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and Borden Chemicals and Plastics

MARY ANN MONAGHAN, Executrix of
the Estate of Robert Monaghan,
Deceased, and MARY ANN MONAGHAN,
in her own right

v.

ALLIED-SIGNAL, INC., successor-in-
interest to ALLIED CORP. and
ALLIED CHEMICAL CORP., et al.

COURT OF COMMON PLEAS
MONTGOMERY COUNTY

CIVIL ACTION

NO. 93-02928

RESPONSES OF DEFENDANTS, BORDEN, INC.,
BCP MANAGEMENT, INC. AND
BORDEN CHEMICALS AND PLASTICS TO PLAINTIFFS'
REQUEST FOR PRODUCTION OF DOCUMENTS

GENERAL OBJECTIONS

The General Objections set forth in Borden's Responses to Plaintiffs' First Set of Interrogatories are hereby incorporated by reference into each of Borden's responses to Request for Production of Documents as fully as if therein set forth at length.

REQUEST TO PRODUCE NO. 1: Objection. See Borden's Response to Interrogatory No. 8(a). Inasmuch as there is no evidence that Borden ever sold or delivered VCM to plaintiff decedent's employer's Pottstown facility, Borden objects to this request for production on the grounds that, as to Borden, it is unduly burdensome, oppressive, overly broad and seeks irrelevant information which is not reasonably calculated to lead to the discovery of evidence admissible with respect to Borden. Borden further objects to this request to the extent it seeks the production of documents not required to be produced by the Pennsylvania Rules of Civil Procedure.

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REQUEST TO PRODUCE NO. 2: There are no documents responsive to this request. See Borden's Response to Interrogatory No. 61.

REQUEST TO PRODUCE NO. 3: This request is not applicable, inasmuch as Borden did not provide, sell or ship VCM to decedent's employer's facility. See Borden's Response to Interrogatory No. 8(a) and 63.

REQUEST TO PRODUCE NO. 4: Objection. See Borden's Response to Interrogatory No. 8(a). Inasmuch as there is no evidence that Borden ever sold or delivered VCM to plaintiff decedent's employer's Pottstown facility, Borden objects to this request for production on the grounds that, as to Borden, it is unduly burdensome, oppressive, overly broad and seeks irrelevant information which is not reasonably calculated to lead to the discovery of evidence admissible with respect to Borden. Borden further objects to this request to the extent it seeks the production of documents not required to be produced by the Pennsylvania Rules of Civil Procedure.

REQUEST TO PRODUCE NO. 5: Borden has not yet selected any expert witnesses for trial. When Borden has done so, it will provide the information required by the Pennsylvania Rules of Civil Procedure and reserves its right to supplement this response.

REQUEST TO PRODUCE NO. 6: This request is not applicable, inasmuch as Borden did not provide, sell or ship VCM to decedent's employer's facility. See Borden's Response to Interrogatory No. 8(a) and 15.

REQUEST TO PRODUCE NO. 7: Objection. See Borden's Response to Interrogatory No. 8(a). Inasmuch as there is no evidence that Borden ever sold or delivered VCM to plaintiff decedent's employer's Pottstown facility, Borden objects to this request for production on the grounds that, as to Borden, it is unduly burdensome, oppressive, overly broad and seeks irrelevant information which is not reasonably calculated to lead to the discovery of evidence admissible with respect to Borden. In addition, the burden of deriving or ascertaining the

information requested is substantially the same for the plaintiff as it is for Borden, since the information is equally and publicly available.

REQUEST TO PRODUCE NO. 8: This request is not applicable, inasmuch as Borden did not provide, sell or ship VCM to decedent's employer's facility. See Borden's Responses to Interrogatories Nos. 8(a), 15 and 39.

REQUEST TO PRODUCE NO. 9: This request is not applicable, inasmuch as Borden did not provide, sell or ship VCM to decedent's employer's facility. See Borden's Response to Interrogatory No. 8(a).

REQUEST TO PRODUCE NO. 10: Objection. See Borden's Response to Interrogatory No. 8(a). Inasmuch as there is no evidence that Borden ever sold or delivered VCM to plaintiff decedent's employer's Pottstown facility, Borden objects to this request for production on the grounds that, as to Borden, it is unduly burdensome, oppressive, overly broad and seeks irrelevant information which is not reasonably calculated to lead to the discovery of evidence admissible with respect to Borden. In addition, the burden of deriving or ascertaining the information requested is substantially the same for the plaintiff as it is for Borden, since the information is equally and publicly available.

REQUEST TO PRODUCE NO. 11: This request is not applicable, inasmuch as Borden did not provide, sell or ship VCM to decedent's employer's facility. See Borden's Response to Interrogatory No. 8(a).

REQUEST TO PRODUCE NO. 12: Objection. See Borden's Response to Interrogatory No. 8(a). Inasmuch as there is no evidence that Borden ever sold or delivered VCM to plaintiff decedent's employer's Pottstown facility, Borden objects to this request for production on the grounds that, as to Borden, it is unduly burdensome, oppressive, overly broad and seeks irrelevant information which is not reasonably calculated to lead to the discovery of evidence admissible with respect to Borden. In addition, the burden of

deriving or ascertaining the information requested is substantially the same for the plaintiff as it is for Borden, since the information is equally and publicly available.

REQUEST TO PRODUCE NO. 13: This request is not applicable, inasmuch as Borden did not provide, sell or ship VCM to decedent's employer's facility. See Borden's Response to Interrogatory No. 8(a).

REQUEST TO PRODUCE NO. 14: This request is not applicable, inasmuch as Borden did not provide, sell or ship VCM to decedent's employer's facility. See Borden's Response to Interrogatory No. 8(a).

REQUEST TO PRODUCE NO. 15: There are no documents responsive to this request because there were no recalls. See Borden's Response to Interrogatory No. 22.

REQUEST TO PRODUCE NO. 16: Objection. See Borden's Response to Interrogatory No. 8(a). Inasmuch as there is no evidence that Borden ever sold or delivered VCM to plaintiff decedent's employer's Pottstown facility, Borden objects to this request for production on the grounds that, as to Borden, it is unduly burdensome, oppressive, overly broad and seeks irrelevant information which is not reasonably calculated to lead to the discovery of evidence admissible with respect to Borden. In addition, the burden of deriving or ascertaining the information requested is substantially the same for the plaintiff as it is for Borden, since the information is equally and publicly available.

REQUEST TO PRODUCE NO. 17: Objection. See Borden's Response to Interrogatory No. 8(a). Inasmuch as there is no evidence that Borden ever sold or delivered VCM to plaintiff decedent's employer's Pottstown facility, Borden objects to this request for production on the grounds that, as to Borden, it is unduly burdensome, oppressive, overly broad and seeks irrelevant information which is not reasonably calculated to lead to the discovery of evidence admissible with respect to Borden. In addition, the burden of deriving or ascertaining the information requested is substantially the same for the plaintiff as it is for Borden, since the information is equally and publicly available.

REQUEST TO PRODUCE NO. 18: Objection. See Borden's Response to Interrogatory No. 8(a). Inasmuch as there is no evidence that Borden ever sold or delivered VCM to plaintiff decedent's employer's Pottstown facility, Borden objects to this request for production on the grounds that, as to Borden, it is unduly burdensome, oppressive, overly broad and seeks irrelevant information which is not reasonably calculated to lead to the discovery of evidence admissible with respect to Borden.

REQUEST TO PRODUCE NO. 19: Objection. See Borden's Response to Interrogatory No. 8(a). Inasmuch as there is no evidence that Borden ever sold or delivered VCM to plaintiff decedent's employer's Pottstown facility, Borden objects to this request for production on the grounds that, as to Borden, it is unduly burdensome, oppressive, overly broad and seeks irrelevant information which is not reasonably calculated to lead to the discovery of evidence admissible with respect to Borden. Borden further objects to this request to the extent it seeks the production of documents not required to be produced by the Pennsylvania Rules of Civil Procedure.

REQUEST TO PRODUCE NO. 20: Objection. See Borden's Responses to Interrogatories Nos. 8(a) and 43. Inasmuch as there is no evidence that Borden ever sold or delivered VCM to plaintiff decedent's employer's Pottstown facility, Borden objects to this request for production on the grounds that, as to Borden, it is unduly burdensome, oppressive, overly broad and seeks irrelevant information which is not reasonably calculated to lead to the discovery of evidence admissible with respect to Borden.

REQUEST TO PRODUCE NO. 21: Objection. See Borden's Responses to Interrogatories Nos. 8(a) and 42. Inasmuch as there is no evidence that Borden ever sold or delivered VCM to plaintiff decedent's employer's Pottstown facility, Borden objects to this request for production on the grounds that, as to Borden, it is unduly burdensome, oppressive, overly broad and seeks irrelevant information which is not reasonably calculated to lead to the discovery of evidence admissible with respect to Borden.

request to the extent it seeks the production of documents not required to be produced by the Pennsylvania Rules of Civil Procedure.

REQUEST TO PRODUCE NO. 27: Objection. See Borden's Responses to Interrogatories Nos. 8(a) and 42. Inasmuch as there is no evidence that Borden never sold or delivered VCM to plaintiff decedent's employer's Pottstown facility, Borden objects to this request for production on the grounds that, as to Borden, it is unduly burdensome, oppressive, overly broad and seeks irrelevant information which is not reasonably calculated to lead to the discovery of evidence admissible with respect to Borden.

REQUEST TO PRODUCE NO. 28: This request is not applicable, inasmuch as Borden did not provide, sell or ship VCM to decedent's employer's facility. See Borden's Response to Interrogatory No. 8(a).

REQUEST TO PRODUCE NO. 29: Not applicable; no documents have been identified.

RAWLE & HENDERSON

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