

NO. 01-00486-G

KEITH AUSBORNE; EDWARD LEE AUSTIN; ROY GLEN BLANSCET; DOYLE HUGH DUGGAN; LARNZELL BANKS HARRIS; DENNIS REX HOPSON; HARRISON JOHNSON; WADE JOHNSON; GILBERT XAVIER JOSEPH; and RICHARD PERRY KELLEY, SR.,	§	IN THE DISTRICT COURT
Plaintiffs,	§	
VS.	§	DALLAS COUNTY, TEXAS
U.S. GYPSUM COMPANY, et al,	§	
Defendants.	§	134TH JUDICIAL DISTRICT

PLAINTIFFS' DISCLOSURES PURSUANT TO TEXAS RULE OF CIVIL PROCEDURE 194

TO: ALL DEFENDANTS, by and through their attorneys of record.

COME NOW, KEITH AUSBORNE; EDWARD LEE AUSTIN; ROY GLEN BLANSCET; DOYLE HUGH DUGGAN; LARNZELL BANKS HARRIS; DENNIS REX HOPSON; HARRISON JOHNSON; WADE JOHNSON; GILBERT XAVIER JOSEPH; and RICHARD PERRY KELLEY, SR., Plaintiffs in the above-referenced cause of action and by and through their counsel of record, make the following disclosures pursuant to Texas Rule of Civil Procedure 194.

Respectfully submitted,

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BY: D. Leanne Jackson

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PLAINTIFFS' DISCLOSURES PURSUANT TO
TEXAS RULE OF CIVIL PROCEDURE 194

A. PARTIES:

Plaintiffs KEITH AUSBORNE; EDWARD LEE AUSTIN; ROY GLEN BLANSCET; DOYLE HUGH DUGGAN; LARNZELL BANKS HARRIS; DENNIS REX HOPSON; HARRISON JOHNSON; WADE JOHNSON; GILBERT XAVIER JOSEPH; and RICHARD PERRY KELLEY, SR.

Defendants U.S. GYPSUM COMPANY; CROWN CORK AND SEAL COMPANY, INC. (successor to MUNDET CORK COMPANY); A. P. GREEN INDUSTRIES, INC. (f/k/a A. P. GREEN REFRACTORIES COMPANY, a subsidiary of U. S. GYPSUM COMPANY); METROPOLITAN LIFE INSURANCE COMPANY; FOSTER WHEELER ENERGY CORPORATION; QUIGLEY COMPANY, INC.; GASKET HOLDING, INC. (successor to FLEXITALLIC GASKET COMPANY); NORTH AMERICAN REFRACTORIES COMPANY; PROKO INDUSTRIES, INC.; SYNKOLOID, A DIVISION OF MURALO CO., INC.; GEORGIA-PACIFIC CORPORATION (individually and as successor to BESTWALL GYPSUM COMPANY); MINNESOTA MINING AND MANUFACTURING COMPANY (a/k/a "3M"); U.S. MINERAL PRODUCTS COMPANY; THE FLINTKOTE COMPANY; HARBISON-WALKER REFRACTORIES COMPANY (formerly a division of INDRESCO INC.); UNIROYAL HOLDING, INC. (successor to U. S. RUBBER COMPANY); KELLY-MOORE PAINT COMPANY, INC.; AQUA-CHEM, INC. (d/b/a CLEAVER-BROOKS DIVISION); RAPID-AMERICAN CORPORATION (as successor-by-merger to GLEN ALDEN CORPORATION, BRIGGS MANUFACTURING CO., PHILIP CAREY CORPORATION AND PHILIP CAREY MANUFACTURING COMPANY); INDRESCO INC. (successor to HARBISON-WALKER REFRACTORIES, a division of INDRESCO, INC.); GENERAL REFRACTORIES COMPANY; T&N plc (f/k/a TURNER & NEWALL PLC, individually and as successor and alter ego of KEASBEY AND MATTISON COMPANY); ASTEN, INC. d/b/a/ ASTEN GROUP, INC.; ACandS, INC.; FEDERAL MOGUL GLOBAL GROWTH, LTD. (individually and/or as successor-in-interest to T&N plc, T&N Ltd., and/or T&N, Inc.); FEDERAL MOGUL CORPORATION (individually and/or as successor-in-interest to T&N plc, T&N Ltd., and/or T&N, Inc.); T&N plc (successor in interest to KEASBEY & MATTISON); TURNER AND NEWALL INDUSTRIES, INC. d/b/a/ UNITED GASKET CORP.; TURNER AND NEWALL, LTD. d/b/a/ UNITED FABRICATED; T&N, LTD. (f/k/a T&N, PLC, TURNER & NEWALL, LTD., TURNER & NEWALL, PLC AND TAF INTERNATIONAL, LTD., f/k/a TURNER ASBESTOS FIBRES, LTD., f/k/a RAW ASBESTOS DISTRIBUTORS); W. R. GRACE & CO.-CONN. (successor to W. R. GRACE & COMPANY); CERTAINTEED CORPORATION; KELLOG, BROWN & ROOT, INC., successor-by-merger to BROWN & ROOT, INC. (successor-in-interest to BROWN & ROOT I, INC., BROWN & ROOT, INC. [a Texas corporation] and BROWN & ROOT USA, INC.); DRESSER INDUSTRIES,

INC., successor-by-merger to BROWN & ROOT HOLDINGS, INC. (f/k/a/ BROWN & ROOT, INC. [a Delaware corporation], successor-in-interest to BROWN & ROOT I, INC., BROWN & ROOT, INC. [a Texas Corporation] and BROWN & ROOT USA, INC.); J.T. THORPE COMPANY (individually and as successor-in-interest to THORPE INSULATION COMPANY); OWENS-ILLINOIS, INC. (successor to OWENS-ILLINOIS GLASS COMPANY); ZURN INDUSTRIES, INC. (a/k/a and successor-by-merger to ERIE CITY IRON WORKS); A. P. GREEN SERVICES, INC.; AMETEK, INC. (successor to HAVEG INDUSTRIES, INC.); CHAMPLAIN CABLE COMPANY (f/k/a HERCULES, INC., and individually and as successor-in-interest to HAVEG INDUSTRIES, INC.); INSUL COMPANY, INC.; FOSECO, INC.; OGLEBAY NORTON COMPANY AND ITS DIVISION FERRO ENGINEERING; and EXXON MOBIL CORPORATION (individually and as successor-in-interest to EXXON CORPORATION and STANDARD OIL COMPANY)

Plaintiffs reserve the right to amend or supplement this disclosure pursuant to Rule 193.5 of the Texas Rules of Civil Procedure.

B. POTENTIAL PARTIES:

Plaintiffs are not aware of any potential parties not already joined in this lawsuit.

Plaintiffs reserve the right to amend or supplement this disclosure pursuant to Rule 193.5 of the Texas Rules of Civil Procedure.

C. LEGAL THEORIES AND FACTUAL BASES FOR PLAINTIFFS' CLAIMS OR DEFENSES:

Please refer to Plaintiffs' Original Petition; Plaintiffs' Work History Sheets; Plaintiffs' Answers to Interrogatories; Plaintiffs' Medical Records; Plaintiffs' Deposition Testimony; Plaintiffs' List of Exhibits; Plaintiffs' Expert Reports and any and all supplements and amendments thereto; any coworkers' depositions in this case; any expert depositions in this case; and Defendants' responses to discovery.

Plaintiffs were exposed to asbestos and asbestos-containing materials while working at this Defendant's facility as invitees. The use of asbestos and asbestos-containing materials at Defendant's facility created a dangerous condition at such facility. Defendant is liable to Plaintiffs for its failure to exercise reasonable care to protect Plaintiffs from the foreseeable dangers associated with exposure to asbestos at

Defendant's facility. Defendant, as the premises operator and/or manager and/or owner and occupier, had a non-delegable duty to keep the premises safe for invitees. Defendant is further liable to Plaintiffs for acting negligently in gratuitously undertaking to provide Plaintiffs with a safe place to work. Defendant gratuitously undertook a duty to provide a reasonably adequate safety program, to provide reasonably safe place to work, to provide adequate and safe instrumentalities and to provide careful and competent fellow servants to the Plaintiffs while working on Defendant's Premises. Accordingly, the following provisions of the Restatement (Second) of Torts Section 323 apply to this case. Defendant, knew or should have known of the unreasonable risk of harm inherent in exposure to asbestos and asbestos-containing materials but failed to protect Plaintiffs from said risk of harm. Defendant's failure to protect Plaintiffs from known and/or foreseeable dangers constitutes negligence. Said negligence was a proximate cause of Plaintiffs' injuries and damages.

Plaintiffs reserve the right to amend or supplement this disclosure pursuant to Rule 193.5 of the Texas Rules of Civil Procedure.

D. ECONOMIC DAMAGES:

Plaintiffs claim as future special damages all hospital bills, medical bills, and nursing bills; and as past and future special damages loss of earning capacity, loss of consortium, pain, suffering and mental anguish resulting from Plaintiffs' asbestos-related disease. Plaintiffs' medical experts will testify that Plaintiffs' future hospital and medical bills caused by Plaintiffs' asbestos-related disease within reasonable medical probability will be between $100,000.00 and $250,000.00.

Plaintiffs reserve the right to amend or supplement this disclosure pursuant to Rule 193.5 of the Texas Rules of Civil Procedure.

E. PERSONS WITH KNOWLEDGE OF RELEVANT FACTS:

Plaintiffs will supplement.

All witnesses listed by all Defendants.

All witnesses listed or to be listed in Plaintiffs' Answers to Interrogatories.

All witnesses listed in Plaintiffs' Standard List of Deposition Testimony.

All witnesses deposed in this case.

All witnesses listed by Plaintiffs in deposition.

Any physician who has examined and/or treated Plaintiffs.

Any and all records custodians, live or by deposition upon written questions, for any physicians or institutions listed herein or revealed in Plaintiffs' Answers to Interrogatories or any other pleading on file in this case.

For a brief statement of each identified person's connection with the case, please see Plaintiffs' Answers and Supplemental Answers to all Defendants' Interrogatories and Master Discovery Requests (Expert and Fact Witnesses), which are adopted and incorporated herein by reference.

Plaintiffs reserve the right to amend or supplement this disclosure pursuant to Rule 193.5 of the Texas Rules of Civil Procedure.

F. EXPERT WITNESSES:

1. Dr. Richard Cohen
19242 Panorama Drive
Saratoga, California
(415) 424-5156

Dr. Cohen will testify about asbestos and the diseases caused by asbestos generally. Dr. Cohen may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that their asbestos-containing products could cause disease. Dr. Cohen may testify as to his review of the literature and the opinions and conclusions contained in that literature. Dr. Cohen may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. Dr. Cohen may testify regarding exposure levels of asbestos and at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Cohen may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to his conclusions reached therefrom that Defendants were

negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiffs. Dr. Cohen may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to warn of the dangers of their products. Defense counsel are in possession of numerous transcripts of Dr. Cohen's prior testimony within which his opinions concerning this subject have been fully explored. Dr. Cohen will also testify about matters referred to in the designations of Drs. Barry Castleman, Richard A. Lemen, Joseph K. Wagoner and Gerritt Schepers.

2. Dr. Barry Castleman
1722 Linden Avenue
Baltimore, Maryland 21217
(410) 462-5135

Dr. Castleman will testify about asbestos and the diseases caused by asbestos generally. Dr. Castleman may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that their asbestos-containing products or use of asbestos-containing products by Defendants, including Railroad Defendants, could cause disease. Dr. Castleman may testify as to his review of the literature and the opinions and conclusions contained in that literature. Dr. Castleman may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. Dr. Castleman may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Castleman may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to his conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiffs, and that the Railroad Defendants violated the Federal Employer Liability Act and Boiler Inspection Act by use of asbestos-containing products. Dr. Castleman may also testify as to the hazardous nature of all types of asbestos and all types of asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that

Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to warn of the dangers of their products or the use of asbestos products by the Railroads. Further, Dr. Castleman will testify that all Defendants conspired to suppress information pertaining to the hazards of asbestos, exposure to asbestos-containing products, and the diseases resulting therefrom. Consequently, Defendants deprived Plaintiff of the right to make an informed choice concerning his exposure to asbestos-containing products. Defense counsel are in possession of numerous transcripts of Dr. Castleman's prior testimony within which his opinions concerning this subject have been fully explored. Dr. Castleman will also testify about matters referred to in the designations of Drs. Joseph K. Wagoner, Richard A. Lemen, Gerritt Schepers and David Egilman.

3. Dr. Joseph K. Wagoner (by Deposition)

Dr. Wagoner will testify about asbestos and the diseases caused by asbestos generally. Dr. Wagoner may testify that based on epidemiological studies Plaintiff's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products. Additionally, Dr. Wagoner may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that their asbestos-containing products could cause disease. Dr. Wagoner may testify as to his review of the literature and the opinions and conclusions contained in that literature. Dr. Wagoner may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. Dr. Wagoner may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Wagoner may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to his conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiffs. Dr. Wagoner may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to warn of the dangers of their products. Further, Dr. Wagoner may testify concerning the increased risk of cancer

faced by asbestos exposed workers and the epidemiological link between asbestos and cancer. More specifically, Dr. Wagoner may testify as to this Plaintiff's increased risk of developing an asbestos-related cancer as a result of his exposure to Defendants' asbestos-containing products and that Plaintiff's fear of cancer is a reasonable fear. Dr. Wagoner may also testify that Plaintiff's increased risk of cancer was caused and/or contributed to by Plaintiff's exposure to Defendants' asbestos-containing products. Dr. Wagoner may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers. Defense counsel are in possession of numerous transcripts within which Dr. Wagoner's opinions have been fully explored.

4. Dr. Gerritt Schepers
9513 Locust Hill Drive
Great Falls, Virginia 22066
(703) 757-9714

Dr. Schepers will testify about asbestos and the diseases caused by asbestos generally. Dr. Schepers may testify that based on epidemiological studies Plaintiff's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products. Additionally, Dr. Schepers may testify that based on the medical and scientific literature available to Defendants and his conversations or communications with Defendants, Defendants knew or should have known that their asbestos-containing products could cause disease. Dr. Schepers may testify as to his review of the literature and the opinions and conclusions contained in that literature. Dr. Schepers may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. Dr. Schepers may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature and by Defendants with whom he dealt. Dr. Schepers may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to his conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiffs. Dr. Schepers may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that Defendants engaged in negligent and grossly

negligent conduct in failing to recall their asbestos-containing products from the market or in failing to warn of the dangers of their products. In addition, to general state-of-the-art testimony, Dr. Schepers may testify concerning the state of scientific and medical knowledge possessed by Owens-Illinois, Inc. and Owens-Corning Fiberglas concerning the hazards of asbestos, in particular. Further, Dr. Schepers may testify concerning the increased risk of cancer faced by asbestos exposed workers and the epidemiological link between asbestos and cancer. More specifically, Dr. Schepers may testify as to this Plaintiff's increased risk of developing an asbestos-related cancer as a result of his exposure to Defendants' asbestos-containing products and that Plaintiff's fear of cancer is a reasonable fear. Dr. Schepers may also testify that Plaintiff's cancer and/or increased risk of cancer was caused and/or contributed to by Plaintiff's exposure to Defendants' asbestos-containing products. Dr. Schepers may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers. Defense counsel are in possession of Dr. Schepers' report and medical conclusions related to Plaintiff's case. Defense counsel are in possession of numerous transcripts of Dr. Schepers' prior testimony within which his opinions concerning these subjects have been fully explored. Dr. Schepers will also testify about matters referred to in the designations of Drs. Joseph K. Wagoner, Richard A. Lemen, David Egilman, and Barry Castleman.

5. Dr. David Ozonoff
Boston University
School of Public Health
Building A-501
80 East Concorde Street
Boston, Massachusetts 02118
(617) 638-4620

Dr. Ozonoff will testify about asbestos and the diseases caused by asbestos generally. Dr. Ozonoff may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that their asbestos-containing products could cause disease. Dr. Ozonoff may testify as to his review of the literature and the opinions and conclusions contained in that literature. Dr. Ozonoff may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature.

Dr. Ozonoff may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Ozonoff may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to his conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiffs. Dr. Ozonoff may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to warn of the dangers of their products. Defense counsel are in possession of numerous transcripts of Dr. Ozonoff's testimony within which his opinions concerning this subject have been fully explored. Dr. Ozonoff will also testify about matters referred to in the designations of Drs. Barry Castleman, Richard A. Lemen, Joseph K. Wagoner and Gerritt Schepers.

6. Dr. Thomas Mancuso (Live or by Deposition)
5127 Elsworth
Pittsburgh, Pennsylvania
(412) 683-6321

Dr. Mancuso will testify about asbestos and the diseases caused by asbestos generally. Dr. Mancuso may testify concerning the state of scientific and medical knowledge concerning asbestos generally and the knowledge possessed by Philip Carey Manufacturing Co. concerning the hazards of asbestos, in particular. Dr. Mancuso may testify as to his review of the literature and the opinions and conclusions contained in that literature. Dr. Mancuso may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. Dr. Mancuso may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Mancuso may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to his conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiffs. Dr. Mancuso may also testify as to the hazardous nature of asbestos and asbestos-containing

products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to warn of the dangers of their products. Defense counsel are in possession of numerous transcripts of Dr. Mancuso's testimony within which his opinions concerning this subject have been fully explored.

7. Dr. David Egilman (Live or by Deposition)
South Shore Health Center
759 Granite Street
Braintree, Massachusetts 02184-5328
(617) 848-1950

Dr. Egilman will testify, live or by deposition, about asbestos and the diseases caused by asbestos generally. Dr. Egilman may testify that in his opinion, Plaintiff's/Decedent's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products or use of asbestos-containing products by Defendant Railroads. Additionally, Dr. Egilman may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that their asbestos-containing products or use of asbestos-containing products by Defendant Railroads could cause disease. Dr. Egilman may testify as to his review of the medical, scientific and/or technical literature and the opinions and conclusions contained in that literature. Dr. Egilman may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical, scientific and/or technical literature. Dr. Egilman may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when these facts were known in the medical, scientific and/or technical literature. Dr. Egilman may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to his conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiffs/Decedents, and that the Railroad Defendants violated the Federal Employer Liability Act and Boiler Inspection Act by the use of asbestos-containing products. Dr. Egilman may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to

recall their asbestos-containing products from the market or in failing to warn of the dangers of their products or the use of asbestos-containing products by the Railroads. Further, Dr. Egilman may testify concerning the increased risk of cancer faced by asbestos exposed workers and the epidemiological link between asbestos and cancer. More specifically, Dr. Egilman may testify as to this Plaintiff's/Decedent's increased risk of developing an asbestos-related cancer as a result of his exposure to Defendants' asbestos-containing products and that Plaintiff's fear of cancer is a reasonable fear. Dr. Egilman may also testify that Plaintiff's/Decedent's increased risk of cancer was caused and/or contributed to by Plaintiff's/ Decedent's exposure to Defendants' asbestos-containing products or the use of asbestos products by the Railroad Defendants. Dr. Egilman may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers. Dr. Egilman may also testify about the life expectancy of the plaintiff and life expectancy of human beings generally.

Further, Dr. Egilman will also testify regarding the following specific issues: his background; ethical aspects of corporate responsibility; warnings; and the state of the art of the medical, scientific and/or technical literature regarding asbestos. Dr. Egilman will testify concerning Owens Corning Fiberglas corporate documents as well as any other Defendant's corporate documents and the knowledge possessed by Owens Corning Fiberglas Corporation and any other Defendant corporation. Dr. Egilman will testify as to when it was known in the medical, scientific and/or technical literature that asbestos was hazardous, could cause asbestosis and the various other diseases and cancers known to be caused by asbestos. Additionally, Dr. Egilman will testify regarding state of the art on bystander exposure to asbestos, interpretation of corporate knowledge from Owens Corning Fiberglas Corporation's actual documents, the fact that asbestos-containing products are "toxic", the TLV defense, the Defendants lack of providing their internal information to the military branches of the government, and that asbestos products are unreasonably dangerous. Dr. Egilman will also discuss military specifications and the defendants involvement with military specifications. Dr. Egilman will discuss how the companies conspired to withhold their knowledge of the hazards of their products from the military branches of the U.S. Government. Dr. Egilman may also use demonstrative aids to testify that the TLV for asbestos did not adequately protect workers.

As a medical doctor, Dr. Egilman will testify as to the medical aspects of asbestos exposure; asbestos exposure and its relationship to non-malignant diseases; asbestos exposure and its relationship to GI, colon, and other various cancers; and that each and every asbestos exposure is a substantial contributing cause to the development of asbestos-related diseases and that each and every asbestos exposure did indeed cause the asbestos-related disease claimed in Plaintiff's/Decedent's case. Dr. Egilman will testify concerning his own personal and professional writings, publications, and editorials; the amount of asbestos it takes to cause cancer and other asbestos-related diseases; the historical aspects of the development of OSHA; the historical aspects of what OSHA wanted on the label that went on containers of asbestos products; and whether or not the defendant's label on their asbestos container was adequate. Dr. Egilman will testify that all types of asbestos fibers are carcinogenic and the prognosis of individuals, including the Plaintiffs herein who have an asbestos-related disease. Dr. Egilman will also testify on the ultimate issues of fact in this trial including issues of negligence, wantonness, gross negligence, unreasonably dangerousness, failure to substitute and/or to warn, violation of the Federal Employer Liability Act and Boiler Inspection Act and the medical prognosis of these Plaintiffs. Dr. Egilman will also testify about matters referred to in the designations of Drs. Barry Castleman, Richard A. Lemen, Joseph K. Wagoner and Gerritt Schepers.

8. Dr. David Lilienfeld
Box 1057
Mt. Sinai School of Medicine
1 Gustave Levy Place
New York, New York 10029-6574
(212) 241-4785

Dr. Lilienfeld will testify about asbestos and the diseases caused by asbestos generally. Dr. Lilienfeld may testify that based on epidemiological studies Plaintiff's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products. Additionally, Dr. Lilienfeld may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that their asbestos-containing products could cause disease. Dr. Lilienfeld may testify as to his review of the literature and the opinions and conclusions contained in that literature. Dr. Lilienfeld may testify regarding the availability of materials as substitutes for asbestos and when information

concerning these substitute materials appeared in the medical and scientific literature. Dr. Lilienfeld may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Lilienfeld may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to his conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiffs. Dr. Lilienfeld may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to warn of the dangers of their products. Further, Dr. Lilienfeld may testify concerning the increased risk of cancer faced by asbestos exposed workers and the epidemiological link between asbestos and cancer. More specifically, Dr. Lilienfeld may testify as to this Plaintiff's increased risk of developing an asbestos-related cancer as a result of his exposure to Defendants' asbestos-containing products and that Plaintiff's fear of cancer is a reasonable fear. Dr. Lilienfeld may also testify that Plaintiff's increased risk of cancer was caused and/or contributed to by Plaintiff's exposure to Defendants' asbestos-containing products. Dr. Lilienfeld may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers. Defense counsel are in possession of numerous transcripts within which Dr. Lilienfeld's opinions have been fully explored.

9. Dr. Robert G. Fraser
2766 Summit Circle
Birmingham, Alabama 35216
(205) 979-1123

Padanarum Road
P.O. Box 558
Bolton Landing, New York 12814
(518) 644-2220

Dr. Robert Fraser may testify that Plaintiff has chest x-ray changes consistent with asbestos-related disease. Dr. Fraser may also testify as to his review of recent chest x-rays and any progression that may have occurred. Additionally, Dr. Fraser

may testify concerning occupational diseases, generally and asbestos-related diseases, specifically. Dr. Fraser will give a "B-reading" on this Plaintiff. Dr. Fraser may testify concerning Plaintiff's increased risk of developing an asbestos-related cancer as a consequence of his exposure to asbestos. Dr. Fraser will testify about asbestos medicine in general, its effects on the body, various disease processes and medical prognosis. Dr. Fraser will also testify about matters referred to in the designations of Drs. Christine Oliver and Elliott Kagan. Defense counsel are in possession of numerous transcripts within which Dr. Fraser's opinions have been fully explored.

10. Dr. Arthur N. Rohl
10 Stouts Valley Road
Easton, Pennsylvania 18042
(610) 258-5965

Dr. Arthur Rohl may testify about asbestos and asbestos-containing products generally. Dr. Rohl may testify that, when asbestos-containing products are cut, sawed and handled, these products produce respirable quantities of asbestos fibers capable of causing asbestos-related disease and death. Dr. Rohl may testify specifically about the composition of asbestos-containing gasket materials, packing materials, friction products, cable, wire and dust levels created by such products. Dr. Rohl may testify about the percentage and type of asbestos fibers contained in such products and the propensity of such products to produce respirable asbestos fibers when cut, handled or otherwise disturbed. Dr. Rohl may testify regarding exposure levels of asbestos and at what levels asbestos may cause disease. Dr. Rohl may testify about specific tests performed on such products, the results of such tests, and whether recall of such products should have taken place. Dr. Rohl may testify regarding the availability of materials as substitutes for asbestos. Dr. Rohl may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. Defense counsel are in possession of numerous transcripts within which Dr. Rohl's opinions have been fully explored.

11. James E. Girard, Ph.D.
6328 Karmich Street
Fairfax Station, Virginia 22039
(703) 425-4770

Dr. Girard is a Professor of Chemistry at American University who specializes in Environmental Chemistry. Dr. Girard may testify concerning Plaintiff's (or Decedent's) exposure to asbestos-containing brake products and that such exposure caused or contributed to cause Plaintiff's (or Decedent's) asbestos-related disease and/or asbestos-related cancer. Dr. Girard may testify that brake products to which the Plaintiff (or Decedent) was exposed gave off or emanated dangerous levels of asbestos dust that were in violation of various state and federal safety standards, and that such products are unreasonably dangerous. Dr. Girard may also testify with regard to the dynamic of exposure to asbestos from asbestos-containing brake products. Dr. Girard may also testify that Defendants were negligent and/or grossly negligent in their failure to provide warnings, failure to take sufficient precautions, failure to recall and failure to develop and utilize substitute materials, all of which negligence or gross negligence caused or contributed to Plaintiff's (or Decedent's) asbestos-related disease and/or asbestos-related cancer. Dr. Girard may testify that brake products manufactured by the Defendants emanate or give off significant and life threatening amounts of asbestos dust that can cause, have caused and will cause asbestos-related disease and/or asbestos-related cancer in workers such as the Plaintiff (or Decedent). Dr. Girard may testify that Defendants' brake products continued to contain asbestos, in response to any defense that the asbestos in such products may become "forsterite" during use. As such, Dr. Girard may testify that materials released during the removal or replacement of Defendants' brake products continued to contain significant amounts of asbestos, in violation of safety and health regulations, restrictions, and requirements.

12. John D. McCann
195 Bouffard
LaSalle, Ontario
British Columbia N9J1E9
(519) 734-7889

Mr. McCann was employed by Bendix at its Ontario, Canada plant in the brake shoe department from 1964 to 1981. From 1975 to 1981 he was the United Auto Workers Health and Safety representative at the plant. He is expected to testify about

safety practices in the plant, Bendix's failure to follow safe practices and governmental requirements and regulations. He is expected to testify about the large number of cases of asbestos-related disease among Bendix workers, including several cases of mesothelioma. Mr. McCann will also testify that Bendix closed its plant when the nature and extent of asbestos problems became evident to the general public. Mr. McCann will testify that Bendix was fully aware of the dangers of asbestos in the mid-1960s.

13. Roger Shack
P.O. Box 356
Montevallo, Alabama 35115
(Telephone Unknown)

Mr. Shack was employed by Sepco Corporation from 1970 to 1983 where his duties included cleaning machines that made asbestos products. Mr. Shack is expected to testify either live or by deposition regarding the extent of Sepco's knowledge of the dangers of asbestos while he was employed by Sepco. Mr. Shack will also testify regarding the condition of the Sepco plant at the time of his employment, including high levels of asbestos dust. Mr. Shack was a member of the Safety Committee in 1973 and will testify regarding the responsiveness of Sepco management to employee complaints about the high asbestos dust levels and employee requests for safety gear to protect them from inhaling asbestos dust.

14. Nathan Fochtmann
Route 6, Box 49
Montevallo, Alabama 35115
(Telephone Unknown)

Mr. Fochtmann was employed by Sepco from approximately 1969 to 1986. His duties varied during his employment, but included training and experience in the gasket and packing departments, 3 years as a plant manager and then later in his career, working in outside sales for Sepco. Mr. Fochtmann will testify either live or by deposition regarding his knowledge of Sepco's continuing practice while he was employed of burying asbestos behind Sepco's Pelham plant. Mr. Fochtmann will also testify about safety practices in the plant and Sepco's failure to follow safe practices and governmental requirements and regulations.

15. Dr. John Dement
109 Kilbreck Drive
Cary, North Carolina 27511
(919) 387-2252

Dr. Dement will testify about asbestos and the diseases caused by asbestos generally. Dr. Dement may testify that based on epidemiological studies Plaintiff's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products. Additionally, Dr. Dement may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that their asbestos-containing products could cause disease. Dr. Dement may testify as to his review of the literature and the opinions and conclusions contained in that literature. Dr. Dement may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. Dr. Dement may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Dement may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to his conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiffs. Dr. Dement may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to warn of the dangers of their products. Dr. Dement will discuss general principles of industrial hygiene. Further, Dr. Dement may testify concerning the increased risk of cancer faced by asbestos exposed workers and the epidemiological link between asbestos and cancer. More specifically, Dr. Dement may testify as to this Plaintiff's increased risk of developing an asbestos-related cancer as a result of his exposure to Defendants' asbestos-containing products and that Plaintiff's fear of cancer is a reasonable fear. Dr. Dement may also testify that Plaintiff's increased risk of cancer was caused and/or contributed to by Plaintiff's exposure to Defendants' asbestos-containing products. Dr. Dement may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers. Dr. Dement will also

testify about matters referred to in the designations of Drs. David Egilman, Barry Castleman, Joseph K. Wagoner and Richard A. Lemen. Defense counsel are in possession of numerous transcripts within which Dr. Dement's opinions have been fully explored.

Dr. Dement will testify about asbestos exposure and the diseases caused by asbestos generally. Dr. Dement may testify that in his opinion, Plaintiff's asbestos-related disease was caused by his exposure to asbestos-containing products, while employed by Defendant. Additionally, Dr. Dement may testify that based on the medical and scientific literature available to Defendant, Defendant knew or should have known that asbestos-containing products could cause disease and that Defendant's failure to take reasonable precautions to prevent exposure to asbestos-containing products constitutes gross negligence. Dr. Dement may testify as to his review of the medical, scientific and/or technical literature and the opinions and conclusions contained in that literature. Dr. Dement may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical scientific and/or technical literature. Dr. Dement may testify as to exposure levels of asbestos, at what levels asbestos may cause disease, and as to when these facts were known in the medical, scientific and/or technical literature. Dr. Dement may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendant and as to his conclusions reached therefrom that Defendant acted with wanton and willful disregard of the rights and safety of Plaintiff. Dr. Dement may also testify as to the hazardous nature of asbestos and that Defendant engaged in negligent and grossly negligent conduct in failing to warn their employees of the dangers of asbestos, in failing to provide safety equipment for protection from asbestos exposure and in failing to provide a safe working environment. Further, Dr. Dement may testify as to the increased risk of cancer faced by asbestos exposed workers and the epidemiological link between cancer and asbestos. Dr. Dement may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers.

Further, Dr. Dement will testify as to the following specific issues: his background; ethical aspects of corporate responsibility; warnings; and the state of the art of the medical, scientific and/or technical literature regarding asbestos. Dr. Dement will testify regarding bystander exposure

to asbestos, "fiber drift", the fact that asbestos products are "toxic" and unreasonably dangerous, the TLV defense, and the concept that each and every fiber exposure substantially contributed to and was a producing cause of Plaintiff's lung cancer. Further, Dr. Dement may testify as to the level of asbestos exposure Plaintiff would have received as maintenance worker in a industrial facility.

Dr. Dement may testify as to the health aspects of asbestos exposure and to his own personal and professional writings, publications and editorials; the amount of asbestos exposure it takes to cause cancer and other asbestos-related diseases; the historical aspects of the development of OSHA/NIOSH and the history of OSHA/NIOSH regulations and other governmental regulations regarding asbestos and asbestos exposure. Dr. Dement may also testify that Defendants' failure to comply with these regulations constitutes negligence and was a cause of Plaintiff's injuries.

A copy of this expert's current resume and bibliography has previously been provided or made available to Defendant. However, if Defendant would like an additional copy, Defendant may request same and Plaintiff will provide.

16. Dr. Richard A. Lemen
3495 Highgate Hills Drive
Duluth, Georgia 30155
(770) 497-0770

Dr. Lemen will testify as an expert and fact witness about asbestos and the diseases caused by asbestos generally. Dr. Lemen may testify that based on epidemiological studies Plaintiff's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products. Additionally, Dr. Lemen may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that their asbestos-containing products could cause disease. Dr. Lemen will testify to his visits at all of the various asbestos plants and manufacturing plants and about TLVs. Dr. Lemen may testify about TLVs using demonstrative aids. Dr. Lemen may testify as to his review of the literature and the opinions and conclusions contained in that literature. Dr. Lemen will testify that asbestos was known to cause various diseases and cancers before 1950. Dr. Lemen may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature.

Dr. Lemen may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Lemen will testify that each and every exposure to asbestos is a contributing cause to asbestos related diseases. Dr. Lemen will testify to when it was known end product users, household exposed individuals and bystanders were known to get sick and die from asbestos. Dr. Lemen may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to his conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiffs. Dr. Lemen will testify specifically about the Pittsburgh Corning Plant in Tyler, Texas, the conditions observed, the disease at that plant and TLVs. Dr. Lemen may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to adequately and timely warn of the dangers of their products. Further, Dr. Lemen may testify concerning the increased risk of cancer faced by asbestos exposed workers and the epidemiological link between asbestos and cancer. He will testify that smoking is addictive. Dr. Lemen will specifically testify to activities listed in his curriculum vitae, including his factual knowledge of the conduct of Pittsburgh-Corning and other asbestos defendants from his work with the United States Government. In addition to Pittsburgh Corning, Dr. Lemen has knowledge of the conduct of many companies who used, manufactured, distributed or sold asbestos-containing products, including but not limited to the following defendants: Owens-Corning Fiberglas Corporation, U.S. Gypsum Company, Armstrong World Industries, Inc. (successor to Armstrong Cork Company), New National Gypsum Company, f/k/a National Gypsum Company, W.R. Grace & Co.-Conn. (successor to W.R. Grace & Company), Certainteed Corporation, and Philip Carey Company (predecessor to Rapid American). More specifically, Dr. Lemen may testify as to this Plaintiff's increased risk of developing an asbestos-related cancer as a result of his exposure to Defendants' asbestos-containing products and that Plaintiff's fear of cancer is a reasonable fear. Dr. Lemen will discuss the dangers of low-level exposure to asbestos, and will testify that there is no safe level of exposure to asbestos. He will testify that all the various types of asbestos fibers are capable of causing death, mesothelioma, asbestosis and all other asbestos diseases.. Dr. Lemen may also testify that Plaintiff's

increased risk of cancer was caused and/or contributed to by Plaintiff's exposure to Defendants' asbestos-containing products. Dr. Lemen may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers. Defense counsel are in possession of transcripts within which Dr. Lemen's opinions have been fully explored. Dr. Lemen will also testify about matters referred to in the designations of Drs. Joseph K. Wagoner, Barry Castleman, David Egilman and Gerritt Schepers.

Dr. Lemen will testify about asbestos exposure and the diseases caused by asbestos generally. Dr. Lemen may testify that in his opinion, Plaintiff's asbestos-related disease was caused by his exposure to asbestos-containing products, while employed by Defendant. Additionally, Dr. Lemen may testify that based on the medical and scientific literature available to Defendant, Defendant knew or should have known that asbestos-containing products could cause disease and that Defendant's failure to take reasonable precautions to prevent exposure to asbestos-containing products constitutes gross negligence. Dr. Lemen may testify as to his review of the medical, scientific and/or technical literature and the opinions and conclusions contained in that literature. Dr. Lemen may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical scientific and/or technical literature. Dr. Lemen may testify as to exposure levels of asbestos, at what levels asbestos may cause disease, and as to when these facts were known in the medical, scientific and/or technical literature. Dr. Lemen may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendant and as to his conclusions reached therefrom that Defendant acted with wanton and willful disregard of the rights and safety of Plaintiff. Dr. Lemen may also testify as to the hazardous nature of asbestos and that Defendant engaged in negligent and grossly negligent conduct in failing to warn their employees of the dangers of asbestos, in failing to provide safety equipment for protection from asbestos exposure and in failing to provide a safe working environment. Further, Dr. Lemen may testify as to the increased risk of cancer faced by asbestos exposed workers and the epidemiological link between cancer and asbestos. Dr. Lemen may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers.

Further, Dr. Lemen will testify as to the following specific issues: his background; ethical aspects of corporate responsibility; warnings; and the state of the art of the medical, scientific and/or technical literature regarding asbestos. Dr. Lemen will testify regarding bystander exposure to asbestos, "fiber drift", the fact that asbestos products are "toxic" and unreasonably dangerous, the TLV defense, and the concept that each and every fiber exposure substantially contributed to and was a producing cause of Plaintiff's lung cancer. Further, Dr. Lemen may testify as to the level of asbestos exposure Plaintiff would have received as maintenance worker in a industrial facility.

Dr. Lemen may testify as to the health aspects of asbestos exposure and to his own personal and professional writings, publications and editorials; the amount of asbestos exposure it takes to cause cancer and other asbestos-related diseases; the historical aspects of the development of OSHA/NIOSH and the history of OSHA/NIOSH regulations and other governmental regulations regarding asbestos and asbestos exposure. Dr. Lemen may also testify that Defendants' failure to comply with these regulations constitutes negligence and was a cause of Plaintiff's injuries.

A copy of this expert's current resume and bibliography has previously been provided or made available to Defendant. However, if Defendant would like an additional copy, Defendant may request same and Plaintiff will provide.

17. Mr. Alan M. Segrave
Materials Analytical Services, Inc.
3597 Parkway Lane, Suite 250
Norcross, Georgia 30092
(404) 448-3200

Mr. Alan M. Segrave may testify about asbestos and asbestos-containing products generally. Mr. Segrave may testify that, when asbestos-containing products are cut, sawed, handled and/or manipulated, these products produce respirable quantities of asbestos fibers capable of causing asbestos-related disease and death. Mr. Segrave may testify specifically about the composition of asbestos-containing insulation products, gasket materials, packing materials, friction products, cable, wire and dust levels created by such products. Mr. Segrave, as an expert in air sampling, may testify about the percentage and type of asbestos fibers contained in such products and the propensity of such products to produce respirable asbestos fibers when cut,

handled or otherwise disturbed. Mr. Segrave may testify regarding exposure levels of asbestos and at what levels asbestos dust may cause disease. Mr. Segrave may testify about specific tests performed on such products, the results of such tests, and whether recall of such products should have taken place. Mr. Segrave will discuss threshold limit values, generally and more specifically, the dust levels produced by the sawing, handling, sweeping and/or other manipulation of Kaylo insulation. Mr. Segrave will also testify regarding the effect of human activity in generating and re-entraining airborne asbestos fibers in the workplace. Mr. Segrave may also testify regarding asbestos burden analysis of lung tissue and the identification of asbestos fibers in lung tissue. Mr. Segrave may testify regarding the availability of materials as substitutes for asbestos. Mr. Segrave may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. Mr. Segrave will also testify regarding the videotaped testing of Kaylo insulation products. Defense counsel are in possession of numerous transcripts within which Mr. Segrave's opinions have been fully explored.

18. Dr. Bill Johnson
2948 Foxhall Circle
Augusta, Georgia 30907
(706) 863-4270

Dr. Johnson was employed by the National Institute of Occupational Safety & Health. He may testify about safety practices in Pittsburgh Corning Corporation's plants, Pittsburgh Corning Corporation's failure to follow safe practices and governmental requirements and regulations. He will also testify regarding the condition of the Pittsburgh Corning Corporation plants at the time of his employment with the National Institute of Occupational Safety & Health, including high levels of asbestos dust. Dr. Johnson may testify regarding exposure levels of asbestos at Pittsburgh Corning Corporation plants, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. He is expected to testify about the large number of cases of asbestos-related disease among Pittsburgh Corning Corporation workers including several cases of mesothelioma. He will testify about the knowledge possessed by Pittsburgh Corning Corporation concerning the hazards of asbestos. He may also testify as to his conclusions that Pittsburgh Corning Corporation was negligent, strictly liable, and acted with wanton and willful disregard for

the rights and safety of Plaintiffs as they relate to the use of asbestos and asbestos-containing products. Defense counsel are in possession of numerous transcripts within which Dr. Johnson's opinions have been fully explored. Dr. Johnson will also testify that asbestos products which release asbestos fibers are unreasonably dangerous because of the disease processes which they cause. Dr. Johnson will also testify about matters referred to in the designations of Drs. David Egilman, Richard A. Lemen, Barry Castleman, Joseph K. Wagoner and Gerritt Schepers.

19. E. Lynn Schall
510 Edgewood Drive
Collingswood, New Jersey 08108
(609) 858-0003 or
(609) 967-3313

Mr. Schall will testify regarding threshold limit values and industrial hygiene with respect to the use of Defendants' asbestos-containing products, and asbestos-containing products generally. Additionally, Mr. Schall will testify that he personally advised Owens-Corning Fiberglas Corporation officials in 1960 that the threshold limit value for dust containing asbestos was a maximum of 5.0 million particles per cubic foot and that this 5.0 million particles per cubic foot limit applied to dust created from the finished asbestos Kaylo product, as well as any other dust created in the plant which contained asbestos. Further, Mr. Schall advised Owens-Corning in 1960 that the corporation should keep all operations at all times below 5.0 million particles per cubic foot of asbestos-containing dust. Additionally, Mr. Schall advised Owens-Corning Fiberglas Corporation in 1960 that its plants which made asbestos products in New Jersey were violating the threshold limit value for dust containing asbestos. Further, Mr. Schall may testify concerning the results of any studies conducted by Mr. Robert Peele and that Owens-Corning Kaylo was unsafe and unreasonably dangerous in its intended use. Mr. Schall will further testify concerning the 1964 conference held by the New York Academy of Sciences on the Biological Effects of Asbestos and all issues discussed therein. Further, Mr. Schall will discuss his experience as an industrial hygienist with respect to threshold limit values and his work in the occupational health program for the State of New Jersey.

20. Dr. Gerald E. Markowitz
600 West 111th Street
New York, New York 10025
(212) 237-8458

Dr. Markowitz will testify concerning the state of the art, including the history of occupational safety and health and particularly the history of occupational disease. Additionally, Dr. Markowitz will testify about the history, origin, membership, purposes and transactions of the Konicide Club, The Industrial Hygiene Foundation and their predecessors. For further details, please see transcript of Dr. Markowitz' testimony in the case of In re: N.Y.C. Asbestos Litigation as Relates to: Mario Maltese, et al., Supreme Court of the State of New York, County of New York: I.A.S. Term: Part 17. July 15, 1993.

21. Mr. George M. Kraus
11 Drake Lane
Upper Saddle River, New Jersey 07458
(201) 327-2105

Mr. Kraus will testify generally about the asbestos-containing materials and products manufactured and/or supplied by the Defendant Westinghouse Electric Corporation. In particular, Mr. Kraus will testify concerning Defendant Westinghouse Electric Corporation's turbines, including turbine components, installation, insulation, maintenance and exposure to asbestos during such operations. For further details, please see transcript of Mr. Kraus in the case of In re: N.Y.C. Asbestos Litigation as Relates to: Mario Maltese, et al., Supreme Court of the State of New York, County of New York: I.A.S. Term: Part 17. July 14, 1993.

22. Dr. L. Christine Oliver
Pulmonary and Critical Care Unit
Massachusetts General Hospital
Boston, Massachusetts 02114
(617) 726-1721

Dr. Oliver may testify based upon her (or his) review of Plaintiff's (or Decedent's) medical records, x-rays, and bills for medical services and that such medical bills are reasonable and necessary. Dr. Oliver may testify with regard to Plaintiff's (or Decedent's) diagnosis of asbestos-related disease, asbestosis, pleural plaques or thickening, or cancer. Dr. Oliver may also testify with regard to Plaintiff's (or

Decedent's) increased risk of contracting lung cancer or mesothelioma or other cancers as a result of his/her asbestos exposure. Dr. Oliver may also testify that Plaintiff's (or Decedent's) diagnosis and symptoms are (were) related to, and caused by, his/her exposure to asbestos (including minimal amounts of asbestos) and that each and every exposure contributes (contributed) to asbestos disease. Additionally, Dr. Oliver may testify that Plaintiff (or Plaintiff's Decedent) has incurred in the past, and Plaintiff will incur in the future, medical expenses as a result of Plaintiff's (or Decedent's) exposure to asbestos, asbestos-related disease and asbestos-related cancer. Dr. Oliver may testify that Plaintiff (or Plaintiff's Decedent) has required in the past and Plaintiff will require in the future, medical monitoring and may require treatment and/or hospitalization (and the reasonable medical expenses therefore) as a result of his/her exposure to asbestos, asbestos-related disease, asbestos-related cancer and the progression and/or recurrence of this cancer and generally about fear of cancer because of asbestos exposure.

Additionally, Dr. Oliver will testify about asbestos and the diseases caused by asbestos generally. Dr. Oliver will testify that smoking is addictive. Dr. Oliver may testify that based on epidemiological studies Plaintiff's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products. Additionally, Dr. Oliver may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that their asbestos-containing products could cause disease. Dr. Oliver may testify as to her review of the literature and the opinions and conclusions contained in that literature. Dr. Oliver may testify regarding the availability of materials as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. Dr. Oliver may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Oliver may also testify as to her review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to her conclusions reached therefrom that Defendants were negligent, are strictly liable, and acted with wanton and willful disregard for the rights and safety of Plaintiffs. Dr. Oliver may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. She may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to

recall their asbestos-containing products from the market or in failing to warn of the dangers of their products. Further, Dr. Oliver may testify concerning the increased risk of cancer faced by asbestos exposed workers and the epidemiological link between asbestos and cancer. More specifically, Dr. Oliver may testify as to this Plaintiff's increased risk of developing an asbestos-related cancer as a result of his exposure to Defendants' asbestos-containing products and that Plaintiff's fear of cancer is a reasonable fear. Dr. Oliver may also testify that Plaintiff's increased risk of cancer was caused and/or contributed to by Plaintiff's exposure to Defendants' asbestos-containing products. Dr. Oliver may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers.

23. Dr. Edwin C. Holstein
Environmental Health Associates, P.A.
20 Park Plaza, Suite 1028
Boston, Massachusetts 02116
(617) 357-4901

Dr. Holstein may testify concerning asbestos generally and causation in particular. A copy of Dr. Holstein's curriculum vitae has been previously furnished to the Defendants. Dr. Holstein will also testify about matters referred to in the designation of Dr. Christine Oliver.

24. Stephen Berger
10564 Eastborne Avenue
Los Angeles, California 90024

Mr. Berger may testify as to the existence of substitute products for asbestos-containing materials manufactured and/or supplied by Defendants. A copy of Mr. Berger's curriculum vitae has been previously furnished to the Defendants.

25. Dr. Gaeton D. Lorino
6701 Airport Boulevard, Suite A-101
Mobile, Alabama 36609
(334) 633-8880

Dr. Lorino may testify as a physician on the Plaintiff's physical examination, the results of the various diagnostic tests performed on the Plaintiff and his diagnosis of the Plaintiff's health status and risks associated with the diseases from which the Plaintiff presently suffers. A copy of

Dr. Lorino's curriculum vitae has been previously furnished to the Defendants. Dr. Lorino will also testify about matters referred to in the designation of Dr. Christine Oliver.

26. Dr. Steven Levin
Department of Environmental Medicine
Mt. Sinai Medical School
One Gustave Levy Place
New York, New York
(212) 241-7810

Dr. Levin may testify as a physician on the Plaintiff's physical examination, the results of the various diagnostic tests performed on the Plaintiff and his diagnosis of the Plaintiff's health status and risks associated with the disease from which the Plaintiff presently suffers. A copy of Dr. Levin's curriculum vitae has been previously furnished to the Defendants. Dr. Levin will also testify about matters referred to in the designation of Dr. Christine Oliver.

27. Dr. Mark Clark
Pulmonary & Critical Care Consultants
1305 West 34th Street, Suite 400
Austin, Texas 78705
(512) 459-6599

Dr. Clark may testify as a physician on the Plaintiff's physical examination, the results of various diagnostic tests performed on the Plaintiff and his diagnosis of the Plaintiff's health status and risks associated with the diseases from which the Plaintiff presently suffers. Additionally, Dr. Clark may testify concerning his review of Plaintiff's chest x-rays and his classification of these chest x-rays under the ILO 1980 Classification. A copy of Dr. Clark's curriculum vitae has been previously furnished to the Defendants. Dr. Clark will also testify about matters referred to in the designation of Dr. Christine Oliver.

28. Dr. James Ballard
Princeton Diagnostic
817 Princeton Avenue
Birmingham, Alabama
(205) 783-3700

Dr. Ballard may testify concerning his review of Plaintiff's chest x-rays and his classification of these chest x-rays under the ILO 1980 Classification. Dr. Ballard will also testify

about matters referred to in the designation of Dr. Christine Oliver.

29. Dr. Steven Dikman
One Gustave Place
Annenberg Building 15/58
Department of Pathology
New York, New York 10029
(212) 241-7343
(212) 241-8014

Dr. Dikman may testify that based on his review of the medical records, diagnosis, pathology and work history of Plaintiff (or Decedent), Plaintiff's (or Decedent's) disease was caused by his exposure to Defendant's asbestos-containing products. Dr. Dikman will testify about the general pathology of asbestos-related diseases. Further, Dr. Dikman will also testify about matters referred to in the designations of Dr. Christine Oliver and Dr. Elliott Kagan.

30. Dr. Eugene Mark
Massachusetts General Hospital
Department of Pathology
32 Fruit Street, Warren II
Boston, Massachusetts
(617) 726-8891

Dr. Mark may testify that based on his review of the medical records, diagnosis, pathology and work history of Plaintiff (or Decedent), Plaintiff's (or Decedent's) disease was caused by his exposure to Defendant's asbestos-containing products. Dr. Mark will testify about the general pathology of asbestos-related diseases. Further, Dr. Mark will also testify about matters referred to in the designations of Dr. Christine Oliver and Dr. Elliott Kagan.

31. Dr. Martin Lewis
Palms of Pasadena Hospital
1501 Pasadena Avenue South
St. Petersburg, Florida
(813) 341-7505

Dr. Lewis may testify that based on his review of the medical records, diagnosis, pathology and work history of Plaintiff (or Decedent), Plaintiff's (or Decedent's) disease was caused by his exposure to Defendant's asbestos-containing products. Dr. Lewis will testify about the general pathology of asbestos-related

diseases. Further, Dr. Lewis will also testify about matters referred to in the designations of Dr. Christine Oliver and Dr. Elliott Kagan.

32. Dr. David H. Groth
8953-C Harper Points Drive
Cincinnati, Ohio 45249
(513) 489-6351

Dr. Groth may testify that based on his review of the medical records, diagnosis, pathology and work history of Plaintiff (or Decedent), Plaintiff's (or Decedent's) disease was caused by his exposure to Defendant's asbestos-containing products. Dr. Groth will testify about the general pathology of asbestos-related diseases. Further, Dr. Groth will also testify about matters referred to in the designations of Dr. Christine Oliver and Dr. Elliott Kagan.

33. Dr. Jerrold Abraham
Department of Pathology
State University of New York
750 East Adams Street
Syracuse, New York 13210
(315) 464-4750

Dr. Abraham may testify that based on his review of the medical records, diagnosis, pathology and work history of Plaintiff (or Decedent), Plaintiff's (or Decedent's) disease was caused by his exposure to Defendant's asbestos-containing products. Dr. Abraham will testify about the general pathology of asbestos-related diseases. Further, Dr. Abraham will also testify about matters referred to in the designations of Dr. Christine Oliver and Dr. Elliott Kagan.

34. Dr. Sam Hammar
Diagnostic Specialties Laboratory
700 Lebo Boulevard, P.O. Box 2171
Bremerton, Washington 98310
(206) 479-7707

Dr. Hammar may testify that based on his review of the medical records, diagnosis, pathology and work history of Plaintiff (or Decedent), Plaintiff's (or Decedent's) disease was caused by his exposure to Defendant's asbestos-containing products. Dr. Hammar will testify about the general pathology of asbestos-related diseases. Further, Dr. Hammar will also testify about

matters referred to in the designations of Dr. Christine Oliver and Dr. Elliott Kagan.

35. Dr. Victor Roggli
Durham VA Medical Center
Department of Pathology (113)
508 Fulton Street, F3196
Durham, North Carolina 27705
(919) 286-0411

Dr. Roggli may testify that based on his review of the medical records, diagnosis, pathology and work history of Plaintiff (or Decedent), Plaintiff's (or Decedent's disease) was caused by his exposure to Defendant's asbestos-containing products. Dr. Roggli will testify about the general pathology of asbestos-related diseases. Further, Dr. Roggli will also testify about matters referred to in the designations of Dr. Christine Oliver and Dr. Elliott Kagan.

36. Mr. John D. McAllister, deceased (By deposition)

Plaintiffs expect to offer the deposition of Mr. McAllister on the subject of the state of the art generally and knowledge possessed by Keene Corporation and Owens-Illinois, Inc., concerning the hazards of asbestos, in particular.

37. Dr. Kenneth Wallace Smith, deceased (By deposition)

Plaintiff expects to offer the deposition of Dr. Smith concerning the state of the art generally.

38. Dr. Richard Gaze, deceased (By deposition)

Plaintiff expects to offer the deposition of Dr. Gaze on the subject of the state of the art generally and knowledge possessed by Pittsburgh Corning Corporation concerning the hazards of asbestos, in particular.

39. Dr. Robert W. Johnson
4970 El Camino Real
Suite 250
Los Altos, California 94022
(415) 494-2413

Dr. Johnson, as an economist, may testify concerning his evaluation of the financial condition of the Defendants. Dr. Johnson may testify concerning his review of the financial

statements, the balance sheets, the annual reports, the 10-K reports, the tax returns, the income statements, the statements filed with the Security Exchange Commission, the sales records, the revenue statements, as well as any other evidence of Defendants' financial condition. Dr. Johnson may testify regarding the viability of the Defendant company, its position in the stock market, its ability to attract quality management, the assets and liabilities of the Defendant company, the Defendant company's ability to generate cash and income, its ability to pay down its liabilities, its ability to raise capital, its financial position with its current financial institutions as well as its ability to obtain financing, its current line of credit and/or its ability to obtain additional credit in the future. Dr. Johnson may testify concerning the various methods of valuing corporations and effect of the use of deferring accounting methods in determining the value of a corporation. Dr. Johnson may testify regarding the effect, or lack thereof, of a punitive damage award on its financial position and liability.

40. Mr. Richard L. Hatfield
Materials Analytical Services
3945 Lakefield Court
Suwanee, Georgia 30024
(770) 448-3200

Mr. Hatfield is a scientist specializing in the measurement and analysis of materials and determining the constituent ingredients in materials, and characterizing those materials and ingredients. Mr. Hatfield has examined and tested various asbestos products. Mr. Hatfield has examined the amount of dust released by mixing and/or manipulating various asbestos-containing products, including, but not limited to Kaylo, Unibestos, Carey products, W. R. Grace products, asbestos-containing floor tile products, United States Gypsum products, Kaiser Gypsum products, Micarta panels manufactured by Westinghouse, Flintkote products, asbestos-containing gaskets and packing manufactured by Garlock, Anchor, Flexitallic and other manufacturers, Johns Manville products, including transite pipe, Certainteed pipe, as well as asbestos-containing brake components, assemblies and gaskets manufactured by Bendix, FelPro and Carlisle (Motion Control Industries), and has documented his investigation and findings on videotape. These analyses include current and past techniques used to measure asbestos content in dust. Mr. Hatfield will testify on his results from the release of asbestos-containing dust from the various products that he has tested by either mixing,

application, removal or the normal use of those products. Mr. Hatfield has quantified the asbestos release generated from the aforementioned uses of these materials. Mr. Hatfield will testify regarding the general background levels of asbestos release, bystander levels of exposure of the fiber release, air samples in the personal breathing zone generated from the fiber release and fiber release and contamination on clothing and other personal contamination. He will compare his results of these dust studies by analysis using both particles per cubic foot, fibers per cc as well as current and past techniques used to analyze asbestos content in dust. Mr. Hatfield will testify that the levels of asbestos dust measured during these tests exceeded established TLV's and PEL's in many instances, including, but not limited to, the Kaylo, Unibestos, Carey, W. R. Grace, U. S. Gypsum, Anchor, Garlock, Kaiser Gypsum, Johns Manville, Bendix, FelPro, Carlisle, and Flexitallic product testing. In addition, Mr. Hatfield has prepared demonstrative aids regarding asbestos defendants' TLV defense. He has examined expanded W.R. Grace Zonolite materials and other W.R. Grace materials containing vermiculite and has determined that it contains high aspect ratio tremolite asbestos, both in bulk and free. He will testify concerning his testing and findings concerning W.R. Grace expanded vermiculite containing products, particularly that they contain tremolite asbestos. Mr. Hatfield will compare and contrast his findings with other scientific findings. Mr. Hatfield will offer opinions concerning testing which has been performed on behalf of defendants or the lack of testing of defendants' products.

Additionally, Mr. Hatfield will testify concerning experiments performed as to (1) the sawing of composite panels of micarta/ marinite product and (2) results from the sawing of a single micarta sheet of asbestos manufactured by Westinghouse Electric Corporation. Mr. Hatfield will testify concerning the nature of such experiments and the results and determinations based upon the experiments. The witness will testify that the Westinghouse micarta and micarta/marinate products, when sawed, created large and hazardous amounts and levels of asbestos-containing dust. The witness will testify that such products were therefore unreasonably dangerous and will also testify concerning the precise hazard caused by the levels of dust in question. For a more detailed explanation of his thoughts and opinions, please see report and exhibits dated April 26, 1991 (Listed as Plaintiffs' Exhibit WH 713). Mr. Hatfield will also testify concerning the use of such products, the handling of such products and the asbestos content of such products. He may testify concerning the specific exposure of an individual when

handling and/or sawing such products. He may discuss and describe the results of his experiment with reference to a video of such experiment (WH 714). Defense counsel are in possession of numerous transcripts of Mr. Hatfield's prior testimony within which his opinions concerning this subject have been fully explored.

Mr. Hatfield will offer opinions concerning testing which has been performed on behalf of Defendant or the lack of testing at Defendant's facility of asbestos products. Mr. Hatfield may testify as to his opinion of the amount of asbestos dust that could be expected at a facility such as Defendant's. Mr. Hatfield may analyze and testify as to his opinion of the results of asbestos dust testing, if any, conducted at Defendant's facility.

Mr. Hatfield is a scientist specializing in the measurement and analysis of materials and determining the constituent ingredients in materials, and characterizing those materials and ingredients. Mr. Hatfield has examined and tested various asbestos products. Mr. Hatfield has examined the amount of dust released by mixing and/or manipulating various asbestos-containing products, including, but not limited to Kaylo, Unibestos, Carey products, W.R. Grace products, asbestos-containing floor tile products, United States Gypsum products, Kaiser Gypsum products, Micarta panels manufactured by Westinghouse, Flintkote products, asbestos-containing gaskets and packing manufactured by Garlock, Anchor and other manufacturers, as well as asbestos-containing brakes, and has documented his investigation and findings on videotape. These analyses include current and past techniques used to measure asbestos content in dust. Mr. Hatfield will testify on his results from the release of asbestos-containing dust from the various products that he has tested by either mixing, application or the normal use of those products. He will compare his results of these dust studies by analysis using both particles per cubic foot, fibers per cc as well as current and past techniques used to analyze asbestos content in dust. Mr. Hatfield will testify that the levels of asbestos dust measured during these tests exceeded established TLV's and PEL's in many instances, including, but not limited to, the Kaylo, Unibestos, Carey, W.R. Grace, U.S. Gypsum, Anchor, Garlock and Kaiser Gypsum product testing. In addition, Mr. Hatfield has prepared demonstrative aids regarding the TLV defense. He has examined expanded W.R. Grace Zonolite materials and other W.R. Grace materials containing vermiculite and has determined that it contains high aspect ratio tremolite asbestos, both in bulk and

free. He will testify concerning his testing and findings concerning W.R. Grace expanded vermiculite containing products, particularly that they contain tremolite asbestos. Mr. Hatfield will compare and contrast his findings with other scientific findings. Mr. Hatfield will offer opinions concerning testing which has been performed on behalf of defendant or the lack of testing at Defendant's facility of asbestos products. Mr. Hatfield may testify as to his opinion of the amount of asbestos dust that could be expected at a facility such as Defendant's. Mr. Hatfield may analyze and testify as to his opinion of the results of asbestos dust testing, if any, conducted at Defendant's facility.

A copy of this expert's current resume and bibliography has previously been provided or made available to Defendant. However, if Defendant would like an additional copy, Defendant may request same and Plaintiff will provide.

41. Maceo Cook
1070 Legion Club Road
Salisbury, North Carolina 28144
(704) 279-3089

Maceo Cook may testify concerning the reaction of Allied Signal/Bendix to knowledge concerning the hazards of asbestos in its own manufacturing plants where Allied Signal/Bendix workers were exposed to asbestos in the 1970's, 1980's, and 1990's. The witness may testify that Allied Signal/Bendix took no precautions for the safety of such employees who were exposed to asbestos on a regular basis. The witness may testify that, contrary to applicable regulations, Allied Signal/Bendix did not require the use of masks and/or respirators for workers in the vicinity of friable asbestos. The witness may further testify that Allied Signal/Bendix failed to properly warn and advise workers of the dangers faced by those exposed to asbestos. Furthermore, the witness may testify that numerous employees of the Allied Signal/Bendix plant located in Salisbury, North Carolina have suffered and died from various cancers and malignancies caused by exposure to asbestos. In addition to offering factual testimony, the witness may offer specialized or expert testimony concerning the use or manufacture of asbestos-containing products, the locations where such products were used or manufactured, the working conditions created by the use or manufacturing of asbestos-containing products, the nature of equipment to which asbestos-containing products are applied and packaging or specifications for the use of asbestos-containing materials.

42. Reverend Louis Turner
406 Pine Tree Drive
Salisbury, North Carolina 28144
(704) 636-9558

Reverend Louis Turner may testify concerning the reaction of Allied Signal/Bendix to knowledge concerning the hazards of asbestos in its own manufacturing plants where Allied Signal/Bendix workers were exposed to asbestos in the 1970's, 1980's, and 1990's. The witness may testify that Allied Signal/Bendix took no precautions for the safety of such employees who were exposed to asbestos on a regular basis. The witness may testify that, contrary to applicable regulations, Allied Signal/Bendix did not require the use of masks and/or respirators for workers in the vicinity of friable asbestos. The witness may further testify that Allied Signal/Bendix failed to properly warn and advise workers of the dangers faced by those exposed to asbestos. Furthermore, the witness may testify that numerous employees of the Allied Signal/Bendix plant located in Salisbury, North Carolina have suffered and died from various cancers and malignancies caused by exposure to asbestos. In addition to offering factual testimony, the witness may offer specialized or expert testimony concerning the use or manufacture of asbestos-containing products, the locations where such products were used or manufactured, the working conditions created by the use or manufacturing of asbestos-containing products, the nature of equipment to which asbestos-containing products are applied and packaging or specifications for the use of asbestos-containing materials.

43. Charles E. Evans, Jr.
P. O. Box 568
East Spencer, North Carolina 28039-0568

Charles E. Evans, Jr. may testify concerning the reaction of Allied Signal/Bendix to knowledge concerning the hazards of asbestos in its own manufacturing plants where Allied Signal/Bendix workers were exposed to asbestos in the 1970's, 1980's, and 1990's. The witness may testify that Allied Signal/Bendix took no precautions for the safety of such employees who were exposed to asbestos on a regular basis. The witness may testify that, contrary to applicable regulations, Allied Signal/Bendix did not require the use of masks and/or respirators for workers in the vicinity of friable asbestos. The witness may further testify that Allied Signal/Bendix failed to properly warn and advise workers of the dangers faced by those exposed to asbestos. Furthermore, the witness may testify

that numerous employees of the Allied Signal/Bendix plant located in Salisbury, North Carolina have suffered and died from various cancers and malignancies caused by exposure to asbestos. In addition to offering factual testimony, the witness may offer specialized or expert testimony concerning the use or manufacture of asbestos-containing products, the locations where such products were used or manufactured, the working conditions created by the use or manufacturing of asbestos-containing products, the nature of equipment to which asbestos-containing products are applied and packaging or specifications for the use of asbestos-containing materials.

44. Edward Allebach
109 Emerald Avenue
Westmont, New Jersey
(609) 854-9120

Mr. Allebach will testify live or by deposition that he was the maintenance manager at Owens-Corning Fiberglas Corporation's Berlin, New Jersey Kaylo Plant. Mr. Allebach will testify that he worked for Owens-Corning Fiberglas Corporation from the 1960's until 1985. Mr. Allebach may testify that Owens-Corning Fiberglas Corporation did not re-tool and clean the Berlin Plant when it converted over from the production of asbestos-containing to asbestos-free Kaylo. Mr. Allebach may testify that asbestos-containing dust from the Berlin Plant dust collection system was reused in purportedly asbestos-free Kaylo after 1972. Mr. Allebach may further testify about the working conditions in the Berlin, New Jersey Plant and the incidence of asbestos-related disease among some of his co-workers.

45. Dr. Elliott Kagan
Department of Pathology
Uniformed Services University
of the Health Sciences
F. Edward Hébert School of Medicine
4301 Jones Bridge Road
Bethesda, Maryland 20814-4799
(301) 295-3492

(This designation applies to Drs. Victor Roggli, Sam Hammar, David H. Groth, Steven Dikman, Eugene Mark, Martin Lewis and Jerrold Abraham)

Dr. Elliott Kagan may testify live or by deposition based upon his review of Plaintiff's/Decedent's pathology, medical records, x-rays and bills for medical services. Dr. Kagan may testify with regard to Plaintiff's/Decedent's diagnosis of asbestos-related disease or injuries, asbestosis, pleural plaques or thickening, or cancer. Dr. Kagan may also testify with regard to Plaintiff's/Decedent's increased risk of contracting lung

cancer or mesothelioma or other cancers as a result of his/her asbestos exposure. Dr. Kagan may also testify that Plaintiff's/ Decedent's increased risk of cancer was caused and/or contributed to by Plaintiff's/Decedent's exposure to Defendants' asbestos-containing products. Dr. Kagan may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers. Dr. Kagan may also testify that Plaintiff's/Decedent's diagnosis and symptoms are (were) related to, and caused by or contributed to by, his/her exposure to asbestos. Additionally, Dr. Kagan may testify that Plaintiff or Plaintiff's Decedent has incurred in the past, and Plaintiff will incur in the future, medical expenses as a result of Plaintiff's/Decedent's exposure to asbestos, asbestos-related disease and asbestos related cancer. Dr. Kagan may testify that Plaintiff or Plaintiff's Decedent has required in the past and Plaintiff will require in the future, medical monitoring and may require treatment and/or hospitalization (and the reasonable expenses therefore) as a result of his/her exposure to asbestos, asbestos-related disease, asbestos-related cancer and the progression and/or recurrence of this cancer.

As a medical doctor, Dr. Kagan will testify as to the medical aspects of asbestos exposure; asbestos exposure and its relationship to non-malignant diseases; asbestos exposure and its relationship to lymphoma, laryngeal and other various cancers; and that each and every asbestos exposure is a substantial contributing cause to the development of asbestos-related diseases and that each and every asbestos exposure did indeed cause the asbestos-related disease claimed in Plaintiff's/Decedent's case. Dr. Kagan will testify that smoking is addictive. Dr. Kagan will testify that all types of asbestos fibers are carcinogenic and fibrogenic and the prognosis of individuals, including the Plaintiffs/Decedents herein who have an asbestos-related disease.

Additionally, Dr. Kagan may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that their asbestos-containing products could cause disease. Dr. Kagan may testify as to his review of the medical, scientific and/or technical literature and the opinions and conclusions contained in that literature. Dr. Kagan may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when these facts were known in the medical, scientific and/or technical literature. Dr. Kagan may also testify as to the hazardous nature of asbestos and asbestos-containing products and as a

result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. Further, Dr. Kagan may testify concerning the increased risk of cancer faced by asbestos exposed workers and the epidemiological link between asbestos and cancer. Dr. Kagan will also testify about matters referred to in the designation of Dr. Christine Oliver.

46. Scott R. Bickford
Martzell & Bickford
338 Lafayette Street
New Orleans, Louisiana 70130
(504) 581-9065

Mr. Bickford will testify that certain corporate documents of National Gypsum Co. are authentic.

47. Willie Fields
4239 South Claiborne Street
New Orleans, Louisiana 70118
(504) 891-5544

Mr. Fields was employed by the National Gypsum Company at the New Orleans, Louisiana plant as a Relief Man from 1946-1987. He is expected to testify by video deposition (taken on March 15, 1995) regarding the working conditions at the National Gypsum, New Orleans Plant, Threshold Limit Values and the lack of warnings on National Gypsum asbestos-containing products and lack of warnings in the National Gypsum Plant. Further, he will discuss various photographs of the National Gypsum Plant.

48. Arnold R. Brody, Ph.D.
Tulane University Medical Center
School of Medicine
Department of Pathology & Laboratory Medicine SL79
1430 Tulane Avenue
New Orleans, Louisiana 70112-2699
(504) 588-5224

Dr. Brody may testify as to the physiological design and function of the lungs, the effect of asbestos on the lungs and other parts of the body, and on the body's defense mechanisms. He may also testify about asbestos, the diseases it causes, the progressive, irreversible effects of asbestos disease and the prognosis for an asbestos exposed individual. He may also testify concerning the scientific literature on the biological and toxicological effects of asbestos written by himself and others. He may also testify about the body's biologic responses

to brief exposure to asbestos, the pathogenic effects produced by various asbestos fiber types, including chrysotile, and mechanisms of asbestos-induced diseases including fibrosis and carcinogenesis. He may further testify concerning asbestos deposition and migration in and through the lungs and body. He will discuss all types of cancer risks from asbestos exposure. He will define what "injury" means and that asbestos diseases are injuries. Dr. Brody may further testify as to facts and circumstances regarding the nature of the injuries and damages that are the subject of this action. Dr. Brody may testify that all exposures are substantial contributing factors to an individual's disease. Dr. Brody will testify that products which release asbestos fibers are unreasonably dangerous and that fibers will remain until death. He will testify about smoking being addictive. Dr. Brody's testimony is based on his review and knowledge of medical literature, his education and work experience, his research, and the research of others. Dr. Brody will also testify about matters referred to in the designations of Drs. Christine Oliver and Elliott Kagan.

49. Thomas Adkins
38252 River Drive
Lebanon, Oregon 97355
(503) 258-2147

Mr. Adkins is a former employee of W.R. Grace and will testify about the working conditions in the Libby Montana Vermiculite Mine and Zonolite/Grace plants from 1968 to 1990. He may also testify about the laboratory conditions where the vermiculite ore containing asbestos was measured, heated and separated. He may also testify about the working conditions at the processing plant in Libby Montana where various Monokote Zonolite Fireproofing and plaster products were processed. He will testify that the Zonolite Grace Company did not give workers information about the asbestos contained in the vermiculite or the hazards of the asbestos in the vermiculite ore while he worked for W.R. Grace and efforts by W.R. Grace to conceal the hazards of asbestos and tremolite asscciated with its vermiculite operation and its asbestos containing products. He will discuss the TLV generally and W.R. Grace's failure to educate workers about TLVs. He may also testify about the unreasonably dangerous nature of W.R. Grace's asbestos containing products. In addition to being a witness in the case in chief he may also be a rebuttal witness to various corporate and ex-corporate witnesses for W.R. Grace.

50. William Longo, Ph.D.
Materials Analytical Services
3945 Lakefield Court
Suwanee, Georgia 30024
(770) 448-3200

Dr. Longo is a scientist specializing in the measurement and analysis of materials and determining the constituent ingredients in materials, and characterizing those materials and ingredients. Dr. Longo has examined and tested various asbestos products. Dr. Longo has examined the amount of dust released by mixing and/or manipulating various asbestos-containing products, including, but not limited to Kaylo, Unibestos, Carey products, W. R. Grace products, asbestos-containing floor tile products, United States Gypsum products, Kaiser Gypsum products, Micarta panels manufactured by Westinghouse, Flintkote products, asbestos-containing gaskets and packing manufactured by Garlock, Anchor, Flexitallic and other manufacturers, Johns Manville products, including transite pipe, Certainteed pipe, as well as asbestos-containing brake components, assemblies and gaskets manufactured by Bendix, FelPro and Carlisle (Motion Control Industries), and has documented his investigation and findings on videotape. These analyses include current and past techniques used to measure asbestos content in dust. Dr. Longo will testify on his results from the release of asbestos-containing dust from the various products that he has tested by either mixing, application, removal or the normal use of those products. Dr. Longo has quantified the asbestos release generated from the aforementioned uses of these materials. Dr. Longo will testify regarding the general background levels of asbestos release, bystander levels of exposure of the fiber release, air samples in the personal breathing zone generated from the fiber release and fiber release and contamination on clothing and other personal contamination. He will compare his results of these dust studies by analysis using both particles per cubic foot, fibers per cc as well as current and past techniques used to analyze asbestos content in dust. Dr. Longo will testify that the levels of asbestos dust measured during these tests exceeded established TLV's and PEL's in many instances, including, but not limited to, the Kaylo, Unibestos, Carey, W. R. Grace, U. S. Gypsum, Anchor, Garlock, Kaiser Gypsum, Johns Manville, Bendix, FelPro, Carlisle, and Flexitallic product testing. In addition, Dr. Longo has prepared demonstrative aids regarding asbestos defendants' TLV defense. He has examined expanded W.R. Grace Zonolite materials and other W.R. Grace materials containing vermiculite and has determined that it contains high aspect ratio tremolite

asbestos, both in bulk and free. He will testify concerning his testing and findings concerning W.R. Grace expanded vermiculite containing products, particularly that they contain tremolite asbestos. Dr. Longo will compare and contrast his findings with other scientific findings. Dr. Longo will offer opinions concerning testing which has been performed on behalf of defendants or the lack of testing of defendants' products.

Dr. Longo will offer opinions concerning testing which has been performed on behalf of Defendant or the lack of testing at Defendant's facility of asbestos products. Dr. Longo may testify as to his opinion of the amount of asbestos dust that could be expected at a facility such as Defendant's. Dr. Longo may analyze and testify as to his opinion of the results of asbestos dust testing, if any, conducted at Defendant's facility.

Dr. Longo is a scientist specializing in the measurement and analysis of materials and determining the constituent ingredients in materials, and characterizing those materials and ingredients. Dr. Longo has examined and tested various asbestos products. Dr. Longo has examined the amount of dust released by mixing and/or manipulating various asbestos-containing products, including, but not limited to Kaylo, Unibestos, Carey products, W.R. Grace products, asbestos-containing floor tile products, United States Gypsum products, Kaiser Gypsum products, Micarta panels manufactured by Westinghouse, Flintkote products, asbestos-containing gaskets and packing manufactured by Garlock, Anchor and other manufacturers, as well as asbestos-containing brakes, and has documented his investigation and findings on videotape. These analyses include current and past techniques used to measure asbestos content in dust. Dr. Longo will testify on his results from the release of asbestos-containing dust from the various products that he has tested by either mixing, application or the normal used of those products. He will compare his results of these dust studies by analysis using both particles per cubic foot, fibers per cc as well as current and past techniques used to analyze asbestos content in dust. Dr. Longo will testify that the levels of asbestos dust measured during these tests exceeded established TLV's and PEL's in many instances, including, but not limited to, the Kaylo, Unibestos, Carey, W.R. Grace, U.S. Gypsum, Anchor, Garlock and Kaiser Gypsum product testing. In addition, Dr. Longo has prepared demonstrative aids regarding the TLV defense. He has examined expanded W.R. Grace Zonolite materials and other W.R. Grace materials containing vermiculite and has determined that it contains high aspect ratio tremolite asbestos, both in bulk and

free. He will testify concerning his testing and findings concerning W.R. Grace expanded vermiculite containing products, particularly that they contain tremolite asbestos. Dr. Longo will compare and contrast his findings with other scientific findings. Dr. Longo will offer opinions concerning testing which has been performed on behalf of defendant or the lack of testing at defendant's facilities. Dr. Longo may testify as to his opinion of the amount of asbestos dust that could be expected at a facility such as Defendant's. Dr. Longo may analyze and testify as to his opinion of the results of asbestos dust testing, if any, conducted at Defendant's facility.

A copy of this expert's current resume and bibliography has previously been provided or made available to Defendant. However, if Defendant would like an additional copy, Defendant may request same and Plaintiff will provide.

51. James Hubbard
Senior Materials Scientist
Materials Analytical Services
3945 Lakefield Court
Suwanee, Georgia 30024
(770) 448-3200

Mr. Hubbard will testify either live or by deposition regarding scientific experiments he performed to demonstrate the concept of threshold limits values relating to asbestos. Mr. Hubbard will testify about the methods employed to create demonstrative exhibits regarding the TLV. A copy of Mr. Hubbard's report has previously been provided to Defendants and is available upon request.

52. Dr. Dominic Gaziano
Chest Medical Services, Inc.
3100 MacCorkle Avenue, Southeast, Suite 404
Charleston, West Virginia 25304
(304) 346-1811

Dr. Gaziano will testify about asbestos and the diseases caused by asbestos generally. Dr. Gaziano may testify that based on the medical and scientific literature available to Defendants, Defendants knew or should have known that their asbestos-containing products or use of asbestos-containing products by Defendants, including Railroad Defendants, could cause disease. Dr. Gaziano may testify as to his review of the literature and the opinions and conclusions contained in that literature. Dr. Gaziano may testify regarding the availability of materials

as substitutes for asbestos and when information concerning these substitute materials appeared in the medical and scientific literature. Dr. Gaziano may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Gaziano may also testify as to his review of the documents entered into evidence in this case or reviewed pertaining to Defendants, and as to his conclusions reached therefrom that Defendants were negligent, are strictly liable, acted with wanton and willful disregard for the rights and safety of Plaintiffs, and that the Railroad Defendants violated the Federal Employer Liability Act and Boiler Inspection Act by use of asbestos-containing products. Dr. Gaziano may also testify as to the hazardous nature of all types of asbestos and all types of asbestos-containing products and as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. He may also testify that Defendants engaged in negligent and grossly negligent conduct in failing to recall their asbestos-containing products from the market or in failing to warn of the dangers of their products or the use of asbestos products by the Railroads. Consequently, Defendants deprived Plaintiff of the right to make an informed choice concerning his exposure to asbestos-containing products. Defense counsel are in possession of numerous transcripts of Dr. Gaziano's prior testimony within which his opinions concerning this subject have been fully explored. Dr. Gaziano will also testify about matters referred to in the designations of Drs. Barry Castleman and David Egilman.

53. Dr. Brian G. Forrester
Director, Occupational Medicine
Regional FirstCare
485 Highway 29N
Athens, Georgia 30601
(706) 353-6000

Dr. Forrester may testify as to the physiological design and function of the lungs, the effect of asbestos on the lungs and other parts of the body, and on the body's defense mechanisms. He may also testify about asbestos, the diseases it causes, the progressive, irreversible effects of asbestos disease and the prognosis for an asbestos exposed individual. He may also testify concerning the scientific literature on the biological and toxicological effects of asbestos written by himself and others. He may also testify about the body's biologic responses to brief exposure to asbestos, the pathogenic effects produced by various asbestos fiber types, including chrysotile, and

mechanisms of asbestos-induced diseases including fibrosis and carcinogenesis. He may further testify concerning asbestos deposition and migration in and through the lungs and body. He will discuss all types of cancer risks from asbestos exposure. He will define what "injury" means and that asbestos diseases are injuries. Dr. Forrester may further testify as to facts and circumstances regarding the nature of the injuries and damages that are the subject of this action. Dr. Forrester may testify that all exposures are substantial contributing factors to an individual's disease. Dr. Forrester will testify that products which release asbestos fibers are unreasonably dangerous and that fibers will remain until death. He will testify about smoking being addictive. Dr. Forrester's testimony is based on his review and knowledge of medical literature, his education and work experience, his research, and the research of others. Dr. Forrester will also testify about matters referred to in the designations of Drs. Christine Oliver and Elliott Kagan.

54. Dr. Frank Mazza
Pulmonary & Critical Care Consultants
1305 West 34th Street, Suite 400
Austin, Texas 78705
(512) 459-6599

Dr. Mazza may testify as to the physiological design and function of the lungs, the effect of asbestos on the lungs and other parts of the body, and on the body's defense mechanisms. He may also testify about asbestos, the diseases it causes, the progressive, irreversible effects of asbestos disease and the prognosis for an asbestos exposed individual. He may also testify concerning the scientific literature on the biological and toxicological effects of asbestos written by himself and others. He may also testify about the body's biologic responses to brief exposure to asbestos, the pathogenic effects produced by various asbestos fiber types, including chrysotile, and mechanisms of asbestos-induced diseases including fibrosis and carcinogenesis. He may further testify concerning asbestos deposition and migration in and through the lungs and body. He will discuss all types of cancer risks from asbestos exposure. He will define what "injury" means and that asbestos diseases are injuries. Dr. Mazza may further testify as to facts and circumstances regarding the nature of the injuries and damages that are the subject of this action. Dr. Mazza may testify that all exposures are substantial contributing factors to an individual's disease. Dr. Mazza will testify that products which release asbestos fibers are unreasonably dangerous and that fibers will remain until death. He will testify about

smoking being addictive. Dr. Mazza's testimony is based on his review and knowledge of medical literature, his education and work experience, his research, and the research of others. Dr. Mazza will also testify about matters referred to in the designations of Drs. Christine Oliver and Elliott Kagan.

55. Dr. Jay T. Segarra
414 Ward Avenue
Ocean Springs, Mississippi 39564
(228) 875-2954

Dr. Segarra may testify as to the physiological design and function of the lungs, the effect of asbestos on the lungs and other parts of the body, and on the body's defense mechanisms. He may also testify about asbestos, the diseases it causes, the progressive, irreversible effects of asbestos disease and the prognosis for an asbestos exposed individual. He may also testify concerning the scientific literature on the biological and toxicological effects of asbestos written by himself and others. He may also testify about the body's biologic responses to brief exposure to asbestos, the pathogenic effects produced by various asbestos fiber types, including chrysotile, and mechanisms of asbestos-induced diseases including fibrosis and carcinogenesis. He may further testify concerning asbestos deposition and migration in and through the lungs and body. He will discuss all types of cancer risks from asbestos exposure. He will define what "injury" means and that asbestos diseases are injuries. Dr. Segarra may further testify as to facts and circumstances regarding the nature of the injuries and damages that are the subject of this action. Dr. Segarra may testify that all exposures are substantial contributing factors to an individual's disease. Dr. Segarra will testify that products which release asbestos fibers are unreasonably dangerous and that fibers will remain until death. He will testify about smoking being addictive. Dr. Segarra's testimony is based on his review and knowledge of medical literature, his education and work experience, his research, and the research of others. Dr. Segarra will also testify about matters referred to in the designations of Drs. Christine Oliver and Elliott Kagan.

56. Alan Eggleston, Ph.D.
Eggleston, Holmes and Associates, Environmental Consultants
13625 Pond Springs Boulevard, Suite 206
Austin, Texas 78729
(512) 250-0727

Dr. Eggleston will testify as a fact and expert witness. Dr. Eggleston will testify about his background, education, and experience as an environmental consultant. He will testify about his own personal and professional writings, publications and editorials; the historical aspects of the development of OSHA/NIOSH and the history of OSHA/NIOSH regulations and other governmental regulations regarding the toxic exposures to which the plaintiff(s) was/were exposed, including, but not limited to regulations of the United States Environmental Protection Agency. The witness will testify about his work as an environmental consultant for Swan Transportation Company f/k/a Tyler Pipe Industries, Inc., and/or Tyler Pipe Industries of Texas, Inc. Dr. Eggleston will testify about his instructions from Tyler Pipe personnel regarding his environmental consulting work. He will testify as to the advice he gave Tyler Pipe management regarding the level of toxic exposures at the foundry. Dr. Eggleston will testify about the reaction and remedial measures, or lack thereof, conducted by the Tyler Pipe/Swan Transportation management to reduce the level of toxic exposures to the plaintiffs. Dr. Eggleston will authenticate certain documents he sent to and received from Tyler Pipe personnel, as well as photographs he took of the foundry. This witness will testify about the permissible exposure limits or threshold limit values of the various toxic substances to which the plaintiffs were exposed while employed at the Tyler Pipe foundry, including, but not limited to, asbestos and silica. Dr. Eggleston will testify about the remedial measures available to the defendant that would reduce the levels of air-borne contaminants to which the plaintiffs were exposed. This witness will testify about the conditions of the foundry safety/environmental equipment and lack thereof. Dr. Eggleston will also testify regarding his review of the documents produced by the defendant and plaintiffs in this litigation. Dr. Eggleston will testify as to his review and/or knowledge of the medical, scientific, or technical literature and the opinions and conclusions contained in the literature. The witness will testify regarding the state of the art in the foundry industry with respect to silica and asbestos exposures and methods and substitutes available to reduce such exposures. This witness will testify regarding the physiological effects of asbestos and silica on the human body and to the plaintiff

specifically. He will testify that the defendant knew or should have known that the levels of hazardous substances to which the defendant exposed the plaintiff could cause disease, and that the defendant failed to take reasonable precautions to prevent such exposure and that such failure was a producing cause of the plaintiff's disease. The witness will testify as to the ultimate issues of fact in this trial, including issues of negligence and gross negligence.

57. Frank Parker
Environmental Technology Incorporated
200 Brantley Lane
P. O. Box 210
Magnolia, Texas 77353-0210
(281) 356-6038

Frank Parker will testify as a certified industrial hygienist, Professional Engineer, and a Certified Safety Professional. The witness will testify as to his background, education and experience in the aforementioned matters. Mr. Parker will testify about his review of the documents and exhibits produced by all parties in this litigation. He will testify about the inspection of the Tyler Pipe foundry done by his consulting firm. He will testify about the state of the art with respect to asbestos and silica in the foundry industry. Mr. Parker will testify about his review of literature distributed by the American Foundry Society and other trade organizations to which the Tyler Pipe foundry and its personnel belonged. This witness will testify regarding the threshold limit values and permissible exposure limits with respect to the use of toxic substances used by the defendants, including, but not limited to, asbestos, asbestos-containing products, silica and silica-containing products. Mr. Parker will testify about his background, education and experience as an environmental consultant. He will testify about his own personal and professional writings, publications and editorials; the historical aspects of the development of OSHA/NIOSH and the history of OSHA/NIOSH regulations and other governmental regulations regarding the toxic exposures to which the plaintiff was exposed. This witness will testify about the permissible exposure limits or threshold limit values of the various toxic substances to which the plaintiffs were exposed while employed at the Tyler Pipe foundry, including, but not limited to, asbestos and silica. Mr. Parker will testify about the remedial measures available to the defendants that would reduce the levels of air-borne contaminants to which the plaintiffs were exposed. This witness will testify about the conditions of the

foundry safety/environmental equipment and lack thereof. The witness will testify as to his review and/or knowledge of scientific and technical literature and the opinions and conclusions contained in that literature regarding the state of the art in the foundry industry as it relates to asbestos and silica hazards. He will testify that the defendant knew or should have known that the levels of hazardous substances to which the defendant exposed the plaintiff could cause disease; that the defendant failed to take reasonable precautions to prevent such exposure and that such failure was a producing cause of the plaintiff's disease. The witness will testify as to the ultimate issues of fact in this trial, including issues of negligence and gross negligence.

58. Vernon Rose
8046 Oakwood Hollow
Houston, Texas 77040
(713) 466-6332

Vernon Rose will testify as a certified industrial hygienist, certified safety specialist, and registered professional engineer. Mr. Rose will testify about his background, education, and experience in the aforementioned matters. The witness will testify about his review of the documents and exhibits produced by all parties in this litigation. He will testify about his inspection of the Tyler Pipe foundry. Mr. Rose will testify about the state of the art with respect to asbestos and silica in the foundry industry. Mr. Rose will testify about his review of literature distributed by the American Foundry Society and other trade organizations to which the Tyler Pipe foundry and its personnel belonged. This witness will testify regarding the threshold limit values and permissible exposure limits with respect to the use of toxic substances used by the defendants, including, but not limited to asbestos, asbestos-containing products, silica, and silica-containing products. The witness will testify about his background, education, and experience as an environmental consultant. He will testify about his own personal and professional writings, publications and editorials; the historical aspects of the development of OSHA/NIOSH and the history of OSHA/NIOSH regulations and other governmental regulations regarding the toxic exposures to which the plaintiff was exposed. This witness will testify about the permissible exposure limits or threshold limit values of the various toxic substances to which the plaintiffs were exposed while employed at the Tyler Pipe foundry, including, but not limited to asbestos and silica. Mr. Rose will testify about the remedial

measures available to the defendants that would reduce the levels of air-borne contaminants to which the plaintiffs were exposed. This witness will testify about the conditions of the foundry safety/environmental equipment and lack thereof. The witness will testify as to his review and/or knowledge of the scientific and technical literature and the opinions and conclusions contained in that literature regarding the state of the art in the foundry industry as it relates to asbestos and silica hazards. He will testify that the defendant knew or should have known that the levels of hazardous substances to which the defendant exposed the plaintiff could cause disease; that the defendant failed to take reasonable precautions to prevent such exposure and that such failure was a producing cause of the plaintiff's disease. The witness will testify as to the ultimate issues of fact in this trial, including issues of negligence and gross negligence.

59. Professor Robert Ragazzo
University of Houston Law Center
Houston, TX 77004
(713) 743-1000

Professor Robert Ragazzo will testify as an expert witness in the field of corporate law and corporate structure. Professor Ragazzo will offer testimony regarding the normal operating practices and procedures among parent and subsidiary companies. The witness will testify about the involvement of Swan Transportation Company f/k/a Tyler Pipe Industries, Inc., in the policies, procedures, and practices of its parent and subsidiary companies. Professor Ragazzo will testify about his skill, knowledge, experience, training, background, and education in the aforementioned matters, including, but not limited to, his background as a corporate lawyer and professor of law. He will testify about his own personal and professional writings, publications and editorials. The witness will testify about his review of the documents, depositions and exhibits produced by all parties in this litigation. The witness will testify about the reasons for the incorporation and creation of Swan Transportation Company f/k/a Tyler Pipe Industries, Inc., as well as the other companies in the Tyler Corporation corporate structure. The witness will testify about the work of certified public accountants and certified fraud examiners that he has relied upon in forming his opinions in this case. Professor Ragazzo will testify about the applicability of the facts in the current litigation to the law as it applies to corporations, both Texas and "foreign." Professor Ragazzo will testify about the ultimate issues of fact in the litigation.

60. Chris Kelly
Glass & Associates
5956 Sherry Lane, Suite 2001
Dallas, Texas 75225
(214) 696-4659

Chris Kelly will testify as a certified fraud examiner, financial, business and management consultant, and professor of the Southwestern Graduate School of Banking at Southern Methodist University. Mr. Kelly will testify as to the involvement of Swan Transportation Company f/k/a Tyler Pipe Industries, Inc., in the policies, procedures, and practices of its parent and subsidiary companies. The witness will testify about his skill, knowledge, experience, training, background, and education in the aforementioned matters. He will testify about his own personal and professional writings, publications and editorials. The witness will testify about the reasons for the incorporation and creation of Swan Transportation Company f/k/a Tyler Pipe Industries, Inc., and the other companies in the Tyler Corporation corporate structure. Mr. Kelly will testify about his review of the documents, depositions and exhibits produced by all parties in this litigation. The witness will testify about the work of his associates and certified public accountants upon which he has relied in forming his opinions. The witness will testify as to the flow of corporate profits, earnings and expenses through the various companies of the Tyler Corporate structure. Mr. Kelly will testify as to the ultimate issues of fact in this litigation.

61. Sharon Katz, Ed. D.
1674 Hill Road, Suite #10
Boise, Idaho 83702
(208) 385-9677

Dr. Katz, a licensed psychologist and counselor, may testify about the psychological effects of the Plaintiff's/Decedent's illness/death on the various loss of consortium Plaintiffs and the psychological components of the grieving process. Dr. Katz may also testify about the effects of the Plaintiff's/Decedent's illness on the Plaintiff's/Decedent's state of mind and emotional well being. Dr. Katz may testify about the grieving process that individuals diagnosed with serious diseases go through generally and about the grieving process of the Plaintiff/Decedent specifically. Dr. Katz may also testify about various misconceptions and myths commonly held in society regarding the grieving process. Further, Dr. Katz may testify about the duration of the grieving process and the anticipated

long term psychological effects on the Plaintiff/Decedent and the loss of consortium Plaintiff(s) caused, within reasonable medical certainty, by the illness/death of the Plaintiff/ Decedent. As a clinical psychologist, Dr. Katz may testify about the psychological value and importance of the Plaintiff's/Decedent's affection, solace, care, advice, counsel, comfort, companionship, society, assistance, emotional support, love, felicity and sexual relations to the Plaintiff spouse (if any). Dr. Katz may also testify about the psychological value and importance of the Plaintiff's/Decedent's affection, solace, care, advice, counsel, comfort, companionship, society, assistance, emotional support, love, and felicity to the Plaintiff children and parents (if any). Additionally, Dr. Katz may testify about the mental anguish of each Plaintiff including but not limited to emotional pain, torment, and suffering resulting from the Plaintiff's/Decedent's illness/death. Dr. Katz may also testify about the psychological model of family relationships. Dr. Katz may testify about the psychological importance and role of the Decedent/Plaintiff within his/her family. Further, Dr. Katz may testify about the psychological importance of the relationship between husband and wife and the relationship between parent and child. Additionally, Dr. Katz may testify about the various applicable factors impacting the Plaintiffs' scope of loss including, but not limited to, geographic distance in the relationship, the preventability of the death, past experiences with death, availability of emotional support from other sources, quality of family relationships, number of other losses in a relatively short period of time, the individual's psychological make-up including coping methods, gender conditioning, developmental stage, physical manifestations of emotional pain and ability to access support from family, friends or professionals. Additionally, Dr. Katz may testify about the need of the Plaintiff(s) if any for psychological counseling and the probable costs of such counseling. Dr. Katz may also testify about various studies and/or papers relevant to the aforementioned topics. Dr. Katz may also testify about her skill, training, expertise, education and experience as a licensed psychologist and counselor.

All witnesses listed in Plaintiffs' List of Deposition Testimony and all supplements and amendments thereto. Plaintiffs' List of Deposition Testimony and all supplements and amendments thereto filed or to be filed in this case are supplements to Plaintiffs' Responses to all Defendants' Interrogatories and Master Discovery Requests regarding Fact and Expert Witnesses, specifically, but not limited to, Plaintiffs' Responses to Master Interrogatory Nos. 16 and 25.

Plaintiffs reserve the right to amend or supplement this disclosure pursuant to Rule 193.5 of the Texas Rules of Civil Procedure.

G. INSURANCE AGREEMENTS:

Plaintiffs have none.

Plaintiffs reserve the right to amend or supplement this disclosure pursuant to Rule 193.5 of the Texas Rules of Civil Procedure.

H. SETTLEMENT AGREEMENTS:

Settlement discussions are in progress. This answer will be supplemented following the consummation of any such settlement negotiations.

Plaintiffs reserve the right to amend or supplement this disclosure pursuant to Rule 193.5 of the Texas Rules of Civil Procedure.

I. WITNESS STATEMENTS:

Plaintiffs have none that have not been provided to Plaintiffs by Defendant or that are not equally accessible or in Defendant's possession.

Plaintiffs reserve the right to amend or supplement this disclosure pursuant to Rule 193.5 of the Texas Rules of Civil Procedure.

J. MEDICAL RECORDS:

Authorizations for all such records will be supplemented as Exhibit "A".

Plaintiffs reserve the right to amend or supplement this disclosure pursuant to Rule 193.5 of the Texas Rules of Civil Procedure.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was sent to all counsel of record on the 6th day of June, 2001, via the method indicated below:

(✓) via facsimile on June 6, 2001

{✓} certified mail
{ } electronic filing
{ } federal express/hand delivery

Caren L. Hanson (CH)

CAREN L. HANSON