

GENERAL LITIGATION CASE MANAGEMENT DATA SHEET

New Case ☒
 Update _____
 Entered 1/1

BDF Report: Yes MASTER CASE: Y ☒ MASTER NO.: _____ PROJECT NO.: 15-5520
 TITLE: Grace Overstreet, et al v. Dow Chemical Co. and Union Carbide Corporation
 Division(s) S&CM Group - C&P ☒ CORP _____
 Location Texas City, TX Number of Suits 1 Number of Plaintiffs 2
 Section: (check one)

☐ COM - Commercial and Antitrust ☐ COR - Corporate ☐ ELS - Environmental Law
☐ INT - International/Import-Export ☐ LAB - Labor ☐ PAT - Patent
☐ PRO - Product Liability ☒ TOR - Tort - Other than
☐ TRN - Transportation Product Liability

CASE ID: OVERSTREET, Cecil

Case Type:

Qtrly Rpt. (Check one) ☐ Claims Asserted (CA) ☐ Government Investigation (GI)
☐ Claims Unasserted (CL) ☒ Litigation (LT)
☐ Not Applicable (NA) ☐ Automobile Liability (AL)

NOT TO BE COMPLETED FOR COMMERCIAL LITIGATION

Class Code: (Check one)

☐ ADP - ADMINISTRATIVE PROCEEDING ☐ BOC - BREACH OF CONTRACT
☐ EMP - EMPLOYEE ☐ MAS - MASS LITIGATION
☐ PDA - PROPERTY DAMAGE ☐ PER - PERSONAL INJURY
☐ PRO - PRODUCT LIABILITY ☒ TOX - TOXIC TORT
☐ OTH - OTHER

Subclass Code: (Check one)

☐ BIR - BIRTH DEFECTS ☐ BLO - BLOOD ☐ BUR - BURN
☒ CAN - CANCER ☐ ENV - ENVIRONMENTAL ☐ FEA - FEAR OF
☐ IMM - IMMUNE ☐ NEU - NEUROLOGICAL ☐ OTH - OTHER
☐ REP - REPRODUCTIVE ☐ TOT - TRANSPORTATION OTHER

Products Vinyl Chloride

Adversary Grace Overstreet

Adversary Counsel Vaughan O. Stewart Lake Jackson, Texas

Firm Representing UCC: Sidley & Austin Partner in Charge Nate Eimer

Claim Number _____ Insurance Company _____

Claim of Adversary It is alleged that Cecil Overstreet, a contractor's employee, died of brain cancer on Dec. 6, 1993 as a result of exposure to vinyl chloride while working at Dow and Union Carbide.

UCC Attorney: R.A. Butler

PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"

UCC 074057

**PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"**

Division Contact K.M. Myers

Expert Witnesses: _____

Defendants/UCC Witnesses _____

Forum USDC, SD/TX City Galveston

Docket C.A. G-94-790 Status: (Check one) ☒ Active or ☐ Closed State TX

Priority _____ Joint Defense (Check one) ☐ Yes or ☒ No

Dates - Filed 11/14/94 Served 11/14/94 Received 11/14/94

Probability of Unfavorable Outcome: (Check one) ☐ Probable ☒ Possible ☐ Remote

Prob. of Assertion of Unasserted Claim: (Check one) ☐ Probable ☐ Possible ☐ Remote

Damages Claimed Unstated compensatory and punitive

(The units for the following dollar amounts are in millions - Format 99.999)

MMS Claimed: _____

Other Relief: _____

Type of Outcome (Check one) ☐ Settlement ☐ Initial Determination ☐ Trial Verdict ☐ Other

Dates: _____ Terms _____

Amount Paid: _____ (MMS format 99.999) Date Paid/Check Issued Entered / /

Appealed (Check one) ☐ Yes or ☐ No Date _____ Reversed ☐ Sustained

Terms _____

Vermont File Location Number _____ RTM Date: _____ Archival Flag: _____

Reasonable Estimate

Reasonable Range of Loss

ESTIMATE RECOVERY

MIN RCYX MAX RCYX

0 0

0 0 2.50 0

Years to be paid: 0 to 0

TYPE OF MATTER (Check One)

- | | | | |
|---|--|--|--|
| ☐ 61 - ACQ/DIV | ☐ 62 - CONTRACT | ☐ 63 - CREDIT | ☐ 64 - DIST/TRANSP. |
| ☐ 65 - ENERGY | ☐ 66 - ENVIRON. | ☐ 67 - GOVT CONTR | ☐ 68 - IMMIGRATION |
| ☐ 69 - IMPORT/EXPORT | ☐ 70 - LABOR | ☐ 71 - OSHA | ☐ 72 - PURCHASING |
| ☒ 73 - TORT (TOXIC) | ☐ 74 - TORT (TRAUMATIC) | ☐ 75 - TSCA | ☐ 76 - ANTITRUST |
| ☐ 77 - TRADEMARKS | ☐ 89 - OTHER | | |

Litigation(561) ☒ Outside Atty Fees(485) _____ Trademark Exp.(564) _____

Project No.: 15-5520 Forecast (199) _____

UCC 074058

X

This Page to Be Completed Only For Matters with a Reasonable Estimate of Loss $\geq \$50,000$ and/or a Maximum Range of Reasonable Estimate of Loss $\geq \$250,000$ and/or with Respect to Which a Loss is "Probable".

II. Defense of Corporation: Plaintiff has been unable to provide information as to when or where he worked at a Union Carbide facility; no causation.

III. Issues on Which Adversary Will Prevail: Uncertain.

IV. Current Status: Union Carbide has moved for summary judgment because the plaintiff has been unable to provide information as to when or where Overstreet worked at a Union Carbide facility. Plaintiff has moved to dismiss without prejudice.

V. Possibility of Settlement: premature.

VI. Other Actions by Corporation: _____

BDF Report - Comments: _____

August 22, 1995
Date

Robert A. Butler
Attorney

PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"

UCC 074059

ATTORNEY: BOYLAN

ATTORNEY: DEMP
C AND P CORPORATE CASE MANAGEMENT
ACTIVE CASES

PAGE 2
08/23/95

UNION CASHIER HAS MOVED FOR SEVERAL JOBS SINCE THE PLAINTIFF HAS BEEN UNABLE TO PROVIDE INFORMATION AS TO WHEN OR WHERE OVERSIGHT WORKED AT A UNION CASHIER FACILITY. PLAINTIFF HAS MOVED TO SEVERAL OTHERS: INDIANAPOLIS.

(V) SETTLEMENT:
PLAINTIFF

(VI) OTHER ACTIONS BY THE CORPORATION:

NUMBER OF LINES RETURNED: 1

PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"

UCC 074061