintiffs, which Westinghouse denies, then Westinghouse asserts that those products must have been misused by plaintiffs, plaintiffs' co-workers, plaintiffs' employers or others over whom Westinghouse had no control and for whose actions Westinghouse has no responsibility.

36. List all the job sites, contractors and/or facilities in the Gulf Coast area of Texas, including, but not limited to, oil refineries, chemical plants, power plants, shipyards, commercial buildings, and manufacturing plants, where or to whom defendant's asbestos products were supplied, distributed, sold and/or used. Also, list which products were involved, the date or time period of such sale, distribution, use or installation and if know, the physical location within the facility listed. Alternative, you may produce the documents requested in Request for Production No. 1.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects that this Interrogatory is overly broad, burdensome, and it is not designed to lead to the discovery of admissible evidence. Westinghouse records have not been stored and are not maintained so as to enable Westinghouse to verify sales to a particular customer, geographic region or work site. Any answer to this Interrogatory would necessarily involve speculation or guesswork. Due to the size and scope of the company's operations and the fact that it has been in existence since before 1900, it is not reasonably possible to answer this request because to do so would involve massive, unmanageable amounts of time and manpower which far exceed the potential relevance of obtaining the information, even if it were reasonable to expect that such effort would result in obtaining the information, which it is not.

Moreover, the phrase "asbestos product" is either inapplicable to Westinghouse or is so vague and capable of misinterpretation that this request cannot be answered. Out of the products manufactured by Westinghouse which may have contained an asbestos ingredient at some point in time, only a few are reasonably, potentially involved in this litigation. Thus, Westinghouse cannot and should not be required to answer this request for each of the Westinghouse products, wholly without regard to the issues in these cases. Westinghouse objects to this Interrogatory for any products not alleged to have caused injury to the plaintiffs based on the grounds that it is overly broad and unduly burdensome and seeks information that is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Upon identification of the type of product(s) which the plaintiffs have reason to believe was manufactured by Westinghouse and from which they may have been exposed to asbestos, Westinghouse will endeavor to supplement this answer.

37. For the attached list of San Antonio job sites, state whether or not Defendant's asbestos products were supplied, distributed, sold and/or used. Also, list which products were involved, the date or time period of such sale, distribution, use of installation and, if known, the physical location within the facility listed.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to the extent this request is duplicative of Interrogatory No. 36 and for the reason that there is no attached list of San Antonio job sites. Westinghouse further objects to this interrogatory as irrelevant and immaterial to these proceedings and not reasonably calculated to lead to the discovery of relevant, material or admissible evidence because Westinghouse is not a party to the San Antonio litigation. However, to the extent duplicative, see Objections and Response to Interrogatory No. 36.

38. Up until the time that you ceased to sell and/or manufacture asbestos containing products, had the defendant ever conducted or caused to be conducted any studies designed to minimize or eliminate the inhalation of asbestos dust or fibers by those exposed to the use of the defendant's asbestos containing products? If so, give the following:
- a. Name of the person or firm conducting such studies;
 - b. The date the studies began and the date completed;
 - c. Any publication or dissemination of the results of the studies;

- d. The nature of any action to eliminate or minimize inhalation of asbestos dust or fibers;
- e. Attach copies.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory as unduly broad, burdensome and oppressive, and as demanding investigation into matters that are irrelevant and immaterial, and which are not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Subject to and without waiving these and the foregoing General Objection, Westinghouse is presently unaware of having performed, participated in, or having been the subject of any studies or tests concerning the potential effects of exposure to asbestos dust.

In August 1974, a report titled "Identification and Quantification of Fibrous Dust and Ferruginous Bodies in Lungs of Autopsied Adults" was published by the Industrial Health Foundation, Inc. Westinghouse's name, along with Alcoa and Gulf Oil, appears on the cover of this report. The report was prepared by Paul Gross, M.D., John M. G. Davis, Ph.D. and Russell A. Harley, Jr., M.D. This report studied the mineral fiber (including asbestos) content of human lungs. Westinghouse has no present knowledge of the reason for the appearance of its corporate name on this report.

39. Has the defendant ever directly advised any person or party to whom you sell your asbestos containing products of threshold limit values for exposure to asbestos dust recommended by the American Conference of Governmental Industrial Hygienists, or mandated by any governmental entity? If so, state the date that you so advised such person or party, the manner in which you advised such person or party, and the name of each.

RESPONSE: See Preliminary Statement, General Objection and Objections and Response to Interrogatory No. 5.

40. State the year that this defendant was first advised of threshold limit values and maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Governmental Industrial Hygienists, and state the name of the employee of the company receiving such information, the information received, the method of receipt of such information and attach copies of the instrument communicating such advice.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse understands that the American Conference of Governmental and Industrial Hygienists (ACGIH) defines threshold limit value-time weighted average (TLV-TWA) as the eight hour time weighted average concentration of a substance to which nearly all workers may be repeatedly exposed (day after day) without adverse effect. Westinghouse was aware of published threshold limit values, or their equivalent, which would have been published at various times by the ACGIH or by OSHA. Westinghouse is unable to state the name of any single employee who received such information. Westinghouse probably would have learned of the OSHA TLV standard on or about the time it was promulgated in 1972. Westinghouse would have learned of the American Conference of Governmental Industrial Hygienists' standards about the time they were published.

To the best of its knowledge, those threshold limits would have been published as follows:

<u>Year</u>	<u>Threshold Limit Value</u>	<u>Adopting Authority</u>
1946	5 million particles per cubic foot or 30 fibers per CC	ACGIH
1968	2 million particles per cubic foot or 12 fibers per CC	ACGIH listed as "intended change"
1972	5 fibers per CC greater than 5 microns in length	OSHA
1978	Chrysotile: 25 fibers per CC; Amosite: 0.55 fibers per CC; Crocidolite: 0.2 fibers per CC; Tremolite: 2 fibers per CC; Others: 2 fibers per CC	ACGIH, Notice of Intended Change Effective 1980
1986	0.25 fibers per CC	OSHA

41. Was such threshold limit values of maximum allowable concentrations inquired about in the preceding Interrogatory total dust or just asbestos dust?

RESPONSE: See Preliminary Statement and General Objection. Subject to and without waiving these and the foregoing General Objection, see Response to Interrogatory No. 40. Westinghouse would refer plaintiffs to those publications which are as available to Plaintiffs as they are to Westinghouse.

42. Up until the time that Defendant ceased to sell and/or manufacture asbestos containing products, state in detail what test, if any, your company or its predecessor(s) ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which users or bystanders were exposed while using your asbestos containing products.

- a. If there were any such tests or studies, give the name or names of the person(s) conducting the tests, the date of the tests and attach true copies of any reports, findings or memoranda concerning such tests or studies.

RESPONSE: See Preliminary Statement and General Objection. Upon information and belief, Westinghouse did not routinely go to work sites owned or controlled by others to conduct any tests or studies of asbestos exposure levels. However, Westinghouse did conduct air sampling and other industrial hygiene measures at various times at various Westinghouse facilities. Upon identification of the Westinghouse products reasonably believed to be at issue in this case, Westinghouse will review these documents and supplement this answer.

43. Does the Defendant possess or have in its control any written documents and/or written materials prior to 1980 which indicate that other manufacturers of asbestos containing products had any knowledge, information, or understanding that asbestos would, could, or might be harmful? If so, list each document and/or written material, and attach a copy.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory as it is overly broad, burdensome and harassing, and because it seeks information which is neither relevant nor reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Subject to and without waiving these and the foregoing General Objection, see Objections and Response to Interrogatory No. 21.

44. Did your company or its predecessor(s) ever place any warning directly on any of its asbestos containing products? (i.e. on insulation pipe covering itself). If so, state the wording of such warning, the size, how it was marked and the dates of placement.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory for any products not alleged to have contributed to the injuries of plaintiffs on the grounds that it is overly broad and unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Westinghouse does not oppose reasonably tailored discovery concerning any particular product which is actually at issue in these cases and requests that Plaintiffs limit this interrogatory to products at issue in this suit. Subject to and without waiving these and the foregoing General Objection, depending on the specific product at issue, Westinghouse may or may not have placed warning labels directly on the product or product packaging itself.

45. Did the Defendant ever provide a warning within its sales literature pertaining to asbestos containing products? If so, list the wording, the dates and what literature it was placed in.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory for any products not alleged to have contributed to plaintiffs alleged injuries on the grounds that it is overly broad, unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Subject to and without waiving these and the foregoing General Objection, see Objections and Responses to Interrogatories Nos. 11 and 44.

46. Were any Material Safety Data sheets ever prepared by the Defendant for your asbestos products? If so, attach copies.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory as to products not alleged to have contributed to the injuries of the plaintiffs. Subject to and without waiving these and the foregoing General Objection, Westinghouse responds as follows: see Objections and Response to Interrogatory No. 11.

47. Does Defendant have insurance policies that might cover the claims made by Plaintiff in this case?

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to this Interrogatory to the extent it relates to the instant plaintiffs, because Westinghouse cannot

determine applicable coverage without some indication of how, when and from what Westinghouse product, if any, and the plaintiffs claim caused their alleged injuries.

Subject to and without waiving these and the foregoing General Objection, Westinghouse is either insured or is self insured and has assets sufficient to respond to a judgment that may rendered in this action. Westinghouse has and has had in the past numerous policies of insurance, both primary and excess or umbrella policies, covering claims for alleged bodily injury. Coverage under the various policies may depend on the plaintiffs' alleged dates of direct exposure, exposure in residence, manifestation, or other pertinent dates.

48. If the answer to the above Interrogatory is affirmative, please state:

- a. the amounts of insurance coverage that is currently available as of the date you answer these interrogatories, and
- b. how much is in dispute.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory as irrelevant to the extent that it relates to any lawsuit other than the ones asserted by these plaintiffs. Subject to and without waiving these and the foregoing General Objection, see Objections and Response to Interrogatory No. 47.

49. If you have not previously supplied the requested information in the Master Asbestos File, then for each and every expert witness, medical or otherwise, whom you may call to testify during the trial of this cause, please state the following:

- a. Full name,
- b. Address,
- c. Phone number,
- d. Each subject matter on which the expert witness is expected to testify,
- e. The mental impressions and opinions held by the expert which relate to this case in any way, and
- f. The facts known to the expert (regardless of when the factual information was acquired) which relate to or form the basis of the mental impression and opinions held by the expert.
- g. Who will be paying each such expert and how much.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse also objects to this Interrogatory to the extent that it exceeds the scope of the Texas Rules of Civil Procedure and seeks information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Westinghouse further objects to this Interrogatory because it is an undue burden and unnecessary expense in terms of the depth it requires in answering it. Westinghouse objects to being required to state in an answer to interrogatory what mental impressions or opinions each witness holds, past what is given below. If greater detail is requested, then a hearing will be necessary to establish how far Westinghouse has to go in answering this Interrogatory. Further, the fact that Westinghouse has listed an expert does not mean that the expert will be called or has even been contacted. In some instances the witness may be primarily a fact witness who may be asked to state expert opinions. Westinghouse would suggest that the proper method to secure a detailed statement of a witness' impressions and opinions is by deposition of the witness. Westinghouse moves the court for a protective order to limit the detail required in answering this interrogatory, or alternatively, that plaintiffs pay Westinghouse's attorney's fees in preparing a detailed answer. It should also be noted that some of the persons listed as experts are not under Westinghouse's control and Westinghouse cannot require them to reveal to Westinghouse what they may know or believe about matters at issue in these suits.

Subject to and without waiving these and the foregoing General Objection, Westinghouse Electric Corporation is a manufacturer of over 7,500 basic electrical products with over 300,000 variations of those products. The Plaintiffs in these cases have made no meaningful identification of what Westinghouse products they allege contained asbestos which contributed to their alleged illnesses. Therefore, it is virtually impossible for Westinghouse to designate its fact or expert witnesses. Westinghouse also objects because plaintiffs have not fully disclosed their contentions and theories regarding the liability of Westinghouse in these cases. Nonetheless, to be as forthcoming as reasonably possible, Westinghouse designates the experts listed below. Westinghouse also reserves the right to call as a witness or the right to examine on any material fact, any other expert or lay witnesses designated or called to testify by the Plaintiff or any other party.

Westinghouse designates the following individuals who may be called to testify as experts in any of these cases:

- a. Dr. Oscar Auerbach
158 Long Hill Drive
Short Hills, NJ 07078
(210) 456-6608
(210) 675-6988

Dr. Auerbach may testify, either live or by deposition, regarding general pathology and the pathology of Plaintiff. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

- b. Howard E. Ayer
C.I.H.

Department of Environmental Health
Kettering Laboratory
University of Cincinnati
Cincinnati, Ohio 54267

Mr. Ayer may testify, either live or by deposition, about product composition, the type and volume of airborne asbestos fibers produced during various operations described by witnesses in this case; the effects of exposure to different types of asbestos fibers; the effects of Plaintiff's exposure, if any, to any Westinghouse product allegedly identified in this case; the contribution, if any, of any Westinghouse equipment allegedly identified in this case to the level of potential respirable asbestos fibers and the chronology and meaning of governmental and other regulations regarding permissible levels of airborne asbestos fibers. Mr. Ayer may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

c. Dr. Stephen Ayers
Sanger Hall Room 1-014
Box 565, MCV Station
Richmond, Virginia 23298
(804) 288-4699

Dr. Ayers may testify, either live or by deposition, on state-of-the-art and the Saranac papers, to the effect that Westinghouse could not have known end users were at risk until approximately the late 1960's. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

d. David Baldwin
7611 Patterson Road
Beaufort, South Carolina 29902
803/846-8892

Mr. Baldwin has personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, skill and training. He may testify, either live or by deposition, about documents or records which, through the ordinary course of business and/or his job duties and experience and knowledge, he has reviewed and has knowledge of regarding Westinghouse products and equipment. He may testify about any products made by Westinghouse or any other company. In addition, he may render his expert opinion regarding the specific work site exposure as alleged by the Plaintiff. He may also testify about any matters raised in depositions previously taken by or supplied to Plaintiff. Mr. Baldwin may also testify about any document produced or generated by Westinghouse. Finally, he may testify about any matter raised by experts called by Plaintiff or any Co-Defendants.

e. J. LeRoy Balzer

Mr. Balzer may testify, either live or by deposition, about the size, construction, layout and working environment of facilities such as where Plaintiff worked. As an industrial hygienist, Mr. Balzer may testify about the nature of the working environment in such locations. He may testify about his knowledge of the composition and asbestos content, if any, of the products attributable to Westinghouse by Plaintiff and may testify concerning the ability of such products to emit asbestos fibers under certain conditions. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

f. Dr. Peter Barrett

Dr. Barrett, a radiologist, may testify, either live or by deposition, regarding the radiological manifestations of asbestos disease and may discuss the ILO classification method for chest radiographs. He may also testify regarding other medical diseases and/or conditions which can produce radiological manifestations similar to those sometimes experienced after asbestos exposure. He may also testify regarding the various techniques employed in producing x-rays and the effect that techniques may have on the subsequent interpretation of the chest radiographs. Dr. Barrett may testify regarding the chest radiographs and CT scans on Plaintiff. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

g. Dr. Joseph Bates
5 Glenridge Road
Little Rock, Arkansas

Dr. Bates is an internist and pulmonologist who is currently Vice Chairman of the Department of Medicine at the University of Arkansas Medical Center in Little Rock, Arkansas. If called to testify, either live or by deposition, Dr. Bates is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;

- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

- h. Wayne Bickerstaff
Manager, Industrial Hygiene and Materials
Transportation
Westinghouse Electric Corporation
Westinghouse Building
11 Stanwix Street
Pittsburgh, Pennsylvania 15222
412/642-3880

Mr. Bickerstaff has personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, skill and training. He may testify, either live or by deposition, about documents or records which, through the ordinary course of business and/or his job duties and experience and knowledge, he has reviewed and has knowledge of regarding Westinghouse industrial hygiene policies and procedures. He may also testify about any matter raised by experts called by Plaintiff or any Co-Defendants.

- i. Dr. Ben Branscomb

Dr. Branscomb is a board-certified pulmonologist who is currently a Professor of Medicine at the University of Alabama School of Medicine in Birmingham, Alabama. If called to testify, either live or by deposition, Dr. Branscomb is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;

- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

j. Dr. Philip T. Cagle
Department of Pathology
Baylor College of Medicine
One Baylor Plaza
Houston, Texas 77030-3498

Dr. Cagle is a board-certified pathologist. If called to testify, either live or by deposition, Dr. Cagle is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;

- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;

(16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and

(17) to the extent not covered above, asbestos medicine in general.

k. Eric J. Chatfield, Ph.D.
Chatfield Technical Consulting Firms
2071 Dickson Road
Mississauga, Ontario
Canada L5B 1Y8

Dr. Chatfield is an Electron Microscopist who may testify, either live or by deposition, regarding air sampling and testing procedures for analysis by electron microscope. He may testify about differences among types of asbestos fibers and their characteristics and uses in various products. He may testify about tests done on various Westinghouse products and other asbestos containing products generally and the content and ratios of the constituents of those products. He may testify about any matter raised by experts called by the Plaintiffs or any Co-Defendant.

l. Dr. Andrew Churg
University of British Columbia
2211 Westbrook Mall
Vancouver, B.C. Canada V6T1W5
(604) 228-7111

Dr. Churg may testify, either live or by deposition, regarding general pathology and the pathology of Plaintiff. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

m. Dr. John L. Colley
The Darden School
University of Virginia
Charlottesville, Virginia

Dr. Colley is an expert in the field of Operations Management and a full Professor at the Darden Graduate School of Business at the University of Virginia. Dr. Colley may testify, either live or by deposition, regarding, inter alia, workplace control and supervision, the appropriate roles of labor, government and management in protecting the health and safety of workers and the regulatory obligations governing various working conditions. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

- n. Frank V. Conerly (by Prior Testimony) Transcript of Hearings Testimony, Subcommittee on Labor Standards, Committee on Education and Labor, House of Representatives, 1985.
- o. Dr. David E. Conwill
MPH, Associate Professor of Preventative Medicine
University of Mississippi School of Medicine
Jackson, Mississippi 39216
(601) 984-1920

Dr. Conwill may testify, either live or by deposition, that the medical and scientific community did not become aware that insulators with prolonged intense exposure might be at risk for asbestos related disease until the late 1960's or early 1970's. Further, the awareness that bystanders, such as workers at the jobsite and others, who did not work directly with asbestos products might be at risk for asbestos related disease came even later.

- p. Dr. John E. Craighead
Chairman
Department of Pathology
A249 Given Medical Building
University of Vermont College of Medicine
Burlington, Vermont 05406
802/656-2210

If called to testify, either live or by deposition, Dr. Craighead is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;

- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

Dr. Craighead may also testify, either live or by deposition, about his review of the Plaintiff's work history, medical records, pathology and other evidence in this case. He may also testify as a general medical witness and may give testimony regarding the lack of any role of a Westinghouse product in the case of the Plaintiff's disease. Dr. Craighead is expected to testify that the medical and scientific community did not become aware that insulators with prolonged intense exposure might be at risk for asbestos related disease until the late 1960's or early 1970's. Further, the awareness that bystanders, such as workers at the jobsite and others, who did not work directly with

asbestos products might be at risk for asbestos related disease came even later. Additionally, he may testify regarding any matters raised in depositions previously taken by or supplied to Plaintiff. He may also testify about any matter raised by experts called by the Plaintiffs or any Co-Defendants. For example, if Plaintiff's experts are allowed to testify about whether Westinghouse's conduct or products satisfied a particular legal standard, Dr. Craighead may respond to that testimony.

q. Dr. George Delclos
Pulmonary Section F907
Methodist Hospital
6565 Fannin
Houston, Texas 77030

If called to testify, either live or by deposition, Dr. Delclos is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;

- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

r. Dr. Harry Demopoulos
550 First Avenue
New York, New York
Pathologist

If called to testify, either live or by deposition, Dr. Demopoulos is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;

- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

375 Municipal Drive, Suite 140
Richardson, Texas 75080

If called to testify, either live or by deposition, Dr. Foster is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;

- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

v. Dr. Edward A. Gaensler
Boston University Medical Center
80 East Concord Street
Boston, Massachusetts 02118

If called to testify, either live or by deposition, Dr. Gaensler is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;

- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

It is also expected that he may testify that the medical and scientific community did not become aware that insulators with prolonged intense exposure might be at risk for asbestos related diseases until the late 1960's or early 1970's. Further, the awareness that bystanders, such as other workers at the jobsite and others, who did not work directly with asbestos products might be at risk for asbestos related disease came even later. Dr. Gaensler may testify specifically about Plaintiff's medical condition, which testimony will be based upon his review of Plaintiff's occupational history, medical records, chest x-rays, pulmonary function tests and other doctors' consultation reports.

w. Dr. Joe G. N. Garcia
The University of Texas Health Center at Tyler
P.O. Box 2003

Tyler, Texas 75710

If called to testify, either live or by deposition, Dr. Garcia is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;

- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

x. James M. Gate
Westinghouse Electric Corporation
Manager, Design Verification Engineering Systems
P. O. Box 3499 (EK-5)
Sunnyvale, California 94088-3499
408/735-2388

Mr. Gate has personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, skill and training. He may testify, either live or by deposition, about documents or records which, through the ordinary course of business and/or his job duties and experience and knowledge, he has reviewed and has knowledge of regarding Westinghouse products and equipment. He may testify about any products made by Westinghouse or any other company. He may also testify about any matter raised by experts called by Plaintiff or any Co-Defendants. He may also testify about any matters raised in depositions previously taken by or supplied to Plaintiff. Mr. Gate may also testify by prior testimony. Mr. Gate may also testify about any document produced or generated by Westinghouse. Transcript of trial testimony, In re: Abrams, In the Circuit Court of Jackson County, Mississippi, June 29-30, 1993.

y. Dr. Allan Goldman

Dr. Goldman is board-certified in critical care. He is currently a Professor of Medicine, Director of Division of Pulmonary, Critical Care and Occupation Medicine for the Department of Internal Medicine at the University of South Florida College of Medicine and a Professor in the Department of Environmental and Occupational Health in the College of Public Health at the University of South Florida. He is also the medical director of the Intensive Care Unit at Tampa General Hospital. If called to testify, either live or by deposition, Dr. Goldman is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;

- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

z. Leonard J. Goldwater

Mr. Goldwater may testify live or by prior testimony. Transcript of trial testimony, In re: New York Asbestos Litigation, USDC Eastern District of New York, November 30, 1990.

aa. Dr. Michael Graham

Dr. Graham is a pathologist who is certified in anatomic and clinical pathology, as well as forensic pathology. He is currently as Associate Professor of Pathology at the St. Louis University School of Medicine in St. Louis, Missouri and is the Chief Medical Examiner for the City of St. Louis, Missouri. Dr. Graham may testify, either live or by deposition, as to the general medical aspects of the diagnosis and treatment of asbestos related disease and the pathological effect of asbestos on the lung. Dr. Graham may also testify regarding his review of the pulmonary tissue in this case and may offer medical opinions based on his review of the material and medical records. He may also testify as to the relationship of asbestos exposure and the incidence of lung cancer. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

ab. Dr. Donald Greenberg
The Methodist Hospital
Department of Pathology
6565 Fannin Street, 2nd Floor
Houston, Texas 77030
(713) 799-4661

Dr. Greenberg may testify, either live or by deposition, regarding general pathology and the pathology of Plaintiff. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

ac. Richard Hanska
Westinghouse Power Generation Service Division
510 Harwin Drive
Houston, Texas 77036

Mr. Hanska has personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, skill and training. Mr. Hanska may testify, either live or by deposition, about Westinghouse turbines generally, their insulation, maintenance and repair, the condition during those activities and related issues concerning turbine construction, maintenance, repair and operation. Mr. Hanska may also testify regarding Westinghouse's business generally in the power generation and service fields. Mr. Hanska may testify regarding documents and processes involved in turbine-generator sales, installation and maintenance, including the use and history of drawings, materials cards and process specifications. Mr. Hanska may also testify regarding other products alleged in this case to have been manufactured by Westinghouse. Mr. Hanska may also testify about any document produced or generated by Westinghouse. He may also testify about any matter raised by experts called by the Plaintiffs or any Co-Defendants.

ad. Dr. Peter Heidbrink
Southwest Pulmonary Associates
St. Paul Professional Building #2
5959 Harry Hines Boulevard, Suite 711
Dallas, Texas 75235

If called to testify, either live or by deposition, Dr. Heidbrink is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;

- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

ae. Dr. Elliott Hinkes
301 North Prairie Avenue, Suite 311
Inglewood, California 90301

Dr. Hinkes, a board certified oncologist and hematologist may testify, either live or by deposition, concerning the relationship of asbestos and smoking to the development of cancer. Dr. Hinkes may also testify concerning the incidence of lung cancer among individuals with asbestosis or exposure to asbestos-containing insulation products. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

af. Dr. H. Corwin Hinshaw
450 Sutter Street
San Francisco, California

(by deposition) (including portions of videotaped depositions taken on or about November 19, 1984), retired Emeritus Professor of Medicine at the University of California School of Medicine, P.O. Box 546, Belvedere, California 94920. If called to testify, either live or by deposition, Dr. Hinshaw is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;

- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

It is also expected that he may testify that the medical and scientific community did not become aware that insulators with prolonged intense exposure might be at risk for asbestos related diseases until the late 1960's or early 1970's. Further, the awareness that bystanders, such as other workers at the jobsite and others, who did not work directly with asbestos products might be at risk for asbestos related disease came even later. Dr. Hinshaw may testify specifically about Plaintiff's medical condition, which testimony will be based upon his review of Plaintiff's occupational history, medical records, chest x-rays, pulmonary function tests and other doctors' consultation reports.

ag. Dr. Jeff Hodges

Dr. Hodges, a radiologist, may testify, either live or by deposition, regarding the radiological manifestations of asbestos disease and may discuss the ILO classification method for chest radiographs. He may also testify regarding other medical diseases and/or conditions which can produce radiological manifestations similar to those sometimes experienced after asbestos exposure. Dr. Hodges may also testify regarding the various techniques employed in producing x-rays and the effect that techniques may have on the subsequent interpretation of the chest radiographs. In addition, he may testify regarding the chest radiographs and CT scans on Plaintiff. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

ah. William Hogge
Westinghouse Power Generation Service Division
510 Harwin Drive
Houston, Texas 77036

Mr. Hogge may have personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, skill and training. Mr. Hogge may testify, either live or by deposition, about Westinghouse turbines generally, their insulation, maintenance and repair, the condition during those activities and related issues concerning turbine construction, maintenance, repair and operation. Mr. Hogge may also testify regarding Westinghouse's business generally in the power generation and service fields. Mr. Hogge may testify regarding documents and processes involved in turbine-generator sales, installation and maintenance, including the use and history of drawings, materials cards and process specifications. Mr. Hogge may also testify regarding other products alleged in this case to have been manufactured by Westinghouse. He may also testify about any matter raised by experts called by the Plaintiffs or any Co-Defendants.

ai. Dr. Robert Jones

Dr. Jones is a board-certified pulmonologist who is currently a staff physician at Tulane Medical Center Hospital and a Professor of Medicine at Tulane University School of Medicine in New Orleans, Louisiana. Dr. Jones has had extensive experience in regards

to occupational diseases and has performed extensive research in reference to the effects of asbestos and other occupational agents. In addition to the below-mentioned areas, Dr. Jones may testify, either live or by deposition, about his review of the Plaintiff's medical records, the general physiology of the respiratory system, the effects of the inhalation of asbestos dust as applied to the actual symptoms and x-rays relating to the Plaintiff generally and to any possible association between any Westinghouse product at issue in this case and the Plaintiff's asbestos-related diseases, if any, and his opinion/diagnosis concerning the Plaintiff. He may testify about the meaning and significance, if any, of pleural plaques. He may also testify about any matter raised by experts called by the Plaintiff or any Co-Defendants. He may also testify about the propensity, if any, of products containing asbestos to release fibers and to state if medical knowledge regarding the dangers of asbestos. He may also testify about any studies conducted by himself or others regarding exposure to asbestos.

aj. Dr. David Karanek

Dr. Karanek is a pulmonologist who may testify, either live or by deposition, regarding general medical issues including, but not limited to the following:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;

- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

ak. Dr. Gerald Kerby
University of Kansas Medical Center
3900 Cambridge
Kansas City, Kansas 66103
(913) 588-6044

Dr. Kerby is expected to testify that the medical and scientific community did not become aware that insulators with prolonged intense exposure might be at risk for asbestos related disease until the late 1960's or early 1970's. Further, the awareness that bystanders, such as workers at the jobsite and others, who did not work directly with asbestos products might be at risk for asbestos related disease came even later.

al. Alexander Kusko, Sc.D. P.E.
Director, FaAA Electrical Corporation
115 Flanders Road
Westborough, Massachusetts 01581
508/366-7177

Dr. Kusko may testify, either live or by deposition, about the size, construction, layout and working environment of power plants such as those where Plaintiff worked. As an electrical engineer with extensive experience in the construction of power plants, Dr. Kusko may testify about the nature of the working environment in such locations. He may testify about the relevant percentage of thermal insulation associated with the various component equipment within a power plant. He may also testify about any matter raised by experts called by the Plaintiff or any Co-Defendants. Additionally, he

may testify regarding any matters raised in depositions previously taken by or supplied to Plaintiff.

am. B. K. Kwon
National Bio Systems, Inc.
11200 Rockville Pike
Suite 300
Rockville, Maryland

Mr. Kwon may testify, either live or by deposition, about the nature of the size, construction, layout and working environment in powerhouses. As an Industrial Hygienist, he may testify about his knowledge of the composition and asbestos content, if any, of the products attributed to Westinghouse by the Plaintiff and may testify that such products did not and could not have contributed to any condition and/or injuries of the Plaintiff. He may also testify about the meaning of governmental and other regulations regarding permissible levels of airborne asbestos fibers. He may also testify concerning the ability or inability of asbestos blankets to emit asbestos fibers and the ability or inability of asbestos fibers being emitted as a result of the manipulation of materials in which the fibers are encapsulated. Mr. Kwon may also testify concerning the requirements and/or necessity of warnings for various asbestos-containing products. He may also testify about any matter raised by experts called by the Plaintiff or any Co-Defendants.

an. Dr. Robert Lampert
Baylor College of Medicine
Department of Internal Medicine/Pulmonary Section
6550 Fannin, Smith tower #1220
Houston, Texas 77030
(713) 790-6492

If called to testify, either live or by deposition, Dr. Lampert is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;

- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

ao. Arthur M. Langer, Ph.D.
 Environmental Sciences Laboratory
 An Affiliate of the Applied Sciences Institute
 Brooklyn College of The City University of New York
 Brooklyn, New York 11210

Dr. Langer is a mineralogist. He may testify, either live or by deposition, about asbestos containing products generally. He may also testify about air sampling, priorities of government and industry, and about the dangers, if any, of any asbestos containing products. He may testify about tests he has performed on many types of asbestos containing products. He may testify about the state of the art and general working conditions in industrial facilities including power plants. He may also testify about any matter raised by experts called by the Plaintiff or any Co-Defendants. Additionally, he

may testify regarding any matters raised in depositions previously taken by or supplied to Plaintiff.

ap. Dr. Joe Ledbetter
8.6 Cockrell Hall
The University of Texas at Austin
Austin, Texas 78712
512/471-4597

Dr. Ledbetter may testify, either live or by deposition, about the size, construction, layout and working environment of facilities such as where Plaintiff worked. As a Professor of Engineering, Toxicology and Industrial Hygiene, Dr. Ledbetter may testify about the nature of the working environment and the control and use of substances in such locations. He may testify about his knowledge of the composition and asbestos content, if any, of the products attributable to Westinghouse by Plaintiff and may testify concerning the ability of such products to emit asbestos fibers under certain conditions and the likelihood that Plaintiff inhaled these fibers. He may testify about industrial hygiene publications and literature from the 1940's to the present. He may testify about which major universities, such as the University of Texas at Austin, were teaching students of engineering and industrial hygiene in the 1950's through the 1970's about the use and hazards of asbestos. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

aq. John C. Lumsden
ELB Associates
Monitor, Inc.
605 Eastowne Drive
Chapel Hill, North Carolina 27514
919/493-4471

Mr. Lumsden may testify about the size, construction, layout and working environment of facilities such as where the plaintiffs worked. As an industrial hygienist, Mr. Lumsden may testify about the nature of the working environment in such locations. He may testify about his knowledge of the composition and asbestos content, if any, of the products attributable to Westinghouse by the plaintiffs and may testify that any such product did not and could not have contributed to any condition and/or injuries of the plaintiffs. He may also testify about the ability of the Westinghouse products identified by the plaintiffs to release asbestos fibers and about tests of such products. He may also testify about other asbestos products identified by plaintiffs are generally known to be in a working environment similar to plaintiffs. Mr. Lumsden may also testify regarding the chronology and meaning of governmental or other regulations regarding permissible levels of airborne asbestos fibers. He may also testify about any matter raised by experts called by the plaintiffs or any co-defendants.

ar. Carl A. Mangold, C.I.H.
3033-170th Place, S.E.
Bellevue, Washington 98008

Mr. Mangold may testify, either live or by deposition, about product composition, the manner in which products historically have been processed and used, and the chronology

and meaning of governmental and other regulations regarding permissible levels of airborne asbestos fibers. His opinion, among others, will be that there is no basis from which to state that any product for which Westinghouse may be claimed to be responsible in this case was a substantial factor in causing the disease that Plaintiff claims to have contracted. He may also testify about any matter raised by experts called by the Plaintiff or any Co-Defendants.

as. K.K. McElroy
3215 Gilbert Street
Austin, Texas 78703

Mr. McElroy may have personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, skill and training. Mr. McElroy is a former Westinghouse engineer who may testify, either live or by deposition, about the design, function, installation, maintenance and repair of Westinghouse turbines of all types, including any insulation systems. He may base his testimony on his personal knowledge, review of Westinghouse documents, made available to Plaintiff, and his education and experience. He may also testify about the plants in which the plaintiffs worked, once those are identified and may comment on the plaintiffs' testimony regarding work practices. Finally, he may testify about any matter raised by experts called by Plaintiff or any Co-Defendants.

at. Gary Miller
Westinghouse Power Generation Service Division
8400 Carpenter Freeway
Dallas, Texas 75247

Mr. Miller has knowledge of relevant facts and personal knowledge of certain worksites throughout the country but is also an expert based on his specialized knowledge, skill, and training. He may testify, either live or by deposition, about Westinghouse turbines generally and/or specific units at issue, their insulation, maintenance and repair, the conditions during those activities and related issues concerning turbine construction, maintenance, repair and operation. He may also testify about whether the work done on or about a Westinghouse product was done in a manner recommended or contemplated by Westinghouse. Mr. Miller may also testify regarding Westinghouse's business generally in the power generation and service fields.

Mr. Miller may testify about certain job locations and turbine-generator units which he has not personally observed, but of which, through the ordinary course of business and/or his job duties and experience and knowledge, he has reviewed the records of and has knowledge of the existence or non-existence of such equipment and is familiar with material cards, process specifications, drawings or other documents associated with such equipment. He may testify about any products manufactured by Westinghouse or other companies. Mr. Miller may also testify about any document produced or generated by Westinghouse. Finally, he may testify about any matter raised by experts called by Plaintiff or any Co-Defendants.

au. Dr. Joseph M. Miller, M.D., M.P.H., F.A.C.P.
RFD 2

Box 245A
Plymouth, New Hampshire 03264
603/536-3732

Dr. Miller may testify, either live or by deposition, as to the state-of-the-art knowledge concerning the health effects of asbestos exposure among companies engaged in the manufacturing of electrical equipment, such as Westinghouse, and those that manufactured insulation, during the relevant time periods of Plaintiff's employment, specifically as related to any alleged or potential exposure to Westinghouse products. Dr. Miller may testify that the practices, procedures, warnings and products of Westinghouse were state of the art for the relevant time period and that any asbestos-related diseases of the Plaintiff were not caused by any Westinghouse product. Dr. Miller may also testify regarding the studies he has conducted of power plant workers. He may also testify about any matter raised by experts called by the Plaintiff or any Co-Defendants. Additionally, he may testify regarding any matters raised in depositions previously taken by or supplied to Plaintiff.

av. Dr. William Keith Campbell Morgan
University of West Ontario
University Hospital
London, Ontario, Canada
(519) 663-3606

Dr. Morgan is expected to testify that the medical and scientific community did not become aware that insulators with prolonged intense exposure might be at risk for asbestos related disease until the late 1960's or early 1970's. Further, the awareness that bystanders, such as workers at the jobsite and others, who did not work directly with asbestos products might be at risk for asbestos related disease came even later.

aw. John Morykon
1929 Rosemary Lane
Chesapeake, Virginia 23231
804/488-8505

Mr. Morykon has personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, training and skill. Mr. Morykon may testify, either live or by deposition, regarding construction, components, operation, applications and maintenance of Westinghouse equipment. Mr. Morykon may testify about documents or records which, through the ordinary course of business and/or his job duties and experience and knowledge, he has reviewed and has knowledge of regarding

Westinghouse products and equipment. He may testify about any products made by Westinghouse or any other company. He may also render his expert opinion regarding the specific work site exposure as alleged by the Plaintiff. Mr. Morykon may also testify about any document produced or generated by Westinghouse. He may also testify about any matter raised by experts called by Plaintiff or any Co-Defendants.

ax. Kenneth W. Nelson

Mr. Nelson may testify live or by prior testimony. Transcript of trial testimony, In re: New York Asbestos Litigation, USDC Eastern District of New York, November 30, 1990.

ay. Dr. Alton Ochsner (by deposition)
Jefferson Hospital
1507 Metairie Road
New Orleans, Louisiana
(504) 833-3783

Dr. Ochsner is expected to testify that the medical and scientific community did not become aware that insulators with prolonged intense exposure might be at risk for asbestos related disease until the late 1960's or early 1970's. Further, the awareness that bystanders, such as workers at the jobsite and others, who did not work directly with asbestos products might be at risk for asbestos related disease came even later.

az. Sheldon Rabinovitz
Sandler Occupational Medicine Associates, Inc.
966 Hungerford Drive, Suite 20
Rockville, Maryland
301/217-0092

Mr. Rabinovitz may testify, either live or by deposition, about friction products, their function and use, the industrial environment in which friction products are used and the capability, if any, of fiber release from such friction products. Additionally, he may testify regarding the Plaintiff's identification and use of these products. As a certified industrial hygienist and toxicologist, Dr. Rabinovitz may testify about the nature of the working environment at various job sites. Finally, he may testify about any matter raised by experts called by Plaintiff or any Co-Defendants.

ba. Charles Reep
3066 Ladovie N.E.
Atlanta, Georgia 30345
404/934-4845

Mr. Reep, an engineer, has knowledge of relevant facts and personal knowledge of certain worksites throughout the country but is also an expert based on his specialized knowledge, skill, and training. He may testify, either live or by deposition, about Westinghouse turbines generally and/or specific units at issue, their insulation, maintenance and repair, the conditions during those activities and related issues concerning turbine construction, maintenance, repair and operation. He may also testify

about whether the work done on or about a Westinghouse product was done in a manner recommended or contemplated by Westinghouse. Mr. Reep may also testify regarding Westinghouse's business generally in the power generation and service fields.

Mr. Reep may testify about certain job locations and turbine-generator units which he has not personally observed, but of which, through the ordinary course of business and/or his job duties and experience and knowledge, he has reviewed the records of and has knowledge of the existence or non-existence of such equipment and is familiar with material cards, process specifications, drawings or other documents associated with such equipment. He may testify about any products manufactured by Westinghouse or other companies. He may testify about all worksite related issues. Additionally, he may testify regarding any matters raised in depositions previously taken by or supplied to Plaintiff. Mr. Reep may also testify about any document produced or generated by Westinghouse. Finally, he may testify about any matter raised by experts called by Plaintiff or any Co-Defendants. For example, if Plaintiff's experts are allowed to testify about whether Westinghouse's conduct or products satisfied a particular legal standard, Mr. Reep may respond to that testimony.

bb. Dr. Robert N. Sawyer
P.O. Box 1407
Guilford, Connecticut 06437
203/453-3060

If called to testify, either live or by deposition, Dr. Sawyer is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;

- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

Dr. Sawyer may also testify, either live or by deposition, about the background levels of various fiber types found in working populations and the fiber types and exposure levels considered to be substantial in contributing to the causation of asbestos-related disease. He may also testify about applicable governmental standards. He may testify, based upon his review of the record in this case, about the probability or lack thereof that exposure, if any, to asbestos from Westinghouse products contributed in any manner to Plaintiff's alleged job-related exposure. He may also testify generally about the ability, if any, of Westinghouse products to release asbestos fibers and generally about asbestos-related conditions. He may also testify about any matter raised by experts called by the Plaintiff or any Co-Defendants, including state-of-the-art causation and medical issues. Additionally, he may testify regarding any matters raised in depositions previously taken by or supplied to Plaintiff. For example, if Plaintiff's experts are allowed to testify about whether Westinghouse's conduct or products satisfied a particular legal standard, Dr. Sawyer may respond to that testimony.

bc. Dr. Russell P. Sherwin
Department of Pathology

USC School of Medicine
Los Angeles, California
(213) 342-1165

Dr. Sherwin is expected to testify that the medical and scientific community did not become aware that insulators with prolonged intense exposure might be at risk for asbestos related disease until the late 1960's or early 1970's. Further, the awareness that bystanders, such as workers at the jobsite and others, who did not work directly with asbestos products might be at risk for asbestos related disease came even later.

bd. Edward J. Sowinski, Ph.D., D.A.B.T., C.I.H.
Environmental Health Management and Science, Inc.
6758 St. Regis Boulevard
Hudson, Ohio 44236-3248

Dr. Sowinski is a Diplomat of the American Board of Toxicology and a certified industrial hygienist. He has extensive training and experience in determining the capacity of industrial materials to release hazardous components under condition of normal use and under unusual conditions of use. Dr. Sowinski may testify, either live or by deposition, about the nature of the working environment at various job sites. He may testify about his knowledge of the function, composition and asbestos content, if any, of Westinghouse products, if any, identified in this case. He may testify about whether any of these products were capable of emitting respirable asbestos fibers under the conditions of use described by Plaintiff. He may also testify, based on his familiarity with the Westinghouse products involved and his review of the entire record in this cases, about the probability or lack thereof that exposure, if any, to asbestos from Westinghouse products contributed in any manner to Plaintiff's alleged job related exposure. He may testify about applicable governmental standards and regulations. His testimony may be based, in part, on the results of testing which he has reviewed for Westinghouse products which are the same or substantially similar to those located at the job sites at issue in this case. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

be. Dr. Paul M. Stevens
Respiratory Disease Associates
Scurlock Tower, Suite 815
6560 Fannin Street
Houston, Texas 77030

If called to testify, either live or by deposition, Dr. Stevens is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;

- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

bf. John Tabbutt
Westinghouse Electric Corporation
Power Generation Service Division
Radnor Corporate Center
100 Matson Ford Road
Radnor, Pennsylvania 19087
215/971-8670

Mr. Tabbutt has knowledge of relevant facts and personal knowledge of certain worksites throughout the country but is also an expert based on his specialized knowledge, skill, and training. He may testify, either live or by deposition, about Westinghouse turbines generally and/or specific units at issue, their insulation, maintenance and repair, the conditions during those activities and related issues concerning turbine construction, maintenance, repair and operation. He may also testify about whether the work done on or about a Westinghouse product was done in a manner recommended or contemplated by Westinghouse. Mr. Tabbutt may also testify regarding Westinghouse's business generally in the power generation and service fields.

Mr. Tabbutt may testify about certain job locations and turbine-generator units which he has not personally observed, but of which, through the ordinary course of business and/or his job duties and experience and knowledge, he has reviewed the records of and has knowledge of the existence or non-existence of such equipment and is familiar with material cards, process specifications, drawings or other documents associated with such equipment. He may testify about all worksite related issues. He may testify about any products manufactured by Westinghouse or other companies. Mr. Tabbutt may also testify about any document produced or generated by Westinghouse. Finally, he may testify about any matter raised by experts called by Plaintiff or any Co-Defendants. Additionally, he may testify regarding any matters raised in depositions previously taken by or supplied to Plaintiff.

bg. Dr. Bill Trantum
9501 Lyle Drive
Little Rock, Arkansas

Dr. Trantum is expected to testify that the medical and scientific community did not become aware that insulators with prolonged intense exposure might be at risk for asbestos related disease until the late 1960's or early 1970's. Further, the awareness that bystanders, such as workers at the jobsite and others, who did not work directly with asbestos products might be at risk for asbestos related disease came even later.

bh. Dr. John Gerard Weg
Pulmonary and Critical Care Medicine Division
B1 RM, H245B/0024
University of Michigan Medical Center
Ann Arbor, Michigan 48106

Dr. Weg is expected to testify that the medical and scientific community did not become aware that insulators with prolonged intense exposure might be at risk for asbestos related disease until the late 1960's or early 1970's. Further, the awareness that

bystanders, such as workers at the jobsite and others, who did not work directly with asbestos products might be at risk for asbestos related disease came even later.

In addition to the above described areas, Dr. Weg may testify, either live or by deposition, as to the state-of-the-art knowledge concerning the health effects of asbestos exposure among companies engaged in the manufacturing of electrical equipment, such as Westinghouse, and those that manufactured insulation, during the relevant time periods of Plaintiff's employment, specifically as related to any alleged or potential exposure to Westinghouse products. Dr. Weg may testify that the practices, procedures, warnings and products of Westinghouse were state of the art for the relevant time period and that any asbestos-related diseases of the Plaintiff were not caused by any Westinghouse product. He may also testify about any matter raised by experts called by the Plaintiff or any Co-Defendants. He may also testify about any matter raised by experts called by the Plaintiff or any Co-Defendants. For example, if Plaintiff's experts are allowed to testify about whether Westinghouse's Conduct or products satisfied a particular legal standard, Dr. Weg may respond to that testimony.

bi. Dr. Hans Weill
Tulane Medical Center
1700 Perdido Street
New Orleans, Louisiana 70112
504/588-5265

Dr. Weill is a board certified pulmonologist who is currently Chief of the Pulmonary Disease section at Tulane Medical Center. Dr. Weill has had extensive experience in regards to occupational diseases and has performed extensive research in reference to the effects of asbestos and other occupational agents. If called to testify, either live or by deposition, Dr. Weill is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;

- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

Dr. Weill may also testify, either live or by deposition, about his review of the Plaintiff's medical records, the general physiology of the respiratory system, the effects of the inhalation of asbestos dust as applied to the actual symptoms and x-rays relating to the Plaintiff generally and to any possible association between any Westinghouse product at issue in this case and the Plaintiff's asbestos-related diseases, if any, and his opinion/diagnosis concerning the Plaintiff. He may testify about the meaning and significance, if any, of pleural plaques. He may also testify about any matter raised by experts called by the Plaintiff or any Co-Defendants. He may also testify about the propensity, if any, of products containing asbestos to release fibers and to state of medical knowledge regarding the dangers of asbestos. He may also testify about any studies conducted by himself or others regarding exposure to asbestos. For example, if Plaintiff's experts are allowed to testify about whether Westinghouse's conduct or products satisfied a particular legal standard, Dr. Weill may respond to that testimony.

bj. Dr. Thomas Wheeler
Methodist Hospital
Department of Pathology

6565 Fannin Street
Mail Station 205
Houston, Texas 77030
(713) 776-5063
(713) 929-4377

Dr. Wheeler may testify, either live or by deposition, regarding general pathology and the pathology of Plaintiff. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

bk. Dr. R. Keith Wilson
Pulmonary Section F907
Methodist Hospital
6565 Fannin
Houston, Texas 77030

If called to testify, either live or by deposition, Dr. Wilson is expected to provide testimony regarding the areas stated below:

- (1) the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- (2) the nature of asbestos and asbestos-related diseases;
- (3) the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- (4) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- (5) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- (6) methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- (7) incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- (8) cigarette smoking and its effects on the lungs and other organs;
- (9) the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;

- (10) the difference between impairment and disability;
- (11) the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;
- (12) the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- (13) the history of evolution and knowledge of asbestos related diseases;
- (14) the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposed by any witness;
- (15) cancer incidence in the general population and among asbestos workers and its potential causes;
- (16) the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- (17) to the extent not covered above, asbestos medicine in general.

bl. Dr. Gerome Wiot

Dr. Wiot is a board certified radiologist and a certified NIOSH B reader. He is currently a Professor of Radiology at the University of Cincinnati and the Director of the Department of Radiology at the University of Cincinnati Hospital. Dr. Wiot is also Assistant Executive Director of the American Board of Radiology and the Chairman of the ACR Task Force on Pneumoconiosis. Dr. Wiot may testify, either live or by deposition, regarding the radiological manifestations of asbestos disease and may discuss the ILO classification method for chest radiographs. He may also testify regarding other medical diseases and/or conditions which can produce radiological manifestations similar to those sometimes experienced after asbestos exposure. He may also testify regarding the various techniques employed in producing x-rays and the effect that techniques may have on the subsequent interpretation of the chest radiographs. Dr. Wiot may testify regarding the chest radiographs and CT scans on Plaintiff. He may also testify as to any matter raised by experts called by Plaintiff or any Co-Defendants.

bm. Westinghouse also reserves the right to call any of the following expert witnesses at trial:

- (a) Any witnesses identified, listed or designated as an expert by any other party, whether live or by deposition.
- (b) Any treating or examining physician of Plaintiffs, whether live or by deposition.

- (c) Any physician or medical practitioner who has examined, treated, cared for or conducted and/or analyzed any tests (including, but not limited to, pulmonary function tests) on Plaintiffs or a plaintiff's decedent, including, but not limited to, those listed in the medical records available to the parties, whether live or by deposition.
 - (d) Any physician or medical practitioner who has examined Plaintiffs radiologically or who has reviewed or analyzed x-rays or other radiological studies of Plaintiff or a Plaintiff's decedent.
 - (e) Any physician or medical practitioner who has seen, reviewed, studied or examined any records, tissues or fluids of Plaintiffs or a Plaintiff's decedent.
 - (f) Custodians of all applicable medical records.
- bn. It is customary in this litigation for both Plaintiffs' and Defendants' counsel to arrange for independent medical examinations of Plaintiffs and/or arrange for review of medical records, x-rays, and pathology as may be appropriate. Westinghouse reserves the right to call any physician or other medical practitioner who has been involved in the examination of Plaintiffs and/or in the review of medical records, pathology or x-rays of Plaintiffs or a Plaintiffs' decedent.
 - bo. Westinghouse further reserves the right to substitute an expert witness or witnesses in the event the witness(es) named herein are unable to appear at trial.
 - bp. Westinghouse specifically notes that Plaintiffs have not identified any expert witness(es) who may testify as to theories and contentions specifically directed to Westinghouse or the Westinghouse product(s) at issue. If such identification is made, Westinghouse may choose to amend or supplement its designation of witnesses, and may also do so in view of designation by other parties.
 - bq. Westinghouse reserves the right to call any expert witness necessary for rebuttal.
 - br. Westinghouse reserves the right to call any current or former employee of Westinghouse who is listed as a fact witness below as an expert witness to the extent such individual is properly qualified and possesses expertise based upon years of training and work with Westinghouse.
 - bs. Westinghouse reserves the right to call as an expert witness any of the corporate representatives as potential fact witnesses. If called to testify, these corporate representatives will testify regarding the installation and use of Westinghouse products, if any, at work sites identified by Plaintiffs. Such testimony, although often factual in nature, may also contain certain technical information or material within the witnesses' expertise.

bt. Westinghouse also reserves the right to call any of the following expert witnesses at trial:

- Any witnesses identified, listed or designated as an expert by any other party, whether live or by deposition.
- Any treating or examining physician of plaintiffs, whether live or by deposition.
- Any physician or medical practitioner who has examined, treated, cared for or conducted and/or analyzed any tests (including, but not limited to, pulmonary function tests) on plaintiffs or a plaintiff's decedent, including, but not limited to, those listed in the medical records available to the parties, whether live or by deposition.
- Any physician or medical practitioner who has examined the plaintiffs (or a plaintiff's decedent) radiologically or who has reviewed or analyzed x-rays or other radiological studies of plaintiffs (or a plaintiff's decedent).
- Any physician or medical practitioner who has seen, reviewed, studied or examined any records, tissues or fluids of plaintiffs or a plaintiff's decedent.
- Custodians of all applicable medical records.

50. If you have previously supplied the requested information in the Master Asbestos File, then for each expert who will not be called as a witness, but whose work product forms the basis in whole or in part of the opinions of an expert who will be called as a witness, state:

- a. the name, address and telephone number of the nontestifying expert;
- b. the subject matter of the work product on which the testifying expert will rely;
- c. the mental impression of the non-testifying expert; and
- d. the facts known to the non-testifying expert.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory to the extent that it exceeds the scope of permissible discovery and seeks the production of information protected from discovery by the consulting expert exemption. Subject to and without waiving these and the foregoing General Objection, Westinghouse responds as follows: see Objections and Response to Interrogatory No. 49.

51. Identify the name, address and telephone number every person whom you intend to call as a witness at trial, who has not previously been listed as a witness in Defendant's Master Witness List on file in the Master Asbestos File.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory to the extent that it violates the attorney work product and attorney/client privileges and seeks to discover Westinghouse's trial strategy by requesting the identification of witnesses whom Westinghouse intends to call at trial. Subject to and without waiving these and the foregoing General Objection, see Objections and Response to Interrogatory No. 49.

52. What is Defendant's present net worth?

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to responding to this Interrogatory on the grounds that it is overly broad, unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence.

53. Has this defendant, or its present directors or officers acting on its behalf, made monetary contributions in excess of \$5,000.00 within the past ten years to the following scientists or researchers who have written on the subject of asbestos-related diseases or to their employing universities on behalf of or at the request of the scientist or researcher:

Raymond Murphy - Harvard Medical School and Harvard School of Public Health.

Margaret Becklake - McGill University, Montreal, Canada.

Stuart Brooks - University of Florida at Tampa.

Edward A. Gaensler - Boston University of Medicine, Harvard Medical school, Tufts Medical School.

Bernard Gee - Yale University School of Medicine.

Allan Goldman - South Florida College of Medicine, Division of Pulmonary, Critical Care and Occupational Medicine.

Jerome Kleinerman - Case Western Reserve University School of Medicine.

Hilton Lewinsohn - University of Connecticut, Yale University.

Hans Weill - Tulane University Morton Corn - John Hopkins

Morton Corn - Johns Hopkins

Brooke Mossman - University of Vermont.

John Craighead - University of Vermont.

J. Christopher Wagner

J. Corbett McDonald - McGill University

Peter Elmes

Paul E. Wheeler - Johns Hopkins

Lee Reichman - University of Medical and Dentistry of New Jersey, Newark, New Jersey.

J.M.G. Davis - Institute of Occupational Medicine, Edinburgh, U.K. (England).

J.N.P. Davies - Albany Medical college, New York.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory as it is overly broad, burdensome and harassing and to the extent that it seeks information which is neither relevant nor reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Subject to and without waiving these and the foregoing General Objection, individual Westinghouse health and safety professional employees have undoubtedly belonged to various professional, trade, industrial and safety, hygiene or health organizations such as the American Industrial Hygiene Association, Health Physics Society, and the Society of Safety Engineers. Similarly, it is possible that any one of the thousands of people ever employed by Westinghouse may have, at one time or another, made personal financial contributions to one or more of the foregoing individuals or institutions. Westinghouse's records would not likely include the names of those employees and/or the amount of their contributions, if any.

53. [sic] In what year did this defendant first become aware of the 1938 Public Health Bulletin No. 241 entitled "A Study of Asbestosis in the Textile Industry"?

RESPONSE: See Preliminary Statement and General Objection. Westinghouse cannot state exactly when it may have become aware of this and other published studies related to asbestos manufacturers and the asbestos industry, of which Westinghouse is not a member. Westinghouse maintains general reference materials and technical libraries throughout the corporation, which

may include various industry periodicals, occupational health and medicine periodicals and other topical reference materials. There is no central indexing system that contains all of the information requested by this Interrogatory for all departments within the corporation.

54. In what year did this defendant first become aware of the 1946 article entitled "A Health Survey of Pipe Covering Operations in Constructing Naval Vessels" by Fleischer, Drinker, et al.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse cannot state exactly when it may have become aware of this and other published studies related to asbestos manufacturers and the asbestos industry, of which Westinghouse is not a member. Westinghouse has identified no information that it had knowledge of the Fleischer-Drinker Report prior to the institution of litigation against Westinghouse involving alleged asbestos-related disorders.

55. How many claims or lawsuits (other than workers' compensation claims) were filed against this Defendant in the 1930's alleging, in whole or in part injury, damage or disease from exposure to or inhalation of various dusts? This interrogatory includes cases of asbestosis, pneumoconiosis and silicosis due to the fact individuals were or may have been exposed to mixed types of dusts.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse objects to this Interrogatory on the grounds that it is overly broad and unduly burdensome and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. Subject to and without waiving these and the foregoing General Objection, the first product liability lawsuit concerning asbestos and the first such worker's compensation claim were filed in 1976.

56. Has this Defendant in other litigation ever alleged or admitted that the health hazards of asbestos containing insulation products were known prior to 1945?

RESPONSE: See Preliminary Statement and General Objection. Westinghouse also objects that this Interrogatory on the grounds that it is overly broad, vague, unduly burdensome, harassing and seeks information which is irrelevant and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence.

REQUEST FOR PRODUCTION

DEFENDANT WESTINGHOUSE ELECTRIC CORPORATION'S ANSWERS AND OBJECTIONS TO PLAINTIFFS' INTERROGATORIES AND REQUEST FOR PRODUCTION TO DEFENDANTS - Page 89

Defendant, Westinghouse Electric Corporation ("Westinghouse"), without waiving its General Objection and subject thereto, responds to Plaintiffs' Request for Production as follows:

1. All documents invoices, and/or purchase orders that reflect all sales, purchases, for application or resale, payment and use of asbestos and/or asbestos containing products in the Texas Gulf Coast area from 1930 to the date of your last sale or purchase.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to responding to this request for production as to products not alleged to have contributed to the injuries of Plaintiffs. Specifically, this request seeks information for an unreasonably broad time period regarding products which were sold, purchased, paid for or used in the Texas Gulf Coast area. However, Plaintiffs have failed to specifically state the Westinghouse product which was "in the Texas Gulf Coast area" to which Plaintiffs allege exposure. If Plaintiffs specifically state the Westinghouse product which was "in the Texas Gulf Coast area" to which Plaintiffs allege exposure and provide a relevant time period, Westinghouse will endeavor to supplement this response.

2. All internal or external memoranda or documents that identify the suppliers and/or distributors of your asbestos and asbestos containing products (limited to those asbestos containing products supplied and/or distributed in the Texas Gulf Coast area) from 1930 to the date of your last sale or purchase.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to Request for Production No. 2 as overly broad, unduly burdensome, harassing and annoying. Plaintiffs fail to limit this request to any relevant time, any specific location or any specific product alleged by Plaintiffs to have caused their harm. Instead, Plaintiffs would have Westinghouse search documents throughout its entire corporate history for all products regardless of whether such products could ever be even conceivably relevant in this litigation.

Furthermore, Westinghouse objects to this overburdensome discovery as Westinghouse does not maintain its records according to product content, whether asbestos or otherwise. Instead, documents were generally stored according to their source and according to broad categories such as general business records, financial records, engineering records, etc. There is no single length of time for which Westinghouse records are retained. Westinghouse further objects to this request to the extent it seeks to discover information that is protected by the attorney client privilege, the attorney work-product doctrine, party communications or the investigative privilege.

3. All pictures of all products and/or pictures of all packaging of all products that contained asbestos.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to this Request as it is overly broad, unduly burdensome and harassing, and to the extent that it is not even limited to Westinghouse products. Consequently, this Request is not properly limited to documentation which is relevant to the subject matter of the pending action or reasonably calculated to lead to the discovery of admissible evidence. Westinghouse also objects that Plaintiffs fail to limit this Request to any specific product alleged by Plaintiffs to have caused their harm. Instead, Plaintiffs would have Westinghouse search documents throughout its entire corporate history for all products regardless of whether such products could ever be even conceivably relevant in this litigation.

4. All sales brochures, and/or literature pertaining to asbestos containing products manufactured, purchased for resale, designed, distributed, installed, applied, and/or sold by the Defendant, its predecessor(s) or subsidiaries in the Texas Gulf Coast area from 1930 until the date of your last sale.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to this Request as overly broad, unduly burdensome, harassing and annoying. Plaintiffs fail to limit this request to any relevant time, any specific location or any specific product alleged by Plaintiffs to have caused their harm. Instead, Plaintiffs would have Westinghouse search documents throughout its entire corporate history for all products regardless of whether such products could ever be even conceivably relevant in this litigation.

Furthermore, Westinghouse objects to this overburdensome discovery as Westinghouse does not maintain its records according to product content, whether asbestos or otherwise. Instead, documents were generally stored according to their source and according to broad categories such as general business records, financial records, engineering records, etc. There is no single length of time for which Westinghouse records are retained.

5. All documents reflecting how and when the Defendant or its employees first learned of the health hazards associated with asbestos exposure.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to this Request as overly broad, unduly burdensome, harassing and annoying. Plaintiffs fail to limit this request to any relevant time, any specific location or any specific product

alleged by Plaintiffs to have caused their harm. Instead, Plaintiffs would have Westinghouse search documents throughout its entire corporate history for all products regardless of whether such products could ever be even conceivably relevant in this litigation.

Furthermore, Westinghouse objects to this overburdensome discovery as Westinghouse does not maintain its records according to product content, whether asbestos or otherwise. Instead, documents were generally stored according to their source and according to broad categories such as general business records, financial records, engineering records, etc. There is no single length of time for which Westinghouse records are retained. Westinghouse further objects to this request to the extent it seeks to discover information that is protected by the attorney client privilege, the attorney work-product doctrine, party communications or the investigative privilege.

6(a). All documents from 1930 till the date of your last sale or purchase which indicate when other manufacturers of asbestos containing products, and Metropolitan Life Insurance Company had any knowledge, information or understanding that asbestos would, could, or might produce harmful effects to a person's health.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse also objects to this Request as it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence. Westinghouse further objects to this request to the extent it seeks to discover information that is protected by the attorney client privilege, the attorney work-product doctrine, party communications or the investigative privilege.

6(b). All documents from 1930 till the date of your last sale or purchase that indicate when other manufacturers of asbestos containing products and Metropolitan Life Insurance Company first issued health warnings associated with the use of their products.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse also objects that this Request seeks documentation which is not in the possession, custody or control of Westinghouse, and that it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence.

7. All documents relating to research and testing of products containing asbestos conducted by the defendant's personnel pertaining to the health hazards to human beings from 1930 until the date of your last sale or purchase.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to this Request as overly broad, unduly burdensome, harassing and annoying. Plaintiffs fail to limit this request to any relevant time, any specific location or any specific product alleged by Plaintiffs to have caused their harm. Instead, Plaintiffs would have Westinghouse search documents throughout its entire corporate history for all products regardless of whether such products could ever be even conceivably relevant in this litigation. Westinghouse further objects to this request to the extent it seeks documents protected by the attorney client privilege, work-product and investigative privileges, witness statement, consulting expert and party communications doctrine.

8. All books, pamphlets, memoranda, or written materials of any kind or character in the Defendant's possession, prior to 1972, that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse also objects to this request for production as overly broad and unduly burdensome and objects to this request as seeking information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Westinghouse also objects to this Request to the extent that it encompasses documents protected from discovery by the attorney client privilege, the attorney work-product and investigative privileges, and the witness statement, consulting expert and party communications exemptions.

Plaintiffs have failed to identify which Westinghouse product, if any, caused their alleged harm or even where or when Plaintiffs were exposed to any Westinghouse product. Notwithstanding this insufficient identification, Plaintiffs would have Westinghouse search its entire corporate history and identify when specific information was received or provided. Even though Plaintiffs would disregard this burden of producing extraneous and irrelevant information, Plaintiffs still fail to provide basic information to support essential elements of their cause.

9. All material safety data sheets pertaining to Defendants and/or its predecessor's asbestos and asbestos containing products.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse also objects to this Request as it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Westinghouse objects to this overburdensome discovery as Westinghouse does not maintain its records according to product content, whether asbestos or otherwise. Instead, documents were generally stored according to their source and according to broad categories such as general business records, financial records, engineering records, etc. There is no single length of time for which Westinghouse records are retained.

10. Any and all records which reflect the dollar value amount spent annually on medical research since 1930 by this defendant, including all subsidiaries, divisions, and predecessor entities pertaining to the health effects of asbestos.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse also objects to this Request as it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence.

- 11a. All correspondence, in-house memos, correspondence to or from third parties, and/or correspondence between defendant and defendant's customers concerning the hazards of asbestos from 1930 until the date of your last sale or purchase.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse also objects to this Request as it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence. Westinghouse also objects to this Request to the extent that it encompasses documents protected from discovery by the attorney client privilege, the attorney work-product and investigative privileges, and the witness statement, consulting expert and party communications exemptions.

- 11b. All correspondence, in-house memos, correspondence to and from third parties, and/or correspondence between defendant and defendant's customers regarding the content of defendant's asbestos-containing products from 1930 until the date of your last sale or purchase.

RESPONSE: See Preliminary Statement and General Objection. Furthermore, Westinghouse also objects to this Request as it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence. Westinghouse further objects to this overburdensome discovery as Westinghouse does not maintain its records according to product content, whether asbestos or otherwise. Instead, documents were generally stored according to their source and according to broad categories such as general business records, financial records, engineering records, etc. There is no single length of time for which Westinghouse records are retained. Westinghouse also objects to this Request to the extent that it encompasses documents protected from discovery by the attorney client privilege, the attorney work-product and investigative privileges, and the witness statement, consulting expert and party communications exemptions.

12. Copies of all photographs of warnings placed on the asbestos-containing products manufactured by the defendant, or any products it sold, distributed, purchased, applied or installed with reference to the date and product involved.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to this request for production as argumentative to the extent it implies that Westinghouse was under a duty to provide warnings for products or that any products made by Westinghouse would expose workers to harm. Furthermore, Westinghouse objects to providing information except for products specifically identified by Plaintiffs and alleged to have caused Plaintiffs harm.

Furthermore, Westinghouse objects to this overburdensome discovery as Westinghouse does not maintain its records according to product content, whether asbestos or otherwise. Instead, documents were generally stored according to their source and according to broad categories such as general business records, financial records, engineering records, etc. There is no single length of time for which Westinghouse records are retained.

13. All records reflecting any warnings given to you by the mining companies or suppliers of raw asbestos.

RESPONSE: See Preliminary Statement, General Objection and objections and response to Request for Production No. 12. Westinghouse also objects to this Request as it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence.

14. Any correspondence and/or records to or from purchasers, users of defendants' products or services, insurance carriers, distributors, suppliers, or subsidiary reflecting any warnings pertaining to asbestos, and/or asbestos-containing products.

RESPONSE: See Preliminary Statement, General Objection and objections and response to Request for Production No. 12. Westinghouse also objects to this Request as it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence.

15. All documents which indicate any instructions and/or safety precautions relating to the removal, replacement, application and/or installation of defendant's asbestos containing products from 1930 until the date of your last sale or purchase.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse also objects to this Request to the extent that it encompasses documents protected from discovery by the attorney client privilege, the attorney work-product and investigative privileges, and the witness statement, consulting expert and party communications exemptions. Westinghouse also objects to this Request as it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence.

16. All documents that indicate the location of the mine, identity of the mine, and/or present or prior ownership of the mine from which the asbestos contained in the defendant's products was obtained.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects that this Request is not reasonably limited in time or scope, and it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence. Westinghouse further objects to this request to the extent it assumes the Westinghouse was a member of the "asbestos industry" which it has emphatically denied. Westinghouse also objects to this Request to the extent that it encompasses documents protected from discovery by the attorney client privilege, the attorney work-product and investigative privileges, and the witness statement, consulting expert and party communications exemptions.

17. All documents and depositions containing information about worker's compensation claims or suits by employees of the defendant where there was a claim that the injury was due to asbestos exposure.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse further objects to this Request for Production as seeking information privileged from discovery as attorney work product and/or attorney/client communication. Further this Request for Production is unlimited as to time or scope and thus is overly broad and unduly burdensome. Finally, Westinghouse objects to this Request for Production as seeking information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Since Plaintiffs have failed to define their allegations or state with any specificity which products of Westinghouse allegedly caused their harm or when any exposure to a Westinghouse product occurred, Westinghouse cannot reasonably respond to this Request.

18. All correspondence between the defendant and its worker's compensation agents or insurers that refers to changes in rates due to asbestos exposure for the period in which defendant's products containing asbestos were sold, used, supplied or installed.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse also objects to this Request as it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence.

19. All Securities and Exchange Commission filings that refer to asbestos litigation against the defendant, its predecessor(s) or subsidiaries.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse also objects to this Request as it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence.

20. For each of the past five years, an annual report of this defendant or a balance sheet that reflects the defendant's corporate worth, and financial status.

RESPONSE: Westinghouse objects to this request for production as overly broad and unduly burdensome and as seeking information which is irrelevant and not reasonably calculated

to lead to the discovery of admissible evidence. Furthermore, this request for this information is beyond the scope of Texas Rules of Civil Procedure and exceeds the scope of Texas case law.

21. Any and all documents referred to in your responses to Plaintiffs' Interrogatories.

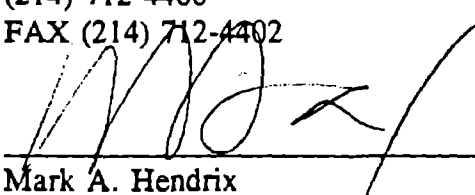
RESPONSE: See Preliminary Statement and General Objection. Subject to and without waiving the foregoing objections, Westinghouse will produce all non-privileged responsive documents, which have not already been made available to Plaintiffs, at a mutually agreeable, reasonable time.

22. Any and all patents issued or assigned to this defendant for asbestos products.

RESPONSE: See Preliminary Statement and General Objection. Westinghouse also objects to this Request as it exceeds the scope of permissible discovery by seeking documentation which is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence. Westinghouse further objects to this request to the extent it assumes the Westinghouse was a member of the "asbestos industry" which it has emphatically denied. Plaintiffs have failed to identify which Westinghouse product, if any, caused their alleged harm or even where or when Plaintiffs were exposed to any Westinghouse product. Notwithstanding this insufficient identification, Plaintiffs would have Westinghouse produce irrelevant documentation regarding all of its patented products.

Respectfully submitted,

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