



NO. 97-0844-E

JOSE J. CANO, SR. AND MARIA CANO; RUBEN EURESTE; and LEO MOORE AND VELENA FAY MOORE	§ § § § § § § § § §	IN THE DISTRICT COURT OF NUECES COUNTY, T E X A S 28TH JUDICIAL DISTRICT
VS.		
OWENS-CORNING FIBERGLAS CORPORATION, ET AL.		

DEFENDANT UNION PACIFIC RESOURCES COMPANY
F/K/A CHAMPLIN PETROLEUM COMPANY, INDIVIDUALLY
AND AS SUCCESSOR BY MERGER TO PONTIAC REFINING CORPORATION'S
OBJECTIONS AND RESPONSES TO PLAINTIFF JOSE CANO, JR.'S
FIRST REQUEST FOR ADMISSIONS AND
SECOND SET OF REQUESTS FOR PRODUCTION

TO: PLAINTIFF JOSE CANO, JR., Individually and as Personal Representative of the Heirs and Estate of Jose J. Cano, Jr., Deceased, by and through his attorneys of record, Ms. Holly J.W. Huart and Ms. Stephanie Finch, Baron & Budd, The Centrum, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219.

COMES NOW DEFENDANT UNION PACIFIC RESOURCES COMPANY, f/k/a Champlin Petroleum Company, Individually and as Successor by Merger to Pontiac Refining Corporation and, pursuant to Rule 190, *et seq* of the Texas Rules of Civil Procedure, serves this its Objections and Responses to Plaintiff's First Request for Admissions and Second Set of Requests for Production

Respectfully submitted,

HAYS, McCONN, RICE & PICKERING

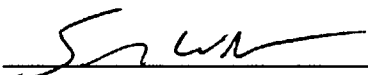
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Attorney for Defendants
COASTAL REFINING & MARKETING, INC. AND
UNION PACIFIC RESOURCES COMPANY, F/K/A
CHAMPLIN PETROLEUM COMPANY,
INDIVIDUALLY AND AS SUCCESSOR BY
MERGER TO PONTIAC REFINING
CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been forwarded to counsel for Plaintiffs by certified mail, return receipt requested, and to all other counsel of record by regular mail, on this 22nd day of May, 2000.


CRAIG S. WOLCOTT

OBJECTIONS TO DEFINITIONS

Defendant objects to the stated definition of the terms "Defendant," "You," "Your" and "Your Company" on the grounds it is overly broad and seeks to extend the definition beyond the scope of discovery allowed under the Texas Rules of Civil Procedure, including but not limited to inquiries relating to subsidiaries, foreign subsidiaries and other separately incorporated non-parties thus rendering the Plaintiff's stated definitions overly broad, vague and improper.

Defendant objects to the stated definition of the terms "Document," "Documents," "Written Materials" and "Printed Materials" on the grounds it is overly broad, vague and clearly outside the scope of permissible discovery under the Texas Rules of Civil Procedure. This Defendant would specifically object to the attempt to extend the definition of these terms as requiring the responding party to make a determination of what documents may be responsive to these Interrogatories and Requests for Production "regardless of who now has or formerly had custody, possession or control" on the ground that is clearly outside the scope of permissible discovery and could be construed as seeking disclosure of information that would be protected from discovery by virtue of the attorney work product exemption afforded by the Texas Rules of Civil Procedure and the Texas Rules of Civil Evidence.

Defendant would further object to the stated definition of the terms "Meeting" or "Meetings" on the grounds it is so overly broad and vain and renders each discovery request to which it may apply incapable of being answered; and therefore, improper under the Texas Rules of Civil Procedure.

Defendant objects to the stated definition of the terms "products containing asbestos fiber," "asbestos containing products" and "asbestos products" on the grounds it is overly broad, vague and not limited to the matters made the basis of this lawsuit and therefore, seeks disclosure of information and/or the production of documentation wholly irrelevant to any material issue in this case and not reasonably calculated to lead to the discovery of admissible evidence.

PRELIMINARY STATEMENT OF UNION PACIFIC RESOURCES COMPANY

Union Pacific Resources Company, a Delaware Corporation is currently an independent corporation but was previously a subsidiary of Union Pacific Corporation. A predecessor of Union Pacific Corporation purchased the stock of Champlin Petroleum Company and the former Pontiac Refinery from Celanese Corporation of America in 1969. Champlin Petroleum Company's name was changed to *Union Pacific Resources Company* in 1987. Also, effective January 1, 1987, 50% interest in the Corpus Christi refinery was sold to a subsidiary of PDVSA, the National Oil Company of Venezuela. A general partnership was established known as the Champlin Refining Company partnership operating the Corpus Christi refinery on behalf of the 50% interest held by a subsidiary of PDVSA and 50% interest held by Champlin Refining Inc., a wholly owned subsidiary of Champlin Petroleum Company (now known as Union Pacific Resources Company). Effective January 1, 1989, Champlin Refining, Inc. had sold its remaining 50% interest in Champlin Refining Company to a subsidiary of PDVSA which was subsequently merged by PDVSA into PDVSA's CITGO Petroleum Company.

Following the sale of its interest in the Corpus Christi Refinery, (formerly known as the Pontiac Refinery), Champlin Petroleum Company, now known as Union Pacific Resources Company, retained no records or documents relating to the operation of that refinery. All such documentation remained in the possession of the current owner and operator of that refinery.

**PLAINTIFF'S FIRST REQUESTS FOR ADMISSION
AND SECOND SET OF REQUESTS FOR PRODUCTION**

REQUEST FOR ADMISSION NO. 1:

Admit that Defendant ordered, purchased or otherwise acquired asbestos-containing products, asbestos-containing friction products, and/or machinery requiring the use of asbestos or asbestos-containing products.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the matters the basis of this suit, not limited to the relevant time period, not limited to the relevant site, and therefore, seeks disclosure of information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 1:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Not applicable.

REQUEST FOR ADMISSION NO. 2:

Admit that asbestos-containing products, asbestos-containing friction products, and/or machinery requiring the use of asbestos or asbestos-containing products were utilized on Defendant's Premises during the years of 1952 and 1970.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the matters the basis of this suit, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto, Plaintiff has failed to identify the time and/or places wherein he allegedly worked on Defendant's premises, and therefore Defendant is without sufficient information to admit or deny; accordingly, this request is denied.

REQUEST FOR PRODUCTION NO. 2:

Produce all ordering and sales documents pertaining to the purchase or acquisition of such asbestos-containing products for use at Defendant's Premises, including but not limited to invoices, price quotations, purchase orders, requisitions, bills of lading, and other purchasing and/or shipping documents of the similar nature.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, nor limited to the matters made the basis of this suit, specifically alleged exposure to asbestos fibers, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, see documents produced by Defendant in Cause No. 96-03172-A; *Ramon T. Cedillo, et al v. Owens-Corning Fiberglas Corporation, et al*; In the 28th Judicial District Court of Nueces County, Texas ("*Cedillo case*").

REQUEST FOR ADMISSION NO. 3:

Admit that during the time Plaintiff was employed by Defendant, it was foreseeable that asbestos-containing products on Defendant's Premises would or could be removed, stripped, replaced or repaired at some time after installation.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, and therefore irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant is without any knowledge or information that Plaintiff was ever employed by Defendant; accordingly, this request is denied.

REQUEST FOR PRODUCTION NO. 3:

Produce all documents that in any way pertain to abatement of asbestos-containing materials on Defendant's Premises, including but not limited to a removal plan or organized written criteria or schedule for the removal of asbestos at Defendant's Premises, and in operation and maintenance plan.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the matters made the basis of this suit, and therefore seeks production of documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, see documents produced by Defendant in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 4:

Admit that Plaintiff worked on premises owned by Defendant or by a predecessor-in-interest of Defendant.

RESPONSE:

Defendant is without sufficient information to admit or deny; accordingly this request is denied.

REQUEST FOR PRODUCTION NO. 4:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant has no documents which show Plaintiff ever worked on any premises owned by Defendant or by any predecessor-in-interest of Defendant.

REQUEST FOR PRODUCTION NO. 5:

If you admit the foregoing request, in whole or in part, produce all documents supporting your admission that Plaintiff was on Defendant's Premises.

RESPONSE:

Not applicable.

REQUEST FOR PRODUCTION NO. 6:

Produce all records identifying contractors and/or the employees of contractors who were on your premises during the year of 1952 and 1970, including but not limited to sign-in-logs, gate records, visitor's logs, identification badge logs and procedures, and other documents of a similar nature.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the Plaintiff serving this request, and therefore seeks records and information which are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 7:

Produce the contract documents pertaining to the contractors who performed services on Defendant's Premises during the year of 1952 and 1970, including but not limited to invitations to bid, requests for proposals, bids, proposals, scope of work, specifications, blueprints, plans, acceptances, contracts, amendments, addenda, change orders, and other contract documents of a similar nature.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, not limited to the time period relevant in this case, not limited to the matters made the basis of this suit, and therefore seeks production of documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, see documents produced by Defendant in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 5:

Admit that Plaintiff worked on Defendant's Premises where Defendant used or applied asbestos-containing products.

RESPONSE:

Defendant is without sufficient information to admit or deny this request; accordingly, this request is denied, and Defendant denies it did not exercise reasonable care.

REQUEST FOR PRODUCTION NO. 8:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, and seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, Defendant knows of no documents that indicate Plaintiff worked on Defendant's premises where Defendant used or applied asbestos-containing products. See documents produced by Defendant in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 6:

Admit that Plaintiff, in the course and scope of his work as an employee of an independent contractor, worked around Defendant's employees who were using and/or applying asbestos-containing products.

RESPONSE:

Deny.

REQUEST FOR PRODUCTION NO. 9:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request as excessive, overbroad, vague, not limited to the time period relevant in this case, nor limited to the site where Plaintiff allegedly worked, and, therefore is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto, see documents produced by Defendant in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 7:

Admit that Plaintiff worked on and/or around Defendant's Premises in areas where asbestos-containing products were installed, used, prepared for use, replaced or repaired, stored or loaded, unloaded or transported.

RESPONSE:

Deny.

REQUEST FOR ADMISSION NO. 8:

Admit that in 1952 Defendant was aware that airborne asbestos dust created a potential health hazard to those who breathed such dust.

RESPONSE:

Deny.

REQUEST FOR PRODUCTION NO. 10:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, and seeks documents which are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto, see documents produced by Defendant in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 9:

Admit that Defendant was aware of the presence of and/or use of asbestos-containing products on Defendant's Premises during the time period Plaintiff was working on Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request as excessive, overbroad, vague, not limited to the site where Plaintiff allegedly worked on Defendant's premises, and therefore is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 11:

Produce any and all photographs or videographic depictions or films depicting the use by you or your employees of any safety precautions (such as containment areas, warning signs, etc.) taken to protect bystanders from the hazards of airborne asbestos resulting from the use of asbestos-containing products by your employees at any locations.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request as excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the relevant site, and thus seeks documents which are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto, see all photographs or other videographic records produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 10:

Admit that Defendant did not distribute any literature or warnings of any kind to its employees during the period of time Plaintiff worked on Defendant's Premises regarding the potential health hazards to those who breathe airborne asbestos dust.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto, deny.

REQUEST FOR PRODUCTION NO. 12:

If you deny the foregoing, produce all such warnings.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, and not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson and Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 11:

Admit that Defendant consciously decided not to warn its employees of the dangers of asbestos.

RESPONSE:

Deny.

REQUEST FOR ADMISSION NO. 12:

Admit that Defendant did not continuously provide face masks to contract employees working with or around asbestos from 1952 to the present for the purpose of protecting these employees from inhaling asbestos.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR ADMISSION NO. 13:

Admit that you did not erect containment barriers to prevent emission of asbestos dust at the work sites where your employees were using asbestos-containing materials, including the work sites where Plaintiff was present.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site made the basis of this suit, and therefore seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 13:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site made the basis of this sit, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 14:

Admit that you did not utilize engineering controls such as isolation or enclosure at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site made the basis of this suit, and therefore seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 14:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site made the basis of this suit, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson and Loftin v. Martin*.

REQUEST FOR ADMISSION 15:

Admit that you did not utilize ventilation or exhaust systems to divert dust at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site made the basis of this suit, and therefore seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 15:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, nor limited to the site made the basis of this suit, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson and Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 16:

Admit that you did not utilize dust collection engineering controls to trap airborne asbestos dust at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site made the basis of this suit, and therefore seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 16:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site made the basis of this suit, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson and Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 17:

Admit that you did not require your employees to handle, mix, apply, remove, cut or score asbestos-containing products in a wet state to prevent emission of airborne asbestos fibers at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request in that it assumes facts not in evidence, is excessive, overbroad, vague, not limited to the relevant time period nor to the relevant site, and therefore seeks information which is irrelevant and not reasonably calculated to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 17:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site made the basis of this suit, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson and Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 18:

Admit that you did not evacuate the premises prior to the utilization of asbestos-containing materials at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request in that it assumes facts not in evidence, is excessive, overbroad, vague, not limited to the relevant time period nor to the relevant site, and therefore seeks information which is irrelevant and not reasonably calculated to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 18:

If you deny the foregoing request, in whole or in part, produce all documents supporting your

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the time period relevant in this case, nor limited to the site made the basis of this suit, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson and Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 19:

Admit that you did not post warning, caution or hazard signs prior to the utilization of asbestos-containing materials by your employees at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR PRODUCTION NO. 19:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 20:

Admit that you did not issue any warnings to others at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR PRODUCTION NO. 20:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR PRODUCTION NO. 21:

Produce all documents reflecting payments made to contractors during the year of 1952 and 1970, including Plaintiff's employer, including but not limited to invoices, bills, check requests, requisitions, canceled checks, or other documents of a similar nature reflecting payment for services rendered by Plaintiff's employer.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore seeks documents which are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 21:

Admit that the use of asbestos-containing materials on Defendant's Premises created a substantial risk of injury.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, deny.

REQUEST FOR ADMISSION NO. 22:

Admit that during the year of 1952 and 1970, Defendant had to power to control Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 22:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loflin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 23:

Admit that, during the year of 1952 and 1970, Defendant had the power to manage the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 23:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 24:

Admit that, during the year of 1952 and 1970, Defendant had the power to direct the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 24:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an

improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 25:

Admit that, during the year of 1952 and 1970, Defendant had the power to superintend the use or conditions of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 25:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 26:

Admit that, during the year of 1952 and 1970, Defendant had the power to restrict the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 26:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 27:

Admit that, during the year of 1952 and 1970, Defendant had the power to regulate the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 27:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 28:

Admit that, during the year of 1952 and 1970, Defendant had the power to govern the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 28:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an

improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 29:

Admit that, during the year of 1952 and 1970, Defendant had the power to oversee the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 29:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 30:

Admit that, during the year of 1952 and 1970, Defendant had the power to administer the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 30:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 31:

Admit that during the year of 1952 and 1970, Defendant controlled Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 31:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 32:

Admit that, during the year of 1952 and 1970, Defendant managed the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 32:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an

improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 33:

Admit that, during the year of 1952 and 1970, Defendant directed the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 33:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 34:

Admit that, during the year of 1952 and 1970, Defendant superintended the use or conditions of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 34:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 35:

Admit that, during the year of 1952 and 1970, Defendant restricted the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 35:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 36:

Admit that, during the year of 1952 and 1970, Defendant regulated the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 36:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an

improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 37:

Admit that, during the year of 1952 and 1970, Defendant governed the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 37:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 38:

Admit that, during the year of 1952 and 1970, Defendant oversaw the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 38:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 39:

Admit that, during the year of 1952 and 1970, Defendant administered the use or condition of Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 39:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loflin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 40:

Admit that Defendant retained some control over the manner in which Plaintiff's work was performed.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 40:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an

improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 41:

Admit that Defendant retained some control over the manner in which Plaintiff's employer performed the work requested by the Defendant.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 41:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 42:

Admit that Plaintiff was not entirely free to do the work on Defendant's Premises in his own way.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time

period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 42:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 43:

Admit that Plaintiff's employer was not entirely free to do the work requested by Defendant on Defendant's Premises in its own way.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work or that it controlled the details of the work to be performed by independent contractors.

REQUEST FOR PRODUCTION NO. 43:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the time period relevant in this case, not limited to the site relevant in this case, and therefore seeks documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case.

REQUEST FOR ADMISSION NO. 44:

Admit that asbestos-containing gaskets were installed at Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the relevant time period, not limited to the site relevant in this case, and therefore seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 44:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague and does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 45:

Admit that asbestos-containing pipe covering was installed at Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the relevant time period, not limited to the site relevant in this case, and therefore seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 45:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague and does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 46:

Admit that asbestos-containing boilers were installed at Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the relevant time period, not limited to the site relevant in this case, and therefore seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 46:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague and does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 47:

Admit that asbestos-containing fireproofing was installed at Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the relevant time period, not limited to the site relevant in this case, and therefore seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 47:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague and does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 48:

Admit that asbestos-containing joint compound was installed at Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the relevant time period, not limited to the site relevant in this case, and therefore seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 48:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague and does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 49:

Admit that asbestos-containing insulation was installed at Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the relevant time period, not limited to the site relevant in this case, and therefore seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 49:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague and does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 50:

Admit that such installation was done under your direction, supervision, and/or control.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is lacking in specificity, ambiguous, excessive, overbroad, vague, not limited to the relevant time period, not limited to the site relevant in this case, and therefore seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 50:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial, including but not limited to all documents identifying the entities or individuals who directed, supervised, and/or controlled such installation activities.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague and does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR PRODUCTION NO. 51:

Produce all documents that indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time, not limited to the relevant

site, and therefore seeks production of documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR ADMISSION NO. 51:

Admit that you supervised the health and safety procedures implemented by contractors working on Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time, not limited to the relevant site, and seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work. Independent contractors are responsible for the health and safety of their employees while on the job.

REQUEST FOR ADMISSION NO. 52:

Admit that you supervised the health and safety practices implemented by Plaintiff's employer.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time nor limited to the relevant site, and seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work. Independent contractors are responsible for the health and safety of their employees while on the job.

REQUEST FOR ADMISSION NO. 53:

Admit that you did not protect the Plaintiff from exposure to asbestos on Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time, not limited to the relevant site, and seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject thereto and without waiver of same, Defendant denies that it retained

control (i.e., contractual and/or actual) over the manner in which independent contractors and their employees (including Plaintiff) performed their work. Independent contractors are responsible for the health and safety of their employees while on the job.

REQUEST FOR PRODUCTION NO. 52:

Produce all documents supporting the legal theories and factual bases of your defenses set forth in your response to Plaintiff's Request for Disclosure under Texas Rules of Civil Procedure 194.2, subparagraph (c).

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, undue burden, unnecessary expense, harassment. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 54:

Admit that Plaintiff's exposure to asbestos at Defendant's Premises was a substantial contributing factor in causing his asbestos-related injury.

RESPONSE:

Defendant Union Pacific Resources Company denies that Plaintiff has an asbestos-related injury, and that any exposure at Defendant's premises was a substantial contributing factor in any injury to Plaintiff.

REQUEST FOR PRODUCTION NO. 53:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, assumes facts not in evidence and seeks production of documents irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 55:

Admit that Defendant did not exercise reasonable care to reduce or eliminate the risk of asbestos-related injury.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and assumes facts not in evidence. Subject thereto and without waiver of same, Defendant denies there was an unreasonable risk of asbestos-related injury at Defendant's site.

REQUEST FOR ADMISSION NO. 56:

Admit that Defendant did not reduce or eliminate the unreasonable risk of harm posed by the use of asbestos-containing products at Defendant's Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and assumes facts not in evidence. Subject thereto and without waiver of same, Defendant denies there was an unreasonable risk of harm posed by the use of asbestos-containing products at Defendant's site.

REQUEST FOR PRODUCTION NO. 54:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore seeks documents which are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR ADMISSION NO. 57:

Admit that Defendant's failure to reduce or eliminate the risk of harm to Plaintiff was a substantial factor in bringing about Plaintiff's asbestos-related injury.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time, not limited to the relevant site, seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and assumes facts not in evidence. Subject thereto and without waiver of same, Defendant denies that Plaintiff has an asbestos-related injury, and Defendant denies it failed in anything relative to Plaintiff.

REQUEST FOR PRODUCTION NO. 55:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore seeks documents which are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR PRODUCTION NO. 56:

If you contend that while at the premises on which you or your employees were working with asbestos-containing materials, Plaintiff was not exposed to sufficient quantities of asbestos dust to produce the disease(s) complained of, produce all documents supporting your contention.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore seeks documents which are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR PRODUCTION NO. 57:

If you contend that Plaintiff is suffering from an asbestos disease as a result of exposures other than asbestos dust at the premises on which you or your employees were working with asbestos-containing materials, produce all documents supporting your contention.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, not limited to the relevant time period, not limited to the relevant site, and therefore seeks documents which are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*.

REQUEST FOR PRODUCTION NO. 58:

If you contend that Plaintiff does not suffer from the asbestos-related disease(s) complained of, produce all documents supporting your contention.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request to the extent it seeks production of documents equally accessible and available to Plaintiff as to Defendant. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, Defendant refers Plaintiff to Plaintiff's medical records and employment records.

REQUEST FOR PRODUCTION NO. 59:

If you contend that Plaintiff was not exposed to asbestos dust at the premises on which you or your employees were working with asbestos-containing materials, produce all documents supporting your contention.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad and vague. Further, the request does not seek specific, identifiable documents, and thus is an improper "fishing expedition." *Texaco v. Sanderson* and *Loftin v. Martin*. Subject thereto and without waiver of same, see documents produced in the *Cedillo* case. See Plaintiff's employment records.

REQUEST FOR ADMISSION NO. 58:

Admit that Plaintiff filed suit against Defendant within two (2) years of the date of discovering his asbestos-related condition or the existence of any asbestos-related causes of action.

RESPONSE:

After reasonable inquiry, the information known or easily obtainable is insufficient to enable the responding party to admit or deny; accordingly this request is denied.

REQUEST FOR ADMISSION NO. 59:

Admit that Defendant is liable for Plaintiff's asbestos related illness.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague and assumes facts not in evidence. Subject thereto and without waiver of same, Defendant denies that Plaintiff has an asbestos-related illness, and Defendant denies it is liable for any illness of Plaintiff.

REQUEST FOR ADMISSION NO. 60:

Admit that asbestos is still in use and/or in place on Defendant's Premises.

RESPONSE:

After reasonable inquiry, the information known or easily obtainable is insufficient to enable the responding party to admit or deny.

REQUEST FOR ADMISSION NO. 61:

Admit that Defendant no longer uses asbestos on its Premises.

RESPONSE:

Objection: Defendant Union Pacific Resources Company is no longer the owner of the premises, and thus is without sufficient information or knowledge of its condition.

REQUEST FOR PRODUCTION NO. 60:

Produce any and all documents and other tangible things which refer to the document retention (and/or destruction) policy of Defendant, including the following:

- a. Any document retention and/or destruction policies for Defendant that pertain to documents and records, including but not limited to supplements, addenda, memoranda, operating bulletins, revisions, or any other superseding instructions that referred to the stopping, suspending or resuming of such retention or destruction policies.
- b. Any record retention and/or destruction, dumping, or purging policies for Defendant that pertain to documents and records created, maintained or stored by electronic and/or magnetic means, including but not limited to records that have been microfilmed, microfiche, imaged, scanned, or stored on tapes, disks, diskettes, CD-rom, databases, etc. or on or within any computer hardware, backup system, download system, file dumping or other system of information management, whether on-site or off-site, including but not limited to supplements, addenda, memoranda, operating bulletins, revisions, or any other superseding instructions that referred to the stopping, suspending or resuming of such retention or destruction policies.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, unduly burdensome, an unnecessary expense and harassment and annoyance of this party, and seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 61:

Produce any and all documentation, including but not limited to lists, inventories, indices, databases or print-outs thereof, archives, storage, inventories, logs, or other search aids that refer or relate to the existence, extent, type, organization, filing system, method of access or retrieval, and/or location of Defendant's documents (maintained or stored on-site or off-site) described in the preceding paragraphs.

RESPONSE:

Objection: Defendant Union Pacific Resources Company objects to this request on the grounds it is excessive, overbroad, vague, unduly burdensome, an unnecessary expense and harassment and annoyance of this party, and seeks information irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.