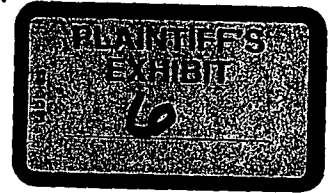


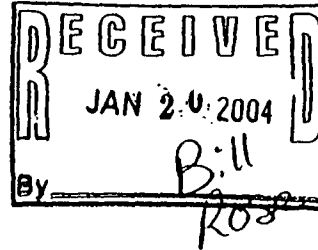
S/B Premise
is manufactured

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS



IN RE: ALL ASBESTOS LITIGATION
FILED BY THE SIMMONS FIRM, LLC,
Plaintiffs

vs.



A.W. CHESTERTON, et al.,
Defendants.

**DEFENDANT UNION CARBIDE CORPORATION'S RESPONSES TO
PLAINTIFFS' FIFTH AMENDED AND SUPPLEMENTAL INTERROGATORIES**

PRELIMINARY STATEMENT

Pursuant to Section III.A.6 of the Standing Case Management Order For All Asbestos Personal Injury Cases in Madison County, set forth below are the Responses of Defendant Union Carbide Corporation ("Union Carbide") to Plaintiffs' Fifth Amended and Supplemental Interrogatories.

The Interrogatory Responses of Union Carbide set forth herein are answered in accordance with the rulings of Judge Nicolas G. Byron, issued during the Hearing on Objections to Interrogatories in In re: All Asbestos Litigation Filed by the Simmons Firm LLC on April 13, 2000. A copy of the Order reflecting the Court's rulings is attached hereto as Exhibit A.

To the extent that Union Carbide has asserted objections to Interrogatories that have been previously addressed by the Court, such objections are asserted for purposes of the record only.

GENERAL OBJECTIONS

Union Carbide Corporation ("Union Carbide") objects to the entire set of Plaintiffs' Interrogatories on the following grounds, which are hereby incorporated by reference in Union Carbide's Responses to individual Interrogatories below:

GENERAL OBJECTION NO. 1

Union Carbide states that trial preparation and factual investigation are ongoing. Union Carbide's responses to these Interrogatories are based on information known to Union Carbide at this time. Union Carbide reserves the right, however to make reference at the trial or at any hearing in this action to facts and documents not identified in these responses, the existence or relevance of which is later discovered by it or its counsel. By this reservation, Union Carbide

SCF-ALLF-10940

S-GM-95

SC-KF-440

ALL 0907

SC-UCC-050

INTERROGATORY NO. 25: Identify each and every source from which Defendant, any predecessor or related company, obtained raw asbestos and/or asbestos-containing material used by Defendant, any predecessor or related company, to manufacture or process any product listed in response to Interrogatory No. 19.

RESPONSE:

See Union Carbide's Responses to Interrogatory Nos. 19 and 23, including all objections set forth therein.

Calidria is a unique short-fiber chrysotile asbestos uncontaminated by tremolite, which Union Carbide extracted from an asbestos ore deposit in the New Idria area of San Benito County in California which was discovered in 1957. The mining was performed by a small number of employees and sub-contractors and was carried out every year or every other year, depending on the circumstances, during the period May to October. The ore deposit was mined by conventional open pit methods. The Calidria asbestos that was mined was stored until processed at Union Carbide's plant located near King City, California.

Union Carbide manufactured phenolic molding compounds under the trade name Bakelite. Some of Union Carbide's phenolic molding compounds were manufactured with asbestos. Union Carbide bought primarily short fiber Canadian chrysotile asbestos from several suppliers over the years, including but not limited to; Carey Canadian Mines, Rubberoid Company, Johns-Manville Company, Ltd., and Asbestos Corporation Ltd.. To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 26: Is Defendant or any related company, as of the date of answering these interrogatories, still manufacturing, specifying, selling, distributing, applying or installing any asbestos-containing product? If so, give the brand/trade names of such products, type and percentage of asbestos in such product, and the date on which Defendant or any related company first manufactured, specified, sold, distributed, applied or installed said products.

RESPONSE:

See General Objections Nos. 1-8. Subject to its objections, Union Carbide responds as follows:

Union Carbide ceased manufacturing and selling asbestos-containing phenolic molding compounds by 1975. In June of 1985, Union Carbide ceased mining, milling and selling Calidria asbestos.

INTERROGATORY NO. 27: With respect to each and every product listed in response to Interrogatory No. 19, provide a full and complete description of the package in which the

product was sold, including, but not limited to, type of package, size, color and writings thereon.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Subject to its objections, Union Carbide responds as follows:

Calidria asbestos was packaged and transported in plastic or Kraft type paper bags, although some Calidria was shipped in bulk in railroad hopper cars. Each bag contained the following information: Union Carbide's corporate name and address, the net weight of material supplied, the applicable grade of asbestos, the lot number identification, and a warning label beginning in 1968, four years before Federal OSHA standards were promulgated to require a warning. At the request of some customers, a very small amount of Calidria asbestos was sold in plain Kraft bags, which contained only the warning label. Between August 1975 and June 1985 as a practice, all Kraft bags containing Calidria asbestos were individually shrink wrapped (encased by a tight fitting plastic film) and an entire pallet containing a number of such bags was also completely covered with the tight fitting plastic film. Examples of certain bags and the warning labels utilized on all bags of Calidria asbestos are available in the repositories maintained by Union Carbide's counsel.

Phenolic resins and phenolic molding compounds were commonly packaged in bags, gaylords or drums. In particular, the phenolic molding compounds were sold in granulated form and typically packaged in fifty pound bags. Examples of the labels affixed to certain bags of phenolic molding compound are available in the document repositories maintained by Union Carbide's counsel.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 28: For each subpart below, state whether or not, to Defendant's knowledge, any items as described therein presently exist and, if so, identify any and all such existing items and state the present location of each:

- (a) any product listed in response to Interrogatory No. 19, including, but not limited to, any sample, part or piece thereof;
- (b) any package of the type in which any or all of the products listed in response to Interrogatory No. 19 were or would have been sold, including, but not limited to, any partial package;
- (c) any catalogue, brochure, sales literature or like item referring to, relating to or reflecting any or all of the products listed in response to Interrogatory No. 19;
- (d) any picture, drawing, photograph or like representation of the items described in subparts (a), (b) and/or (c) of this Interrogatory.

RESPONSE:

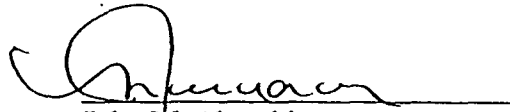
VERIFICATION

STATE OF CONNECTICUT)

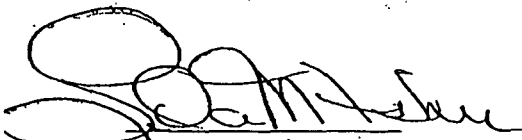
COUNTY OF FAIRFIELD)

ss:

JOHN MACDONALD, being duly sworn according to law, deposes and says: that he is the Assistant Corporate Secretary of defendant Union Carbide Corporation, that he has read the answers to these Interrogatories and is familiar with their contents; that the answers set forth herein were assembled and prepared by counsel for defendant based on information provided to counsel by employees or former employees through their sworn testimony and/or contained in documents located in the repository of asbestos-related documents maintained by counsel; and that to the best of deponent's knowledge, information and belief, the responses are true.


John Macdonald
Assistant Corporate Secretary

Sworn to before me this 16 day
of January 2004.


Notary Public

LINDA M. FISHER
NOTARY PUBLIC
MY COMMISSION EXPIRES 10/31/2007

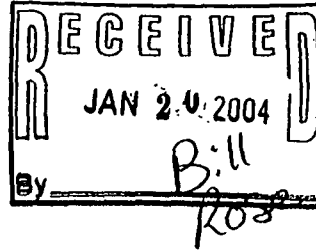
S/B Premise
is manufacturer

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

IN RE: ALL ASBESTOS LITIGATION
FILED BY THE SIMMONS FIRM, LLC,
Plaintiffs

vs.

A.W. CHESTERTON, et al.,
Defendants.



**DEFENDANT UNION CARBIDE CORPORATION'S RESPONSES TO
PLAINTIFFS' FIFTH AMENDED AND SUPPLEMENTAL INTERROGATORIES**

PRELIMINARY STATEMENT

Pursuant to Section III.A.6 of the Standing Case Management Order For All Asbestos Personal Injury Cases in Madison County, set forth below are the Responses of Defendant Union Carbide Corporation ("Union Carbide") to Plaintiffs' Fifth Amended and Supplemental Interrogatories.

The Interrogatory Responses of Union Carbide set forth herein are answered in accordance with the rulings of Judge Nicolas G. Byron, issued during the Hearing on Objections to Interrogatories in In re: All Asbestos Litigation Filed by the Simmons Firm LLC on April 13, 2000. A copy of the Order reflecting the Court's rulings is attached hereto as Exhibit A.

To the extent that Union Carbide has asserted objections to Interrogatories that have been previously addressed by the Court, such objections are asserted for purposes of the record only.

GENERAL OBJECTIONS

Union Carbide Corporation ("Union Carbide") objects to the entire set of Plaintiffs' Interrogatories on the following grounds, which are hereby incorporated by reference in Union Carbide's Responses to individual Interrogatories below:

GENERAL OBJECTION NO. 1

Union Carbide states that trial preparation and factual investigation are ongoing. Union Carbide's responses to these Interrogatories are based on information known to Union Carbide at this time. Union Carbide reserves the right, however to make reference at the trial or at any hearing in this action to facts and documents not identified in these responses, the existence or relevance of which is later discovered by it or its counsel. By this reservation, Union Carbide

does not in any way assume a continuing responsibility to update its responses to these Interrogatories, and specifically objects to each Interrogatory that seeks to impose any such continuing obligation upon Union Carbide to the extent not required by Illinois law. To the extent the information contained herein differs in any respect from any prior responses to discovery, these responses shall be deemed to update and supersede such prior responses.

GENERAL OBJECTION NO. 2:

Union Carbide objects to Plaintiff's Interrogatories in their entirety on the grounds that they are not reasonably framed in terms of the facts and subject matter of the present action, with the result that Union Carbide is called upon to speculate as to what information relevant to the present case, if any, may be deemed to fall within the scope of these Interrogatories as phrased. In addition, Union Carbide objects to this set of Interrogatories to the extent that they seek the production of information not relevant to any matter at issue in this litigation.

GENERAL OBJECTION NO. 3:

Union Carbide objects to these Interrogatories insofar as they would require the disclosure of information protected by the attorney-client privilege or work product doctrine.

GENERAL OBJECTION NO. 4:

Union Carbide acquired mineral rights to its Coalinga mine in 1958. From 1958 until late 1963, Union Carbide developed its mining and milling processes. From late 1963 until June 30, 1985, Union Carbide mined and sold a unique tremolite-free short-fiber chrysotile asbestos initially known as "Union Carbide Asbestos" and then under the trade name "Calidria" (some distributors marketed Calidria under other trade names). Throughout the time that Union Carbide was in the asbestos business, and particularly from 1963 to 1965, sales were relatively small. Even as Union Carbide attempted to develop business, Union Carbide remained a relatively small participant with its focus, due to the unique nature of Calidria, on developing applications suitable for the unique fiber.

GENERAL OBJECTION NO. 5:

Union Carbide objects to this entire set of Interrogatories to the extent that they call for information about Union Carbide employees or premises, or policies pertaining to Union Carbide employees or premises that are unrelated to the claims in this litigation on the grounds that such requests are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

GENERAL OBJECTION NO. 6:

Union Carbide objects to this entire set of Interrogatories to the extent that they seek information contained in documents that are available to Plaintiff's counsel in the repositories (the "repositories") maintained by Union Carbide's counsel. The repositories are supplemented as additional documents are identified and have been supplemented in the past year. Upon request, a visit to the repositories by Plaintiff's counsel can be arranged at a mutually convenient time. The burden of determining the responses to these Interrogatories is equally as demanding on Plaintiff's counsel as it is on Union Carbide. The burden on Union Carbide is enhanced because many of the events and circumstances that appear to be at issue took place approximately 40 years ago. With the passage of time, complete records may no longer exist, relevant witnesses with firsthand knowledge are now deceased, memories have faded, and any attempt to recreate history often presents an insurmountable challenge and an undue burden.

GENERAL OBJECTION NO. 7:

Calidria is not an "asbestos-containing product," as referred to by Plaintiff in these Interrogatories. Calidria is a unique short-fiber chrysotile asbestos uncontaminated by tremolite which Union Carbide extracted from an asbestos ore body in the New Idria area of San Benito County in California. Calidria was marketed and sold by Union Carbide or by Calidria distributors to manufacturers or producers who incorporated and used Calidria in their products or production processes. From 1963 to 1985, Union Carbide sold Calidria asbestos fiber to various third party manufacturers or distributors. The asbestos third party manufacturers to whom Union Carbide sold Calidria used it in manufacturing various products used in commercial applications. Union Carbide did not manufacture those products and had no control over the nature of the products in which the fiber was used. Nevertheless, Union Carbide consistently provided its customers with health and safety information regarding the health effects of asbestos so that, among other things, this information could be passed along to the third party manufacturers' customers.

GENERAL OBJECTION NO. 8:

Union Carbide objects to providing information about any of its products other than Calidria asbestos or phenolic molding compounds and phenolic resins. Any request for documents or information relating to any Union Carbide products other than Calidria asbestos or phenolic molding compounds and phenolic resins is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1: Identify the person answering these interrogatories on behalf of Defendant.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds it is not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

The responses to these Interrogatories were prepared by counsel for Union Carbide based on information contained in documents located in the repositories maintained by Union Carbide's counsel or on testimony of former Union Carbide employees. The responses to these Interrogatories were verified by John Macdonald, Assistant Corporate Secretary, Union Carbide.

INTERROGATORY NO. 2: Has the person answering these interrogatories made reasonable inquiry of all available sources of information such that Plaintiff may rely upon these answers as the truthful and complete answers made on behalf of Defendant? List any and all such sources of information relied upon, including, but not limited to, identifying any and all records or documents reviewed and persons providing information.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 1, including all objections set forth therein.

INTERROGATORY NO. 3: State the following concerning this Defendant:

- (a) Full and correct name;
- (b) The form in which Defendant presently conducts business (i.e. corporation, partnership, proprietorship, etc.);
- (c) Identify any and all predecessors and related companies as defined above;
- (d) Any and all other forms in which defendant has conducted business at any time, and the date(s) when business was conducted in each form;
- (e) Any and all names by which Defendant has been known or has conducted business, at any time, and the date(s) during which Defendant has been known by and/or conducted business, under each such name;

- (f) Defendant's principal place of business;
- (g) Defendant's present state of incorporation or state in which Defendant is registered as a partnership, association, etc., whichever is applicable; if Defendant has, at any time, been incorporated or registered in a different state, identify which state and when;
- (h) Most recent date of incorporation or reincorporation, and any and all prior date(s) of incorporation or reincorporation;
- (i) Whether this Defendant is authorized to transact business in the State of Illinois and, if so, the date such authority was first issued and last renewed;
- (j) If this Defendant has an agent, representative or place of business in Illinois, identify such agent, representative, or place of business; and,
- (k) If this Defendant has an agent for service in the State of Illinois, identify the registered agent.

RESPONSE:

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

Union Carbide Corporation was originally incorporated on November 1, 1917 as Union Carbide and Carbon Company. In 1957, Union Carbide and Carbon Company changed its name to Union Carbide Corporation. On February 6, 2001, Union Carbide Corporation became a subsidiary of The Dow Chemical Company.

Union Carbide Corporation's principal place of business is 39 Old Ridgebury Road, Danbury, CT 06817. Union Carbide is authorized to transact business in the State of Illinois. C T Corporation Systems at 208 South LaSalle Street Chicago, IL 60604 is the agent for service in the State of Illinois.

INTERROGATORY NO. 4: Has Defendant been sued under its correct legal name? If not, state the correct legal name of Defendant and provide the information requested in No. 3 above concerning the defendant as correctly named.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 3, including all objections set forth therein.

INTERROGATORY NO. 5: Identify any and all persons or entities which own, or at any

time have owned, more than a ten percent (10%) interest in this Defendant, and for each such person or entity identified, state the date(s) during which said person or entity owned more than a ten percent (10%) interest in Defendant and the specific type and amount of interest owned.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this Interrogatory on the ground that it seeks information in the public domain, equally available to the Plaintiffs. Subject to its objections, Union Carbide responds as follows:

Upon request, Union Carbide will make available for Plaintiffs' inspection and review copies of its annual reports for the last five years.

INTERROGATORY NO. 6: Identify any and all companies, businesses, corporations, and/or joint ventures in which this Defendant owns, or at any time has owned, more than a ten percent (10%) interest.

RESPONSE:

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

The Linde Air Products Company was founded in 1907 and merged into Union Carbide and Carbon Company in 1917. Union Carbide and Carbon Company merged with the Bakelite Corporation in 1939. Union Carbide and Carbon Company changed its name to Union Carbide Corporation in 1957. On January 1, 1989, the Linde Division of Union Carbide Corporation became a wholly owned subsidiary of Union Carbide Corporation known as Union Carbide Industrial Gases Inc. At that time there was a complete transfer of all assets and liabilities of the Linde Division to Union Carbide Industrial Gases Inc. Also at this time, Union Carbide Corporation became the holding company to another wholly owned subsidiary known as Union Carbide Chemicals and Plastics Company Inc. On June 30, 1992, Union Carbide Industrial Gases Inc. was spun off to become what is now known as Praxair, Inc., a corporation entirely separate from Union Carbide Corporation and Union Carbide Chemicals and Plastics Company Inc. Praxair, Inc. assumed all liabilities and became custodian of all records associated with the former Linde Division and Union Carbide Industrial Gases Inc. On April 27, 1994, Union Carbide Corporation was merged into Union Carbide Chemicals and Plastics Company Inc. and on May 1, 1994, Union Carbide Chemicals and Plastics Company Inc. changed its name to Union Carbide Corporation.

In 1977, Union Carbide acquired a company which prior to its acquisition by Union Carbide had manufactured a line of mastics, sealants, coatings and adhesives, some of which

contained small quantities of asbestos. The asbestos fiber in those products was encapsulated by binder ingredients in the production process. The company sold a subsidiary which produced these products and ceased producing all asbestos containing products (except for TRE-HOLD, a tree sprout inhibitor) prior to Union Carbide's acquisition of the company. In addition, there were some welding and gas distributors that were acquired by Union Carbide which may also have sold asbestos products.

See also Union Carbide's Response to Interrogatory No. 3.

INTERROGATORY NO. 7: With respect to each corporation, company, business or joint venture identified in response to Interrogatory No. 6 state:

- (a) The type of business, conducted by such related company;
- (b) The past and present business relationship(s) between said related company and Defendant;
- (c) The nature of the products or services which Defendant has sold to, or purchased from, said related company;
- (d) Whether or not said related company advertises or has advertised products or services supplied by Defendant;
- (e) Whether or not said related company sells or has sold Defendant's products or services within the State of Illinois and, if so, the approximate value of those sales from 1930 to date;
- (f) Whether or not said related company pays taxes of any type to the State of Illinois or to any political subdivision thereof and, if so, the type of taxes paid;
- (g) Whether or not Defendant controls or has controlled, directly or indirectly, in whole or in part, said related company's advertising; and,
- (h) The identity of any past or present officer or director of Defendant who, at any time, served as an officer or director of said related company.

RESPONSE:

See Union Carbide's Responses to Interrogatory No. 6, including all objections set forth therein.

INTERROGATORY NO. 8: List all directors and officers of Defendant from 1940 to date and for each state all positions held and the date(s) during which each position was held.

RESPONSE:

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

Union Carbide Corporation's Directors and Officers as of March 21, 2003 are as follows:

Union Carbide's Board of Directors:

John R. Dearborn	Director
Enrique Larroucau	Director
Luciano Respini	Director

The Officers of Union Carbide:

John R. Dearborn	President and Chief Executive Officer
Edward W. Rich	Chief Financial Officer
Peter J. Berner	Vice President
Allan E. Fowler	Vice President
Bart N. Gliatta	Vice President
Thayne R. Hansen	Vice President
William R. Knee	Vice President
Edward W. Rich	Vice President
Duncan A. Stuart	Vice President
Robert C. Walker	Vice President
Edward W. Rich	Treasurer
Charles J. Hahn	Assistant Treasurer
Duncan A. Stuart	Secretary
Cheryl E. Corbett	Assistant Secretary
Charles J. Hahn	Assistant Secretary
John Macdonald	Assistant Secretary
Duncan A. Stuart	General Counsel

Additional information responsive to this Interrogatory is located in Union Carbide's most recent publicly-available SEC corporate filings.

INTERROGATORY NO. 9: State whether any of Defendants' present or former officers or directors ever served (whether before, during or after becoming Defendants' officer or director) as an officer or director of any other company, corporation or business which manufactured, sold or distributed asbestos or asbestos-containing products and, if so, please:

- (a) Identify each officer and director of Defendant, who served as such other company's officer or director; and

- (b) Identify each company, corporation or business for which each such officer or director served, each position held by such officer or director for such other company, corporation or business, and the time periods each position was held.

RESPONSE:

See General Objections 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and unduly burdensome. Subject to its objections, Union Carbide responds as follows:

To the extent that information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 10: Has Defendant ever acquired, through purchase, reorganization or merger, another company, corporation or business which manufactured, sold, processed, distributed or contracted to apply, asbestos and/or asbestos-containing products?

RESPONSE:

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

In 1939 Union Carbide and Carbon Company merged with the Bakelite Corporation. Prior to the merger, the Bakelite Corporation manufactured phenolic molding compounds, some of which contained asbestos. Union Carbide ceased manufacturing and selling asbestos-containing phenolic molding compounds by 1975.

In 1977, Union Carbide acquired a company which prior to its acquisition by Union Carbide had manufactured a line of mastics, sealants, coatings and adhesives, some of which contained small quantities of asbestos. The asbestos fiber in those products was encapsulated by binder ingredients in the production process. The company sold a subsidiary which produced these products and ceased producing all asbestos containing products (except for TRE-HOLD, a tree sprout inhibitor) prior to Union Carbide's acquisition of the company. In addition, there were some welding and gas distributors that were acquired by Union Carbide which may also have sold asbestos products.

INTERROGATORY NO. 11: If the answer to Interrogatory No. 10 is "Yes," with respect to each such predecessor:

- (a) State its full and correct name;
- (b) State its principal place of business;

- (c) State its State of incorporation;
- (d) State its date and manner of acquisition by Defendant;
- (e) Whether this predecessor was, at any time, authorized to transact business in the State of Illinois; and
- (f) Identify any and all documents referring to, relating to or reflecting the acquisition.

RESPONSE:

See Union Carbide's Response to Interrogatory Nos. 6 and 10, including all objections contained therein.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel. Upon request, a visit to the repositories by Plaintiffs' counsel can be arranged at a mutually convenient time.

INTERROGATORY NO. 12: Has Defendant ever acquired from another corporation, company, or business, by any means other than those specified in Interrogatory No. 10, assets or rights to manufacture, sell, distribute or apply asbestos or asbestos-containing products?

RESPONSE:

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

The only means by which Union Carbide ever acquired from another corporation, company or business rights to manufacture, sell, distribute or apply asbestos or asbestos-containing products is described in Response to Interrogatory No. 10.

INTERROGATORY NO. 13: If the answer to Interrogatory No. 12 is "Yes," with respect to each such acquisition:

- (a) State the full and correct name of the company from which such assets or rights were acquired;
- (b) State the principal place of business of the company from which said assets or rights were acquired;
- (c) Describe the assets or rights acquired, including the specific asbestos-containing products to which said assets or rights related; and

- (d) Identify any and all documents referring to, relating to or reflecting the transaction.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 12, including all objections set forth therein.

INTERROGATORY NO. 14: Other than any transaction identified in response to Interrogatories Nos. 10-13, has this Defendant ever been involved, in any capacity, including but not limited to, seller, transferor, grantor, franchisor, licensor, buyer, transferee, grantee, franchisee or subject of the transaction, in any transaction, of any kind, concerning any of the following:

- (a) the purchase/sale or transfer of ownership of a company, corporation or business which manufactured, sold, processed, distributed or contracted to apply asbestos and/or asbestos-containing products; or
- (b) the purchase/sale or transfer of ownership of the assets or rights to manufacture, sell, distribute or apply asbestos or asbestos-containing products; or
- (c) the purchase/sale or transfer of liabilities arising out of the manufacture, sale, processing, distribution or application of asbestos or asbestos-containing products.

RESPONSE:

No. See Union Carbide's Responses to Interrogatory Nos. 10-13, including all objections set forth therein.

INTERROGATORY NO. 15: If the answer to any sub-part of Interrogatory No. 14 is "Yes," with respect to each such transaction:

- (a) Identify all parties to the transaction;
- (b) Identify the subject matter of the transaction;
- (c) State the date of the transaction; and,
- (d) Identify any and all documents, referring to, relating to or reflecting the transaction.

RESPONSE:

Not applicable. See Union Carbide's Response to Interrogatory No. 14, including all objections set forth therein.

INTERROGATORY NO. 16: State the first and last dates on which any asbestos-containing product was manufactured by:

- (a) Defendant;
- (b) each and every predecessor; and,
- (c) each and every related company.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad. Subject to its objections, Union Carbide responds as follows:

Calidria is not an "asbestos-containing product." Calidria is a unique short-fiber chrysotile asbestos uncontaminated by tremolite which Union Carbide extracted from an asbestos ore body in the New Idria area of San Benito County in California. Calidria was marketed and sold by Union Carbide or by Calidria distributors to manufacturers or producers who incorporated and used Calidria in their products or production processes. From 1963 to 1985, Union Carbide sold Calidria asbestos fiber to various third party manufacturers or distributors. The asbestos third party manufacturers to whom Union Carbide sold Calidria used it in manufacturing various products used in commercial applications. Union Carbide did not manufacture those products and had no control over the nature of the products in which the fiber was used. In June of 1985, Union Carbide ceased mining, milling, and selling Calidria asbestos.

In 1939 Union Carbide and Carbon Company merged with the Bakelite Corporation. Prior to the merger, the Bakelite Corporation manufactured phenolic molding compounds, some of which contained asbestos. Union Carbide ceased manufacturing and selling asbestos-containing phenolic molding compounds by 1975.

INTERROGATORY NO. 17: State the first and last dates on which any asbestos-containing product was specified, sold, distributed, applied and/or installed within the United States by:

- (a) Defendant;
- (b) each and every predecessor; and,
- (c) each and every related company.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Union Carbide further objects to this Interrogatory to the extent that it calls for information about Union Carbide employees or premises, or policies pertaining to Union Carbide employees or premises that are unrelated to the claims in this

litigation on the grounds that such requests are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Response to Interrogatory No. 16.

INTERROGATORY NO. 18: State the last date on which Defendant or any related company specified, sold, distributed, applied and/or installed any asbestos-containing product outside the United States and identify by brand or trade name the products so specified, sold, distributed, applied and/or installed.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Union Carbide further objects to this Interrogatory to the extent that it calls for information about Union Carbide employees or premises, or policies pertaining to Union Carbide employees or premises that are unrelated to the claims in this litigation on the grounds that such requests are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this Interrogatory on the grounds that absent an allegation that the Plaintiff was exposed to a Union Carbide product abroad, the information sought by this Interrogatory is irrelevant. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Response to Interrogatory No. 16.

INTERROGATORY NO. 19: Identify by full and complete trade name, any and all asbestos-containing products as defined above, which this Defendant, any related company, or any predecessor(s) has, at any time:

- (a) Designed;
- (b) Manufactured;
- (c) Processed;
- (d) Sold;
- (e) Distributed;
- (f) Applied;
- (g) Installed;
- (h) Patented;
- (i) Specified; or
- (j) Re-labeled.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on

the grounds that it is overly broad. Subject to its objections, Union Carbide responds as follows:

Calidria is not an "asbestos-containing product." Calidria is a unique short-fiber chrysotile asbestos uncontaminated by tremolite which Union Carbide extracted from an asbestos ore body in the New Idria area of San Benito County in California. Calidria was marketed and sold by Union Carbide or by Calidria distributors to manufacturers or producers who incorporated and used Calidria in their products or production processes. From 1963 to 1985, Union Carbide sold Calidria asbestos fiber to various third party manufacturers or distributors. The asbestos third party manufacturers to whom Union Carbide sold Calidria used it in manufacturing various products used in commercial applications. Union Carbide did not manufacture those products and had no control over the nature of the products in which the fiber was used.

Union Carbide produced four basic grades of Calidria asbestos: standard, super standard, high purity, and resin grade; the different grades reflect varying degrees of purity of content. Certain grades were sold in pelletized form, certain grades in fibrous form, and certain grades in both forms. In appearance, Calidria is light gray (pelletized) or white (fibrous) in color and powdery in substance. The following is a representative listing and description of the various brands of Calidria produced and marketed by Union Carbide:

<u>PRODUCT SYMBOL</u>	<u>PRODUCT CODE</u>	<u>DESCRIPTION</u>
HPO	651001	High Purity, Open Fiber
HPO-C	651101	High Purity, Open Fiber
HPP	651601	High Purity, Pellets
HPP-JAP	651701	High Purity, Pellets, 4-Ply bags
RG-110	652101	Resin-Grade, Open Fiber 15% +325
RG-110-D	652201	Resin-Grade, Open Fiber, 15% +325
RG-144	652501	Resin-Grade, Open Fiber
A- 14	652801	Resin-Grade, Open Fiber
RG-244	653001	Resin-Grade, Open Fiber
RG - 444-0	653301	Resin-Grade, Open Fiber, 10% Stearic Acid
A-28	653601	Resin-Grade, Open Fiber, Silica Treated
SG-100	654001	Standard Grade, Pellets
SG-102	654201	Standard Grade, Pellets, 100-lb. bags
SG-130	654501	Standard Grade, Open Fiber, 30% +325
SG-144	654801	Standard Grade, Open Fiber, 45% +325
SG-200	655001	Super Standard Grade, Pellets
SG-210	655301	Super Standard Grade, Open Fiber, 15% +325
SG-444-0	655501	Standard Grade, Open Fiber, 5% Stearic, Hydrophobic
T-135-0	656001	High Purity, Open Fiber, Titanated, 3 5%, Anatase
T-135-P	656301	High Purity, Pellets, Titanated, 35%, Anatase
CG-100	656601	Coatings Grade, Pellets
CG-135-0	656801	Coatings Grade, Open Fiber, Titanated 35%, Rutile

CG-135-P	656901	Coatings Grade, Pellets, Titanated, 35%, Rutile
Super-Visbestos	657301	Super Standard Grade, Cracked Pellets
Visbestos	657601	Standard Grade, Open Fiber
Oilbestos	657001	Standard Grade, Open Fiber, 5% Stearic, Hydrophobic
Shurlift	657801	Standard Grade, Open Fiber
Visquick	657901	Standard Grade, Open Fiber
Imcobest	657801	Standard Grade, Open Fiber
Arcovis	657201	Standard Grade, Open Fiber, 5% Stearic Acid, Hydrophobic
SX-14	652701	Resin Grade, Open Fiber
SX-24	653201	Resin Grade, Open Fiber

Union Carbide sold its asbestos initially as Union Carbide Asbestos and then under the name "Calidria." Union Carbide, however, packaged Calidria asbestos for the Montello Corporation for sale under the trade names of Visbestos, Super Visbestos, Visquick, Telvis, Imcobest, Univis and Arcovis (originally known as Oilbestos). Union Carbide also packaged Calidria for the International Mines and Chemical Company for sale under the name Shurlift.

Bakelite is a generic name that has been widely used to refer to a variety of plastic or plastic-related products. Union Carbide manufactured phenolic resins and phenolic molding compounds under the trade name Bakelite. However, numerous other companies unrelated to Union Carbide made phenolic resins and /or phenolic molding compounds, including, but not limited to, Durez, Plastic Engineering Co. (Plenco), General Electric ("GE") and Reichold, none of which were associated with Union Carbide, but customers often referred to these manufacturers' products as Bakelite. Similarly, end users often referred to other companies' products made from phenolic resins or phenolic molding compounds as Bakelite.

The phenolic resins manufactured by Union Carbide did not contain asbestos. Some of Union Carbide's phenolic molding compounds were manufactured with asbestos. Over the years, Union Carbide produced different formulations of the phenolic molding compounds. Formulations differed with respect to various components, including asbestos proportions. Union Carbide possesses copies of documents with product formulations for many of the phenolic molding compounds which contained asbestos. Union Carbide ceased manufacturing and selling asbestos-containing phenolic molding compounds by 1975.

The following is a representative listing of the various product designation numbers for Union Carbide's asbestos-containing phenolic molding compounds. The list contains references to product designation numbers for any product that contained asbestos at any time whether or not that formulation contained asbestos during a time period relevant to any particular litigation, and regardless of whether that product formulation was ever manufactured for sale. There may be several references on the list to the same product, as the product designation number may have changed over time. In addition, certain products may have several different formulations over time (i.e. BMG 2011, BMGA 2011, BMGB 2011). Any differences would be reflected in the product formulation sheets contained in the document repositories maintained by Union Carbide's attorneys.

BM 150 BM 250 BM 500 BM 666 BM 2011

BM 2035	BM 2085	BM 2156	BM 2200	BM 2819
BM 3303	BM 3479	BM 3700	BM 4011	BM 4018
BM 4019	BM 4025	BM 4123	BM 4127	BM 5020
BM 5021	BM 5023	BM 5050	BM 5075	BM 5084
BM 5089	BM 5105	BM 5118	BM 5138	BM 5144
BM 5176	BM 5250	BM 5261	BM 5280	BM 5303
BM 5304	BM 5306	BM 5310	BM 5314	BM 5315
BM 5333	BM 5335	BM 5353	BM 5367	BM 5383
BM 5393	BM 5398	BM 5418	BM 5430	BM 5440
BM 5441	BM 5490	BM 5493	BM 5498	BM 5505
BM 5645	BM 5715	BM 5809	BM 5867	BM 6935
BM 6950	BM 6960	BM 7000	BM 7009	BM 7017
BM 7020	BM 7021	BM 7025	BM 7026	BM 7315
BM 7332	BM 7333	BM 7335	BM 7410	BM 7732
BM 7920	BM 7950	BM 8335	BM 8450	BM 8718
BM 8900	BM 15060			

INTERROGATORY NO. 20: With respect to each asbestos-containing product listed for each subpart of Interrogatory No. 19:

- (a) Identify the specific company (Defendant, predecessor, related company) which designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product;
- (b) State the year in which Defendant, its related company or its predecessor first designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product; and,
- (c) State the year in which the Defendant, its related company or predecessor last designed, manufactured, processed, specified, sold, distributed, applied, installed, patented or re-labeled such product.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Subject to its objections, Union Carbide responds as follows:

Calidria is a unique short-fiber chrysotile asbestos uncontaminated by tremolite, which Union Carbide extracted from an asbestos ore deposit in the New Idria area of San Benito County in California which was discovered in 1957. The mining was performed by a small number of employees and sub-contractors and was carried out every year or every other year, depending on the circumstances, during the period May to October. The ore deposit was mined by conventional open pit methods. The Calidria asbestos that was mined was stored until processed at Union Carbide's plant located near King City, California.

The following divisions or subsidiaries of Union Carbide operated the Calidria business

during the course of its existence:

Corporate Divisions of Union Carbide responsible for Calidria (1963-1985)

- (1963-1965) Nuclear Division
- (1965-1967) Mining and Metals Division
- (1967-1970) Chemicals and Plastic Division
- (1970-1984) Mining and Metals Division
- (1984-1985) UMETCO, a wholly owned subsidiary of Union Carbide, through Calidria Corporation, a wholly owned subsidiary of UMETCO.

See also Union Carbide's Response to Interrogatory Nos. 16, 18 and 19.

INTERROGATORY NO. 21: Were any of the products, which were listed in response to Interrogatory No. 19 as having been specified, sold, distributed, applied or installed by Defendant, its predecessor or related company(ies), purchased from another company and re-labeled for sale or distribution by Defendant, its predecessors or related companies? If so, identify those products, and with respect to each:

- (a) Identify the company from which Defendant, its predecessor or related company purchased the product; and,
- (b) Identify the company which manufactured the product; and,
- (c) State the date(s) during which said re-labeled product was sold, distributed or applied.

RESPONSE:

See General Objections Nos. 1-8. Subject to its objections, Union Carbide responds as follows:

Union Carbide never was in the business of relabeling asbestos-containing products manufactured by other manufacturers.

INTERROGATORY NO. 22: Has this Defendant, at any time, applied, contracted to apply, installed or engaged in the business of applying or installing, asbestos-containing products? If so:

- (a) State the date(s) on which or during which Defendant applied, contracted to apply, installed or engaged in the business of applying or installing asbestos-containing products;
- (b) Identify any and all sites within the State of Illinois at which Defendant applied, installed or contracted to apply or install asbestos-containing products, and for each such site:

- (i) State whether the products you applied, installed or contracted to apply or install were included as part of the project's contract price or whether you applied the products that were provided at the worksite;
- (ii) Identify by manufacturer and trade name each and every asbestos-containing product applied or installed;
- (iii) State the date(s) during which said application or installation took place;
- (iv) Identify the employee(s) of Defendant who was (were) in charge of the job;
- (v) Identify the person or entity for which the products were applied or installed; and
- (vi) Identify all documents relating to such contract, application or installation.

RESPONSE:

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

Union Carbide's Calidria asbestos is a unique short-fiber chrysotile uncontaminated by tremolite asbestos. Due to the unique characteristics of Calidria, Calidria was suitable for use in limited products manufactured by third-party manufacturers and was not suitable for use in insulation products. Union Carbide was not engaged in the business of applying or installing its Calidria asbestos.

Phenolic resins and phenolic molding compounds were intermediate materials, sold to manufacturers who would use them, and other ingredients, to mold or manufacture other products. Union Carbide was not engaged in the business of applying or installing, asbestos-containing molding compounds.

INTERROGATORY NO. 23: Has this Defendant, any predecessor or any related company, ever engaged in the business of mining asbestos? If so:

- (a) Identify which company(ies) whether (Defendant, predecessor or related company) engaged in said business;
- (b) State the date(s) during which each said company engaged in such business;
- (c) State each and every location at which such mining was done;
- (d) Identify each and every officer, employee and/or agent of said company who, at any time, was in charge of each mining operation; and,
- (e) Identify each and every entity, if any, to which said company sold the asbestos which was mined.

RESPONSE:

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

Calidria is a unique short-fiber chrysotile asbestos uncontaminated by tremolite, which Union Carbide extracted from an asbestos ore deposit in the New Idria area of San Benito County in California which was discovered in 1957. The mining was performed by a small number of employees and sub-contractors and was carried out every year or every other year, depending on the circumstances, during the period May to October. The ore deposit was mined by conventional open pit methods. The Calidria asbestos that was mined was stored until processed at Union Carbide's plant located near King City, California.

The following divisions or subsidiaries of Union Carbide operated the Calidria business during the course of its existence:

Corporate Divisions of Union Carbide responsible for Calidria (1963-1985)

- (1963-1965) Nuclear Division
- (1965-1967) Mining and Metals Division
- (1967-1970) Chemicals and Plastic Division
- (1970-1984) Mining and Metals Division
- (1984-1985) UMETCO, a wholly owned subsidiary of Union Carbide, through Calidria Corporation, a wholly owned subsidiary of UMETCO.

Additional information responsive to this Interrogatory, and in the possession of Union Carbide, is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 24: Has this Defendant, any predecessor or any related company ever purchased and resold raw asbestos? If so, with respect to each such purchase and resale:

- (a) State the date(s) of the transaction;
- (b) Identify any and all parties from which the raw asbestos was purchased; and,
- (c) Identify any and all parties to which the raw asbestos was sold.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Subject to its objections, Union Carbide responds as follows:

Union Carbide was never in the business of purchasing or reselling other manufacturers' raw asbestos.

INTERROGATORY NO. 25: Identify each and every source from which Defendant, any predecessor or related company, obtained raw asbestos and/or asbestos-containing material used by Defendant, any predecessor or related company, to manufacture or process any product listed in response to Interrogatory No. 19.

RESPONSE:

See Union Carbide's Responses to Interrogatory Nos. 19 and 23, including all objections set forth therein.

Calidria is a unique short-fiber chrysotile asbestos uncontaminated by tremolite, which Union Carbide extracted from an asbestos ore deposit in the New Idria area of San Benito County in California which was discovered in 1957. The mining was performed by a small number of employees and sub-contractors and was carried out every year or every other year, depending on the circumstances, during the period May to October. The ore deposit was mined by conventional open pit methods. The Calidria asbestos that was mined was stored until processed at Union Carbide's plant located near King City, California.

Union Carbide manufactured phenolic molding compounds under the trade name Bakelite. Some of Union Carbide's phenolic molding compounds were manufactured with asbestos. Union Carbide bought primarily short fiber Canadian chrysotile asbestos from several suppliers over the years, including but not limited to; Carey Canadian Mines, Rubberoid Company, Johns-Manville Company, Ltd., and Asbestos Corporation Ltd.. To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 26: Is Defendant or any related company, as of the date of answering these interrogatories, still manufacturing, specifying, selling, distributing, applying or installing any asbestos-containing product? If so, give the brand/trade names of such products, type and percentage of asbestos in such product, and the date on which Defendant or any related company first manufactured, specified, sold, distributed, applied or installed said products.

RESPONSE:

See General Objections Nos. 1-8. Subject to its objections, Union Carbide responds as follows:

Union Carbide ceased manufacturing and selling asbestos-containing phenolic molding compounds by 1975. In June of 1985, Union Carbide ceased mining, milling and selling Calidria asbestos.

INTERROGATORY NO. 27: With respect to each and every product listed in response to Interrogatory No. 19, provide a full and complete description of the package in which the

product was sold, including, but not limited to, type of package, size, color and writings thereon.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Subject to its objections, Union Carbide responds as follows:

Calidria asbestos was packaged and transported in plastic or Kraft type paper bags, although some Calidria was shipped in bulk in railroad hopper cars. Each bag contained the following information: Union Carbide's corporate name and address, the net weight of material supplied, the applicable grade of asbestos, the lot number identification, and a warning label beginning in 1968, four years before Federal OSHA standards were promulgated to require a warning. At the request of some customers, a very small amount of Calidria asbestos was sold in plain Kraft bags, which contained only the warning label. Between August 1975 and June 1985 as a practice, all Kraft bags containing Calidria asbestos were individually shrink wrapped (encased by a tight fitting plastic film) and an entire pallet containing a number of such bags was also completely covered with the tight fitting plastic film. Examples of certain bags and the warning labels utilized on all bags of Calidria asbestos are available in the repositories maintained by Union Carbide's counsel.

Phenolic resins and phenolic molding compounds were commonly packaged in bags, gaylords or drums. In particular, the phenolic molding compounds were sold in granulated form and typically packaged in fifty pound bags. Examples of the labels affixed to certain bags of phenolic molding compound are available in the document repositories maintained by Union Carbide's counsel.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 28: For each subpart below, state whether or not, to Defendant's knowledge, any items as described therein presently exist and, if so, identify any and all such existing items and state the present location of each:

- (a) any product listed in response to Interrogatory No. 19, including, but not limited to, any sample, part or piece thereof;
- (b) any package of the type in which any or all of the products listed in response to Interrogatory No. 19 were or would have been sold, including, but not limited to, any partial package;
- (c) any catalogue, brochure, sales literature or like item referring to, relating to or reflecting any or all of the products listed in response to Interrogatory No. 19;
- (d) any picture, drawing, photograph or like representation of the items described in subparts (a), (b) and/or (c) of this Interrogatory.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad and unduly burdensome. Subject to its objections, Union Carbide responds as follows:

To the extent that information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 29: Did Defendant, any related company or any predecessor ever stamp or otherwise place (including affixing tags or labels) a company name, initials, or any identifying logo on any of the products listed in response to Interrogatory No. 19?

RESPONSE:

See Union Carbide's Response to Interrogatory No. 27, including all objections set forth therein.

INTERROGATORY NO. 30: If your answer to Interrogatory No. 29 is "Yes," identify each and every such product upon which such name, initials or identifying logo appeared and for each such product identified:

- (a) Describe each and every name, initials or identifying logo appearing on said product, at any time, by stating the wording, lettering, symbols, size, color and manner in which it was stamped, placed or affixed to said product;
- (b) State the date(s) during which each such name, initials, or identifying logo appeared on said product; and
- (c) Identify any and all documents referring to, relating to or reflecting the stamping, placing or affixing of names, initials or logos to said product, including, but not limited to, any pictures, photographs or like representations of such names, initials or logos.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 27, including all objections set forth therein.

INTERROGATORY NO. 31: Was each of the asbestos-containing products listed in response to Interrogatory No. 19 generally expected to reach, or was each packaged to reach, the consumer or user, without substantial change in the condition in which it was sold?

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Subject to its objections, Union Carbide responds as follows:

Calidria is not an "asbestos-containing product." Calidria is a unique short-fiber chrysotile asbestos uncontaminated by tremolite which Union Carbide extracted from an asbestos ore body in the New Idria area of San Benito County in California. Calidria was marketed and sold by Union Carbide or by Calidria distributors to manufacturers or producers who incorporated and used Calidria in their products or production processes. From 1963 to 1985, Union Carbide sold Calidria asbestos fiber to various third party manufacturers or distributors. The asbestos third party manufacturers to whom Union Carbide sold Calidria used it in manufacturing various products used in commercial applications. Union Carbide did not manufacture those products and had no control over the nature of the products in which the fiber was used.

No, with respect to phenolic molding compounds. Phenolic resins and phenolic molding compounds were intermediate materials, sold to manufacturers who would use them, and other ingredients, to mold or manufacture other products.

INTERROGATORY NO. 32: If your answer to Interrogatory No. 31 was "No" with respect to any product(s), explain in what manner Defendant claims said product(s) were altered or substantially changed after sale or distribution and before reaching the consumer or user.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 31, including all objections set forth therein.

INTERROGATORY NO. 33: With respect to each product listed in response to Interrogatory No. 19, state whether, based upon the material contents, the method of manufacturing, and the method of application, such product could generally be applied or installed without liberating asbestos fibers?

RESPONSE:

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

Calidria is not an "asbestos-containing product." Calidria is a unique short-fiber chrysotile asbestos uncontaminated by tremolite which Union Carbide extracted from an asbestos ore body in the New Idria area of San Benito County in California. Calidria was marketed and sold by Union Carbide or by Calidria distributors to manufacturers or producers who incorporated and used Calidria in their products or production processes. From 1963 to 1985, Union Carbide sold Calidria asbestos fiber to various third party manufacturers or distributors. The asbestos third party manufacturers to whom Union Carbide sold Calidria used it in manufacturing various products used in commercial applications. Union Carbide did not manufacture those products and had no control over the nature of the products in which the fiber was used.

Phenolic resins and phenolic molding compounds were intermediate materials, sold to manufacturers who would use them, and other ingredients, to mold or manufacture other products.

INTERROGATORY NO. 34: With respect to each product listed in response to original Interrogatory Number 19, was it a foreseeable use of said product that it might have to be removed, stripped or replaced at any time after application or installation?

RESPONSE:

See General Objection Nos. 1-8. Subject to its objections, Union Carbide responds as follows:

No with respect to Calidria asbestos. Calidria is a unique short-fiber chrysotile uncontaminated by tremolite asbestos which Union Carbide extracted from an asbestos ore body in New Idria, California. Calidria as raw asbestos ore was not "removed, stripped or replaced after application or installation." Calidria was marketed and sold by Union Carbide or by Calidria distributors to manufacturers or producers who incorporated and used Calidria in their products or production processes. From 1963 to 1985, Union Carbide sold Calidria asbestos fiber to various third party manufacturers or distributors. The asbestos third party manufacturers to whom Union Carbide sold Calidria used it in manufacturing various products used in commercial applications. Union Carbide did not manufacture those products and had no control over the nature of the products in which the fiber was used.

No with respect to phenolic resins and phenolic molding compounds. Phenolic resins and phenolic molding compounds were intermediate materials, sold to manufacturers who would use them, and other ingredients, to mold or manufacture other products.

INTERROGATORY NO. 35: Identify each person who participated in the design and/or preparation of manufacturing specifications for each product listed in response to Interrogatory No. 19.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad. Subject to its objections, Union Carbide responds as follows:

To the extent that information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 36: Identify any and all documents, including, but not limited to, written memoranda, specifications, blueprints, formulas, patterns and designs, referring to, relating to or reflecting the design, preparation, application and/or installation of each product listed in response to Interrogatory No. 19.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad. Subject to its objections, Union Carbide responds as follows:

To the extent that information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

See also Union Carbide's Response to Interrogatory Nos. 19 and 35.

INTERROGATORY NO. 37: With respect to each product listed in response to Interrogatory No. 19, state:

- (a) The type of asbestos contained in the product as it was first manufactured;
- (b) The percentage of asbestos contained in the product as it was first manufactured;
- (c) Any modification to the product which altered the percentage or type of asbestos in the product and the dates of such modification;
- (d) The source of asbestos in each product;
- (e) The color, physical characteristics, and appearance of each product;
- (f) Any and all other names under which the product was sold, at any time;
- (g) The number and date of each patent or patent application for each product;
- (h) If the product continued to be produced after the deletion of asbestos, all reasons why the asbestos was deleted, the identity of the person(s) who made the decision to delete the asbestos, and the date the product was first produced without the asbestos;
- (i) If the product is no longer produced, all reasons it was discontinued, the identity of the person(s) who made the decision to discontinue the product, the brand name of the replacement product, and the date the replacement product first went into production; and
- (j) The reasons why asbestos was used as an ingredient in each such product.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad. Subject to its objections, Union Carbide responds as follows:

Calidria always consisted of raw chrysotile asbestos with the same chemical composition. Different chemical treatments, however, may have been applied to the product over the course of the Calidria business.

Union Carbide produced four basic grades of Calidria asbestos: standard, super standard, high purity, and resin grade; the different grades reflect varying degrees of purity of content. Certain grades were sold in pelletized form, certain grades in fibrous form, and certain grades in both forms. In appearance, Calidria is light gray (pelletized) or white (fibrous) in color and powdery in substance. The following is a representative listing and description of the various brands of Calidria produced and marketed by Union Carbide:

<u>PRODUCT SYMBOL</u>	<u>PRODUCT CODE</u>	<u>DESCRIPTION</u>
HPO	651001	High Purity, Open Fiber
HPO-C	651101	High Purity, Open Fiber
HPP	651601	High Purity, Pellets
HPP-JAP	651701	High Purity, Pellets, 4-Ply bags
RG-110	652101	Resin-Grade, Open Fiber 15% +325
RG-110-D	652201	Resin-Grade, Open Fiber, 15% +325
RG-144	652501	Resin-Grade, Open Fiber
A- 14	652801	Resin-Grade, Open Fiber
RG-244	653001	Resin-Grade, Open Fiber
RG - 444-0	653301	Resin-Grade, Open Fiber, 10% Stearic Acid
A-28	653601	Resin-Grade, Open Fiber, Silica Treated
SG-100	654001	Standard Grade, Pellets
SG-102	654201	Standard Grade, Pellets, 100-lb. bags
SG-130	654501	Standard Grade, Open Fiber, 30% +325
SG-144	654801	Standard Grade, Open Fiber, 45% +325
SG-200	655001	Super Standard Grade, Pellets
SG-210	655301	Super Standard Grade, Open Fiber, 15% +325
SG-444-0	655501	Standard Grade, Open Fiber, 5% Stearic, Hydrophobic
T-135-0	656001	High Purity, Open Fiber, Titanated, 3 5%, Anatase
T-135-P	656301	High Purity, Pellets, Titanated, 35%, Anatase
CG-100	656601	Coatings Grade, Pellets
CG-135-0	656801	Coatings Grade, Open Fiber, Titanated 35%, Rutile
CG-135-P	656901	Coatings Grade, Pellets, Titanated, 35%, Rutile
Super-Visbestos	657301	Super Standard Grade, Cracked Pellets
Visbestos	657601	Standard Grade, Open Fiber
Oilbestos	657001	Standard Grade, Open Fiber, 5% Stearic, Hydrophobic
Shurlift	657801	Standard Grade, Open Fiber
Visquick	657901	Standard Grade, Open Fiber
Imcobest	657801	Standard Grade, Open Fiber
Arcovis	657201	Standard Grade, Open Fiber, 5% Stearic Acid, Hydrophobic
SX-14	652701	Resin Grade, Open Fiber
SX-24	653201	Resin Grade, Open Fiber

As of January 29, 1981 the following United States patents relating to Calidria asbestos were assigned to Union Carbide:

No.	Issue Date	Name	Subject
3,224,965	12/21/65	R. G. Woolery	Water and Waste Treatment
3,256,106	6/14/66	W. H. Dresher	Sulfur Treated Asbestos and Color-Stabilized Tile-making Mixtures

3,297,516	1/10/67	A. W. Naumann	Process for Dispersing Asbestos
3,324,073	6/6/67	G. H. Potter	Transparent, Stress-Crack Resistant Polyhydroxyether composition
3,396,139	8/6/68	R. H. Snedeker	Asbestos Modified Polyhydroxyether
3,409,499	11/5/68	W. H. Dresher	Asbestos Dispersion With Organic Acid as Sole Dispersing Agent
3,421,975	1/14/69	R. G. Woolery	Reversible Flocculation & Redispersion of Chrysotile Asbestos
3,427,280	2/11/69	Imhof	Self-Crosslinking Carboxyl-Containing Olefin Polymer Composition
3,471,438	10/7/69	S. Chwastiak	Silica-Coated Asbestos (RG-244)
3,485,790	12/23/69	Potter	Improved Filled Polymers (PVAC, ethyl and vinyl acetate copolymers, etc.)
3,677,803	7/18/72	F. W. Bennet	Anti-Seize Thread Composition
3,558,485	1/26/71	J. E. Skvarla	Fire Fighting Composition Using Asbestos Slurry
3,619,354	11/9/71	R. G. Woolery	Laminated Felted Sheets with Asbestos-Containing Coating
3,838,085	9/24/74	J. L. Myers	Pigmented Asbestos Latex Emulsion Paint Composition
3,928,278	12/23/75	R. G. Azrak	Coupling Agents for Chrysotile Asbestos and Thermoplastic Polymers
3,947,286	3/30/76	J. L. Myers	Pigmented Asbestos Coating Systems

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

See also Union Carbide's Response to Interrogatory Nos. 16 and 19.

INTERROGATORY NO. 38: Identify any and all facilities at which Defendant, any predecessor or any related company, at any time, manufactured or processed asbestos-containing products, or processed raw asbestos. For each such facility identified:

- (a) State the date(s) which said facility was owned and/or operated by Defendant, any predecessor or any related company;

- (b) State the date(s) during which asbestos-containing products and/or raw asbestos were manufactured or processed, at said facility; and,
- (c) Identify each person serving as the manager or supervisor of said facility during any time which the facility has been owned and/or operated by Defendant, any predecessor or any related company, and state the date(s) of the tenure as manager or supervisor for each.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Responses to Interrogatory Nos. 16 and 23.

Calidria is a unique short-fiber chrysotile asbestos uncontaminated by tremolite, which Union Carbide extracted from an asbestos ore deposit in the New Idria area of San Benito County in California which was discovered in 1957. The mining was performed by a small number of employees and sub-contractors and was carried out every year or every other year, depending on the circumstances, during the period May to October. The ore deposit was mined by conventional open pit methods. The Calidria asbestos that was mined was stored until processed at Union Carbide's plant located near King City, California.

Union Carbide first employed former employee John Myers in May 1951. Mr. Myers was involved in various aspects of Union Carbide's Calidria asbestos business since 1966, and has familiarity with many facets of the business and of the Calidria product. From 1970-1981, Mr. Myers held the Metals Division position of Marketing Manager for Calidria asbestos. He served in the Metals Division as Product and Production Manager for Calidria asbestos from 1981 to June 30, 1985.

Union Carbide manufactured asbestos containing phenolic molding compounds at its Bound Brook facility in New Jersey from approximately 1939 until 1975.

Union Carbide did not own or operate any facility located in Joilet, Illinois. Furthermore, Union Carbide did not manufacture or process any asbestos-containing products, or raw asbestos at any facility or facilities it may have owned in Louisville, Kentucky.

INTERROGATORY NO. 39: Identify any and all entities to which the defendant, any predecessor or related company, sold, distributed or otherwise provided any type of asbestos-containing product, including but not limited to, the products listed in response to original Interrogatory number 19, and which the defendant has any reason whatsoever to suspect, believe, think or otherwise conclude that said asbestos-containing product was installed, applied, stored, or anyway made use of at any site listed in the Exhibit "A", at any site located in Madison County, Illinois, or at any site within a 200 mile radius of Madison County, Illinois.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on

the grounds that it is overly broad and unduly burdensome, calls for speculation, vague and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide was not provided with an "Exhibit A", as such Union Carbide is unable to respond to the portion of this Interrogatory pertaining to "Exhibit A." Information relating to the sales of Calidria and asbestos-containing phenolic molding compounds is located in the repositories maintained by Union Carbide's counsel. Upon Plaintiffs' request and identification of individual relevant customers, Union Carbide will provide copies of records of any sales to such customers, if records exist and are in the possession of Union Carbide's counsel.

INTERROGATORY NO. 40: Identify any and all persons known by you to have any knowledge concerning the manufacture, sale, distribution, possession, application, installation or use of the products listed in response to Interrogatory No. 19.

RESPONSE:

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

Information responsive to this Interrogatory, and in the possession of Union Carbide, is located in the repositories maintained by Union Carbide's counsel.

See also Union Carbide's Response to Interrogatory Nos. 38 and 117.

INTERROGATORY NO. 41: Has Defendant, any predecessor or any related company, at any time, designed, manufactured, processed, sold, distributed, supplied, applied, installed or contracted to apply or install any product which contained vermiculite?

RESPONSE:

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

See Union Carbide's Response to Interrogatory Nos. 10, 19, and 22.

INTERROGATORY NO. 42: If your answer to Interrogatory No. 41 is "Yes," identify

by brand/trade name any and all such products which contained vermiculite and for each:

- (a) State the date(s) during which said product contained vermiculite;
- (b) State, in percentage terms, the amount of vermiculite contained in the product;
- (c) Identify the source of the vermiculite used in the product;
- (d) Identify the specific company (Defendant, predecessor, related company) which designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (e) State the year in which Defendant, its related company or its predecessor first designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (f) State the year in which the Defendant, its related company or predecessor last designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (g) State whether any sample, part or piece of such product is still in existence; and
- (h) Identify all documents relating to such product, including but not limited to any package, brochure, catalog, picture, photograph or like representation of the product or packaging.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 41, including all objections set forth herein.

INTERROGATORY NO. 43: With respect to the products listed in response to Interrogatory Nos. 19 and 42, did Defendant, any predecessor or related company or the manufacturer of the products ever conduct tests of any kind on any or all of said products concerning possible or potential health hazards involved in its use or in the use of materials contained therein?

RESPONSE

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Subject to its objections, Union Carbide responds as follows:

Calidria is a unique short-fiber chrysotile asbestos that is uncontaminated by tremolite asbestos. Calidria is now known not to pose the health risks of certain other forms of asbestos. However, during the period when scientific knowledge was developing, Union Carbide undertook several studies to ensure the safety of workers and customers exposed to its Calidria asbestos.

Starting in 1963, Union Carbide has had a medical monitoring program, consisting of tests including chest x-rays and pulmonary function analysis for employees working at its milling operation at King City, California. The results of these tests show that no employee at the King City mill experienced any asbestos-related health effect since the King City operation

started in 1963.

In addition, Union Carbide monitored asbestos dust levels at both its own facilities and its Calidria customers' facilities. Union Carbide monitored the asbestos dust levels at its King City facility from September 1963 to June 1985, and starting in around 1972, at Union Carbide's expense, Union Carbide provided to its customers free air monitoring of asbestos dust levels. The results of the air monitoring tests of Union Carbide's customers were provided so that customers would be aware of how much asbestos dust, if any, was being generated and would be able to take whatever steps might be necessary to maintain dust levels within limits set by government agencies or to reduce dust levels if necessary. This provided Union Carbide with the opportunity to discuss asbestos health issues and safety precautions with its customers' personnel.

Employees of Union Carbide also authored two articles to address the handling and safety measures to be taken when handling joint compound products. These articles reported and commented on the findings of several studies that measured the exposure to airborne asbestos during the sanding of joint compounds during routine working conditions at various job sites. As a result of these studies, Union Carbide continued its practice of making numerous safety recommendations to joint compound manufacturers and users, including the use of respirators, proper cleanup procedures, and numerous other precautions to prevent the exposure to dust.

In addition to studies that relate to the health effects of Calidria on persons who worked with or around Calidria, there are also studies that relate to the effects of injecting Calidria into lab animals under experimental conditions. These include two studies of Calidria asbestos that were made by the Mellon Institute on behalf of Union Carbide:

1. The first study, conducted in 1966, was entitled "The Fibrogenic Potential of Asbestos Products - Via Intraperitoneal Injection In Guinea Pigs, Rats and Rabbits and by the Intratracheal Route in the Rat." A copy of the study's report is located in the repositories maintained by Union Carbide's counsel.
2. The second study, conducted in 1971, was entitled "Calidria Asbestos Resin Grade RG244, Tracheal Insufflation of Rat Lungs with Interpretation of Pathology After 20, 60, 90, and 180 Days." A copy of the study's report is located in the repositories maintained by Union Carbide's counsel.

In addition to the above two tests, and in addition to chemical analyses of Calidria which Union Carbide may have undertaken, in the mid-1960's Union Carbide cooperated with the Pneumoconiosis Research Unit of the Llandough Hospital in the United Kingdom to conduct a "trace element analysis" of asbestos and provided samples of Calidria asbestos for such analysis. Union Carbide also monitored research that was occurring in the scientific and medical communities relating to the potential health effects associated with exposure to certain types of asbestos.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union

Carbide's counsel.

INTERROGATORY NO. 44: If your answer to Interrogatory No. 43 is "Yes," with respect to each product test:

- (a) State the location where the test was performed;
- (b) Identify each and every individual who conducted or participated in said test;
- (c) Describe the results of said test;
- (d) State the date or dates upon which said test was conducted;
- (e) Identify any and all documents referring to, relating to or reflecting said test or the results thereof; and
- (f) Identify each and every individual who received a copy of any document referring to, relating to or reflecting the results of said test.

RESPONSE:

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

See Union Carbide's Response to Interrogatory No. 43, including all objections set forth therein.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 45: Did any person, including but not limited to, an officer, agent or employee of Defendant, any predecessor or related company recommend any design changes as a result of any test referenced in your response to the preceding interrogatory?

RESPONSE:

See General Objections Nos. 1-8. Subject to its objections, Union Carbide responds as follows:

Calidria always consisted of raw chrysotile asbestos with the same chemical composition. Different chemical treatments, however, may have been applied to the product over the course of the Calidria business.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 46: If your answer to Interrogatory No. 45 is "Yes," with respect to each such recommended design change:

- (a) State the product or products involved;
- (b) State the test or tests involved;
- (c) State the nature of the change recommended;
- (d) Identify the person(s) making the recommendation;
- (e) State the nature and effective date of any change made; and
- (f) Identify each and every person who participated in the decision to make or not make the recommended design change.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 45, including all objections set forth therein.

INTERROGATORY NO. 47: Identify any and all persons employed by Defendant, its predecessor or related company at any time from 1940 to date as an industrial hygienist or in a similar position.

RESPONSE:

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

Union Carbide's Industrial Relations Department was formally organized as early as 1921. The Industrial Relations Department performed several functions similar to those performed by a medical department. Prior to the formal formation of a corporate Medical Department at Union Carbide, Union Carbide and Union Carbide facilities either had their own physicians on site or consulted physicians as necessary. Union Carbide's Medical Department was formally organized in the late 1930s. The duties of Union Carbide's Medical Director encompassed coordination of Union Carbide's medical programs, including employee physical examination programs; recommendations with respect to medical policies, standards and procedures; and administration of medical services at Union Carbide's corporate headquarters, a corporate epidemiology program, a medical program for employees traveling overseas, and an alcoholism prevention and treatment program. The medical director reports to the corporate Vice President in charge of Union Carbide's Community and Employee Health, Safety and Environmental Protection Department.

The Medical Directors at Union Carbide have included the following individuals for the

years respectively indicated below:

Girard Cranch (1938-1945)
Thomas Nale (1945-1963)
John J. Welsh (1963-1978)
Thomas A. Lincoln (1978-1985)
Guy Fortney (1985-1989)
Jean B. Case (1989-2000)

In 1948, the medical and industrial hygiene functions were divided. Oliver Stam became a corporate level industrial hygienist. In 1953, Paul McDaniel succeeded Mr. Stam. Upon Mr. McDaniel's retirement, Marvin Huffman served as the Manager of Risk Assessment Group, and Mr. Timothy J. Cawley served in that capacity from 1995 until 1998. From 1998 until 2001, Mr. Roy Myers served as the Manager of Risk Assessment Group.

In the early 1960s, Drs. Carl Dernehl and K. S. Lane of Union Carbide's Medical Department were given the corporate positions of Director and Assistant Director of Toxicology, respectively. Dr. Dernehl served as the Associate Corporate Medical Director with responsibility for toxicology from 1965 until 1979. From 1986 through 1992, Dr. Hilton Lewinsohn served as the Medical Director, Chemicals & Plastics Group. Dr. Lewinsohn is a recognized expert in asbestos-related medicine matters and pathologies.

Union Carbide's various divisions employed industrial hygienists for and in their respective facilities or premises. During the period of the Calidria business, Dr. Harrison Rhodes, an industrial hygienist, supervised the dust count program.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel. Upon request, a visit to the repositories by Plaintiffs' counsel can be arranged at a mutually convenient time.

INTERROGATORY NO. 48: Identify any and all persons or entities, other than the employees listed above, which provided industrial hygienic or similar services or information to, or for the benefit of, this Defendant, at any time from 1940 to date, including, but not limited to, employees of, or anyone retained by, any predecessor or related company.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 47, including all objections set forth therein.

INTERROGATORY NO. 49: Does Defendant have, or has Defendant, any predecessor or any related company ever had, a Research Department? If so:

- (a) State when such department was established, and whether or not such department has operated continuously since being established;

- (b) State how much Defendant, its predecessor and/or related company expended each year on research; and
- (c) State the percentage of said expenditure which was for research concerning the health affects of asbestos;
- (d) Identify the person(s) in charge of such department throughout its existence; and
- (e) Identify the person(s) in charge of any asbestos-related research conducted by such department throughout the years.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is unduly burdensome. Subject to its objections, Union Carbide responds as follows:

Information relating to the research and development of Union Carbide's Calidria asbestos and its phenolic molding compounds and resins is located in the repositories maintained by Union Carbide's counsel. Upon request, a visit to the repositories by Plaintiffs' counsel can be arranged at a mutually convenient time.

INTERROGATORY NO. 50: Did Defendant, any predecessor or any related company, or any medical department or industrial hygiene division thereof, maintain a medical and/or scientific library at any time from 1940 to the present? If so:

- (a) State the dates such library existed;
- (b) State the number of volumes maintained therein;
- (c) State the number of employees, part-time or full-time, assigned to the maintenance of said library; and
- (d) Identify the person(s) within the corporate structure to whom said library employees reported throughout the existence of the library.

RESPONSE:

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

Union Carbide maintained a Research and Development Library in South Charleston, West Virginia, as well as a library in its medical department in New York City. Union Carbide used its libraries in order to, among other things, conduct reference work and to monitor research in the scientific and medical communities. In addition to approximately 250-300 books in the New York library, the toxicology department in particular kept its subscriptions to medical journals and periodicals. These journals included the British Medical Journal, Journal of Occupational Health, American Hygiene Medical Journal, Journal of Archives of Industrial Health, Journal of Industrial Hygiene and Toxicology, Lancet, Archives of Environmental Health, and the Annals of New York Academy of Sciences, among others. Union Carbide's

medical department also used the New York Academy of Medicine Library for references not available in its own collection.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 51: Identify any and all scientific or medical periodicals to which Defendant, any predecessor or any related company, or any medical department or industrial hygiene division thereof, subscribed from 1940 to the present, and for each periodical state the dates of such subscriptions.

RESPONSE:

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

See Union Carbide's Response to Interrogatory No. 50, including all objections set forth therein.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 52: Has Defendant, any predecessor or any related company, at any time since 1940:

- (a) been a member of a medical and/or scientific library or library association?
- (b) been a member of any organization or association which maintained a medical and/or scientific library?
- (c) been a member of any organization or association through which members obtained the use of, or access to, a medical and/or scientific library?

RESPONSE:

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

See Union Carbide's Response to Interrogatory No. 50, including all objections set forth therein.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union

Carbide's counsel.

INTERROGATORY NO. 53: If your answer to any subpart of Interrogatory No. 52 is "Yes":

- (a) Identify the library(ies) involved and state the years during which Defendant, its predecessor or related company was a member of, or otherwise had use of or access to said library; and
- (b) If applicable, identify the organization or association through which Defendant, its predecessor or related company, obtained the use of or access to, such library(ies).

RESPONSE:

See Union Carbide's Response to Interrogatory No. 52, including all objections set forth therein.

INTERROGATORY NO. 54: Has Defendant, any predecessor or any related company, or any person or entity acting on behalf thereof, including but not limited to, any insurance company, at any time, conducted any industrial hygiene surveys concerning any product identified in response to Interrogatory Nos. 19, including, but not limited to, surveys concerning the manufacture, processing, application, installation, use and/or removal of said products?

RESPONSE:

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

Calidria is a unique short-fiber chrysotile asbestos that is uncontaminated by tremolite asbestos. Calidria is now known not to pose the health risks of certain other forms of asbestos. However, during the period when scientific knowledge was developing, Union Carbide undertook several studies to ensure the safety of workers and customers exposed to its Calidria asbestos.

Starting in 1963, Union Carbide has had a medical monitoring program, consisting of tests including chest x-rays and pulmonary function analysis for employees working at its milling operation at King City, California. The results of these tests show that no employee at the King City mill experienced any asbestos-related health effect since the King City operation started in 1963.

In addition, Union Carbide monitored asbestos dust levels at both its own facilities and its Calidria customers' facilities. Union Carbide monitored the asbestos dust levels at its King City facility from September 1963 to June 1985, and starting in around 1972, at Union Carbide's expense, Union Carbide provided to its customers free air monitoring of asbestos dust levels. The results of the air monitoring tests of Union Carbide's customers were provided so that

customers would be aware of how much asbestos dust, if any, was being generated and would be able to take whatever steps might be necessary to maintain dust levels within limits set by government agencies or to reduce dust levels if necessary. This provided Union Carbide with the opportunity to discuss asbestos health issues and safety precautions with its customers' personnel.

Employees of Union Carbide also authored two articles to address the handling and safety measures to be taken when handling joint compound products. These articles reported and commented on the findings of several studies that measured the exposure to airborne asbestos during the sanding of joint compounds during routine working conditions at various job sites. As a result of these studies, Union Carbide continued its practice of making numerous safety recommendations to joint compound manufacturers and users, including the use of respirators, proper cleanup procedures, and numerous other precautions to prevent the exposure to dust.

With respect to Union Carbide's phenolic molding compounds, Union Carbide periodically monitored for dust in the manufacturing areas of the facility where these products were produced.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 55: If your answer to Interrogatory No. 54 is "Yes," with respect to each such survey:

- (a) Identify the product(s) which was used in the survey;
- (b) Identify any and all person(s), firm(s) or entity(ies) conducting or participating in the conducting of said survey;
- (c) State the date(s) of said survey;
- (d) Describe the methodology, results and conclusions of said survey;
- (e) Identify any and all documents referring to, relating to, or reflecting said survey or the results and conclusions thereof; and,
- (f) Identify any and all persons to whom such document may have been sent.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 54, including all objections set forth therein.

INTERROGATORY NO. 56: Has Defendant, any predecessor or any related company, or any person or entity acting on behalf thereof, including but not limited to any insurance company, at any time, gone into any area where any product identified in response to

Interrogatory Nos. 19 and 42 was being manufactured, used, applied or installed to perform a dust level count or similar test?

RESPONSE:

See Union Carbide's Response to Interrogatory No. 54, including all objections set forth therein.

INTERROGATORY NO. 57: If your answer to Interrogatory No. 56 is "Yes," identify each such count or test performed, by stating when and where it was conducted, and with respect to each count or test so identified:

- (a) Identify the product being manufactured, used, applied or installed;
- (b) Identify each and every person who conducted, participated in conducting, or analyzed the results of, said count or test;
- (c) State the purpose of said count or test;
- (d) State what, if any, actions were taken in response to the results of said count or test; and,
- (e) Identify any and all documents referring to, relating to or reflecting said count or test, including, but not limited to, any actions taken in response to the results of such count or test.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and unduly burdensome. Subject to its objections, Union Carbide responds as follows:

Information responsive to this Interrogatory, and in the possession of Union Carbide, is located in the repositories maintained by Union Carbide's counsel.

See also Union Carbide's Response to Interrogatory No. 54.

INTERROGATORY NO. 58: Has Defendant, any predecessor or any related company, or any person or entity acting on behalf thereof, at any time, conducted any study(ies), of any kind, concerning the effects of the inhalation of asbestos dust or asbestos fibers on one using or being exposed to asbestos or any asbestos-containing product, including, but not limited to, those identified in response to Interrogatory Nos. 19 and 42?

RESPONSE:

See Union Carbide's Responses to Interrogatory Nos. 43 and 54, including all objections set forth therein.

INTERROGATORY NO. 59: If your answer to Interrogatory No. 58 is "Yes," with respect to each such study:

- (a) Describe the nature of said study, including, but not limited to, the purpose and objectives of the study, the product(s) involved, the date(s) conducted, the methodology employed and the results reached, both raw data and conclusions;
- (b) Identify any and all entities and/or persons conducting said study or participating in the conducting of said study;
- (c) Identify any and all documents referring to, relating to or reflecting said study, including but not limited to reports (both interim and final), notes, memoranda, work papers, data compilations and surveys;
- (d) Identify any and all directors, officers, agents or employees of Defendant who participated in the decision to have the study conducted; and,
- (e) Identify any and all entities and/or persons who received a copy of any document referring to, relating to or reflecting the results or conclusions reached.

RESPONSE:

See Union Carbide's Responses to Interrogatory Nos. 43 and 54, including all objections set forth therein.

INTERROGATORY NO. 60: Did Defendant, its predecessor or related company, take any action as a result of any study or studies set forth in response to Interrogatory Nos. 56 and 58? If so, identify each and every study which resulted in some action being taken, and:

- (a) Describe the actions taken, including the effective date of said actions;
- (b) Identify any and all persons, including, but not limited to, directors, officers, agents and employees of Defendant who participated in the decision to undertake said actions; and
- (c) Identify any and all documents referring to, relating to or reflecting said actions, or any subsequent modification or discussion of the same.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad, vague and ambiguous, as to "any action." Subject to its objections, Union Carbide responds as follows:

As a result of the two studies of Calidria asbestos that were made by the Mellon Institute on behalf of Union Carbide referred to in Union Carbide's Response to Interrogatory No. 43,

Union Carbide concluded that the same practices to avoid breathing asbestos dust must be observed whether the dust be from Calidria or from any other type of asbestos, and advised its employees and Calidria customers accordingly.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 61: Has Defendant, any predecessor, or any related company, or any person or entity acting on behalf thereof, at any time, conducted any study(ies) designed to minimize or eliminate the inhalation of asbestos dust and fibers by those using, handling or exposed to any product listed in response to Interrogatory Nos. 19 and 42?

RESPONSE:

See Union Carbide's Responses to Interrogatory Nos. 43 and 54, including all objections set forth therein.

INTERROGATORY NO. 62: If your answer to Interrogatory No. 61 is "Yes," with respect to each such study:

- (a) Identify the product involved;
- (b) Identify the person(s) and/or entity(ies) conducting said study;
- (c) State the date said study began and the date on which it was completed;
- (d) Identify any and all persons, including, but not limited to, directors, officers, agents or employees of Defendant, who participated in the decision to have said study conducted;
- (e) Describe the nature of said study;
- (f) Describe the nature of any action to eliminate or minimize inhalation of asbestos dust or asbestos fibers undertaken as a result of said study;
- (g) Identify any and all documents referring to, relating to or reflecting said study or the results thereof; and,
- (h) Identify any and all persons receiving a copy of any document referring to, relating to or reflecting the results or conclusions of said study.

RESPONSE:

See Union Carbide's Responses to Interrogatory Nos. 43 and 54, including all objections set forth therein.

INTERROGATORY NO. 63: Did Defendant, any related company, or any predecessor at any time, give to persons, who would be applying and/or removing any of the products listed in response to Interrogatory Nos. 19 and 42, any instructions or guidelines concerning precautions, warnings, procedures, and/or methods to use, in order to safely apply or remove such products? If so, describe such instructions, state to whom they were given, state the dates they were given, and describe the manner in which they were given.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Subject to its objections, Union Carbide responds as follows:

Despite the unique nature of the Calidria fiber, which did not pose the health risks that might be created by asbestos from other deposits, Union Carbide advised its customers, many of whom had years of experience in handling asbestos from other suppliers and other minerals and chemicals, of the health effects and precautions applicable to asbestos fibers throughout the time that it mined and sold asbestos. Health and safety information was shared in a number of different ways including, distribution by mail and in person, through customer mailings, meetings, seminars and sales calls where asbestos toxicology was frequently discussed.

Union Carbide typically sold asbestos in bags which carried a warning label beginning in 1968, four years before the Federal OSHA standards were promulgated to require a warning. In 1972, when after months of extensive hearings OSHA mandated specific language for inclusion on the warning label, Union Carbide followed the regulation and modified the warning label on asbestos bags to include the precise language set out in the OSHA regulations.

Union Carbide prepared booklets and other written information for its customers containing information related to specific applications. These written materials contained specific information on asbestos health hazard and safety issues, regulatory requirements, air monitoring results and other pertinent items. In 1964, Union Carbide prepared an Asbestos Toxicology Report, which provided comprehensive information about the potential health risks of asbestos. This Asbestos Toxicology Report was updated with the 1969 Asbestos Toxicology Report and the Mid-1970 and 1972 Toxicology summaries. The initial report and its updates were prepared to keep customers current with evolving medical knowledge about health and safety issues relating to asbestos, and were distributed by mail and in face-to-face meetings to many of Union Carbide's asbestos customers, many of whom were sophisticated companies familiar with the use and handling of asbestos. The original Asbestos Toxicology Report notes that workers exposed to high concentrations of asbestos dust were prone to develop asbestosis, and further states that control of asbestos dust was necessary. The report recommends several control methods, including the use of pre-employment and periodic physical examinations for workers who might be exposed to respirable asbestos fibers, the use of wet processes, adequate exhaust ventilation, and the wearing of respirators. The report also warned that asbestos dust at the then-prevailing Threshold Limit Value of 5 million particles per cubic foot of air was generally not visible in the average work area. Union Carbide assumed that Calidria was as potentially hazardous, if safe practices were not observed, as other chrysotile asbestos and advised its customers to treat its Calidria asbestos as such.

Union Carbide also made available to its customers a variety of pamphlets, statements, articles, material safety data sheets, and other literature addressing asbestos health effects and safety precautions. Included in such materials were the 1972 OSHA Regulations, The National Academy of Sciences Report entitled "Airborne Asbestos", and a World Health Organization Report. Union Carbide provided copies of these published regulations, reports and literature to customers during meetings and by mail. Moreover, Union Carbide thoroughly educated its salesmen about the health hazards and regulatory requirements associated with asbestos, and directed its salesmen to share this information with customers through phone calls, sales calls, mailings, seminars and meetings.

Union Carbide also prepared information for presentations to technical society meetings or any group who was interested in the health effects and safe handling of asbestos. Union Carbide published articles on asbestos health and safety issues in various publications, including the Trade Press, that was subscribed to by customers using asbestos.

In addition to the health and safety information provided by Union Carbide, information regarding the health effects of asbestos and precautions applicable to certain asbestos fibers was publicly available from a variety of sources including, for example, medical pronouncements and publications, government regulations, media reporting, union publications, public health information, and public statements of asbestos manufacturers.

Phenolic resins and phenolic molding compounds were intermediate materials, sold to manufacturers who would use them, and other ingredients, to mold or manufacture other products.

INTERROGATORY NO. 64: Did Defendant, any predecessor or any related company, at any time, place any warning signs or labels on the containers in which any of the products listed in response to Interrogatory Nos. 19 and 42 were packaged?

RESPONSE:

See General Objections Nos. 1-8. Subject to its objections, Union Carbide responds as follows:

Union Carbide used two warnings on its Calidria packaging: The first warning label was used beginning in 1968, four years before Federal OSHA standards were promulgated to require a warning, and read as follows: "Warning: Breathing dust may be harmful. Do not breathe dust." In 1972, when after months of extensive hearings OSHA mandated specific language for inclusion on the warning label, Union Carbide followed the regulation and modified the label on its bags of asbestos to include the language required by OSHA: "Caution. Contains asbestos fibers. Avoid creating dust. Breathing asbestos dust may cause serious bodily harm."

With respect to its asbestos-containing phenolic molding compounds, in 1973 Union Carbide printed the following cautions on the packages of asbestos containing phenolic molding compounds: "Caution! Contains asbestos fibers; Avoid creating dust; Breathing Asbestos Dust May Cause Serious Bodily Harm." Union Carbide ceased manufacturing and selling asbestos containing

phenolic molding compounds by 1975.

To the extent that additional information responsive to this Interrogatory exists, and is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

See also Union Carbide's Response to Interrogatory No. 63.

INTERROGATORY NO. 65: If your answer to Interrogatory No. 64 is "Yes," identify each and every product upon which such a warning was placed, and with respect to each such product identified:

- (a) State the date on which any order directing that a warning be placed on said product first issued;
- (b) Identify any and all persons participating in the decision to issue that order;
- (c) State the first date on which such warning was actually placed on said product;
- (d) State the first date on which such product accompanied by such warning was first sold, distributed or installed;
- (e) State the exact wording of this first warning;
- (f) State the exact location and size of this first warning as it appeared on said product;
- (g) Identify any and all persons who participated in any phase of the drafting or design of said first warning, including, but not limited to, those who performed the actual drafting and design work, those who reviewed the work, those who edited the work and those who approved the warning;
- (h) State why you placed such warning on said product, including, but not limited to, whether you placed such warning on said product because you received a directive, command, suggestion, legal opinion, or any type of communication (written or otherwise) from any person, firm, corporation, governmental agency, committee, association, attorney or institute; and
- (i) Identify any and all documents referring to, relating to or reflecting, said warning, its drafting, and/or the decision to place the warning on said product, including, but not limited to, any communication as described in subpart (h) of this Interrogatory.

RESPONSE:

See General Objection Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Response to Interrogatory No. 64.

Additional information responsive to this Interrogatory, and in the possession of Union Carbide, is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 66: With respect to each product identified in response to Interrogatory No. 65 as having been accompanied by a warning, state whether, subsequent to the first warning described above, any different warning was ever placed upon said product. Any alteration, change or modification in the language, wording, capitalization, punctuation, style of type or printing, size, color, or location on the package or container, of the warning constitutes a different warning.

RESPONSE:

See Union Carbide's Response to Interrogatory Nos. 63 and 64, including all objections set forth therein.

INTERROGATORY NO. 67: With respect to each different warning which accompanied each product listed in response to Interrogatory No. 65:

- (a) State the date on which any order directing that such different warning be placed on said product first issued;
- (b) Identify any and all persons participating in the decision to issue that order;
- (c) State the first date on which such different warning was actually placed on said product;
- (d) State the first date on which such product accompanied by such different warning was sold, distributed or installed;
- (e) Describe, with specificity, any and all changes, modifications or differences between the different warning and the prior warnings(s);
- (f) Identify any and all persons who participated in any phase of the drafting or design of such different warning, including, but not limited to, those who performed the actual drafting and design work, those who reviewed the work, those who edited the work and those who approved the different warning;
- (g) State why you placed such different warning on said product, including, but not limited to, whether you placed such different warning on said product because you received a directive, command, suggestion, legal opinion, or any type of communication (written or otherwise) from any person, firm, corporation, governmental agency, committee, association, attorney or institute; and
- (h) Identify any and all documents referring to, relating to or reflecting, said different warning, its drafting, and/or the decision to place the different warning on said product.

RESPONSE:

See Union Carbide's Response to Interrogatory Nos. 63 and 64, including all objections set forth therein.

INTERROGATORY NO. 68: Prior to the date on which Defendant first directed that a warning accompany any product identified in response to Interrogatory Nos. 19 and 42, did any person, firm, organization or other entity, within or without your employ, suggest, recommend, counsel, advise, or otherwise indicate in any manner, that a warning should accompany any or all such products or asbestos-containing products generally?

RESPONSE:

See General Objection Nos. 1-8. Union Carbide further objects to the extent that this Interrogatory seeks information protected by attorney-client privilege and/or work-product doctrine. Subject to its objections, Union Carbide responds as follows:

To the extent that information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

See also Union Carbide's Response to Interrogatory Nos. 63 and 64.

INTERROGATORY NO. 69: If your answer to Interrogatory No. 68 is "Yes," with respect to each such suggestion, recommendation, counseling, advice or other indication:

- (a) Identify the person(s) and/or entity(ies) giving the same;
- (b) State the date(s) on which the same was given;
- (c) Identify any and all persons receiving notice of the same;
- (d) Describe what, if any, action Defendant took in response to or upon the same; and,
- (e) Identify any and all documents referring to, relating to or reflecting the same, or any action taken thereon or in response thereto.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 68, including all objections set forth therein.

INTERROGATORY NO. 70: Did Defendant, any predecessor, or any related company ever place any warning directly upon any of the products listed in response to Interrogatory Nos. 19 and 42?

RESPONSE:

See Union Carbide's Response to Interrogatory No. 64, including all objections set forth therein.

INTERROGATORY NO. 71: If your answer to Interrogatory No. 70 is "Yes," identify each and every product upon which such a warning was placed and for each such product identified:

- (a) State, verbatim, each and every warning which ever appeared on said product;
- (b) State the size, color and location of each such warning and describe the manner in which it was placed upon the product;
- (c) State the dates on which each such warning first and last appeared in said product; and,
- (d) Identify any and all documents referring to, relating to or reflecting the placing of any warning directly upon said products, including, but not limited to, decisions not to place such a warning.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 64, including all objections set forth therein.

INTERROGATORY NO. 72: Did any warning of any type concerning the products listed in response to Interrogatory Nos. 19 and 42 ever appear in any sales literature or other materials distributed or provided by Defendant, any predecessor or any related company, to the purchasers, consumers and/or users of such products?

RESPONSE:

See Union Carbide's Response to Interrogatory Nos. 63 and 64, including all objections set forth therein.

In addition, Union Carbide provided its customers, many of whom had years of experience in handling asbestos and other minerals and chemicals, with recommendations on how to minimize asbestos dust. Union Carbide prepared booklets and other written information for its customers containing information related to specific applications. These written materials contained specific information on asbestos health hazard and safety issues, regulatory requirements, air monitoring results and other pertinent items. In 1964, Union Carbide prepared an Asbestos Toxicology Report, which provided comprehensive information about the potential health risks of asbestos. This Asbestos Toxicology Report was updated with the 1969 Asbestos Toxicology Report and the Mid-1970 and 1972 Toxicology summaries. The initial report and its updates were prepared to keep customers current with evolving medical knowledge about health and safety issues relating to asbestos, and were distributed by mail and in face-to-face meetings to many of Union Carbide's asbestos customers, many of whom were sophisticated companies

familiar with the use and handling of asbestos. The original Asbestos Toxicology Report states that workers exposed to high concentrations of asbestos dust were prone to develop asbestosis and warns that asbestos dust at the then-prevailing Threshold Limit Value of 5 million particles per cubic foot of air was generally not visible in the average work area. The report also addresses the need to minimize and control asbestos dust exposure and recommends several control methods, including the use of wet processes, adequate exhaust ventilation, the wearing of respirators and the use of pre-employment and periodic physical examinations for workers who might be exposed to respirable asbestos fibers. Union Carbide assumed that Calidria was as potentially hazardous, if safe practices were not observed, as other chrysotile asbestos and advised its employees and customers to treat its Calidria asbestos as such.

Union Carbide also made available to its customers a variety of pamphlets, statements, articles, material safety data sheets, and other literature addressing asbestos health effects and safety precautions. Union Carbide also prepared information for presentations to technical society meetings or any group who was interested in the health effects and safe handling of asbestos. Union Carbide published articles on asbestos health and safety issues in various publications, including the Trade Press, that was subscribed to by customers using asbestos.

Furthermore, Union Carbide thoroughly educated its salesmen and others about the health hazards and regulatory requirements associated with asbestos and directed its salesmen to share this information with customers through phone calls, sales calls, mailings, seminars and meetings.

INTERROGATORY NO. 73: If your answer to Interrogatory No. 72 is "Yes," identify each and every item of sales literature or other materials in which such a warning appeared, and for each item so identified:

- (a) State the date on which said item was first provided to distributors, sellers, purchasers, consumers or users;
- (b) List the products discussed in the literature;
- (c) Identify any and all other sales literature concerning the products listed in response to Interrogatory Nos. 19 and 42 which was provided to distributors, sellers, purchasers, consumers or users after the above date and which contained no warning.

RESPONSE:

See General Objection Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and unduly burdensome.

See Union Carbide's Response to Interrogatory Nos. 63, 64 and 72.

To the extent that additional information responsive to this Interrogatory is in the

possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 74: Does Defendant or any related company have any of the following in its possession, custody or control:

- (a) any package, container, label or item of sales literature which Defendant claims, constitutes or contains any warning which ever accompanied any product listed in response to Interrogatory Nos. 19 and 42?
- (b) any picture, photograph or like reproductive representation of any item described in subpart (a)?

RESPONSE:

See General Objections Nos. 1-8. Subject to its objections, Union Carbide responds as follows:

Examples of certain bags and the warning labels utilized on all bags of Calidria asbestos are available in the repositories maintained by Union Carbide's counsel.

Additional information responsive to this Interrogatory, and in the possession of Union Carbide, is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 75: State the year that Defendant or any predecessor(s) was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust, promulgated by the American Conference of Governmental Industrial Hygienists, and identify the specific person(s) receiving such advise, and any and all documents communicating such advise.

RESPONSE:

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

During the time that Union Carbide owned and operated its Calidria business, Union Carbide was aware of and recognized the early (pre-1972 OSHA Standard) Threshold Limit Value set forth by the American Conference of Governmental Industrial Hygienists (ACGIH) and the later Threshold Limit Value established by OSHA in 1972. In 1964, Union Carbide prepared an Asbestos Toxicology Report, which was given to Union Carbide's asbestos customers, many

of whom were sophisticated companies familiar with the use and handling of asbestos. Union Carbide referred to the early ACGIH Threshold Limit Value in the Toxicology Report. This Asbestos Toxicology Report was updated with the 1969 Asbestos Toxicology Report and the Mid-1970 and 1972 Toxicology summaries. The initial report and its updates were prepared to keep customers current with evolving medical knowledge about health and safety issues relating to asbestos. Union Carbide also disseminated the Threshold Limit Value established by the OSHA Standard to Calidria customers in material safety data sheets and other health and safety literature, and provided customers with copies of the OSHA regulations themselves.

See also Union Carbide's Response to Interrogatory No. 63.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 76: State whether such threshold limit values or maximum allowable concentrations referred to in Interrogatory No. 75 involved TOTAL dust or just asbestos dust?

RESPONSE:

See Union Carbide's Response to Interrogatory No. 75, including all objections set forth therein. Union Carbide also objects to this Interrogatory on the grounds that it is overly broad in terms of time and that the legal definition is in the public domain and equally accessible to plaintiff. Moreover, to the extent this Interrogatory seeks a scientific definition, it improperly seeks without foundation to require an expert opinion.

INTERROGATORY NO. 77: Describe, in detail, any and all tests, if any, conducted by Defendant, any predecessor or any related company, or anyone acting on behalf thereof, concerning the quantity, quality or threshold limit values of asbestos dust or particles to which applicators or consumers of asbestos-containing products were exposed while using any product identified in response to Interrogatory Nos. 19 and 42, including:

- (a) The product being used;
- (b) Identify any and all person(s), firm(s) or entity(ies) conducting or participating in the conducting of said test;
- (c) State the date(s) of said test;
- (d) Describe the methodology, results and conclusions of said test;
- (e) Identify any and all documents referring to, relating or reflecting said test or the results and conclusions thereof; and,

- (f) Identify any and all persons to whom any document referring to, relating to or reflecting the results or conclusions of said test was sent.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome and vague and ambiguous as to "any related company." Subject to its objections, Union Carbide responds as follows:

See Union Carbides' Responses to Interrogatory Nos. 43 and 54.

INTERROGATORY NO. 78: Did Defendant, any predecessor or any related company, at any time, directly advise the owners or management employees of any worksite in which it sold or applied any product listed in response to Interrogatory Nos. 19 and 42, of threshold limit values for exposure to asbestos dust recommended by the American Conference of Governmental Industrial Hygienist? If so, state the date or dates that you so advised each such owner or employees, the manner in which you advised such owner or employee and the name of each such owner or employee.

RESPONSE:

See General Objection Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad and vague and ambiguous as to the term "worksite." Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Responses to Interrogatory Nos. 63 and 75.

INTERROGATORY NO. 79: State the date on which any official of Defendant or its predecessor(s) first had knowledge, notice, information or understanding that exposure to asbestos would, could or might cause each of the following diseases:

- (a) Pleural disease;
- (b) Asbestosis;
- (c) Mesothelioma;
- (d) Lung cancer;
- (e) Any other forms of cancer.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad. Subject to its objections, Union Carbide responds as follows:

As referenced in the Asbestos Toxicology Report prepared by Union Carbide in 1964, the potential association between long-term exposure to some types of asbestos and certain diseases had been known for many years before Union Carbide entered the Calidria asbestos business. The Calidria asbestos mined and sold by Union Carbide from the Coalinga ore deposit is unique short-fiber chrysotile uncontaminated by tremolite asbestos. Tremolite is a form of amphibole asbestos that can contaminate chrysotile ore from certain locations and has also been recognized as a contaminant of some vermiculite and talc deposits. There is no scientific basis today to conclude that Calidria caused or contributed to the causation of mesothelioma, lung cancer, asbestosis, pleural plaques, or any alleged asbestos associated disease or condition in humans. There is scientific evidence that demonstrates that Calidria asbestos does not cause mesothelioma or any other diseases caused by other types of asbestos.

Despite the unique nature of the Calidria fiber, which did not pose the health risks that might be created by asbestos from other deposits, Union Carbide assumed that Calidria was as potentially hazardous, if safe practices were not observed, as other chrysotile asbestos and advised its employees and customers to treat its Calidria asbestos as such. Union Carbide advised its customers, many of whom had years of experience in handling asbestos and other minerals and chemicals, of the health effects and precautions applicable to asbestos fibers throughout the entire time that it mined and sold asbestos.

INTERROGATORY NO. 80: With respect to each disease set forth in Interrogatory No. 79:

- (a) Identify the official who first obtained the knowledge, notice, information or understanding to which the interrogatory refers;
- (b) Identify any and all documents referring to, relating to or reflecting such knowledge, notice, information or understanding; and,
- (c) Describe what, if any, action said official, Defendant, any predecessor or any related company took in response to such knowledge, notice, information or understanding.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Subject to its objections, Union Carbide responds as follows:

To the extent that information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 81: Is Defendant aware, or does Defendant possess knowledge or information concerning, a causal connection between exposure to asbestos or asbestos-containing products and:

- (a) pleural disease?
- (b) asbestosis?
- (c) lung cancer?
- (d) mesothelioma?
- (e) other cancer?

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and vague and ambiguous as to the term "aware". Subject to its objections, Union Carbide responds as follows:

The asbestos mined by Union Carbide from the Coalinga ore deposit in New Idria, California is referred to as Calidria. Calidria is a short-fiber chrysotile uncontaminated by tremolite asbestos. Tremolite is a form of amphibole asbestos that can contaminate chrysotile ore from certain locations and has also been recognized as a contaminant of some vermiculite and talc deposits. There is no scientific basis today to conclude that Calidria caused or contributed to the causation of mesothelioma, lung cancer, asbestosis, pleural plaques, or any alleged asbestos associated disease or condition in humans. There is scientific evidence which demonstrates that Calidria asbestos does not cause mesothelioma or any other diseases caused by other types of asbestos.

See also Union Carbide's Response to Interrogatory No. 79.

INTERROGATORY NO. 82: For each subpart of Interrogatory No. 81 to which you answered "Yes":

- (a) Describe when and how Defendant first obtained knowledge, or information concerning such connection;
- (b) If such knowledge or information was obtained by attendance at any conference, lecture, convention, symposium or meeting, identify such meeting, any and all persons attending, and any and all documents referring to, relating to or reflecting the meeting;
- (c) If knowledge was obtained from medical or scientific studies, or work, published or unpublished, identify the same.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Response to Interrogatory No. 79.

Additional information responsive to this Interrogatory, and in the possession of Union Carbide, is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 83: With regard to any knowledge or information obtained subsequent to that identified in your answer to Interrogatory No. 82 (a), identify any and all documents or communications (oral and/or written) concerning the causal connection between exposure to asbestos-containing or asbestos products and any disease, which were sent to, or received by, Defendant, and identify any and all persons conveying and/or receiving such communications.

RESPONSE:

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

Information responsive to this Interrogatory, and in the possession of Union Carbide, is located in the repositories maintained by Union Carbide's counsel.

See also Union Carbide's Response to Interrogatory Nos. 63, 64, and 79.

INTERROGATORY NO. 84: As to any knowledge or information referred to in Interrogatories 79-83, did Defendant, at any time, educate or inform its employees, distributors, purchasers or any persons working in the vicinity where any asbestos-containing product was being applied or installed as to the hazards known to Defendant or about which Defendant had information, and as to the safety precautions necessary to guard against cancer and other diseases arising from the use and handling of the products identified in response to Interrogatory No. 19?

RESPONSE:

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

The Calidria asbestos mined and sold by Union Carbide from the Coalinga ore deposit is a unique short-fiber, pure chrysotile asbestos uncontaminated by tremolite asbestos. Tremolite is a form of amphibole asbestos that can contaminate chrysotile ore from certain locations and has also been recognized as a contaminant of some vermiculite and talc deposits. There is no scientific basis today to conclude that Calidria caused or contributed to the causation of mesothelioma, lung cancer, asbestosis, pleural plaques, or any alleged asbestos associated

disease or condition in humans. There is scientific evidence that demonstrates that Calidria asbestos does not cause mesothelioma or any other diseases caused by other types of asbestos.

Despite the unique nature of the Calidria fiber, which did not pose the health risks that might be created by asbestos from other deposits, Union Carbide assumed that Calidria was as potentially hazardous, if safe practices were not observed, as other chrysotile asbestos and advised its employees to treat its Calidria asbestos as such.

Union Carbide communicated to its Calidria employees the known potential risks associated with asbestos exposure at least as early as 1963 when Union Carbide began operation of the manufacturing plant located near King City. The communications occurred in a number of ways, including during regular safety meetings, training sessions, including sessions devoted to the use of respirators (which use was required within certain areas of the King City Mill starting in 1963), through posters displayed at the plant and through individual consultations. Since 1963, asbestos health and safety information was also communicated to employees as part of the medical surveillance program, and air monitoring was conducted to ensure that dust control measures were effective. Technical sales representatives were also familiar with asbestos health and safety issues because of their familiarity with the various ways that Union Carbide communicated asbestos health information to customers.

In addition, Union Carbide provided its "Calidria" employees and its customers, and potential customers with a copy of the Asbestos Toxicology Report prepared by Union Carbide in 1964. As referenced in that Report, the potential association between long-term exposure to some types of asbestos and certain diseases had been known for many years. In succeeding years, employees, customers, and potential customers were provided with additional health and safety information as it became available.

See also Union Carbide's Response to Interrogatory No. 63.

INTERROGATORY NO. 85: If your answer to Interrogatory No. 84 is "Yes," identify each such occasion on which Defendant so educated or informed its employees, distributors or purchasers, as follows:

- (a) Identify the persons or parties which you educated or informed;
- (b) State when, where and in what manner they were educated or informed;
- (c) Identify any and all documents referring to, relating to or reflecting the communication or other dissemination of such information; and
- (d) Identify any and all persons who so educated or informed said employees, distributors, purchasers or persons working in the vicinity of application or who participated in the same in any way, including, but not limited to, assembling, drafting, writing, rewriting, preparing or conveying such information in any format.

RESPONSE:

See General Objection Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and unduly burdensome. Subject to its objections Union Carbide responds as follows:

Union Carbide's Responses to Interrogatory Nos. 63 and 84.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 86: Did Defendant or any predecessor entity perform, direct to be performed, finance in whole or in part, sponsor in whole or in part or receive the results of, any studies or tests concerning the relationship between asbestos exposure and asbestosis, cancer and/or mesothelioma?

RESPONSE:

See General Objection Nos. 1-8. Union Carbide further objects to this Interrogatory on the ground that it is overly broad. Subject to its objections, Union Carbide responds as follows:

There are thousands of publicly available articles and other literature that relate to the health effects of asbestos and upon which experts identified by Union Carbide may rely in rendering an opinion on health effects of exposure to Calidria asbestos. The following are a few examples of recent articles that address the health effects of Calidria specifically (which also reference other studies done on Calidria):

1. Ilgren, E., et al., Coalinga-Fibre – A Short, Amphibole-Free Chrysotile: Part 1: Evidence For A Lack Of Fibrogenic Activity, Indoor Built Environ., 6:264-176 (1997);
2. Ilgren, E., et al., Coalinga-Fibre – A Short, Amphibole-Free Chrysotile: Part 2: Evidence For A Lack Of Tumourigenic Activity, Indoor Built Environ., 7:18-31 (1997); and ,
3. Ilgren, E., et al., Coalinga-Fibre – A Short, Amphibole-Free Chrysotile: Part 3: Lack of Biopersistence, Indoor Built Environ., 7:98-109 (1998).

In addition to studies that relate to the effects of inhalation of Calidria at high doses, there are also studies that relate to the effects of injecting Calidria into lab animals under experimental conditions. These include two studies of Calidria asbestos that were made by the Mellon Institute on behalf of Union Carbide:

1. The first study, conducted in 1966, was entitled "The Fibrogenic Potential of asbestos Products - Via Intraperitoneal Injection In Guinea Pigs, Rats and Rabbits and by the Intratracheal Route in the Rat." A copy of the study's report is located in the repositories maintained by Union Carbide's counsel.

2. The second study, conducted in 1971, was entitled "Calidria Asbestos Resin Grade RG244, Tracheal Insufflation of Rat Lungs with Interpretation of Pathology After 20, 60, 90, and 180 Days." A copy of the study's report is located in the repositories maintained by Union Carbide's counsel.

In addition to the above two tests, and in addition to chemical analyses of Calidria which Union Carbide may have undertaken, in the mid-1960's Union Carbide cooperated with the Pneumoconiosis Research Unit of the Llandough Hospital in the United Kingdom to conduct a "trace element analysis" of asbestos and provided samples of Calidria asbestos for such analysis. Union Carbide also monitored research that was occurring in the scientific and medical communities relating to the potential health effects associated with exposure to certain types of asbestos.

See also Union Carbide's Response to Interrogatory No. 43.

INTERROGATORY NO. 87: If your answer to Interrogatory No. 86 is "Yes," with respect to each such study or test:

- (a) State the nature of the involvement (performed, directed it to be performed, financed, sponsored, received results, etc.);
- (b) State when, where and at what intervals said study was performed;
- (c) Identify any and all persons, firms or entities which performed said study;
- (d) Identify any and all documents referring to, relating or reflecting said study or the results thereof; and
- (e) State all means by which the results of said study were disseminated including, if applicable, publication; and identify any and all persons who received said results and any and all publications in which said results appeared.

RESPONSE:

See General Objection Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and unduly burdensome. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Responses to Interrogatory Nos. 43 and 86.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel

INTERROGATORY NO. 88: Did Defendant at any time during the period that the products listed in response to Interrogatory Nos. 19 and 42 were manufactured, sold, applied or

installed, inform any purchaser or user of said products that such products could cause cancer, asbestosis, and/or other serious diseases?

RESPONSE:

See Union Carbide's Responses to Interrogatory Nos. 63, 64, and 79, including all objections set forth therein.

INTERROGATORY NO. 89: Did Defendant, any predecessor or any related company, or any workers' compensation insurance carrier thereof, ever have any claims for lung diseases or death from lung disease, whether directly or indirectly attributed to asbestosis, mesothelioma, lung cancer, or exposure to asbestos-containing products?

RESPONSE:

See General Objections Nos. 1-8. Union Carbide objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead the discovery of admissible evidence. Union Carbide further objects to this Interrogatory to the extent that it calls for information about Union Carbide employees or premises, or policies pertaining to Union Carbide employees or premises that are unrelated to the claims in this litigation on the grounds that such requests are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this Interrogatory on the grounds that it seeks information that is equally available to Plaintiffs in the public domain. Subject to its objections, Union Carbide responds as follows:

Union Carbide is unaware of any worker's compensation claims for asbestos-related disease from workers at the Calidria mine and mill operated by Union Carbide. Union Carbide is unaware of any worker's compensation claims for asbestos-related disease from workers at Union Carbide's Boundbrook, New Jersey facility prior to 1975 when Union Carbide ceased manufacturing asbestos-containing phenolic molding compounds.

INTERROGATORY NO. 90: If your answer to Interrogatory No. 89 is "Yes," please provide the following information for each and every employee of the defendant, predecessor or related company with such claim. If the claimant was a non-employee, please provide the information for the first 100 cases of which the defendant had notice.

- (a) Identify the claimant;
- (b) Identify the entity against which the claim was filed;
- (c) State the date upon which the claim was filed;
- (d) List the location(s) at which claimant was exposed to asbestos;
- (e) Identify each and every board, administrative body, commission or court which handled or reviewed said claim and state the style and cause number applicable to said claim before each such body;

- (f) Identify the disease alleged by claimant;
- (g) State the final disposition of the claim including any and all benefits paid, and the entity making such payments;
- (h) If different from the date on which the claim was filed, state the date on which Defendant first had notice of the claim; and,
- (i) Identify any and all documents referring to, relating to or reflecting said claim.

RESPONSE:

See Union Carbide's Responses to Interrogatory No. 89, including all objections set forth therein.

INTERROGATORY NO. 91: How many past or present employees of Defendant, its predecessors or related companies are known by you to be suffering from, to have suffered from, or to have suffered deaths caused by:

- (a) asbestosis?
- (b) lung cancer?
- (c) mesothelioma?

RESPONSE:

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

Union Carbide is aware that one former employee of Union Carbide's King City Mill, Gabriel Acosta, instituted an action in state court in California in about September of 2000 in which he alleged that he suffered from an asbestos-related pleural disease. However, Mr. Acosta thereafter voluntarily dismissed his case against Union Carbide with prejudice in or about May 2002. Union Carbide is unaware of any worker's compensation claims for asbestos-related disease from workers at the Calidria mine and mill operated by Union Carbide. Union Carbide is unaware of any worker's compensation claims for asbestos-related disease from workers at Union Carbide's Boundbrook, New Jersey facility prior to 1975 when Union Carbide ceased manufacturing asbestos-containing phenolic molding compounds.

INTERROGATORY NO. 92: For each employee referenced in your answer to Interrogatory No. 91, state the date that Defendant first knew, or had notice or information, that such past or present employee was suffering, or had suffered from:

- (a) asbestosis;
- (b) lung cancer;
- (c) mesothelioma.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 89, including all objections set forth therein.

INTERROGATORY NO. 93: Identify any and all material safety data sheets concerning the products listed in response to Interrogatory Nos. 19 and 42 prepared, at any time, by, or on behalf of, Defendant, any predecessor or any related company.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is unduly burdensome. Subject to its objections, Union Carbide responds as follows:

During the time that Union Carbide operated its Calidria business, it prepared in 1972 and periodically revised (in 1976 and 1984) material safety data sheets for Calidria asbestos. Union Carbide has copies of its Calidria material safety data sheets in the repositories maintained by Union Carbide's counsel.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 94: Identify any and all trade organizations, associations, or other entities, including but not limited to American Textile Institute (ATI), Asbestos Information Association (AIA), Industrial Health Foundation or Industrial Hygiene Foundation (IHF), National Insulation Manufacturers Assn. (NIMA), National Insulation Contractors Assn. (NICA), National Safety Council (NSC), American Ceramics Society (ACS), National Building Materials Distributors Assn. (NIA), Sprayed Mineral Fiber Manufacturers Assn. (SMFMA), Thermal Insulation Manufacturers Assn. (TIMA), Quebec Asbestos Mining Assn. (QAMA), to which Defendant, any predecessor or any related company has belonged or in which any or all of the same have participated since 1925, and state the applicable dates of such membership or participation.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on

the grounds it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide was a member of various organizations at various times throughout its existence, including, but not limited to the Industrial Health Foundation, the Industrial Hygiene Foundation, the American Industrial Health Association, Asbestos Information Association/North America, Chemical Manufacturers Association /Manufacturing Chemist Association, and American Petroleum Institute. Union Carbide also cooperated with work undertaken by the Pneumoconiosis Research Council of the United Kingdom, The Organization Resources Recovery Organization, and the Insulation Industry Hygiene Research Program. Union Carbide or Union Carbide personnel also participated in activities of the National Safety Council.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 95: Identify any and all persons attending, on behalf of Defendant, any predecessor or any related company, any meetings, seminars or symposiums held by the trade organizations, associations, or other entities identified in response to Interrogatory No. 94.

RESPONSE:

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

John Myers, former Product and Production Manager for asbestos (Calidria) was active in the AIA. Newton Ketchum and Paul McDaniel, retirees of Union Carbide Corp., participated in the Industrial Hygiene Foundation. Newell E. Bolton participated in the American Industrial Hygiene Association. Messrs. John Nichol, Tom Gagner and Ray R. Renkin, UCC employees, and Mr. Claude Eley, retired from Union Carbide Corp., participated in the National Safety Council.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO 96: Did any officer, employee, agent or representative of Defendant, of any predecessor, or of any related company, serve, at any time, as:

- (a) an officer, director or official of any trade organization, association or entity identified in response to Interrogatory No. 94?

- (b) a member of any committee or subcommittee of any trade organization, association or entity identified in response to Interrogatory No. 94?
- (c) the chair of any committee or subcommittee of any trade organization, association or entity identified in response to Interrogatory No. 94?
- (d) the representative or liaison for any trade organization, association or entity identified in response to Interrogatory No. 94 to any other trade organization, association or entity, including, but not limited to, A.T.I., I.H.F., N.I.M.A., A.I.A., N.I.C.A., T.I.M.A., Q.A.M.A., N.A.C., N.S.C., A.C.S., N.B.M.D.A., N.I.A., S.M.F.M.A.?

RESPONSE:

See Union Carbide's Responses to Interrogatory Nos. 94 and 95, including all objections set forth therein.

INTERROGATORY NO. 97: For each subpart of Interrogatory No. 96 to which your answer is "Yes," identify each and every person serving in such capacity and:

- (a) state the trade organization, association or entity for which such service was rendered;
- (b) specify the capacity of service, including identifying any specific committee, subcommittee or other trade organizations, associations or entities involved; and,
- (c) state the applicable dates of service.

RESPONSE:

See Union Carbide's Responses to Interrogatory Nos. 94 and 95, including all objections set forth therein.

INTERROGATORY NO. 98: Identify any and all documents which Defendant, its predecessor(s) or any related company submitted to, or received from, the organizations listed in response to Interrogatory Nos. 94 and/or 97:

- (a) which refer to, relate to or reflect the subject of asbestos;
- (b) which refer to, relate to or reflect a relationship between asbestos exposure and any disease; and/or
- (c) which refer to, relate to or reflect the placement or providing of warnings with respect to hazardous products.

RESPONSE:

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

Documents responsive to this Interrogatory, and in the possession of Union Carbide, are located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 99: Identify any and all documents including, but not limited to, minutes, bulletins or reports, created by, or on behalf of, any trade organization, association or entity listed in response to Interrogatory No. 94 and/or 97 or any committee, subcommittee or subgroup thereof;

- (a) which refer to, relate to or reflect the subject of asbestos;
- (b) which refer to, relate to or reflect a relationship between asbestos exposure and any disease; or
- (c) which refer to, relate to or reflect the placement or providing of warnings with respect to hazardous products.

RESPONSE:

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

Documents responsive to this Interrogatory, and in the possession of Union Carbide, are located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 100: Identify any and all documents including, but not limited to, minutes, bulletins or reports, received by, or on behalf of, any trade organization, association or entity listed in response to Interrogatory No. 94 and/or 97, or any committee, subcommittee or subgroup thereof;

- (a) which refer to, relate to or reflect the subject of asbestos;
- (b) which refer to, relate to or reflect a relationship between asbestos exposure and any disease; or
- (c) which refer to, relate to or reflect the placement or providing of warnings with respect to hazardous products.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 99, including all objections set forth

therein.

INTERROGATORY NO. 101: Identify any and all agreements, oral or written, between or among Defendant, any of the other defendants in this lawsuit, any organization, association or other entity including, but not limited to, those identified in your answer to Interrogatory No. 94 and/or any medical or scientific foundations, relating to the standardization of:

- (a) Specifications for asbestos cloth products;
- (b) Specifications for paper or burlap bags, or other packaging to be used for the transport and/or storage of asbestos cement;
- (c) Warning or caution labels to be applied to asbestos products and/or their packaging, cartons, containers, or boxes;
- (d) Methods of dissemination of public relations information to defendant's purchasers, advertisers, distributors, factory workers, contractors, insulators, users, consumers of asbestos products and/or the general public;
- (e) Safety equipment and/or protective clothing to be utilized while handling defendant's asbestos products;
- (f) Medical programs to be offered or sponsored by defendant.

RESPONSE:

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

To the extent that information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 102: Did Defendant, any predecessor or related company, direct to be performed, sponsor in whole or in part, finance in whole or in part, receive the results of, or become aware of, any studies or tests performed by the Saranac Lake Laboratory of the Trudeau Foundation relating to asbestos exposure and its effects upon human health?

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds it is overly broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and vague and ambiguous as to the terms "become aware of". Subject to its objections, Union Carbide responds as follows:

To the extent that information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's

counsel.

INTERROGATORY NO. 103: If your answer to Interrogatory No. 102 is "Yes":

- (a) Identify any and all documents received by Defendant, its predecessor(s), or a related company referring to, relating to or reflecting any findings or results of those studies or tests, and state the date upon which each was first received;
- (b) Identify any and all communications (oral or written), between Defendant, its predecessor(s) or a related company and Saranac personnel, including but not limited to Gerrit W.H. Schepers, M.D.;
- (c) Identify any and all documents referring to, relating to or reflecting the Saranac studies received or submitted by Defendant, its predecessor(s) or a related company either directly, through related or predecessor companies, through other companies, or through any trade associations, organizations or other entities; and
- (d) Identify any and all documents referring to, relating to or reflecting recommendations or findings of such studies relating to:
 - (i) Adequacy or inadequacy of threshold limit values;
 - (ii) Substitution of materials other than asbestos to be used in the insulation process.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 102, including all objections set forth therein.

INTERROGATORY NO. 104: With respect to each subject listed below, state whether said subject was, at any time, discussed at a meeting of the board of directors of Defendant, any predecessor or any related company:

- (a) The sale and/or marketing of any asbestos-containing product, including, but not limited to, the products listed in response to Interrogatory Nos. 19 and 42;
- (b) The health hazards resulting from exposure to asbestos, including, but not limited to, exposure resulting from the use, application or removal of asbestos-containing products;
- (c) The placement or possible placement of warning labels on asbestos-containing products or their packages, or in sales literature, therefore including, but not limited to, the products listed in response to Interrogatory Nos. 19 and 42; and

- (d) Any test, survey, study or similar matter concerning asbestos or asbestos-containing products, including, but not limited to, the products listed in response to Interrogatory Nos. 19 and 42.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds it is overly broad, unduly burdensome vague and ambiguous. Union Carbide further objects to this Interrogatory insofar as it would require the disclosure of information protected by the attorney-client privilege and work-product doctrine. Subject to its objections, Union Carbide responds as follows:

To the extent that documents containing information responsive to this Interrogatory are in the possession of Union Carbide, they are located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 105: If your answer to any one or more of the subparts of Interrogatory No. 104 is "Yes," then with respect to each subpart for which you answered "Yes":

- (a) Identify each and every board meeting at which said subject was discussed by stating the date(s) on which, and the location(s) at which, each meeting was held;
- (b) Identify any and all persons present at each such meeting; and,
- (c) Identify any and all documents, including, but not limited to, minutes, referring to, relating to, or reflecting each such meeting.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 104, including all objections set forth therein.

INTERROGATORY NO. 106: Identify any and all seminars, symposiums, conferences or like gatherings attended by any officer, agent or representative of Defendant, any predecessor or any related company, at which the subject of asbestos, the health hazards of asbestos exposure, or the placement or providing of warnings was discussed.

RESPONSE:

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

According to the best of Union Carbide's present information, the following testimony was provided by individuals formerly associated with Union Carbide in the capacities noted below, and not necessarily on Union Carbide's behalf. Their testimony may or may not have pertained to Union Carbide or Union Carbide products:

1. James W. Rawlings, Former Vice President, Metals Division.
3/16/72, Washington, D.C., before U.S. Department of Labor-OSHA hearings on a "Proposed Standard for Occupational Exposure to Asbestos."
2. John L. Myers, Product and Production Manager, Asbestos.
 - (i.) 9/17/75 and 1/21-22/76, Washington, D.C., before the OSHA Advisory Committee on "Proposed Standards for Occupational Exposure to Asbestos in the Construction Industry."
 - (ii.) 4/27/79, Fresno, California, California Occupational Safety and Health (CAL-OSHA) Standards Board regarding proposed changes in asbestos standards.
 - (iii.) 8/30/79, San Diego, California, before the California Occupational Safety and Health (CAL-OSHA) Standards Board, regarding proposed changes in asbestos standards.
 - (iv.) 5/29/80, Fresno, California, before the California Occupational Safety and Health (CAL-OSHA) Standards Board, regarding proposed changes in asbestos standards.
3. Harrison B. Rhodes, former Technology Manager - Asbestos.
 - (i.) 8/15/77, before the Consumer Product Safety Commission on "A Proposed Ban on Wall Patching Compounds Containing Asbestos."
 - (ii.) 3/14/77, New Brunswick, N.J., before the New Jersey Department of Environmental Protection on "A Proposed Regulation Regarding Control and Prohibition of Spray-On Asbestos Surface Coatings."
 - (iii.) 7/19/78, Washington, D.C., U.S. Department of Labor-OSHA, hearing on proposed rulemaking: "Identification, Classification and Regulation of Toxic Substances Posing a Potential Occupational Carcinogenic Risk."
 - (iv.) 11/8/78, Sacramento, California, before the California Occupational Safety and Health (CAL-OSHA) Standards Board, regarding proposed changes in asbestos standards.
 - (v.) 8/30/79 and 9/25/80, San Diego, California Occupational Safety and Health (CAL-OSHA) Standards Board, regarding proposed changes in asbestos standards.
 - (vi.) 2/19/81 and 8/14/81, Toronto, Ontario, Canada, Royal Commission on Matters of Health and Safety Arising from the Use of Asbestos in Ontario.

In addition, Union Carbide personnel attended and participated in numerous conferences and conventions regarding occupational health and exposure to asbestos, including those at which Dr. Selikoff was a participant.

To the extent that additional information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 107: Identify any and all documents, including, but not limited to, notes, reports, minutes or bulletins, which refer to, relate to or reflect any meeting identified in response to Interrogatory No. 106.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and unduly burdensome. Subject to its objections, Union Carbide responds as follows:

To the extent that information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 108: With respect to each job site set forth in the attached Exhibit A: (i) identify any and all documents referring to, relating to or reflecting the purchase, sale, delivery, use, application or ordering, of any of the products listed in response to Interrogatory Nos. 19 and 42 by, for, to or at said site; and, (ii) identify any and all persons known by Defendant to have knowledge concerning the same:

RESPONSE:

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

Information relating to the sales of Calidria and asbestos-containing phenolic molding compounds is located in the repositories maintained by Union Carbide's counsel. Upon Plaintiffs' request and identification of individual relevant customers, Union Carbide will provide copies of records of any sales to such customers, if records exist and are in the possession of Union Carbide's counsel.

INTERROGATORY NO. 109: Identify any and all parties, located within a 200 mile radius of Madison County, Illinois, including, but not limited to, distributors, suppliers or contractors, known by you to have purchased, received, sold, distributed, applied or otherwise

used, at any time, any or all of the products listed in Response to Interrogatory Nos. 19 and 42.

RESPONSE:

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

Information relating to the sales of Calidria and asbestos-containing phenolic molding compounds is located in the repositories maintained by Union Carbide's counsel. Upon Plaintiffs' request and identification of individual relevant customers, Union Carbide will provide copies of records of any sales to such customers, if records exist and are in the possession of Union Carbide's counsel.

INTERROGATORY NO. 110: Other than the cases identified in Interrogatory numbers 89 and 90, has defendant, any predecessor or any related company, ever appeared as a party in any lawsuit involving a claim or claims based upon allegations of property damage or seeking recovery of the costs of abatement from the use, application, installation or presence of asbestos or asbestos-containing products?

RESPONSE:

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

INTERROGATORY NO. 111: If your answer to Interrogatory No. 110 is "Yes," identify each such lawsuit as follows:

- (a) Identify the plaintiff(s);
- (b) Identify all other defendants;
- (c) State when and where the case was filed;
- (d) Identify each court in which the case was heard or is pending, including appeals, and state the style and cause number of the case in each court; and,
- (e) State the current status of the case if it remains pending or, if the case has been disposed of, state the final disposition.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 110, including all objections set forth therein.

INTERROGATORY NO. 112: In any lawsuit, as described in Interrogatory numbers 89, 90, 110 and 111, has Defendant been subject to sanctions, a contempt citation or similar action for failing, or refusing to comply with, any court order, for discovery fraud, or for the failure to provide complete, accurate and truthful responses to discovery?

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory on the grounds that this information is in the public domain and equally accessible to plaintiff. Union Carbide further objects to the extent that this Interrogatory is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide is unaware of any sanctions, contempt citations or similar actions for failing, or refusing to comply with any court order, for discovery fraud, or for the failure to provide complete, accurate and truthful responses to discovery.

INTERROGATORY NO. 113: If your answer to Interrogatory No. 112 is "Yes," with respect to each such occasion described:

- (a) Identify the lawsuit involved, the court which imposed the sanctions or issued the contempt citation, and any other court which reviewed the same;
- (b) Describe the violation for which sanctions or contempt was imposed;
- (c) If the violation involved the failure or refusal to produce any document(s), identify any and all such documents;
- (d) If the violation involved any failure to truthfully answer or to respond to interrogatories, identify any and all such interrogatories and your response thereto, including the person answering on your behalf;
- (e) State the present status or final disposition of the matter, which ever is applicable; and,
- (f) Identify any and all documents referring to, relating to or reflecting said matter, including, but not limited to, pleadings, exhibits and court orders.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 112, including all objections set forth therein.

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

RESPONSE:

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

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

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

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

RESPONSE:

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

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

RESPONSE:

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

reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this Interrogatory on the grounds that the information sought is equally available to Plaintiffs in the public domain. Subject to its objections, Union Carbide responds as follows:

Pursuant to the governing Case Management Order, all experts that Union Carbide presently intends to call as witnesses in this litigation have been disclosed in its Sixteenth Amended Fact and Expert Witness Disclosure, dated March 17, 2003. Union Carbide reserves the right to amend and/or supplement its Fact and Expert Witness Disclosure.

INTERROGATORY NO. 117: Identify any and all present or former directors, officers, employees, or agents of defendant, any predecessor or related company, who have testified in any manner whatsoever including a discovery or evidence deposition, or in a trial, in the last 20 years on behalf of or against the defendant, any predecessor, or related company, in any lawsuits involving a claim or claims based upon allegations of personal injury or property damage caused by exposure to, the use of, the application of, the installation of, or the presence of any asbestos or asbestos-containing product, other than persons who testified as plaintiffs in their own cases. Specifically included within the scope of this request are any suits involving the issue of insurance coverage for claims of personal injury or property damage resulted from the exposure to, the use, application, installation or presence of asbestos or asbestos-containing products.

RESPONSE:

See General Objections Nos. 1 – 8. Union Carbide further objects to this Interrogatory on the grounds that it seeks information that is in the public domain. Union Carbide also objects to this Interrogatory on the ground that the time period is overly broad. Union Carbide further objects to this Interrogatory to the extent that it calls for information about Union Carbide employees or premises, or policies pertaining to Union Carbide employees or premises that are unrelated to the claims in this litigation on the grounds that such requests are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide is presently aware of the following former employees of Union Carbide who have testified in lawsuits based upon claims relating to asbestos. Union Carbide specifically reserves its right to object to the use at trial of the testimony of any former employees given in lawsuits unrelated to its Calidria asbestos. Moreover, Union Carbide specifically reserves the right to object to the use at trial of the testimony of any former employees given in lawsuits related to its Calidria asbestos unless its Calidria is specifically at issue in the case.

Bert K. Barton

A) James W. Manisto v. American Brake Block Corporation, et al., District Court, First Judicial District, Dakota County, Minneapolis, Minnesota, NO. C-5-88-1008, January 26, 1989.

B) Robert P. Payne, Josephine Stala as Administratrix of the Estate of Stanley Stala v. Advocate Mines, et al., Supreme Court of N.Y. Law Div., Middlesex County,

Doc. No. L-1 0917-85, October 27, 1988.

Myron Bennett

A) Keith Edwin Gibson v. Armstrong World Industries, Inc., et al., U.S.D.C. District of Colorado, Consolidated Civil Action No. 83 -K- 1 756; Civil Action No. 84-K-912, May 18, 1987.

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B) Russell Smith and Patsy Smith v. Able Supply Co., District Court of Galveston County, Texas, Cause Number 99COO657, January 12, 2001.

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D) Charles R. Latham, et al. v. Garlock, Inc., et al., In the District Court of Brazoria County, Texas, No. 15137 BH01, November 12, 2001.

E) William E. Estes, III, and Wife, Mildred Estes v. A C and S, Inc., et al., In the Circuit Court For Knox County, Tennessee, January 18, 2002.

Robert E. Byrne

A) Cicero and Joanne Gravitt v Bondex International, Inc., et al, In the District Court of Tarrant County, Texas, No. 48 191131 02, June 25-26, 2002.

Trinidad Cruz

A) Conwed Corporation v. Union Carbide Chemicals and Plastics Company, Inc. v. Owens-Corning Fiberglass Corporation, et al., US District Court, Eastern District of Pennsylvania, No. MDL 875, March 14, 1996.

Edward DeBor

A) Freal and Mary Frye v ACandS, Inc., et al., Marion Superior Court, Indiana, No. 49D02-9501-MI-0001-374, May 10, 2001.

B) Charles R. Latham, et al v Garlock, Inc., et al, In the District Court of Brazoria County, TX 23rd Judicial District, No. 15137*BH01, December 4, 2001.

C) Klaus Brauch and Susan Brauch v Bondex International, Inc., et al, Superior Court of the State of California for the County of Los Angeles, No. BC 258 492, March 26, 2002.

D) Cicero and Joanne Gravitt v Bondex International, Inc., et al, In the District Court of Tarrant County, Texas, No. 48 191131 02, May 31, 2002.

E) Cicero and Joanne Gravitt v Bondex International, Inc., et al, In the District Court of Tarrant County, Texas, No. 48 191131 02, June 14, 2002.

F) In Re: All Pending Goldberg Asbestos Cases Filed in Cuyahoga County, OH, In

the Court of Common Pleas of Cuyahoga County, OH, July 19, 2002.

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Carl U. Dernehl, M.D.

A) David Gordon v. Union Carbide Corp., In the Circuit Court for the County of Wayne, State of Michigan, No. 71 184 972 CZ, June 7, 1974.

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C) Henry Garry v. Union Carbide Corporation, U.S.D.C., Eastern District of Arkansas, Western Division, Civil No. LR-C-83-921, February 11, 1985.

D) Arthur A. Frehse v. Anchor Packing Company et al., Sixth Judicial District, County of Carlton, State of Minnesota, March 10, 1989.

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Samuel L. Footer

A) Melvin Ketchum v. Owens-Corning, et al., District Court of Cameron County, Texas, No. 97-08-5722-D, September 21, 1998.

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C) Cicero and Joanne Gravitt v. Bondex International, Inc., et al., In the District Court of Tarrant County, Texas, 48th Judicial District, No. 48 191131 02, June 11, 2002.

D) Conwed Corp., a Delaware Corporation v. Union Carbide Corp., a New York Corporation, United States District Court District of Minnesota, No. 5-92-88, August 29, 2002

E) In re: Asbestos Trial Group, In the Circuit Court of Kanawha County, West Virginia, No. 01-C-9004, October 9, 2002.

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A) Creed T. Erwin v. Clemco Industries, Inc., U.S.D.C., Eastern District of Texas (Beaumont Division), Civil Action No. B-86-1780-A, November 23, 1987.

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Newton H. Ketcham

A) State of West Virginia, Circuit Court of Mongolia County, West Virginia, File No. 86-C-458, November 8, 1991.

B) Russell Allen, et al v. American Petrofina, et al., District Court of Jefferson County Texas, File No. B-126,986, December 8-10, 1992.

C) Pauline Adams v. E.I. Dupont De Nemours, District Court of Jefferson County Texas, Cause No. D-126,445, March 15, 1994.

Edward J. Kleber

A) James W. Manisto v. American Brake Block, District of Minnesota – Dakota County 1st Judicial Districts, File No. C5-88-1008, February 13, 1989.

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B) Conwed Corporation v. Union Carbide Chemicals and Plastics Company Inc., District Court for the Eastern District of Pennsylvania, Case No. 5-92-88, February 15, 1994.

C) Conwed Corporation v. Union Carbide Chemicals and Plastics Company, Inc., US District Court Fifth Division, District of Minnesota, October 18, 1994.

D) Chicago Board of Education v. A.C.S. Inc., Circuit Court of Cook County, Illinois, County Department Law Division, File No. 92-L-9934, October 5, 1995.

Paul McDaniel

A) Conwed v. Union Carbide Corporation, USDC, Eastern District Court for the Eastern District of Pennsylvania, File No. MDL-875, September 2, 1993.

John L. Myers

A) Lester Rice v. Union Carbide Corporation, U.S.D.C., District of South Carolina, Civil Action No. 81-977-9, April 9, 1982.

B) Simon DeWard v. Johns-Manville, et al., Superior Court for the County of Los Angeles, Civil Action No. C-298717 (and related cases), August 30, 1984.

C) Bobby R. Sanford v. Johns-Manville Sales Corp. et al., Southern District of Texas, Galveston Division, No. G-82-325, September 4, 1986.

D) Shirley Tate v. Certain-Teed Corp., et al., District Court, 46th Judicial District, Hardeman County, Texas, No. 7591. and v. 3 M Corporation, et al., District Court, 94th Judicial District, Nueces County, Texas, No. 85-1559-C, July 27, 1987.

E) Lorene Curry, et al. V. Union Carbide Corporation, et al., District Court of Neuces County, Texas, August 7, 1991.

F) Union Carbide Asbestos Removal Litigation, Pennsylvania Cases, Bridgeport, Connecticut April 28, 1988.

G) James W. Manisto v. American Brake Block District Court, First Judicial District, State of Minnesota, County of Dakota, File No. C-5-88-1008, January 6, 1989.

H) Estate of Leonard Martin, Sr., v. Union Carbide Corporation, Circuit Court, County of Alger, State of Michigan, Case No. 93-2429-No., August 30, 1995.

I) Bobbie Jean Dean v. Anchor Packing, District Court, 270th Judicial District, Harrison County Texas, Cause No. 97-57627, November 4, 1999.

J) Richard Ahrendt v. ABEX, Inc., Superior Court of California, San Francisco County, Civil Action No. 95-3895 and Related Cases, January 25, 1995.

K) Mike Norman v. A-C Product Liability Trust, et al., State of Michigan, Circuit Court for the County of Wayne, NO. 94-421061 NP, December 15, 1995.

L) Marie B. Soignet et al. v Montello, Inc., et al., US District Court, Eastern District of Texas, Beaumont Division, No. B-86-1193, November 4, 1988.

M) Lois Harris, et al. V. Plant Insulation Co., et al., Superior Court of the State of California, County of Alamedia, No. 791615-3, July 23, 1999.

N) Charles R. Latham, et al., v. Garlock, Inc., et al., In the District Court of the State of Texas, No. 15137 BH01, November 29, 2001.

O) Stephanie Foster v. A.P. Green Industries, Inc., et al., In the Circuit Court Twenty Second Judicial Circuit State of Missouri, No. 012-9428 Division 1,

April 18th, 2002.

P) Cicero and Joanne Gravitt v. Bondex International, Inc., et al., In the District Court of Tarrant County, Texas, 48th Judicial District, No. 48 191131 02, May 16-17, 2002.

Q) Lafonda Dixon, as personal representative of the Heirs and Estate of Kenneth Dixon v. Union Carbide Corporation, Georgia-Pacific Corporation, et al., In the District Court of Galveston County, Texas, 10th Judicial District, No. 01CV0476, May 22, 2002.

R) Conwed Corp., a Delaware Corporation v. Union Carbide Corp., a New York Corporation, United States District Court District of Minnesota, No. 5-92-88, September 9, 2002.

S) In re: Asbestos Trial Group, In the Circuit Court of Kanawha County, Georgia, No. 01-C-9004, October 9, 2002.

T) In re: Asbestos Trial Group, In the Circuit Court of Kanawha County, Georgia, No. 01-C-9004, October 10, 2002.

U) Esther Flowers, Widow of Timothy Charles Flowers, Charles Newton Flowers v. AC and S, Inc. et al., In the State Court of Fulton County, Georgia, No. 01-VS-014834-D, October 24, 2002.

V) Yves J. Lagueux and Suzanne Lagueux, his wife v. AC and S, Inc. et al., In the Circuit Court of the 17th Judicial Circuit, Broward County, Florida, No. 07-10781(27), October 31, 2002.

W) Douglas Anderson v. Atlas Turner, et al., Superior Court of the State of California for the County of Los Angeles, No. BC 257187, November 12, 2002.

X) Esther Flowers, Widow of Timothy Charles Flowers, Charles Newton Flowers v. AC and S, Inc. et al., In the State Court of Fulton County, Georgia, No. 01-VS-014834-D, December 02, 2002.

Z) In Re: Complex Asbestos Litigation, In the Superior Court of the State of California, In and For the County of San Francisco, No. 828684, February 06, 2003.

AA) Dennis M. Kavanaugh and Ingeborg Kavanaugh v A C and S, et al., In the Circuit Court of the Fifteen Judicial Circuit, In and For Palm Beach County, FL., No. 03-1065 AD, February 20-21, 2003.

BB) Dennis M. Kavanaugh and Ingeborg Kavanaugh v A C and S, et al., In the Circuit Court of the Fifteen Judicial Circuit, In and For Palm Beach County, FL., No. 03-1065 AD, May 1, 2003.

William Douglas Neal

A) Conwed v. Union Carbide Corporation, USDC, Eastern District of Pennsylvania, File No. MDL-875, November 8 & 20, 1996.

Thomas Norris

- A) James Manisto v. American Brake Block, Minnesota District Court, Dakota County 1st Judicial District, File No. C5-88-1008, January 16, 1989.
- B) Cicero and Joanne Gravitt v Bondex International, Inc., et al, In the District Court of Tarrant County, Texas, No. 48 191131 02, August 7, 2002.

Robert E. Peele

- A) Asbestos Cases
Huntington, West Virginia,
September 9-10, 1981.
- B) Asbestos Cases
Southern District of Georgia,
October 7, 1981.
- C) Freda K. Knight v. Union Carbide Corporation, U.S.D.C. Southern District of West Virginia, Huntington, W.VA., Civil Action No. 84-3425, May 22, 1987.
- D) Abate, et al v. A.C.S. Inc., Circuit Court for Baltimore County, State of Maryland, Consolidation File No. 89-236704, July 9, 1991.
- E) Asbestos Cases, All Courts situated in the State of Ohio, January 26, 1990.
- F) Atkins v. Owens Corning Fiberglas, USDC – Western District of Virginia, Civil Action No. 90-0058-R, December 6, 1990.
- G) Asbestos Cases, USDC – Eastern District of Virginia, (Newport News and Norfolk Division), Docket No. C/P 77-1-N, September 26, 1980.
- H) Noyle Aldridge v. Appalachian Power Co., Circuit Court of Putnam County, West Virginia, Civil Action No. 91-C-463, April 30, 1992.
- I) Lucette Alida Nelson v. Johns-Manville Sales, USDC – District Court of Arizona, File No. CIV. 80-148 (TUC) (RMB), April 6, 1983.
- J) Eugene M. Meeks and Emma Jean Meeks v. A & I Company, et al., Circuit Court of Putnam County, West Virginia, No. 89-C-14, September 20, 1989.
- K) Abate, et al., v. AC and S, Inc., et al., In the Circuit Court for Baltimore County, No. 89236704, June 18th, 1991.

James W. Rawlings

- A) Conwed Corporation v. Owens-Corning Fiberglass Corporation, et al., In the United States District Court for the Eastern District of Pennsylvania, No. 5-92-88, June 26, 1977.
- B) Cicero and Joanne Gravitt v. Bondex International, Inc., et al, In the District Court of Tarrant County, Texas, No. 48 191131 02, June 18, 2002.

Harrison B. Rhodes, PhD.

- A) Marion B. Soignet v. Montello, Inc., et al., U. S.D. C. for Eastern District of Texas, Beaumont Division, B-86-1193-CA, January 19, 1989.
- B) June Greer, Individually, and as Exec. of the Estate of John Lee Greer, U. S.D. C. for Northern District of Georgia, Atlanta Division, Civil Action No. CV 86-2882, August 10, 1989.
- C) Conwed Corporation v. Union Carbide Chemicals and Plastics, USDC – District of Minnesota, 5th Division, October 12, 1994.

Ian Sayers

- A) Conwed Corporation v. Union Carbide Chemicals and Plastics, USDC – District of Minnesota, 5th Division, August 2, 2002.

Richard J. Sexton, M.D.

- A) Freda K. Knight v. Union Carbide Corporation, U.S.D.C. Southern District of West Virginia, Huntington, W.Va., Civil Action No. 84-3425, May 14, 1987.

Edward J. Sinclair

- A) Conwed Corporation v. Union Carbide Chemicals and Plastics Company, Inc. v. Owens-Corning Fiberglas Corporation, et al., US District Court, Eastern District of Pennsylvania, No. MDL 875, March 14, 1996.

Paul Spoonamore

- A) Paul Spoonamore and Hazel Spoonamore v. Armstrong World Industries, Inc. et al., US District Court, Southern District of Indiana, Indianapolis Division, No. 91-9997-C, Master File Cause No. IP93-798C, July 27-28, 1993.

Howard Stephens

- A) Keith Edwin Gibson v. Armstrong World Industries, Inc., et al., U.S.D.C. District of Colorado, Consolidated Civil Action No. 83-K-1756; No. 84-K-912, May 18, 1987.

William C. Thurber

- A) Cicero and Joanne Gravitt v. Bondex International, Inc., et al., In the District Court of Tarrant County, Texas, No. 48 191131 02, June 28 and July 30, 2002.

Gran Townsend

- A) Melvin Kethcum v. Owens Corning et al., District Court of Cameron County, Texas No. 97-08-5722-D, October 12, 1998.

Leonel Trevino

- A) Conwed Corporation v. Union Carbide Chemicals and Plastics, Inc. v Owens-Corning, et al., US District Court, Eastern District of Pennsylvania, No. MDL 875,

March 14, 1996.

John E. Walsh

A) Cicero and Joanne Gravitt v. Bondex International, Inc., et al., In the District Court of Tarrant County, Texas, No. 48 191131 02, June 28, 2002 and August 22, 2002.

B) Yves J. Lagueux and Suzanne Lagueux, his wife, v.. ACandS, Inc., et al., In the Circuit Court of the In and for Broward County, Florida, No. 01-10781 27, November 26, 2002.

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E) Judith Koranda, Deceased, and James Koranda, Individually, and as Personal Representative of the Heirs and Estate of Judith Koranda, Deceased v. ACandS, Inc., et al., In the County Court of Dallas County, Texas, No. CC-01-01169-A,

March 25, 2003.

F) Dennis M. Kavanaugh and Ingeborg Kavanaugh v A C and S, et al., In the Circuit Court of the Fifteen Judicial Circuit, In and For Palm Beach County, FL., No. 03-1065 AD, May 1, 2003.

William Paul Woods

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Samuel L. Footer

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E) Lorene Curry, et al. V. Union Carbide Corporation, et al., District Court of Neuces County, Texas, August 7, 1991.

F) Union Carbide Asbestos Removal Litigation, Pennsylvania Cases, Bridgeport, Connecticut April 28, 1988.

G) James W. Manisto v. American Brake Block District Court, First Judicial District, State of Minnesota, County of Dakota, File No. C-5-88-1008, January 6, 1989.

H) Estate of Leonard Martin, Sr., v. Union Carbide Corporation, Circuit Court, County of Alger, State of Michigan, Case No. 93-2429-No., August 30, 1995.

I) Bobbie Jean Dean v. Anchor Packing, District Court, 270th Judicial District, Harrison County Texas, Cause No. 97-57627, November 4, 1999.

J) Richard Ahrendt v. ABEX, Inc., Superior Court of California, San Francisco County, Civil Action No. 95-3895 and Related Cases, January 25, 1995.

K) Mike Norman v. A-C Product Liability Trust, et al., State of Michigan, Circuit Court for the County of Wayne, NO. 94-421061 NP, December 15, 1995.

L) Marie B. Soignet et al. v Montello, Inc., et al., US District Court, Eastern District of Texas, Beaumont Division, No. B-86-1193, November 4, 1988.

M) Lois Harris, et al. V. Plant Insulation Co., et al., Superior Court of the State of California, County of Alamedia, No. 791615-3, July 23, 1999.

N) Charles R. Latham, et al., v. Garlock, Inc., et al., In the District Court of the State of Texas, No. 15137 BH01, November 29, 2001.

O) Stephanie Foster v. A.P. Green Industries, Inc., et al., In the Circuit Court Twenty Second Judicial Circuit State of Missouri, No. 012-9428 Division 1, April 18th, 2002.

P) Cicero and Joanne Gravitt v. Bondex International, Inc., et al., In the District Court of Tarrant County, Texas, 48th Judicial District, No. 48 191131 02, May 16-17, 2002.

Q) Lafonda Dixon, as personal representative of the Heirs and Estate of Kenneth Dixon v. Union Carbide Corporation, Georgia-Pacific Corporation, et al., In the District Court of Galveston County, Texas, 10th Judicial District, No. 01CV0476, May 22, 2002.

R) In re: Asbestos Trial Group, In the Circuit Court of Kanawha County, Georgia, No. 01-C-9004, October 9, 2002.

S) Esther Flowers, Widow of Timothy Charles Flowers, Charles Newton Flowers v. AC and S, Inc. et al., In the State Court of Fulton County, Georgia, No. 01-VS-014834-D, October 24, 2002.

T) Yves J. Lagueux and Suzanne Lagueux, his wife v. AC and S, Inc. et al., In the Circuit Court of the 17th Judicial Circuit, Broward County, Florida, No. 07-10781(27), October 31, 2002.

U) In Re: Complex Asbestos Litigation, In the Superior Court of the State of California, In and For the County of San Francisco, No. 828684, February 06, 2003.

William Douglas Neal

A) Conwed v. Union Carbide Corporation, USDC, Eastern District of Pennsylvania, File No. MDL-875, November 8 & 20, 1996.

Thomas Norris

A) James Manisto v. American Brake Block, Minnesota District Court, Dakota County 1st Judicial District, File No. C5-88-1008, January 16, 1989.

B) Cicero and Joanne Gravitt v Bondex International, Inc., et al., In the District Court of Tarrant County, Texas, No. 48 191131 02, August 7, 2002.

Robert Payne

A) Josephine Stala, as Administratrix of the Estate of Stanley Stala v. Advocate Mines, et al., Supreme Court of New Jersey Law Div., Middlesex County, Doc. No. L-1 0917-85, October 27, 1998.

Robert E. Peele

A) Asbestos Cases
Huntington, West Virginia,
September 9-10, 1981.

B) Asbestos Cases
Southern District of Georgia,
October 7, 1981.

C) Freda K. Knight v. Union Carbide Corporation, U.S.D.C. Southern District of West Virginia, Huntington, W.VA., Civil Action No. 84-3425, May 22, 1987.

D) Abate, et al v. A.C.S. Inc., Circuit Court for Baltimore County, State of Maryland, Consolidation File No. 89-236704, July 9, 1991.

E) Asbestos Cases, All Courts situated in the State of Ohio, January 26, 1990.

F) Atkins v. Owens Corning Fiberglas, USDC – Western District of Virginia, Civil Action No. 90-0058-R, December 6, 1990.

G) Asbestos Cases, USDC – Eastern District of Virginia, (Newport News and Norfolk Division), Docket No. C/P 77-1-N, September 26, 1980.

H) Noyle Aldridge v. Appalachian Power Co., Circuit Court of Putnam County, West Virginia, Civil Action No. 91-C-463, April 30, 1992.

I) Lucette Alida Nelson v. Johns-Manville Sales, USDC – District Court of Arizona, File No. CIV. 80-148 (TUC) (RMB), April 6, 1983.

J) Eugene M. Meeks and Emma Jean Meeks v. A & I Company, et al., Circuit Court of Putnam County, West Virginia, No. 89-C-14, September 20, 1989.

K) Abate, et al., v. AC and S, Inc., et al., In the Circuit Court for Baltimore County, No. 89236704, June 18th, 1991.

James W. Rawlings

A) Conwed Corporation v. Owens-Corning Fiberglass Corporation, et al., In the United States District Court for the Eastern District of Pennsylvania, No. 5-92-88, June 26, 1977

B) Cicero and Joanne Gravitt v. Bondex International, Inc., et al, In the District Court of Tarrant County, Texas, No. 48 191131 02, June 18, 2002.

Harrison B. Rhodes, PhD.

A) Marion B. Soignet v. Montello, Inc., et al., U. S.D. C. for Eastern District of Texas, Beaumont Division, B-86-1193-CA, January 19, 1989.

B) June Greer, Individually, and as Exec. of the Estate of John Lee Greer, U. S.D. C. for Northern District of Georgia, Atlanta Division, Civil Action No. CV 86-2882, August 10, 1989.

C) Conwed Corporation v. Union Carbide Chemicals and Plastics, USDC – District of Minnesota, 5th Division, October 12, 1994.

Ian Sayers

A) Conwed Corporation v. Union Carbide Chemicals and Plastics, USDC – District of Minnesota, 5th Division, August 2, 2002.

Richard J. Sexton, M.D.

A) Freda K. Knight v. Union Carbide Corporation, U.S.D.C. Southern District of West Virginia, Huntington, W.Va., Civil Action No. 84-3425, May 14, 1987.

Edward J. Sinclair

A) Conwed Corporation v. Union Carbide Chemicals and Plastics Company, Inc. v. Owens-Corning Fiberglas Corporation, et al., US District Court, Eastern District of Pennsylvania, No. MDL 875, March 14, 1996.

Paul Spoonamore

A) Paul Spoonamore and Hazel Spoonamore v. Armstrong World Industries, Inc. et al., US District Court, Southern District of Indiana, Indianapolis Division, No. 91-

9997-C, Master File Cause No. IP93-798C, July 27-28, 1993.

Howard Stephens

A) Keith Edwin Gibson v. Armstrong World Industries, Inc., et al., U.S.D.C. District of Colorado, Consolidated Civil Action No. 83-K-1756; No. 84-K-912, May 18, 1987.

William C. Thurber

A) Cicero and Joanne Gravitt v. Bondex International, Inc., et al., In the District Court of Tarrant County, Texas, No. 48 191131 02, June 28 and July 30, 2002.

Gran Townsend

A) Melvin Kethcum v. Owens Corning et al., District Court of Cameron County, Texas No. 97-08-5722-D, October 12, 1998.

Leonel Trevino

A) Conwed Corporation v. Union Carbide Chemicals and Plastics, Inc. v Owens-Corning, et al., US District Court, Eastern District of Pennsylvania, No. MDL 875, March 14, 1996.

John E. Walsh

A) Cicero and Joanne Gravitt v. Bondex International, Inc., et al., In the District Court of Tarrant County, Texas, No. 48 191131 02, June 28, 2002 and August 22, 2002

B) Esther Flowers, Widow of Timothy Charles Flowers, Charles Newton Flowers v. AC and S, Inc. et al., In the State Court of Fulton County, Georgia, No. 01-VS-014834-D, December 1, 2002.

William Paul Woods

A) Keith Edwin Gibson v. Armstrong World Industries, Inc., et al., U. S.D. C. District of Colorado, Consolidated Civil Action No. 83-K-1756; Civil Action No. 84-K-912, May 18, 1987.

INTERROGATORY NO. 118: Identify any and all present or former directors, officers, employees, or agents of defendant, any predecessor or related company, other than persons appearing as adverse parties, who have testified against the defendant, any predecessor, or any related company in the last 20 years, in any proceeding involving the subject of asbestos, including, but not limited to, workers' compensation hearings, or any hearing before any governmental body.

RESPONSE:

See General Objections Nos. 1-8. Union Carbide objects to this Interrogatory on the grounds that it is overly broad and unduly burdensome. Union Carbide further objects to this Interrogatory to the extent that it seeks information that is publicly available. Union Carbide

further objects to this Interrogatory to the extent that it calls for information about Union Carbide employees or premises, or policies pertaining to Union Carbide employees or premises that are unrelated to the claims in this litigation on the grounds that such requests are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Response to Interrogatory No. 117, including all objections set forth therein.

INTERROGATORY NO. 119: With respect to your answers to Interrogatory numbers 116, 117, and 118, identify any and all documents, including, but not limited to, transcripts or notes of testimony, referring to, relating to or reflecting the testimony of such expert witnesses or employees.

RESPONSE:

See General Objections Nos. 1 – 8. Union Carbide objects to this Interrogatory to the extent it seeks information that is in the public domain. Union Carbide further objects to the term "notes of testimony" as undefined and vague. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Response to Interrogatory No. 117, including all objections set forth therein.

INTERROGATORY NO. 120: Has Defendant, any predecessor or any related company, ever been cited, warned, fined, sanctioned or otherwise officially written up for, any violation of a federal, state or local statute, law, rule, ordinance, code, administrative order, executive order, or the like, by any federal, state or local governmental entity, which violation concerned asbestos in any way?

RESPONSE:

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

To the extent that information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 121: If your answer to Interrogatory No. 120 is "Yes," with respect to each such violation:

- (a) Identify the governmental entity issuing the citation, warning, fine, sanction or write-up;
- (b) State the date of the citation, warning, fine, sanction or write-up;
- (c) Describe the violation and state the date(s) during which it occurred;
- (d) Identify the statute, law, rule, ordinance, code or order to which the violation related;
- (e) State what, if any, specific fine, penalty, or sanction was imposed;
- (f) State the date in which and the manner in which said violation was corrected;
- (g) Identify any and all officials of Defendant, its predecessor or its related company having knowledge or notice of said violation and state the date on which said knowledge or notice was received; and,
- (h) Identify any and all documents referring to, relating to or reflecting said violation.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 120, including all objections set forth therein.

INTERROGATORY NO. 122: Has any federal, state or local government entity, at any time, conducted any inspection, test or survey concerning asbestos or asbestos exposure at any facility where the products listed in response to Interrogatory Nos. 19 and 42 were manufactured, processed, applied, used or removed?

RESPONSE:

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

To the extent that information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

INTERROGATORY NO. 123: If your answer to Interrogatory No. 122 is "Yes," then with respect to each such inspection, test or survey:

- (a) Identify the governmental entity conducting the same;

- (b) State the date(s) on which the same was conducted;
- (c) Describe the nature of the inspection, test or survey including, but not limited to, the results or conclusions thereof; and,
- (d) Identify any and all documents referring to, relating to or reflecting the same.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 122, including all objections set forth therein.

INTERROGATORY NO. 124:

Identify:

- (a) Any expert whom you intend to call as a witness;
- (b) The subject matter on which the expert is expected to testify;
- (c) The substance of the facts and opinions to which the expert is expected to testify;
- (d) A summary of the grounds for each Opinion;
- (e) The address of such person and field of expertise;
- (f) Identify and produce each treatise, article or text upon which the expert will rely in testifying.

RESPONSE:

See General Objection Nos. 1-8. Subject to its objections, Union Carbide responds as follows:

Pursuant to the governing Case Management Order, all experts that Union Carbide presently intends to call as witnesses in this litigation have been disclosed in its Sixteenth Amended Fact and Expert Witness Disclosure, dated March 17, 2003. Union Carbide reserves the right to amend and/or supplement its Fact and Expert Witness Disclosure.

INTERROGATORY NO. 125: Are there any policies of insurance which provide, or might provide, coverage on behalf of Defendant, any predecessor or any related company for the injuries alleged in Plaintiffs' complaints?

RESPONSE:

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

Union Carbide possesses insurance coverage. Additional information responsive to this Interrogatory may be found in Union Carbide's most recent, publicly available SEC corporate filings.

INTERROGATORY NO. 126: If your answer to Interrogatory No. 125 is "Yes," identify each such policy of insurance as follows:

- (a) Identify the insurer(s);
- (b) Identify the insured(s);
- (c) State the date on which the policy was first purchased and the date on which the policy expired or was terminated;
- (d) Describe the coverage provided, including, but not limited to, the time period over which the policy applied, the nature of the acts, omissions and injuries covered, and whether the policy provides primary or excess coverage; and
- (e) State the dollar limits of the coverage provided, including, if applicable, the "per person" limitations and "per occurrence" limitation.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 125, including all objections set forth therein.

INTERROGATORY NO. 127: With respect to each policy described in response to Interrogatory No. 126, state:

- (a) the dollar amount of coverage which remains unexpended; and
- (b) whether any dispute exists between insurer and insured with respect to coverage.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 125, including all objections set forth therein.

INTERROGATORY NO. 128: Other than the policies of insurance described in response to Interrogatory No. 126, do there exist any agreements providing for the benefit of Defendant, any predecessor or any related company, complete or partial indemnification for any or all expenses incurred with respect to any or all of these cases, including, but not limited to, judgments, settlements, costs, experts' fees and/or attorneys' fees?

RESPONSE:

See Union Carbide's Response to Interrogatory No. 125, including all objections set forth

therein.

INTERROGATORY NO. 129: If your answer to Interrogatory No. 128 is "Yes," for each such agreement:

- (a) Identify all parties to the agreement and state the capacity of each such party (i.e. indemnitor, indemnitee, etc.);
- (b) State the terms of the agreement, including the nature of the expenses covered and, if applicable, any limitations on payment, reimbursement or indemnification; and
- (c) Identify any and all documents referring to, relating to or reflecting said agreement.

RESPONSE:

See Union Carbide's Response to Interrogatory No. 128, including all objections set forth therein.

INTERROGATORY NO. 130: Was this Defendant ever allowed to use the trademark or logo of any other company, including but not limited to, its predecessor or related company, on any products Defendant sold, distributed or installed; and if so please state:

- (a) The trademark or logo used by you;
- (b) The company allowing such use of its trademark or logo;
- (c) The time period such use was allowed;
- (d) Whether such use was by written, verbal or implied agreement;
- (e) Each and every product such trademark or logo was placed upon;
- (f) Identify all documents which refer to, relate to or reflect the use of such trademark or logo.

RESPONSE:

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

Union Carbide did not use the trademark or logo for another company for its Calidria asbestos.

Union Carbide registered a trademark under federal law for short-fiber chrysotile asbestos on September 30, 1969, #877,596; first use August 10, 1968. Union Carbide has not renewed the

trademark.

Union Carbide purchased the Bakelite Corporation in 1939. Union Carbide manufactured phenolic resins and phenolic molding compounds under the trade name Bakelite. In addition, numerous other companies unrelated to Union Carbide made phenolic resins and /or phenolic molding compounds, including but not limited to, Durez, Plastic Engineering Co. (Plenco), GE and Reichold, none of which were associated with Union Carbide, but customers often times referred to these manufactures' products as Bakelite. Similarly, end users often referred to other companies' products made from phenolic resins or phenolic molding compounds as Bakelite. Bakelite became a generic name that has been widely used to refer to a variety of plastic or plastic-related products. Union Carbide ceased manufacturing and selling asbestos-containing phenolic molding compounds by 1975.

INTERROGATORY NO. 131: From 1940 to present, state whether Defendant and/or any predecessor or related company ever provided workers' compensation, health, accident and disability and/or life insurance coverage for its employees, and if so:

- (a) Identify each insurance carrier which provided workers' compensation, health, accident and disability and/or life insurance coverage to your employees and the dates such coverage was provided by each such carrier;
- (b) State whether such insurance carrier(s) ever conducted any dust counts or studies, industrial hygiene surveys or other tests relating to any asbestos-containing products that Defendant's employees may have been working with or around; and,
- (c) If your response to subpart (b) hereof is in the affirmative, please indicate the date of each such count, study, survey or other test and identify all documents relating thereto.

RESPONSE:

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

To the extent that information responsive to this Interrogatory is in the possession of Union Carbide, this information is located in the repositories maintained by Union Carbide's counsel.

See also Union Carbide's Response to Interrogatory No. 89, including all objections set forth therein.

INTERROGATORY NO. 132: Other than cases identified in Interrogatories 89, 90, 110

and 111, has defendant, any predecessor or any related company, ever appeared as a party in any lawsuit involving a claim or claims based upon issues of insurance for any claim of personal injury, property damage or cost of abatement arising out of the exposure to, use of, application of installation of or presence of asbestos or asbestos-containing products?

RESPONSE:

See General Objections Nos. 1-8. Union Carbide further objects to this Interrogatory to the extent it calls for information about Union Carbide employees or premises, or policies pertaining to Union Carbide employees or premises that are unrelated to the claims in this litigation on the grounds that such requests are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this Interrogatory on the ground that it is harassing and repetitive. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Responses to Interrogatory Nos. 89, 90, 110, and 111, including all objections incorporated therein.

INTERROGATORY NO. 133: If your answer to Interrogatories 89, 90, 110 and 111 is "yes", identify each such lawsuit as follows:

- (a) Identify all plaintiff(s);
- (b) Identify all defendant(s);
- (c) State when and where the case was filed;
- (d) Identify each court in which the case was heard of is pending, including appeals, and state the style and cause number of the case in each court; and
- (e) State the current status of the case if it remains pending or, if the case has been disposed of, state the final disposition.

RESPONSE:

See Union Carbide's Responses to Interrogatory Nos. 89, 90, 110, and 111, including all objections incorporated therein.

INTERROGATORY NO. 134: If the defendant, any predecessor or related company, claiming any document responsive to any interrogatory or any request for production filed by The Simmons Firm as being protected from disclosure because of a privilege claimed for any reason? If yes, please list each document being claimed as protected from disclosure in a privilege log providing the date of the document, the identity of the author, what individual or entity the document was addressed to, the identity of any individuals or entities provided copies of the document, a brief description of the nature of the document, and the particular privilege claimed as shielding the document from disclosure.

RESPONSE:

See General Objections Nos. 1 – 8. Subject to its objections, Union Carbide responds as follows:

Union Carbide will produce a privilege log, subject to supplementation, at a mutually agreeable time and place.

VERIFICATION

STATE OF CONNECTICUT)

COUNTY OF FAIRFIELD)

ss:

JOHN MACDONALD, being duly sworn according to law, deposes and says: that he is the Assistant Corporate Secretary of defendant Union Carbide Corporation, that he has read the answers to Plaintiffs' Interrogatories and is familiar with their contents; that the answers set forth herein were assembled and prepared by counsel for defendant based on information provided to counsel by employees or former employees through their sworn testimony and/or contained in documents located in the repositories of asbestos-related documents maintained by counsel; and that to the best of deponent's knowledge, information and belief, the responses are true.

John Macdonald
Assistant Corporate Secretary

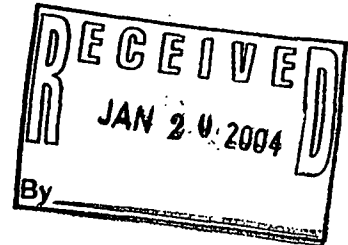
Sworn to before me this _____ day
of _____, 2004.

Notary Public

11354-1000
RPM/nks

IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

IN RE: ALL ASBESTOS LITIGATION)
FILED BY THE SIMMONS FIRM, L.L.C.,)
Plaintiffs,)
v.)
A.W. CHESTERTON, INC., et al.,)
Defendants.)



MEMORANDUM TO CLERK

NOW COMES the Defendant, UNION CARBIDE CORPORATION, by its attorneys, HEYL, ROYSTER, VOELKER & ALLEN, and notifies the court and all counsel of record that it has provided its Responses to Plaintiffs' Fifth Amended and Supplemental Interrogatories, to plaintiffs' attorneys, THE SIMMONS LAW FIRM, this 16th day of January, 2004, via hand delivery. Pursuant to local rules, the original has been retained in our file. A copy of said discovery has been placed with the Central Records Depository, 203 W. High Street, Edwardsville, Illinois 62025.

cc: counsel of record

UNION CARBIDE CORPORATION,

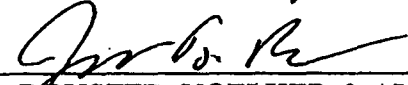
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PROOF OF SERVICE

The undersigned certifies that copies of the foregoing document has been served upon the attorneys of record of all parties to the above cause via hand delivery on 1/16, 2004.

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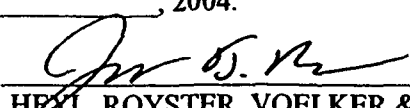
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PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing has been served upon the attorneys of record to the above cause by enclosing same in an envelope with postage prepaid, and depositing same in a United States mail box in Edwardsville, Illinois on 1/16, 2004.

By: 

HEYL, ROYSTER, VOELKER & ALLEN

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January 23, 2004

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IN RE: All Madison County, Illinois Asbestos
Litigation Filed by The Simmons Firm, L.L.C.

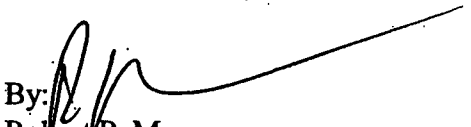
Dear Mr. Kohlburn:

Please find enclosed a copy of the signed Verification regarding Union Carbide Corporation's Responses to Plaintiffs' Fifth Amended and Supplemental Interrogatories which we filed January 16, 2004 regarding the above-referenced matter.

Thank you for your attention to this matter.

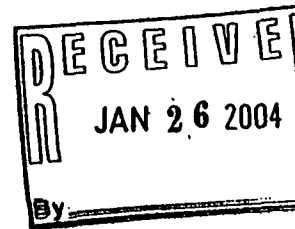
Very truly yours,

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RPM/nks

Enclosure: Signed Verification



ccs Eric
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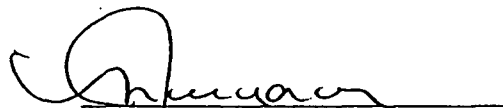
VERIFICATION

STATE OF CONNECTICUT)

ss:

COUNTY OF FAIRFIELD)

JOHN MACDONALD, being duly sworn according to law, deposes and says: that he is the Assistant Corporate Secretary of defendant Union Carbide Corporation, that he has read the answers to these Interrogatories and is familiar with their contents; that the answers set forth herein were assembled and prepared by counsel for defendant based on information provided to counsel by employees or former employees through their sworn testimony and/or contained in documents located in the repository of asbestos-related documents maintained by counsel; and that to the best of deponent's knowledge, information and belief, the responses are true.



John Macdonald
Assistant Corporate Secretary

Sworn to before me this 16 day
of January 2004.


Notary Public

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NOTARY PUBLIC
MY COMMISSION EXPIRES 10/31/2007