PLAINTIFF'S EXHIBIT

SWF-14

CAUSE NO. 90G2055

WELDON R. MOAKE, et al.	§	IN THE DISTRICT COURT OF
	§	
Plaintiffs,	§	
	§	
VS.	§	BRAZORIA COUNTY, TEXAS
	§	
OWENS-CORNING FIBERGLAS CORPORATION, et al.	§	
	§	
	§	
Defendants.	§	239th JUDICIAL DISTRICT

SOUTHWESTERN REFINING COMPANY, INC.'S DESIGNATION OF EXPERT WITNESSES

NOW COMES, Defendant, Southwestern Refining Company, Inc. and files this its Designation of Expert Witnesses.

I.

Defendant designates the following individuals as testifying experts:

1. Birkner, Lawrence W., CIH, CSP
McIntry, Bikner & Associates
2026 El Monte Drive
Thousand Oaks, California 91362-1822
805.494.8173

Mr. Birkner is a certified industrial hygienist and safety professional, and may provide testimony regarding the history and state of the art of industrial hygiene as it relates to asbestos and asbestos containing products; the use of and alternatives to asbestos containing products; methods and levels of asbestos exposure and the epidemiology of diseases associated with such exposure; a retrospective assessment or estimate of Plaintiffs exposure to asbestos in his work environment based on historical literature and the facts available in this case; the applicability of the ACGIH, OSHA and EP A guidelines as they related to occupational exposures to various types of asbestos-containing products; and that certain Defendants' and/or non-parties' approach to the handling and control of any asbestos-containing materials on its premises were reasonable in light of available information and industrial hygiene practices at different points in time. He may also testify as to any matter raised by experts called by Plaintiffs or any co-Defendant in this cause.

2. Balzer, J. LeRoy, Ph.D.
408 Horse Trail Court
Alamo, California 94507
925. 274.0826

Mr. Balzer is the Assistant Vice Chancellor at University of California Health Sciences Campus, and may testify regarding industry practice and standards, the state of the art of industrial hygiene, the state of knowledge regarding exposure to asbestos and effects thereof at relevant times and reasonableness of reliance upon established and safe levels of exposure to asbestos. He may also testify as to any matter raised by experts called by Plaintiffs or any co-Defendant in this cause.

3. Peter J. Barrett, M.D.
10 Martin's Lane
Hingham, Massachusetts 24043
617.749.5876

Dr. Barrett is currently a Staff Radiologist and former Chairman of Radiology Department and President of the medical staff at Quincy City Hospital, Quincy, Massachusetts. He is also Director of Radiologic Services at the Massachusetts Respiratory Hospital in Braintree. He is board certified in diagnostic radiology and nuclear medicine and has been a "B" reader from NIOSH since 1984. He is a fellow of the American College of Radiology and a member of the American Roentgen Ray Society, the American Thoracic Society, and the Massachusetts Radiological Society in which he has held several offices including the president 1977-1978. He has been a consultant to the U.S. government regarding asbestos concerns and a consultant to the Department of Labor Black Lung Program.

Dr. Barrett will also testify concerning the significance of asbestos-related abnormalities and neoplastic disease, that asbestos-related pleural plaques have no relationship to any type of neoplasm and do not represent asbestosis. He will testify based upon his review of the radiographs as to the presence or absence of radiographic abnormalities related to asbestos in Mr. Moake and that not all alleged mesotheliomas can be attributed to asbestos exposure but that some mesotheliomas are in fact idiopathic in nature. He will testify concerning the dose needed to cause malignant mesothelioma in general and the difficulty in making pathologic diagnosis of mesothelioma.

Copies of Dr. Barrett's cuniculum vitae and his report have previously been produced.

4. Clark, Roger A.
P.O. Box 271282
Corpus Christi, Texas 78427-1282
361.814.-8292

Mr. Clark is a former employee of Southwestern Refining Company, Inc. ("Southwestern") and worked at the refinery from 1977 until the sale of the refinery in 1995. During these years, Mr. Clark was employed in the Environmental and Regulatory Compliance Division of Southwestern and as such was involved in the development of and compliance with Southwestern's programs, policies and procedures regarding asbestos waste and in Southwestern's adherence to applicable and guiding rules, regulations and standards relating to same. Mr. Clark, in addition to offering factual testimony, may offer specialized, expert or opinion testimony based on his experience, background and training in the field regarding the reasonableness of Southwestern's conduct as to the premises. He may also testify as to any matter raised by experts called by Plaintiffs or any co-Defendant in this cause.

5. Patrick N. Conoley, M.D.
Kelsey Seybold Clinic
6624 Fannin, Suite 1800
Houston, Texas 77030
713.791.8787

Dr. Conoley is an M.D. and a "B"-reader, who may testify concerning his review of the various radiographs and CT scans of the Plaintiff in this case and the significance of various x-ray finding on the radiographs of the Plaintiff. Copies of Dr. Conoley's curriculum vitae and his report have previously been produced.

6. Craighead, John E., M.D.
Chairman Department of Pathology
A249 Given Medical Building
University of Vermont College of Medicine
Burlington, Vermont 05401
802. 425.3480
and/or
John E. Craighead, M.D.
1845 Four Winds Road
Ferrisburgh, Vermont 05406
802. 425.3480

Dr. Craighead is Chairman of the Department of Pathology at the University of Vermont College of Medicine, and may testify as to the history of asbestos utilization in this country for industrial purposes and relate, in general, the developing concepts

regarding its potential role in the causation of disease; general and asbestos-related pulmonary pathology and epidemiology relevant thereto; cancer issues, including the risk of cancer, carcinogenicity of work sites and environmental chemicals and substances and epidemiology; his examination of Plaintiff Weldon R. Moake's medical records and pathology materials; the medical condition of Plaintiff; and the relationship, if any, of such conditions to Plaintiffs alleged exposure to asbestos and other substances. He may also testify as to any matter raised by experts called by Plaintiffs or any co-Defendant in this cause.

7. Dyson, William, Ph.D.
1022 Jefferson Rd
Greensboro, North Carolina 27410
336. 855.7308

Dr. Dyson is an industrial hygienist and may give testimony regarding industry practices and standards, the state of the art of industrial hygiene, the state of knowledge regarding exposure to asbestos, the effects thereof at relevant times, and reasonableness of reliance upon established and safe levels of exposure to asbestos. He may also testify regarding any matter raised by experts called by Plaintiffs or any co-Defendant in this cause.

8. Knorpp, James T. Knorpp
Safety Services 2149 Misty's Run
Keller, Texas 76248
817. 379.0840

Mr. Knorpp is a professional engineer, and may testify concerning OSHA's requirements and that those requirements are the responsibility of the employer to protect the worker. He may also testify regarding any matter raised by experts called by Plaintiffs or any co-Defendant in this cause.

9. Pendergrass, John, CIH, CSP, PE
6700 Milkhouse Court
Mobile, AL 36695

Mr. Pendergrass is a certified industrial hygienist and may give testimony regarding industry practices and standards, the state of the art of industrial hygiene, the state of knowledge regarding exposure to asbestos, the effects thereof at relevant times, and reasonableness of reliance upon established and safe levels of exposure to asbestos. He may also testify regarding any matter raised by experts called by Plaintiffs or any co-Defendant in this cause.

10. Tom Sands
6945 Aswan Drive
Corpus Christi, Texas 78412
361. 991.4701
or
c/o Koch Refining Company
P.O. Box 2608
Corpus Christi, Texas 78403
361. 242.5380

Mr. Sands is a former employee of Southwestern, and is now employed by Koch Refining Company in Corpus Christi, Texas. Mr. Sands worked at the refinery beginning in approximately 1980 and up until the sale of the refinery in 1995. Mr. Sands was employed in the maintenance division of the refinery as Maintenance Manager, as Operations Manager and ultimately as Refinery Manager. In his positions at Southwestern, Mr. Sands was involved in the development of and compliance with Southwestern's programs, policies and procedures regarding asbestos and in Southwestern's adherence to applicable and guiding rules, regulations and standards relating to asbestos removal, abatement, disposal and/or monitoring. Mr. Sands, in addition to offering factual testimony, may offer specialized, expert or opinion testimony based on this experience, background and training in the field regarding the reasonableness of Southwestern's conduct as to the premises. He may also testify regarding any matter raised by experts called by Plaintiffs or any co-Defendant in this cause.

11. Wick, Mark Robert, M.D.
301 Peacock Drive
Charlottesville, Virginia 22903-9713
804. 243.4818

Dr. Wick is a pathologist and may provide testimony regarding his examination of Plaintiff Weldon R. Moake and/or his review of Plaintiffs medical records, pathology materials, x-rays, and reports and supplemental reports of Plaintiffs' experts; the criteria used to diagnose asbestos-related diseases, his opinions as to whether Plaintiff Weldon R. Moake suffers from asbestos-related diseases, Plaintiffs medical conditions and Plaintiffs prognosis; and general medical issues with emphasis on the respiratory system and the effect of asbestos and other substances on human health generally, and with respect to Plaintiff Weldon R. Moake specifically. He may also testify regarding any matter raised by experts called by Plaintiffs or any co-Defendant in this cause.

12. Edward J. Baier
9754 Hatmark Court
Vienna, Virginia 22181
703. 281.0501

Mr. Baier is an industrial hygienist who will testify concerning state of the art as it relates to asbestos.

13. Dr. Sam H. Cade, Jr.,
Radiology Department
Baylor University Medical Center
3500 Gaston Avenue
Dallas, Texas 75242.

Dr. Cade is a specialist in the area of respiratory diseases. Dr. Cade will testify to all matters pertaining to his examination of the Plaintiff and Plaintiff's medical records; any communications with the Plaintiff or Plaintiff's family; review of x-rays of the Plaintiff; the diagnostic criteria used to diagnose asbestosis; his opinion regarding whether Plaintiff suffers from asbestos-related disease and the basis of such opinion; the Plaintiff's current medical condition and his prognosis thereof.

14. Dr. Philip Cagle
Baylor College of Medicine
One Baylor Plaza
6565 Fannin, MS 205
Houston, Texas 77030.

Dr. Cagle is a pathologist. He will testify to all matters pertaining to study and research concerning exposure to asbestos and its effects on the human body; to exposure to asbestos and the development of lung cancer, mesothelioma and other respiratory diseases; to his examination and review of Plaintiff's medical records, history, x-rays, and pathology material; his expert opinion to whether Plaintiff suffers from a respiratory disease and the cause of such disease, including but not limited to asbestosis, lung cancer, mesothelioma and the basis for such opinion; to all matters pertaining to the Plaintiff's medical condition; to the effects of exposure to chrysotile fibers on the human body; and to all matters pertaining to the Plaintiff's medical condition.

15. Bobby F. Craft
Industrial Health, Inc.
640 East Wilmington Avenue
Salt Lake City, Utah 84106.

Dr. Craft will testify as to the history of TLV; State of the Art as it concerns the development of knowledge of hazards associated with asbestos; testing of dust levels at various plants; the potential of exposure in excess of the TLV as it concerns certain asbestos containing products; and the dust levels created by this defendant's products.

16. Dr. William Eschenbacher
Baylor College of Medicine
Department of Internal Medicine/Pulmonary Section
6550 Fannin, Smith Tower, Suite 1220
Houston, Texas 77030.

Dr. Eschenbacher will testify to all matters pertaining to his examination of the Plaintiff and Plaintiff's medical records; any communications with the Plaintiff or Plaintiff's family; review of x-rays of the Plaintiff; his opinion regarding whether Plaintiff suffers from asbestos-related disease and the basis of such opinion; the Plaintiff's current medical condition and his prognosis thereof; the anatomy and function of the respiratory and circulatory systems; the nature of asbestos; the symptomology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity; the nature and extent of medical and scientific knowledge regarding any association of pulmonary disease with asbestos exposure; the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system; methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related disease; incidence of lung cancer among individuals with asbestosis as compared to non-asbestotic asbestos workers and to the general population; cigarette smoking and its effects on the lungs; the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic affect; the difference between impairment and disability; the effect of asbestosis on disability and life expectancy; and the lack of relationship between the presence of pleural plaques and a later development of any form of cancer.

17. Dr. Melvin W. First
Harvard School of Public Health
655 Huntington Avenue
Boston, MA 02115.

Dr. First is expected to testify on matters relating to industrial hygiene, including the methodology of conducting industrial hygiene surveys and reporting and publishing results of industrial hygiene surveys.

18. H. Corwin Hinshaw, Sr.
Retired Emeritus Professor of Medicine
University of California, School of Medicine
P.O. Box 546, Belvedere
California 94920.

Dr. Hinshaw will testify by deposition about the state of the scientific and medical knowledge concerning asbestos. Included in his testimony will be discussion of the respiratory system, asbestos-related diseases, and the effect of other substances on the respiratory system.

19. Dr. Irving J. Selikoff, dec.
Mount Sinai School of Medicine
1 Gustave Levy Plaza
New York, New York.

Dr. Selikoff will testify by deposition taken in Rogers vs. Johns Manville, February 19, 1971, regarding the relationship between asbestos and disease, knowledge concerning same, state-of-the-art, and all topics reflected in Defendants' deposition designations.

20. Dr. Paul M. Stevens
Professor of Medicine
Baylor College of Medicine
Methodist Hospital
Houston, Texas 77030.

Dr. Stevens is a specialist in the area of respiratory diseases. Dr. Stevens will testify as to all matters pertaining to his examination of the Plaintiff and Plaintiff's medical records; any communications with the Plaintiff or Plaintiff's family; review of x-rays of the Plaintiff; the diagnostic criteria used to diagnose asbestosis; his opinion as to whether Plaintiff suffers from asbestos related disease and the basis of such opinion; the Plaintiff's current medical condition and his prognosis in regard to the Plaintiff's medical condition; the anatomy and function of the respiratory and circulatory systems; the nature of asbestos; the symptomology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity; the nature and extent of medical and scientific knowledge regarding any association of pulmonary disease with asbestos exposure; the affect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system; methods of diagnosis of various diseases, especially the means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related disease; incidence of lung cancer among individuals with asbestosis as compared to

non-asbestotic asbestos workers and to the general population; cigarette smoking and its effects on the lungs; the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic affect; the difference between impairment and disability; the effect of asbestosis on disability and life expectancy; and the lack of relationship between the presence of pleural plaques and a later development of any form of cancer.

II.

Plaintiff Weldon R. Moake's treating physicians have not been retained as expert witnesses by this Defendant, but are physicians who have treated the Plaintiff and who may be called to testify at the time of trial about their care and treatment of the Plaintiff and diagnoses and prognoses of the Plaintiff. Defendant reserves the right to call any treating physician who may be named by the Plaintiff in response to discovery responses or witness designations, as well as the custodians of records for each such physician. Defendant hereby incorporates the list of treating physicians identified by the Plaintiff in response to the Defendants' discovery requests and/or master discovery responses. These treating physicians include, but are not limited to:

1. Blaine, M. H., M.D.
   3314 South Alameda
   Corpus Christi, Texas

2. Brackett, Fred B., M.D.
   613 Elizabeth, Suite 612
   Corpus Christi, Texas

3. Brown, Lyle, M.D.
   Denton, Texas

4. Byroad, Clark, M.D.
   575 North Valley Parkway, Suite 100
   Lewisville, Texas 75067

5. Costa, Dennis, M.D.
   475 West Elm, Suite 101
   Lewisville, Texas 75057

6. Chu, Bobby, M.D.
   1001 Cross Timbers, Suite 1250
   Flower Mound, Texas 75028

7. Garza, David, M.D.
Address unknown/not provided
Corpus Christi, Texas

8. Genevese, Glenn
651 Cross Timbers, Suite 104
Flower Mound, Texas 75028

9. Goldberg, (First name unknown), M.D.
Lewisville, Texas

10. Heath, Paul W., M.D.
1521 South Staples, Suite 704
Corpus Christi, Texas

11. Hedberg, Charles, M.D., deceased
Corpus Christi, Texas

12. Iden, Donald L, M.D.
4521 South Staples
Corpus Christi, Texas 78411

13. Jackson, Daniel, M.D.
Address unknown/not provided
Houston, Texas

14. Kell, M.D.
address unknown/not provided
Corpus Christi, Texas

15. Kelsey, John R., M.D.
Kelsey-Seybold Clinic
West 1111 Augusta Drive
Houston, Texas

16. May, David C., M.D.
614 Edmonds Lane, Suite
101 Lewisville, Texas 75067

17. Medical Center of Lewisville
500 West Main
Lewisville, Texas 75057

18. Pisters, Katherine, M.D.
1515 Holcombe Boulevard
Houston, Texas

19. Porter, John Richard, M.D.
612 Elizabeth Street
Corpus Christi, Texas

20. Ruben, (First name unknown), M.D.
Address unknown/not provided
Lewisville, Texas

21. Shin, Dong Moon
1515 Holcombe Boulevard
Houston, Texas 77030

22. Schwarz, Donald E., M.D.
Presbyterian Hospital of Dallas
8200 Walnut Hill Lane
Dallas, Texas

23. Spohn Memorial Hospital
2606 Hospital Boulevard
Corpus Christi, Texas

24. St. Luke's Episcopal Hospital
6720 Bertner Ave.
Houston, Texas

25. Tavares, Sergio, M.D.
612 Elizabeth Street, Suite 302
Corpus Christi, Texas

26. University of Texas M.D. Anderson Cancer Center
1515 Holcombe Boulevard, Box 506
Houston, Texas 77030

27. Walsh, Gaitett L, M.D.
1515 Holcombe Boulevard
Houston, Texas 77030

III

Defendant reserves the right to amend and/or supplement this designation in the event that Plaintiffs medical records, Plaintiffs supplemental interrogatory answers, depositions, or other discovery disclose additional expert witnesses.

IV.

Defendant reserves the right to elicit, by way of cross-examination, opinion testimony from experts designated and called by other parties to this case. Defendant expresses its intention to possibly call, as witnesses associated with adverse parties, any of the Plaintiffs' experts designated in this case.

V.

Defendant hereby designates, as adverse parties, potential adverse parties, and/or as expert witnesses associated with adverse parties, all parties to this suit and all expert witnesses designated by any party to this suit, even if the designated party is not a party to this suit at the time of trial. In the event a present or future party designates any expert witnesses but then is dismissed for any reason from this cause or fails to call any designated expert witness, Defendant reserves the right to designate and! or call any such party or expert witness, previously designated by any party.

VI.

Defendant reserves the right to call undesignated rebuttal expert witnesses whose testimony cannot reasonably be foreseen until the presentation of the evidence against Defendant.

Respectfully submitted,

BROWN SIMS, P. C.

By: Robin A. Howard

G. Byron Sims
State Bar No. 18419000
James A. Tatem
Texas Bar No. 00785086
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Tenth Floor, 1177 West Loop South
Houston, Texas 77027-9007
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ATTORNEYS FOR SOUTHWESTERN REFINING COMPANY, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been furnished to all counsel of record on this the 2nd day of **November, 2001**, via:

XX	Facsimile Transmission
	Federal Express
XX	Certified Mail, Return Receipt Requested
	Regular Mail
	Hand Delivery

Robin A. Howard
Robin A. Howard