

Speak
w/Tom R.
Re: this

LAW OFFICES
OGLETREE, DEAKINS, NASH, SMOAK AND STEWART

A PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS AND PROFESSIONAL CORPORATIONS

ONE THOUSAND EAST NORTH
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(803) 242-1410

Call
Vonnishen
Parker
Re: Rice

October 25, 1988

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Richard J. Lorenz, Esquire (Tenneco Oil)
Beverly V. Gholson, Esquire (Georgia Gulf)
James V. O'Gara, Esquire (Union Carbide)
Marina K. Pita, Esquire (Conoco)
John Endicott, Esquire (Maxus Energy)
Woodrow W. Ban, Esquire (B.F. Goodrich)
Robert D. Luss, Esquire (Occidental)

Re: *Cox v. Georgia Gulf, et al.*
C.A. Nos. 8:88-1399-3 and 8:88-1400-3

Ladies and Gentlemen:

Enclosed are requests for production of documents served upon us in the above-captioned matter. Bob Ariail, plaintiff's attorney, is requesting any documents, including material safety data sheets and other PVC warnings or instructions, which were sent by your companies as PVC resin suppliers to Stauffer, between the years 1974 and 1986. Although the Anderson, South Carolina fabrication plant did not begin operations until 1978, apparently the Long Beach, California plant was operating in 1974.

Also enclosed is an order granting an extension of the time for discovery necessary for the filing of a motion for summary judgment and the filing of the motion to November 15, 1988. All other discovery must be completed by December 3, 1988. We are planning on filing our motion for summary judgment within the next two weeks, and are in the process of preparing supporting affidavits for execution by Cliff Gandis, plant manager at the Stauffer Anderson plant, and Dr. Herbert Northrup, past corporate medical director for Stauffer. We anticipate that plaintiff's attorney will request and receive an extension of time to respond to our motion if he does not have the requested documents by November 15. In order to avoid giving the plaintiff the advantage of extra time to prepare a response to our motion, we would like to provide him with the requested documents as soon as possible. We therefore request that you thoroughly search your files immediately for the requested documents, and forward them to us so they can be served before November 15. Please advise if you anticipate being unable to provide the documents before that time.

RECEIVED
OCT 27 1988

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"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"

UCC 080260

Please contact me if you have any questions.

Very truly yours,

OGLETREE, DEAKINS, NASH,
SMOAK AND STEWART



Mary Lou Hill

MLH:agd
Enclosures

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UCC 080261

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

Deadline
11/15

Wanda Gail Cox, Executrix of the)
Estate of Michael Wayne Cox,)

Plaintiff,)

vs.)

Georgia Gulf Corporation,)
et al,)

Defendants.)

REQUEST FOR PRODUCTION
OF DOCUMENTS

C/A/ No. 8:88-1400-3

TO: ALL ABOVE NAMED DEFENDANTS AND THEIR ATTORNEYS, MARY LOU
HILL, DANIEL B. WHITE, AND BRADFORD N. MARTIN

The Plaintiff, by and through the undersigned
attorneys, pursuant to the provisions of Rule 34, Federal Rules
of Civil Procedure, hereby request that the Defendants make
available for copying and inspection by the Plaintiff the
following documents:

A. Any and all Material Safety Data Sheets pertaining
to polyvinyl chloride which were used by the Defendants between
the years 1974 and 1986 which the Defendants contend were
delivered to Stauffer Chemical Company.

B. Any and all documents pertaining to polyvinyl
chloride, which was either manufactured or sold by or through the
Defendants, which contain information regarding the composition,
properties, proper manner of use, warnings, instructions
concerning storage, or any other information about polyvinyl

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UCC 080262

chlorid which the Defendants contend wer delivered to Stauff r Chemical Company.

C. Any and all documents pertaining to polyvinyl chloride, manufactured or sold by or through the Defendants, which contain instructions or warnings or any information about polyvinyl chloride which the Defendants contend they delivered to Stauffer Chemical Company.

Labels
Bulk Tags
MSDS
Prod Lit.

D. Any and all documents, including correspondence and memoranda, which indicate that the documents listed in above requests A. through C. were actually delivered to Stauffer Chemical Company.

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Mailing
lists

Plaintiff requests that these documents be made available at the office of each Defendant's attorney in Greenville, South Carolina on or before November 15, 1988 with such documents to remain at said location for a sufficient period of time to allow the examination and copying of same by counsel for Plaintiff.

Respectfully submitted,

MITCHELL & ARIAIL

By:



Robert M. Ariail

Attorneys for Plaintiff

Greenville, South Carolina

October 21, 1988

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