

INTERROGATORY NO. 114: In any lawsuit involving a claim or claims based upon allegations of injury, impairment, disease or death allegedly caused by exposure to asbestos, has any document or conversation as to which the defendant, any predecessor or related company, asserted the attorney/client privilege been held by any court to be not privileged on the basis of the crime/fraud exception?

RESPONSE:

See General Objections Nos. 1-8. Union Carbide objects to this Interrogatory on the ground that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide is presently unaware of any such ruling by any court.

INTERROGATORY NO. 115: If your answer to Interrogatory No. 114 is "Yes", identify any and all such documents or conversations described, and with respect to each:

- (a) Identify all persons whose actions were held to constitute a crime or fraud:
- (b) State the current status of the court's determination; and,
- (c) State whether you assert the privilege with respect to disclosing the document or conversation in this case.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 114, including all objections incorporated therein.

INTERROGATORY NO. 116: Identify any and all expert witnesses who have testified on behalf of the defendant, any predecessor or related company, in the last ten years in any lawsuits involving a claim or claims based upon allegations of injury, impairment, disease or death caused by exposure to asbestos, or a claim or claims based upon allegations of property damage from the use, application, installation or presence of asbestos or asbestos-containing products, or issues of insurance coverage for any claims of personal injury or property damage arising out of exposure to, use of, application of, installation of, or presence of asbestos or asbestos-containing products.

RESPONSE:

See General Objections Nos. 1 – 8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this Interrogatory to the extent that it calls for information about Union Carbide employees or premises, or policies pertaining to Union Carbide employees or premises that are unrelated to the claims in this litigation on the grounds that such requests are overly broad, unduly burdensome, and not