

NO. 00-6075-D

RUBEN BELLOWS, et al.,	§	IN THE DISTRICT COURT
	§	
Plaintiffs,	§	
	§	
v.	§	NUECES COUNTY, TEXAS
	§	
GAF CORPORATION, et al.,	§	
	§	
Defendants.	§	105 th JUDICIAL DISTRICT

**DEFENDANT REYNOLDS METALS COMPANY'S RESPONSES AND OBJECTIONS
TO PLAINTIFF CLYDE D. BOSWELL'S FIRST SET OF INTERROGATORIES,
REQUESTS FOR PRODUCTION AND REQUESTS FOR ADMISSION**

TO: Plaintiff Clyde D. Boswell, by and through his counsel of record Stephanie Finch,
BARON & BUDD, The Centrum, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas
75219 (214) 521-3605.

GENERAL OBJECTIONS

This is a premises liability case, yet Plaintiff has never even told Reynolds what premises is involved. Reynolds objects to answering this discovery in its entirety at this time. Neither in his pleadings nor discovery answers has Plaintiff ever advised Reynolds of when he was on Reynolds' premises; where on Reynolds property he was; what he was doing on Reynolds' property; who he was working for while on Reynolds' property; to what asbestos-containing material he was exposed; how he claims to have been exposed to asbestos; and why Reynolds is allegedly responsible for such exposures. Indeed, the only information Plaintiff has provided is that he supposedly worked at one of Reynolds' Corpus Christi facilities, and that he allegedly was exposed to asbestos-containing products while on that yet to be specified facility. Reynolds has found no internal records of Plaintiff to date, and the information provided by Plaintiff is so woefully inadequate that Reynolds can do little to investigate Plaintiff's claims any further.

Accordingly, unless and until Plaintiff provides the basic information about his claims against Reynolds, Reynolds cannot answer this discovery.

Reynolds further objects to the “Definitions” contained in Plaintiffs’ Discovery Requests to the extent that they attempt to impose any obligations on Reynolds beyond the permissible scope of the Texas Rules of Civil Procedure. Reynolds specifically objects to the purported definition of “Defendant” to include “any of its merged, consolidated, or acquired predecessors, divisions, subsidiaries, foreign subsidiaries of predecessors, and/or affiliates. . .present and former officers, directors, agents, employees, and all other persons acting or purporting to act on behalf of the corporate defendant or its predecessors, subsidiaries, and affiliates.” To the extent that this definition refers to any individuals and/or entities which are not defendants in this case and which have no connection to this case, Reynolds objects on the basis that discovery from or pertaining to these individuals and/or entities is overly broad, harassing, and neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Accordingly, Reynolds will respond only as to itself and only as to the relevant plants which Plaintiff identifies as premises at which he alleges asbestos exposure. Moreover, Reynolds objects to the terms “Premises At Issue” and “Time Period At Issue” because these terms are not defined in reference to the specific dates Plaintiff allegedly was on Reynolds’ premises, nor to the specific areas of the premises in which he worked. Accordingly, these terms render every discovery request vague, ambiguous, overly broad and unduly burdensome.

Reynolds further objects to this extensive discovery in its entirety as irrelevant, oppressive, overly broad, burdensome and harassing. Reynolds specifically objects to these 20 Interrogatories and their subparts, 56 Requests for Admission, and 60 Requests for Production to the extent that they seek information unrelated to the specific premises on which Plaintiff was

allegedly exposed to asbestos, to Reynolds' corporate-wide policies, or to the specific asbestos-containing products to which Plaintiff alleges he was exposed. Reynolds further objects to this extensive discovery to the extent that they pertain to matters outside of the relevant dates in which Plaintiff claims he was exposed.

Reynolds further objects to this discovery to the extent that it invades the attorney-client, party communications, self-critical analysis, witness statement and/or attorney work-product privileges and protections, or any other privilege or protection recognized under common law and/or statutory law. Reynolds objects to answering any interrogatory following Interrogatory 10(b) because Plaintiff exceeds the maximum number of Interrogatories permitted under the Texas Rules of Civil Procedure.

Subject to and without waiving the foregoing objections, Reynolds responds as follows:

INTERROGATORIES

INTERROGATORY NO. 1:

For each person who has supplied any information used in answering these interrogatories, or who assisted in identifying, locating or retrieving documents responsive to Plaintiff's Requests for Production, identify such person and include the length of time employed by Defendant or other employer, and a year-by-year list of all other positions, titles, or jobs held.

ANSWER:

In addition to the foregoing General Objections, Reynolds specifically objects to this Interrogatory as calling for information protected by the attorney-client privilege and/or work product protection.

INTERROGATORY NO. 2:

As to each of the following, please state the first year you first became aware, what you learned, and how Defendant learned that humans who inhale asbestos fibers can contract

- a. asbestosis
- b. lung cancer
- c. mesothelioma

ANSWER:

In addition to the foregoing General Objections, Reynolds objects to this Interrogatory because of the argumentative, categorical manner in which it is phrased. Reynolds further objects to this request to the extent that it potentially seeks information protected under the attorney-client privilege, self-critical analysis, and/or attorney work product protection.

Subject to and without waiving its objections, Reynolds states that it generally has learned that inhalation of certain amounts of airborne asbestos fibers is associated with increased risk of health hazards for some people. The specifics of exactly how or when Reynolds personnel acquired such knowledge or awareness is not presently known. Such information may have come from reading government publications, or other published materials and publications such as medical journals or industrial hygiene journals.

INTERROGATORY NO. 3:

Please list all trade organizations, trade associations and any other industry-wide groups to which you belong(ed) (specifically including but not limited to the following groups: American Hygiene Foundation, Industrial Hygiene Foundation, Chemical Manufacturer's Association, American Chemical Council, American Petroleum Institute, Texas Chemical Council, Ohio Safety Congress, National Safety Council, Asbestos Information Association, Industrial Medical Association) in which information or documents relating to asbestos was discussed, disseminated, or published (including, but not limited to, the effects of exposure to asbestos, industrial hygiene measures relating to asbestos dust, and medical information or research relating to asbestos or its effects on animals or humans, populations at risk). As to each such group, please state:

- a. the inclusive dates of your membership and
- b. identify Defendant's employees or former employees or representatives who attended any of the meetings held by each organization, and
- c. the meetings they attended, and
- d. if any individuals employed by Defendant or representing Defendant were members of committees or subcommittees of any such organizations, (such as, e.g., a medical advisory committee or legal committee), identify the committee or subcommittee on which such individual served and the position occupied on the committee, if applicable.

ANSWER:

In addition to the foregoing General Objections, Reynolds objects to this Interrogatory as vague, ambiguous, overly broad and unduly burdensome. Moreover, it seeks information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Specifically, it is not limited to the time frame during which the Plaintiff allegedly worked on Reynolds' premises. By way of further objection, Reynolds states that the phrase "information or documents relating to asbestos" is vague and ambiguous, and does not reasonably describe the category of documents or information sought.

Subject to and without waiving these objections, if and when Plaintiff tailors this Interrogatory to seek relevant information, Reynolds will respond further, if appropriate.

INTERROGATORY NO. 4

Please identify Defendant's employees or former employees or representatives who attended any proceedings, symposia, or conferences of a scientific or medical or technical nature at which information or documents relating to asbestos was discussed, disseminated, or published, (including, by way of example, the effects of exposure to asbestos, industrial hygiene measures relating to asbestos dust, and medical information or research relating to asbestos or its effects on animals or humans, populations at risk) and specifically including but not limited to the Seventh Saranac Symposium, 1952, and/or New York Academy of Sciences, October 1964, and for each such individual, state the proceedings, symposia, or conferences attended and to whom within your corporate organization information concerning attendance at such proceedings, symposia, or conferences were reported, either verbally or in documentary form.

ANSWER:

In addition to the foregoing General Objections, Reynolds objects that this Interrogatory is overly broad and vague in failing to specify the specific "proceedings, symposia, or conferences" to which it refers. Moreover, as phrased, this Interrogatory asks that Reynolds determine the name of each present and former employee who may have attended some type of gathering at which asbestos was discussed regardless of whether the present or former employee was employed by Reynolds at the time of his/her attendance at the gathering, and is so overly broad that it exceeds the permissible scope of discovery. Additionally, Plaintiff's failure to place a temporal limitation on this Interrogatory makes it overly broad, and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence.

Subject to and without waiving its objections, upon reasonable information and belief, Reynolds did not have a corporate representative attend either conferences referenced in this Interrogatory. Reynolds reserves its right to supplement its answer to this Interrogatory.

INTERROGATORY NO. 5:

Please identify each company from which you acquired asbestos-containing products used at Defendant's Premises At Issue during the years Plaintiff has indicated he worked at Defendant's Premises At Issue and include in your response

- a. a description of each asbestos-containing product acquired and
- b. the dates each asbestos-containing product was acquired.

ANSWER:

In addition to the foregoing General Objections, Reynolds objects to this Interrogatory because Plaintiff has failed to identify specifically the Reynolds premises he worked at and the years during which he worked at this unidentified premises, nor has he identified the areas of Reynolds' premises in which he worked. Reynolds further objects to this discovery request as overly broad because it is not limited to the specific products to which Plaintiff claims he was exposed to at Reynolds.

Subject to and without waiving its objections, Reynolds cannot even begin to answer this Interrogatory until Plaintiff informs Reynolds, at a minimum, what premises and time period are at issue.

INTERROGATORY NO. 6:

If any asbestos-containing materials located or formerly located at Defendant's Premises At Issue have been removed, encapsulated, or otherwise abated at any time,

- a. Identify each person or company that performed such abatement services;
- b. State the dates and locations within Defendant's Premises At Issue of each abatement procedure; and
- c. Describe what asbestos-containing materials were abated
- d. State how such asbestos-containing waste was stored at Defendant's Premises At Issue prior to disposal and how it was disposed of.

ANSWER:

In addition to the foregoing General Objections, Reynolds objects to this Interrogatory on the basis that it is overly broad in that it is not limited to the particular plant and specific areas located in the plant in which the Plaintiff claims he was exposed; the specific time period during which the Plaintiff was allegedly exposed; nor the specific products to which Plaintiff was

allegedly exposed. Accordingly, this Interrogatory seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Reynolds objects to this Interrogatory as vague and ambiguous because Plaintiff has never informed Reynolds what premises is at issue, nor have Plaintiff's pleadings and discovery responses provided any other basic fact about his claim against Reynolds. Reynolds further objects to this Interrogatory as overly broad in that the phrase "in place or in use" is vague and ambiguous.

Subject to and without waiving its objections, Reynolds cannot even begin to answer this Interrogatory until Plaintiff informs Reynolds, at a minimum, what premises and time period are at issue.

INTERROGATORY NO. 7:

Please identify and state the experience and qualifications, if applicable, of every person known to you, your agents, or contractors as having knowledge of facts relevant to this case concerning Defendant's Premises At Issue during the Time Period At Issue, including but not limited to the identification or location in your premises of asbestos-containing products to which Plaintiff was exposed or facts disputing the identification or location of such product or type of products.

ANSWER:

In addition to its general objections, Plaintiff simply has failed to inform Reynolds what "Premises is At Issue" or what "Time Period is At Issue," and, accordingly, this Interrogatory is nonsensical at this time. Reynolds lacks the basic information with which to respond to this Interrogatory because Plaintiff has refused to identify his employer while on Reynolds' premises, what he was doing on Reynolds' premises, where on the premises he worked, or the asbestos-containing products to which he claims exposure at Reynolds. Thus, Reynolds has no idea who has facts "relevant to this case" or who may dispute whether Plaintiff was exposed to asbestos at Reynolds until Plaintiff provides this basic information about his claim. Moreover, Reynolds states that it can answer only for itself and cannot answer on behalf of its agents or contractors.

Subject to and without its objections, Reynolds cannot even begin to answer this Interrogatory until Plaintiff informs Reynolds, at a minimum, what premises and time period are at issue.

INTERROGATORY NO. 8:

With respect to Defendant's Premises At Issue during the Time Period At Issue, please identify and state the experience and qualifications, if applicable, of every person known to you, your agents, or contractors as being employed by you or having been employed by you whose duties and/or responsibilities included interface or liaison with Plaintiff's employer or other contractors who installed, removed, maintained, repaired or replaced asbestos-containing products (including foremen or supervisors or Plaintiff) on Defendant's Premises At Issue (regardless of job title, including but not limited to "plant engineers", "project engineers", "company engineers", "project superintendents", "purchasing agents" or job descriptions of a similar nature) and specifically include those whose duties and responsibilities included the following:

- a. entering into contracts or purchase orders (including specifications) with such contractors
- b. allowing such contractors access to Defendant's Premises At Issue,
- c. overseeing or supervising or observing or monitoring such contractor activities or addressing any contractor questions or concerns relating to the work being performed
- d. providing or approving asbestos-containing materials to be used by such contractors
- e. inspecting or approving work done by such contractors or authorizing payment for work done by such contractors.

ANSWER

In addition to the foregoing General Objections, Plaintiff simply has failed to inform Reynolds what "Premises is at Issue," what "Time Period is At Issue," and Plaintiff's employer while on Reynolds' premises. and, accordingly, Reynolds lacks the basic information with which to answer this Interrogatory. Moreover, this Interrogatory is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests information concerning companies other than those which employed the

Plaintiff while on Reynolds' premises, premises other than those at which Plaintiff claims to have worked, and/or concerning time periods other than those during which the Plaintiff allegedly worked at Reynolds.

Subject to its objections, Reynolds cannot even begin to answer this Interrogatory, until Plaintiff informs Reynolds, at a minimum, what premises and time period are at issue.

INTERROGATORY NO. 9:

If you have or have had an industrial hygiene or safety or medical department, please

- a. state the year such department was established, and whether it was established on the corporate level or at Defendant's Premises At Issue or both and
- b. with respect to Defendant's Premises At Issue during the Time Period At Issue, please identify and state the experience and qualifications, if applicable, of every person known to you, your agents, or contractors as being or having acted in a medical, safety, or industrial hygiene advisory capacity (regardless of job title), specifically including, but not limited to, physicians, medical directors, medical personnel, nurses, safety engineers or managers and industrial hygienists. (You should include in your answer those persons on a corporate level, regardless of whether they worked directly on Defendants' Premises if they had such responsibilities for workers on Defendant's Premises At Issue, and identify such individuals as affiliated with the corporate headquarters of Defendant.)

ANSWER:

In addition to its General Objections, Plaintiff simply has failed to inform Reynolds what "Premises At Issue" and what "Time Period is At Issue," and, accordingly, Reynolds lacks the basic information with which to answer this Interrogatory. Reynolds also objects to this Interrogatory on the grounds that the phrase "medical, safety, or industrial hygiene advisory capacity" is overly broad, unduly burdensome, vague and ambiguous. Reynolds' also objects to providing this information as to "agents and contractors."

Subject to and without waiving these objections, Reynolds states that it has employed individuals with various responsibilities for safety, medical and industrial hygiene functions.

both at the corporate and plant level, at various times, including, but not limited to the following individuals:

James MacMillan, MD Corporate Medical Director (1956-1977) 306 Gunby Drive Richmond, VA 23229
E. Claiborne Irby, MD Associate Corporate Medical Director (1959-1977) Corporate Medical Director (1977-1992) Reynolds Metal Company 11-1/2 Tapoan Road Richmond, VA 23226
David Warren, MD Acting Corporate Medical Director (1992-1993) 8705 Tarrytown Drive Richmond, VA 23229
Woolson W. Doane, MD Corporate Medical Director (1993- June 1997) 14 W. Runswick Drive Richmond, VA 23233
Richard E. Tosi, MD Former Physician (1977-1978)
Robert O. Amdall, MD Former Physician and Assistant Corporate Medical Director (1978-1981)
Homer M. Cole Corporate Director, Corporate Industrial Hygiene and Toxicology (1986-92) Current Director, Corporate Occupational Health and Safety Reynolds Metals Company 6601 West Broad Street Richmond, VA 23230
Ronald E. Benton Member, Corporate Industrial Hygiene Department (1974-1995) Director, Corporate Safety Department (1996-June 1997) Current Manager, Industrial Hygiene and Safety Services Reynolds Metals Company 6601 West Broad Street Richmond, VA 23230
Laurie Shelby Corporate Manager, Industrial Hygiene Programs and Regulatory Compliance Reynolds Metals Company 6601 West Broad Street Richmond, VA 23230

James D. Davidson Corporate Industrial Hygienist (1976-1982) Shell Oil Company P.O. Box 4320 Houston, TX 77210
Stacey Hansen Selph Corporate Industrial Hygienist (1990-1993) 2116 Lennox Road Richmond, VA 23228
Deborah R. Hudgins Corporate Staff Industrial Hygienist (1984-1988) 1237 Fountain Road Newtown, PA 18940
Edward J. Largent Member, Corporate Industrial Hygiene (1958-1969) 30 Kay Place Nash, TX 75569
Richard Mansur Manager, Corporate Industrial Hygiene (1969-1975) 1416 Coronet Drive Richmond, VA 23229
Dale Prokopchak Corporate Industrial Hygienist (1988-1989) Environmental Technology 3705 Saunders Avenue Richmond, VA 23227
Walter J. Porter Corporate Industrial Hygienist (1970-1972)
James McCallum Corporate Industrial Hygienist (1976-1984)
Susan M. Gidley Corporate Industrial Hygienist (1987-1993)

INTERROGATORY NO. 10:

Please identify all warnings given by Defendant, if any, to anyone at Defendant's Premises At Issue (including the Plaintiff) regarding the hazards of asbestos and the dangers inherent in the inhalation of asbestos fibers, and please include in your response:

- a. to whom these warnings were given (and specifically state if Plaintiff was among them),
- b. when they were given, if ever, and
- c. in what manner they were given (e.g. written pamphlets, signs posted, oral/group meeting, individual discussions, etc.) and

- d. state whether you have ever published, written, edited, or distributed any other printed materials, including brochures, pamphlets, catalogs, packaging, advertising, signs, statements, or other materials containing any warnings of the possibility of injury from the use or exposure to asbestos or asbestos-containing products, and
- e. state whether any of the foregoing warnings were in Spanish or any other language besides English.

ANSWER:

In addition the foregoing General Objections, Plaintiff simply has failed to inform Reynolds what “Premises is At Issue” and, accordingly, Reynolds lacks the basic information with which to answer this Interrogatory. Reynolds further objects to this Interrogatory on the grounds that it is not limited in time and, therefore, is vague, ambiguous, overly broad, and unduly burdensome. Reynolds further objects to this Interrogatory because of the argumentative, categorical manner in which it is phrased. Reynolds objects to the lack of foundation to the extent this Interrogatory fails to define “the hazards of asbestos and the dangers inherent in the inhalation of asbestos fibers” or to specify a particular alleged hazard to which Plaintiff allegedly was exposed while working at a Reynolds plant. Reynolds further objects to this Interrogatory because the phrase “all warnings” is overly broad, unduly burdensome, vague and ambiguous, and does not sufficiently describe with reasonable particularity the type or category of the things to be identified. Reynolds further objects to this interrogatory to the extent it assumes or implies that any condition or circumstance warranted providing Plaintiff and/or his employer with warning concerning potential asbestos exposure, which Reynolds expressly denies. Reynolds further objects to this Interrogatory as overly broad and is seeking information that is neither relevant nor reasonably calculated to lead to the discovery of relevant evidence because it is not limited to warnings given to Plaintiff and/or his employer and/or to similarly situated workers in the specific areas of the Reynolds premises on which Plaintiff allegedly worked and during the

time periods he allegedly worked in such areas. Reynolds objects to subpart (e) to the extent that Plaintiff has not claimed that he could not read or comprehend English. Finally, Reynolds objects to this Interrogatory as exceeding the maximum number of Interrogatories, including subparts, permitted by the Texas Rules of Civil Procedure.

INTERROGATORY NO. 11:

If Defendant has or had or maintained in its possession any books, pamphlets, memoranda, or written materials of any kind or character that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings, please identify

- a. the individuals who received, maintained, reviewed, and disseminated the information contained in such written materials,
- b. identify the written materials received, and
- c. state how and why these materials came into Defendant's possession.

ANSWER:

In addition to its General Objections, Reynolds objects to this Interrogatory as exceeding the maximum number of Interrogatories, including subparts, permitted by the Texas Rules of Civil Procedure. Reynolds specifically objects to this Interrogatory because it is vague, ambiguous, overly broad and seeks information not related to the specific time period during which Plaintiff allegedly worked on Reynolds premises. Moreover, Reynolds also objects to this Interrogatory because of the argumentative, categorical manner in which it is phrased. Reynolds objects to the lack-of foundation to the extent this Interrogatory fails to define "hazardous" or to specify a particular alleged hazard to which plaintiff claims he was exposed at the undisclosed Reynolds facility at which he worked. By way of further objection, Reynolds objects to this Interrogatory as overly broad and unduly burdensome because it is impossible for Reynolds to identify who "received, maintained, received and disseminated the information" or to explain "how or why" such individuals received such materials.

INTERROGATORY NO. 12:

Please describe in detail your manufacturing or industrial use of any asbestos or asbestos-containing products at Defendant's Premises At Issue. Please include in your response

- a. the type of asbestos fiber used,
- b. from whom you purchased the asbestos fiber used,
- c. a description of the process in which the asbestos was used.

ANSWER:

In addition to its General Objections, Reynolds objects to this interrogatory as exceeding the maximum number of interrogatories, including subparts, permitted by Texas Rules of Civil Procedure. Reynolds further objects to this Interrogatory because Plaintiff has never advised Reynolds of the specific Reynolds premises at which he worked, nor has he advised Reynolds specifically of the dates he allegedly worked on that premises, the specific areas of the premises in which he worked, the particular jobs on which he worked, or the particular asbestos-containing products to which he alleges exposure. To the extent this Interrogatory seeks information beyond the specific areas of the Reynolds facility in which he worked during the specific time periods in which Plaintiff worked in those areas, this Interrogatory is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 13:

Identify by name and location each plant, facility, location, or premises owned, operated, or controlled by you in which asbestos-containing products were assembled, stored, used, prepared for use, installed, or fabricated during the Time Period At Issue. For each plant, facility, location, or premises listed as responsive to the above request, specify

- a. the functional dates for each plant, facility, location, or premises and
- b. the period during which asbestos-containing materials were stored, used, prepared for use, installed or fabricated.

ANSWER:

In addition to the foregoing General Objections, Reynolds objects to this Interrogatory as exceeding the maximum number of interrogatories, including subparts, permitted by the Texas Rules of Civil Procedure. Reynolds further objects to this Interrogatory on the grounds that Plaintiff has failed to inform Reynolds as to "The Time Period At Issue," and, therefore, Reynolds lacks the basic information with which to respond. Reynolds further objects that this Interrogatory is overly broad and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of relevant evidence to the extent it concerns (1) facilities other than the Reynolds facilities at which the Plaintiff allegedly worked; (2) areas of Reynolds' premises other than the specific areas in the Reynolds plants in which Plaintiff allegedly worked; (3) asbestos-containing products other than those to which the Plaintiff alleges exposure; and (4) time periods other than the specific dates on which Plaintiff allegedly worked at Reynolds plants.

INTERROGATORY NO. 14

For any of Defendant's Premises At Issue, during the Time Period At Issue, if you, your affiliates, subsidiaries, or predecessor(s), arranged for any of your employees, labor inspectors, insurance company inspectors, industrial hygienists, or any other party, whether directly employed by you or otherwise, to count or measure quantity, quality or threshold limit values or concentrations of asbestos dust or particles or other dust at any of your plants, facilities, locations, or premises where asbestos or asbestos-containing products were used, assembled, installed, or removed, please describe such tests and indicate

- a. the results obtained,
- b. by whom such tests were performed and
- c. identify and state the experience and qualifications, if applicable, of every person known to you, your agents, or contractors as the person most knowledgeable concerning such tests and their results.

ANSWER:

In addition to the foregoing General Objections, Reynolds objects to this interrogatory as exceeding the maximum number of interrogatories, including subparts, permitted by the Texas Rules of Civil Procedure. Plaintiff has simply failed to inform Reynolds what "Premises is At Issue" or what "Time Period is At Issue," and, accordingly, Reynolds lacks the basic information with which to respond to this Interrogatory. Moreover, Reynolds objects this Interrogatory is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence to the extent that it is not specifically limited to inspections pertaining to asbestos safety and health regulations, nor is it limited in any way to the time, place or scope of this case. Specifically, to the extent that this Interrogatory is not limited to inspections of conditions related to asbestos that existed in the specific areas of the Reynolds premises in which Plaintiff allegedly worked and during the time periods he allegedly worked in those areas, this Interrogatory seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 15:

For the Time Period At Issue, if you provided or caused to be provided any safety equipment or medical programs (including, but not limited to, masks, respirators, other breathing devices, protective clothing, protective gloves, area air filtration systems, and area exhaust systems or barriers or enclosures or medical monitoring program, medical examination program, or other medical or safety program) to employees, contractors, or invitees at any of your plants, facilities, locations, or premises where asbestos and asbestos-containing products were manufactured, used, assembled, installed, or removed, please indicate

- a. when such was first provided to your employees, contractors, and/or invitees and to whom,
- b. under what circumstances such were provided, and
- c. state whether you conducted safety meetings discussing the hazards of asbestos with employees, contractors, or invitees at any of Defendant's Premises At Issue during the Time Period At Issue, and if so, when and what was discussed, and

- d. identify and state the experience and qualifications, if applicable, of every person known to you, your agents, or contractors as the person most knowledgeable concerning such equipment and programs and their provision.

ANSWER:

In addition to the foregoing General Objections, Reynolds objects to this Interrogatory as exceeding the maximum number of interrogatories, including subparts permitted by the Texas Rules of Civil Procedure. Moreover, Reynolds objects to this Interrogatory as overly broad and burdensome in that it is not specifically limited to safety equipment for the protection against inhalation of airborne asbestos fibers. Reynolds further objects to this Interrogatory as overly broad in that it is not limited to a “medical monitoring program, medical examination program or other medical or safety program” that pertains to airborne asbestos fibers. Moreover, Plaintiff thus far has failed to specify the dates on which he worked at Reynolds premises, where on the premises he allegedly worked, on what jobs he was working and how he claims to have been exposed to asbestos, and, therefore, Reynolds lacks the basic information with which to respond to this Interrogatory.

INTERROGATORY NO. 16:

Please state for each of Defendant’s Premises At Issue, all relevant State and Federal regulations, laws, statutes, mandates, or other authority pertaining to industrial hygiene, safety, and health of which you were aware during the Time Period At Issue that governed, controlled, or applied to exposure to asbestos or asbestos-containing products, abatement or removal of asbestos-containing products, and transportation of asbestos containing waste from such removal or abatement activities.

ANSWER:

In addition to its General Objections, Reynolds objects to this Interrogatory as exceeding the maximum number of interrogatories, including subparts, permitted by the Texas Rules of Civil Procedure. Moreover, Reynolds objects to the term “other authority” as vague and ambiguous. Reynolds also objects to this Interrogatory because it does not delineate between the

regulations and laws applicable to Plaintiff's employer versus those applicable to Reynolds as a premises owner. Moreover, because Plaintiff has failed to specify the Reynolds premises at which he allegedly worked or the dates he allegedly worked on Reynolds' premises, Reynolds is unable to state which laws and regulations were in effect when Plaintiff allegedly worked on Reynolds' premises. Finally, Reynolds objects because this information is equally available to Plaintiff.

INTERROGATORY NO. 17

For any of Defendant's Premises At Issue, detail every occasion during the Time Period At Issue when any State, Federal, or local regulatory agency, commission, or other examiner inspected or visited any of your plants, facilities, locations, or premises where asbestos and asbestos-containing products were used, manufactured, assembled, installed, or removed to ascertain whether you were in compliance with relevant State, Federal, or local health and safety regulations.

ANSWER:

In addition to the foregoing General Objections, Reynolds objects to this Interrogatory as exceeding the maximum number of interrogatories, including subparts, permitted by the Texas Rules of Civil Procedure. Moreover, this Interrogatory is overly broad, vague, ambiguous and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence to the extent that it is not specifically limited to inspections pertaining to asbestos safety and health regulations, nor is it limited in any way to the time, place or scope relevant to this case. Specifically, to the extent that this Interrogatory is not limited to inspections of conditions related to asbestos that existed in the specific areas of the Reynolds plants in which Plaintiff allegedly worked and during the time periods he allegedly worked in those areas, this Interrogatory seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 18:

If, before 1980, you had received notice that any individual or individuals had claimed for alleged injury against you resulting from exposure to asbestos, state for each:

- a. The name and address of the claimant
- b. A description of the claim.
- c. The name and address of the attorney representing such claimant.

ANSWER:

In addition to the foregoing General Objections, Reynolds objects to this Interrogatory as exceeding the maximum number of interrogatories, including subparts, permitted by the Texas Rules of Civil Procedure. Reynolds specifically objects to this Interrogatory as overly broad and unduly burdensome in that it is not limited to the time periods relevant to the Plaintiff's alleged exposure, nor is it limited to the specific plants and areas of those plants at or in which Plaintiff alleges he was exposed, nor is it limited to individuals performing tasks similar to those Plaintiff allegedly performed on Reynolds' premises. Moreover, the information this Interrogatory seeks is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence.

INTERROGATORY NO. 19

If you contend that you did not own or operate or control the Defendants' Premises during the Time Period At Issue, or if you contend you are not liable in the capacity alleged in the most recent petition, describe in detail the facts supporting your contention and include a detailed corporate history of Defendant and its ownership, sale, acquisition, or divestiture or any of Defendant's Premises At Issue and any relevant mergers, acquisitions, consolidation, or other events of similar nature that you believe bear on the issue of ownership, control, or assumption of liabilities for acts occurring on Defendant's Premises At Issue during the Time Period At Issue and identify and state the experience and qualifications, if applicable, of every person known to you, your agents, or contractors as having knowledge of facts relevant to this issue.

ANSWER:

In addition to the foregoing General Objections, Reynolds objects to this Interrogatory as exceeding the maximum number of interrogatories, including subparts, permitted by the Texas Rules of Civil Procedure. Reynolds specifically objects to this Interrogatory to the extent that “operate” or “control” the Defendants’ Premises is vague and ambiguous and to the extent these terms imply or suggest that Reynolds controlled the alleged work of Plaintiff and/or his employer, which Reynolds denies. Reynolds further objects to this Interrogatory as vague, ambiguous, and overly broad to the extent that Plaintiff has not identified the “Premises At Issue” and the “Time Period At Issue.”

INTERROGATORY NO. 20

If you contend that venue is not proper, identify by municipality and county the location you contend is your principal place of business within this state for purposes of venue, as well as your next three most significant business locations within this state. If you do not contend that any of your locations are a principal place of business, identify up to four of your places of business where your highest level decision makers within this state work.

ANSWER:

In addition to the foregoing General Objections, Reynolds objects to this Interrogatory as exceeding the maximum number of interrogatories, including subparts, permitted by the Texas Rules of Civil Procedure.

Subject to its general objections, Reynolds refers Plaintiff to *Reynolds’ Motion to Transfer Venue*, filed previously.

PLAINTIFF’S REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

Please produce all ordering, sales, and shipping documents pertaining to the purchase or acquisition of asbestos-containing products for use at Defendant’s Premises At Issue at any time.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Accordingly, this Request seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence and, furthermore, is overly broad and unduly burdensome. Moreover, Reynolds objects to this discovery request on the basis that, despite long standing discovery requests to the Plaintiff, Plaintiff has refused to specify the nature of his allegations against Reynolds, including when he alleges he was exposed to asbestos fibers, the nature of his work which allegedly caused this exposure, the specific source of the Plaintiff's alleged exposure, and the specific asbestos-containing products to which he allegedly was exposed.

Subject to and without waiving its objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 2:

Please produce all documents that relate to abatement of asbestos or asbestos-containing materials at Defendant's Premises At Issue and transportation of asbestos-containing waste.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time

periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Reynolds also objects to this Request as being overly broad, unduly burdensome and vague in that the phrase "all documents" fails to describe the information requested with reasonable particularity. Therefore, to answer this Request would require that Reynolds incur unnecessary expense to search for and produce documents that are neither relevant nor reasonably calculated to lead to the discovery of relevant information. Moreover, Reynolds objects to this discovery request on the basis that, despite long standing discovery requests to the Plaintiff, Plaintiff has refused to specify the nature of his allegations against Reynolds, including where and when he alleges he was exposed to asbestos fibers, the nature of his work which allegedly caused this exposure, and the specific source of the Plaintiff's alleged exposure.

Subject to and without waiving its objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 3:

Please produce all records identifying contractors and/or the employees of contractors who were on Defendant's Premises At Issue during the Time Period At Issue, including but not limited to gate records, sign-in logs, visitor's logs, identification badge or "brassing" procedures, fingerprinting, or other documents of a similar nature.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time

periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Furthermore, this Request is overly broad and burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of relevant evidence, in that it is not limited to contractors and/or contractor's employees who sold, installed or removed asbestos-containing products and materials and, specifically, those to which Plaintiff alleges exposure. Moreover, Plaintiff's failure to specifically identify the time periods he worked on Reynolds' premises also makes this request vague and overly broad, and would require that Reynolds produce documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence. Reynolds further objects to this Request on the ground that the phrase "all records identifying contractors" on Reynolds' premises is overly broad and does not describe with reasonable particularity the documents or category of documents requested.

Subject to and without waiving its objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 4:

Please produce all records pertaining to the methods and manner of identification of individuals entering and/or leaving Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time

periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos. Moreover, this Request is overly broad and burdensome and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of relevant evidence in that it is not limited to the Plaintiff's employer or to contractors and/or contractor's employees who sold, installed or removed asbestos-containing products and materials and, specifically, those to which Plaintiff alleges exposure. Further, Plaintiff's failure to specifically identify the time periods he worked on Reynolds' premises also makes this request vague and overly broad, and would require that Reynolds produce documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence. Additionally, Reynolds objects to this Request on the ground that the phrase "all records identifying contractors" on Reynolds' premises is overly broad and does not describe with reasonable particularity the documents or category of documents requested. Reynolds objects to this discovery request on the basis that, despite long standing discovery requests to the Plaintiff, Plaintiff has refused to specify the nature of his allegations against Reynolds, including when and where he alleges he was exposed to asbestos fibers, the nature of his work which allegedly caused this exposure, and the specific source of the Plaintiff's alleged exposure.

Subject to and without waiving its objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 5:

Please produce the contract and work progress documents pertaining to the contractors who performed services at Defendant's Premises At Issue during the Time Period At Issue, including, but not limited to, invitations to bid, requests for proposals, bids, proposals, statements of scope of work, work orders, specifications, blueprints, plans, acceptances, contracts, amendments, addenda, change orders, inspection reports, work logs or contractor logs, including but not limited to all of the contractor documents referring to work to be done, underway, or completed by Plaintiff's employer at Defendant's Premises At Issue during the Time Period At

Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the “Premises At Issue” and the “Time Period At Issue,” and it is not limited to the time periods relevant to Plaintiff’s alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Reynolds further specifically objects that this Request is overly broad and unduly burdensome, and seeks documents that are neither relevant nor reasonably calculated to lead to the discovery of relevant evidence in that it is not limited to contract documents related to the sale, installation or removal of asbestos-containing products and materials and, specifically, those to which Plaintiff alleges exposure. Reynolds objects to this Request as overly broad and unduly burdensome and as seeking information that is neither relevant nor reasonably calculated to lead to the discovery of relevant evidence because Plaintiff has failed to identify specifically the years during which he worked at Reynolds’ plants, nor has he identified the areas of Reynolds’ premises in which he allegedly worked. Reynolds further objects to this Request on the ground that the phrase “contract and work progress documents” is overly broad and does not describe with reasonable particularity the documents or category of documents requested. Additionally, Reynolds objects to this Request in that it seeks confidential and proprietary documentation.

Subject to and without waiving its objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 6:

Please produce all documents reflecting payments made to Plaintiff's employer for work contracted to do at Defendant's Premises At Issue during the Time Period At Issue, including but not limited to authorizations for payment, invoices, bills, check requests, requisitions, canceled checks, or other documents of a similar nature reflecting payment for services rendered by Plaintiff's employer.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Reynolds further objects to this Request on the ground that the phrase "all documents reflecting payment" is overly broad and does not describe with reasonable particularity the documents or category of documents requested.

Subject to and without waiving its objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 7:

Please produce all photographs or videographic depictions or films depicting the use of any safety precautions (such as containment areas, warning signs, etc.) taken to protect bystanders from the hazards of airborne asbestos resulting from the use of asbestos-containing products at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in

which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Reynolds also objects to Plaintiff's failure to define "bystander" and, together with the previous objections, this Request would require Reynolds to produce documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence.

Subject to and without waiving its objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 8:

Please produce all documents containing any warnings concerning the possibility of injury resulting from the use of asbestos-containing products or exposure to asbestos.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Reynolds further objects to this Request because the phrases "all documents" and "possibility of injury" are overly broad, unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. Accordingly, this Request seeks materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Reynolds further objects to the categorical, argumentative manner in which the Request is phrased. Reynolds also objects to this

Request to the extent it potentially seeks documents and materials protected under the self-critical analysis, attorney-client privilege and/or attorney work product protection.

Subject to and without waiving these objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 9:

Please produce all photographs of warning signs or warning statements which are or have been in place at Defendant's Premises At Issue in the vicinity of asbestos-containing products.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Accordingly, this Request seeks materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving these objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 10:

Please produce all documents that relate to any inspections by any regulatory agency for the purpose of ascertaining whether health or safety regulations were being followed or adhered to at any of your plants. This request specifically seeks any and all such documentation referring to dust hazards, including but not limited to asbestos in your plants.

RESPONSE

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the “Premises At Issue” and the “Time Period At Issue,” and it is not limited to the time periods relevant to Plaintiff’s alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Reynolds further objects to this Request because the phrases “all documents,” “followed or adhered,” and “dust hazards” are overly broad, unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. Reynolds further objects to this Request to the extent it is not limited to health and safety regulations specifically pertaining to asbestos. Reynolds further objects to this request to the extent that it potentially seeks documents and information protected under the attorney-client privilege, self-critical analysis, and/or attorney work product protection.

Subject to and without waiving these objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue. Reynolds refers Plaintiffs to all publicly available documents.

REQUEST FOR PRODUCTION NO. 11:

In the event that Defendant performed or had performed any dust level counts or measurements of any of its plants or industrial facilities with respect to asbestos dust, please produce any documents, memoranda, or other writings that in any way reflect the results of such studies or counts and actions taken as a result of such counts or studies.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request because it is duplicative of preceding discovery requests and, as such, is cumulative, harassing, and causes annoyance and undue burden. Reynolds further objects to this Request as vague,

ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the “Premises At Issue” and the “Time Period At Issue,” and it is not limited to the time periods relevant to Plaintiff’s alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed, and it is not limited to inspections specifically pertaining to asbestos. Reynolds further objects to this Request because the phrases “any dust level counts or measurements,” “any documents, memoranda, or other writings,” and “in any way reflect” are overly broad, unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. Reynolds also objects to this Request to the extent it potentially seeks documents and materials protected under the self-critical analysis, attorney-client privilege and/or attorney work product protection.

Subject to and without waiving these objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 12:

Please produce all documents relating to inspections by labor inspectors, insurance company inspectors or anyone from your company or hired by your company, that included the taking or measuring of “dust counts”.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the “Premises At Issue” and the “Time Period At Issue,” and it is not limited to the time periods relevant to Plaintiff’s alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which

Plaintiff alleges he was exposed, and it is not limited to inspections specifically pertaining to asbestos. Reynolds further objects to this Request because the phrases “all documents,” and “dust counts” are overly broad, unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. Accordingly, this Request seeks materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Reynolds also objects to this Request to the extent it potentially seeks documents and materials protected under the self-critical analysis, attorney-client privilege and/or attorney work product protection.

Subject to and without waiving these objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 13:

Please produce all documents that indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings.

RESPONSE:

In addition to the foregoing General Objections, Reynolds specifically objects to this Request as overly broad, unduly burdensome, and vague in that the phrase “all documents” fails to describe the information requested with reasonable particularity. Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the “Premises At Issue” and the “Time Period At Issue,” and it is not limited to the time periods relevant to Plaintiff’s alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. The Request would require Reynolds to incur unnecessary expense to search for and produce documents that are neither relevant nor

reasonably calculated to lead to the discovery of relevant information.

Subject to and without waiving these objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 14:

Please produce all documents supporting the legal theories and factual bases of your defenses set forth in your response to Plaintiffs Request for Disclosure under Texas Rules of Civil Procedure 194.2, subparagraph (c).

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as to the extent that it imposes an obligation on Reynolds beyond the permissible scope of the Texas Rules of Civil Procedure. Reynolds objects to this Request to the extent that it seeks documents and/or materials protected under the attorney-client privilege and/or attorney work product protection. Reynolds further objects to this Request on the grounds that Plaintiff has not identified the legal theories and factual bases of his claims against Reynolds and, consequently, Reynolds is unable to identify all of the legal theories and factual bases of its defenses.

Subject to and without waiving its objections, Reynolds cannot attempt to respond to this Request until Plaintiff provides basic information that has been Requested by Reynolds in Discovery. Specifically, Plaintiff must first identify the specific Reynolds premises and dates he allegedly worked on Reynolds' premises, for whom he was working on Reynolds' premises, where on Reynolds' premises he allegedly was working, and to what asbestos-containing products he allegedly was exposed.

REQUEST FOR PRODUCTION NO. 15:

If you contend that Plaintiff was not exposed to asbestos dust at Defendant's Premises At Issue, please produce the documents supporting your contention.

RESPONSE:

In addition to the foregoing General Objections, Reynolds specifically objects to this Request because it attempts to shift onto Reynolds several of the elements on which Plaintiff has the burden of proof, including: that Plaintiff was on a premises owned by Reynolds on which asbestos-containing products were present; that Plaintiff was working with or around asbestos-containing materials; and, that such work with asbestos-containing materials caused Plaintiff to be exposed to harmful levels of airborne asbestos fibers sufficient to cause his alleged disease. Moreover, Reynolds objects to this Request because of the argumentative, categorical manner in which it is phrased. Additionally, Plaintiff's failure to specifically describe which, when and where he worked on Reynolds' premises, for whom he allegedly was working on Reynolds' premises, to what asbestos-containing products he allegedly was exposed, as well as to describe his job activities, makes this request impossible to answer. Reynolds objects to this Request to the extent that it seeks documents and/or materials protected under the attorney-client privilege and/or attorney work product protection.

Subject to and without waiving its objections, Reynolds does not know what documents or materials this Request is seeking and, therefore, cannot respond at this time.

REQUEST FOR PRODUCTION NO. 16:

Please produce all documents used, referred to or relied upon in answering any Interrogatories.

RESPONSE:

In addition to the foregoing General Objections, Reynolds specifically objects to the

phrase “all documents” because it fails to identify with sufficient particularity the documents or types of documents this Request seeks.

Subject to and without waiving its objections, Reynolds does not know what documents or materials this Request is seeking and, therefore, cannot respond.

REQUEST FOR PRODUCTION NO. 17:

Please produce any and all documents and other tangible things which refer to the document retention (and/or destruction) policy of Defendant, including the following:

- a. Any document retention and/or destruction policies for Defendant that pertain to documents and records, including but not limited to supplements, addenda, memoranda, operating bulletins, revisions, or any other superseding instructions that referred to the stopping, suspending or resuming of such retention or destruction policies.
- b. Any record retention and/or destruction, dumping, or purging policies for Defendant that pertain to documents and records created, maintained or stored by electronic and/or magnetic means, including but not limited to records that have been microfilmed, microfiched, imaged, scanned, or stored on tapes, disks, diskettes, CD-ROM, databases, etc. or on or within any computer hardware, backup system, download system, file dumping or other system of information management, whether on-site or off-site, including but not limited to supplements, addenda, memoranda, operating bulletins, revisions, or any other superseding instructions that referred to the stopping, suspending or resuming of such retention or destruction policies.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request on the ground that it is vague, overly broad and ambiguous in that it is limited neither to Reynolds' corporate-wide policies nor to policies relevant to the plant or plants at which Plaintiff was allegedly exposed, nor is it limited to the specific time periods relevant to Plaintiff's alleged exposure. Reynolds objects to this Request to the extent that it seeks documents and/or materials protected under the attorney-client privilege and/or attorney work product protection.

Subject to and without waiving those objections, Reynolds cannot even begin to respond

to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 18:

Please produce all documents, including but not limited to lists, inventories, indices, databases or printouts thereof, archives, storage inventories, logs, or other search aids that refer or relate to the existence, extent, type, organization, filing system, method of access or retrieval, and/or location of Defendant's documents (maintained or stored on-site or off-site) pertaining to any of the subject matter areas of Plaintiffs' Interrogatories.

RESPONSE:

In addition to the foregoing General Objections, Reynolds specifically objects to the phrase "all documents" because it fails to identify with sufficient particularity the documents or types of documents this Request seeks. Reynolds further objects to this Request on the grounds that it is vague, overly broad and ambiguous in that it is limited neither to Reynolds' corporate-wide policies nor to policies relevant to the plant or plants at which Plaintiff was allegedly exposed, nor is it limited to the specific time periods relevant to Plaintiff's alleged exposure. Accordingly, this Request seeks information and materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Reynolds objects to this Request to the extent that it seeks documents and/or materials protected under the attorney-client privilege and/or attorney work product protection.

Subject to and without waiving its objections, Reynolds states that should Plaintiff appropriately tailor this Request to the "lists, inventories, indices, databases or printouts thereof, archives, storage inventories, logs, or other search aids" pertaining to documents that have some relevance to Plaintiff's claims in this case, and should Plaintiffs more fully explain what materials they are seeking, Reynolds will attempt to determine whether such documents exist.

REQUEST FOR PRODUCTION NO. 19:

Please produce all books, pamphlets, memoranda, or written materials of any kind or character that that were received by you and that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings.

RESPONSE:

In addition to the foregoing General Objections, Reynolds specifically objects to this Request as overly broad, unduly burdensome, and vague in that the phrases “all” and “any kind or character” fail to describe the information requested with reasonable particularity. Moreover, this Request is not limited in place or time, and would require Reynolds to incur unnecessary expense to search for and produce documents that are neither relevant nor reasonably calculated to lead to the discovery of relevant information. Reynolds also objects to the extent this Request seeks information not related to a time frame during which Plaintiff was employed by Reynolds, or to the Reynolds facility that Plaintiff worked, and is therefore irrelevant to any issue in this lawsuit and is not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving these objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 20:

Please produce all documents that reflect, indicate or in any way relate to communications between you and any manufacturer of asbestos-containing products concerning or related to the asbestos contained in such products.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request because the phrases “all documents,” “reflect, indicate or in any way relate,” “communications between you and any manufacturer,” “concerning or related to,” and “such products” are all overly broad.

unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. Reynolds further objects to this Request as overly broad and as seeking information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence in that it is not limited to the Reynolds premises that Plaintiff worked, the time period during which Plaintiff allegedly worked on Reynolds' premises, nor to the specific asbestos-containing products to which Plaintiff alleges he was exposed.

Subject to and without waiving these objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 21:

Please produce all documents in your possession disseminated or published by any trade association that contain information relating to the hazards of asbestos and all documents which refer to such documents and any documents pertaining to meetings of such trade associations that were attended by any of your employees or representatives.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request because the phrases "all documents," "any trade association," "contain information relating to the hazards of asbestos" and "all documents which refer to such documents" are all overly broad, unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. Reynolds further objects to this Request as overly broad and as seeking information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence in that it is not limited to the Reynolds facility that Plaintiff worked, the time period during which Plaintiff allegedly worked on Reynolds' premises, nor to the specific asbestos-containing products to which Plaintiff alleges he was exposed.

Subject to and without waiving those objections, Reynolds cannot even begin to respond

to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 22:

Please produce all of Defendant's safety meeting minutes that refer to the dangers of asbestos.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Reynolds further objects to this Request to the extent it potentially seeks documents and materials protected under the attorney-client privilege and/or attorney work product protection.

Subject to and without waiving these objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 23:

Please produce all documents related to the installation of asbestos-containing materials at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time

periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Reynolds further objects to this Request because the phrases "all documents" and "related to" are overly broad, unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. Accordingly, this Request seeks materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving those objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 24:

Please produce all documents related to the medical condition of Plaintiff at anytime during his work at Defendant's Premises At Issue. This request specifically includes any and all x-rays, x-ray reports, medical notes and/or medical records of any kind, annual physical forms, and any records relating to Plaintiff's health.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure. Reynolds objects to the extent this Request seeks the production of documents to which the Plaintiff has equal or greater access. Subject to its objections, Reynolds does not have any medical records relating to Plaintiff at this time because Plaintiff has not produced a medical authorization form, but Reynolds will make available for inspection and copying any medical records it collects pertaining to Plaintiff.

REQUEST FOR PRODUCTION NO. 25:

Please produce all documents related to Plaintiff, including but not limited to Plaintiff's work performance and/or personnel records at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue," the "Time Period At Issue," and his employer while working at a Reynolds premises. Reynolds further objects to this Request to the extent it potentially seeks documents and materials protected under the attorney-client privilege and/or attorney work product protection. Subject to its objection, Reynolds states that, at this time, it has no such records.

REQUEST FOR PRODUCTION NO. 26:

Please produce all documents that reflect or depict in any way the layout of Defendant's Premises At Issue, including the location and dimensions of all buildings and the location and placement of asbestos-containing products, and specifically including all photographs, plats, maps, diagrams, blueprints, drawings, specifications or other architectural renderings.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this request because the phrases "all documents" and "that reflect" are overly broad, unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos. Accordingly this request seeks materials

that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving those objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 27:

Please produce all demonstrative aids Defendant plans to use at trial in this matter.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to the extent this request seeks information and/or materials protected under the attorney-client privilege and/or attorney work product protections. Subject to and without waiving its objections, Reynolds will identify and produce documents it intends to use as exhibits in accordance with the Court's Scheduling Order, and the Texas Rules of Civil Procedure.

REQUEST FOR PRODUCTION NO. 28:

Please produce all photographs of asbestos products in place or asbestos-containing materials being installed, maintained, removed, replaced, repaired, or manipulated in any way at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. As such, this Request does not describe with particularity the

documents or categories of documents sought. Accordingly, this Request seeks materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving those objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 29:

Please produce all documents relating to any individuals' claimed injury as a result of exposure to asbestos at any facility of Defendant, including, but not limited to, workers' compensation claims and any documentation going to or received from any insurance carrier pertaining to such claims, and any documentation pertaining to the disposition of such claims.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request in that the phrases "all documents" and "relating to" are overly broad, unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. Reynolds further objects to this Request to the extent it is not limited to the specific time periods relevant to Plaintiff's alleged exposure to asbestos on Reynolds' premises, nor is it limited to the premises at which the Plaintiff was allegedly exposed, nor is it limited to individuals who worked in the same area of the Reynolds premises that Plaintiff allegedly worked, nor is it limited to individuals who were performing the same or similar job functions as those Plaintiff was performing, and, accordingly, seeks materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Reynolds further objects to this Request to the extent that it potentially seeks documents and materials protected under the attorney-client privilege, self-critical analysis privilege, attorney work product protection, and/or physician-patient privilege.

Subject to and without waiving those objections, Plaintiff's failure to identify specifically

the Reynolds premises he worked, dates he allegedly worked on Reynolds' premises, to describe the jobs he was performed on Reynolds' premises, and or to describe where on Reynolds' premises he allegedly worked on Reynolds' premises means that it is without sufficient information to search for the requested relevant documents.

REQUEST FOR PRODUCTION NO. 30:

Please produce all documents that in any way reflect corporate minutes, corporate records, departmental meetings or discussions, or meetings with agents or contractors that in any way discuss, note, or table a discussion of the hazards of asbestos or potential health hazards of asbestos. The documents sought in this request include those produced and/or maintained at a corporate level by those responsible for supervising or advising personnel at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request in that the phrases "all documents," "discussions," and "meetings" make this request overly broad, unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Accordingly, this Request seeks materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Reynolds further objects to this Request to the extent that it potentially seeks documents and materials protected under the attorney-client privilege, self-critical analysis privilege, and/or attorney work product protection.

Subject to and without waiving those objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at

issue.

REQUEST FOR PRODUCTION NO. 31:

Please produce all documents of corporate, board of directors, Defendant Premises representatives, departmental persons, task force, or other meetings of members of Defendant from 1940 until the last year of the Time Period At Issue that contain discussion or information concerning asbestos, asbestos-related health hazards, or asbestos-containing products.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Therefore this Request seeks documents that are irrelevant to any issue in this lawsuit and is not reasonably calculated to lead to the discovery of admissible evidence. Reynolds objects to this Request in that the phrases "Defendant Premises Representatives," "concerning asbestos," and "discussions" make this request overly broad, unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. Defendant objects to this discovery request to the extent that it calls for information protected by the attorney/client privilege, party communication privilege, investigative privilege and work product privilege.

Subject to and without waiving its objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 32:

Please produce all documents which will be used at the time of trial, including all

potential exhibits and those documents which may be used to cross-examine other witnesses or in rebuttal, and which you contend are relevant to any of Defendant's enumerated defenses in Defendant's most recently filed Answer.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to the extent this Request seeks information and/or materials protected under the attorney-client privilege and/or attorney work product protections.

Subject to and without waiving its objections, Reynolds will identify and produce documents it intends to use as exhibits in accordance with the Court's Scheduling Order and the Texas Rules of Civil Procedure.

REQUEST FOR PRODUCTION NO. 33:

Please produce documents between Defendant and any of its worker's compensation insurance carriers or any other insurance carriers regarding the hazards of asbestos and asbestos-containing products.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request in that it is overly broad, unduly burdensome, vague, ambiguous, and does not describe with particularity the documents or categories of documents sought. Reynolds further objects to this Request to the extent it is not limited to the specific Reynolds premises at which Plaintiff worked and the time periods relevant to Plaintiff's alleged exposure to asbestos on Reynolds' premises and, accordingly, seeks materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Moreover, Reynolds objects to this Request to the extent that it potentially seeks documents and materials protected under the attorney-client privilege, self-critical analysis privilege, attorney work product protection and/or physician-patient privilege.

Subject to and without waiving those objections, Reynolds cannot even begin to respond

to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 34:

Please produce documents between Defendant and any of its insurance carriers relating to any inspections carried out by the insurance carrier in which asbestos or dust in general was mentioned.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the “Premises At Issue” and the “Time Period At Issue,” and it is not limited to the time periods relevant to Plaintiff’s alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed, and inspections specifically pertaining to asbestos. Reynolds further objects to this Request because the phrases “documents” and “relating to” are overly broad, unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. Reynolds further objects to this Request to the extent that it potentially seeks documents and materials protected under the attorney-client privilege, self-critical analysis privilege, and/or attorney work product protection.

Subject to and without waiving those objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 35:

Please produce a copy of all regulations, orders, rules and/or policies which have been used relating to the safety of the Defendant’s Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the “Premises At Issue” and the “Time Period At Issue,” and it is not limited to the time periods relevant to Plaintiff’s alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Reynolds further objects to this Request in that the phrases “all regulations, orders, rules, and/or policies,” “which have been used,” “relating to” and “safety” are all overly broad, unduly burdensome, vague, ambiguous, and do not describe with particularity the documents or categories of documents sought. Reynolds further objects to this Request to the extent it is not limited to safety policies relevant to asbestos and relevant to independent contractors working on Reynolds’ Premises. Accordingly, this Request seeks materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Reynolds further objects to this Request to the extent that it potentially seeks documents and materials protected under the attorney-client privilege, self-critical analysis privilege, and/or attorney work product protection. Reynolds further objects to the extent that certain “regulations” and “policies” are equally available to Plaintiffs.

Subject to and without waiving those objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 36:

Please produce all documents which contain complaints by employees of Defendant at the Defendant’s Premises At Issue regarding safety conditions and work place conditions at the Defendant’s Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request in that it is overly broad, unduly burdensome, vague, ambiguous, and does not describe with particularity the documents or categories of documents sought. Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the “Premises At Issue” and the “Time Period At Issue,” and it is not limited to the time periods relevant to Plaintiff’s alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Reynolds further objects to this Request to the extent it is not limited specifically to complaints relevant to exposure to harmful levels of airborne asbestos fibers, nor is it limited to complaints concerning the areas of Reynolds’ premises at which Plaintiff allegedly worked, nor is it limited to individuals performing job functions the same or similar to those of the Plaintiff. Accordingly, this Request seeks materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Reynolds further objects to this Request to the extent that it potentially seeks documents and materials protected under the attorney-client privilege, self-critical analysis privilege, and/or attorney work product protection.

Subject to and without waiving those objections, Plaintiff, by failing to state what specific Reynolds-premises he allegedly worked, when he allegedly worked on Reynolds’ premises, where he allegedly worked on Reynolds’ premises, to what asbestos-containing products he allegedly was exposed on Reynolds’ premises. and by failing to describe his job activities on Reynolds’ premises, has not provided Reynolds with sufficient information to respond to this Request. Until Plaintiff provides the foregoing information, Reynolds cannot respond.

REQUEST FOR PRODUCTION NO. 37:

Please produce all documents which contain complaints by Union representatives of Defendant's Premises At Issue regarding safety conditions and work place conditions at the Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request in that it is overly broad, unduly burdensome, vague, ambiguous, and does not describe with particularity the documents or categories of documents sought. Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Reynolds further objects to this Request to the extent it is not limited specifically to complaints regarding safety conditions or work place conditions as they relate to exposure to harmful levels of airborne asbestos fibers, nor is it limited to individuals performing job function the same or similar to those of the Plaintiff. Accordingly, this Request seeks materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Reynolds further objects to this Request to the extent that it potentially seeks documents and materials protected under the attorney-client privilege, self-critical analysis privilege, and/or attorney work product protection.

Subject to and without waiving those objections, Plaintiff, by failing to state what specific Reynolds premises he allegedly worked, when he allegedly worked on Reynolds' premises, where he allegedly worked on Reynolds' premises, to what asbestos-containing products he allegedly was exposed on Reynolds' premises, and by failing to describe his job activities on Reynolds' premises, has not provided Reynolds with sufficient information to

respond to this Request. Until Plaintiff provides the foregoing information, Reynolds cannot respond.

REQUEST FOR PRODUCTION NO. 38:

Please produce all documents, organizational charts or rosters which identify the members of the management at the Defendant's Premises At Issue and their areas of responsibility during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request in that the phrase "all documents, organizational charts or rosters" is overly broad, unduly burdensome, vague, ambiguous, and does not describe with particularity the documents or categories of documents sought. Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed.

Subject to and without waiving those objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 39:

Please produce all documents which evidence Defendant's net worth, including, but not limited to, all "10-K" forms filed for the last five (5) years.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request in that it seeks materials that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving its objections, Reynolds' 10-K forms are publicly available and Reynolds refers Plaintiff to the numerous public sources from which Reynolds' 10-K forms may be procured.

REQUEST FOR PRODUCTION NO. 40:

Please produce all documents which evidence Defendant's purchase, acquisition, sale, or transfer of ownership or of liabilities relating to Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Plaintiff has simply failed to identify the specific Reynolds premises at which he allegedly worked, and Reynolds asserts that this request is overly broad and seeks documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests any documents other than those that would transfer potential liability to another person or entity for the time period Plaintiff allegedly worked at Reynolds. Moreover, Reynolds objects to this request to the extent it seeks confidential and proprietary documents.

REQUEST FOR PRODUCTION NO. 41:

If you contend that you are not liable for any dangerous condition or activity taking place at Defendant's Premises At Issue during the Time Period At Issue, please produce all title documents supporting this contention.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue." Reynolds further objects to the argumentative and categorical manner in which the Request is phrased, and its assumption that "dangerous conditions" existed on Reynolds property.

Subject to its objections, discovery is ongoing and Reynolds cannot accurately answer this request until Plaintiff has responded in a full and complete manner to Reynolds' discovery.

REQUEST FOR PRODUCTION NO. 42:

If you contend that you did not own or control the facility(ies) during any portion of the Time Period At Issue, please produce all documentation that supports your contention, including but not limited to documentation pertaining to the purchase, sale, acquisition, merger, or divestment of corporations, subsidiaries, divisions, or other corporate entities or assets that included the purchase, sale, acquisition, merger, or divestment of the facility(ies); such documentation to include, by way of example and not limitation, purchase or sale agreements, minutes, resolutions, annual reports, 10K reports or other state or federal agency filings, or deposition, trial testimony or affidavits of your corporate representatives who are the most knowledgeable individuals with respect to such matters.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue" and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos. Reynolds further objects that this Request is overly broad and potentially seeks documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it does not concern Reynolds' premises at which Plaintiff allegedly worked. Moreover, Reynolds objects that Plaintiff's failure to define "control" makes this request vague and ambiguous.

Subject to and without waiving its objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 43:

If you contend that you have not been sued in the proper capacity as set forth in Plaintiff's latest petition, produce all documentation that supports your contention, including but not limited to documentation pertaining to the history of Defendant and any relevant purchase, sale, acquisition, merger, or divestment of corporations, subsidiaries, divisions, or other corporate entities or assets that included the purchase, sale, acquisition, merger, or divestment of the facility(ies); such documentation to include, by way of example and not limitation, purchase or sale agreements, minutes, resolutions, annual reports, 10K reports or other state or federal agency filings, or deposition, trial testimony or affidavits of your corporate representatives who are the most knowledgeable individuals with respect to such matters.

RESPONSE:

Subject to and without waiving its General Objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 44:

Please produce all indemnity agreements, assignments of liability, subrogation agreements and other similar documents relating to Defendant's Premises At Issue and liabilities arising from said ownership.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects that this Request is overly broad, unduly burdensome, vague, ambiguous, and does not describe with particularity the documents or categories of documents sought. Reynolds does not know what this Request is asking and, therefore, cannot respond.

REQUEST FOR PRODUCTION NO. 45:

If you contend Defendant's Premises At Issue was asbestos-free during the Time Period At Issue, please produce all documents which support your contention.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time

periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Moreover, this request is overly broad and seeks documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests documents that do not concern the areas of Reynolds' premises in which the Plaintiff allegedly worked, and to the extent it requests documents concerning products other than those to which the Plaintiff alleges exposure at Reynolds.

Subject to and without waiving its objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 46:

If you contend that some or all of Defendant's Premises At Issue are asbestos-free, please produce all documents, including but not limited to, specifications, blue prints and drawings supporting your contention.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Moreover, this request is overly broad and seeks documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests documents that do not concern the areas of Reynolds' premises in which the Plaintiff allegedly worked, and to the extent it requests documents concerning products other

than those to which the Plaintiff alleges exposure at Reynolds.

Subject to and without waiving its objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue. Reynolds also objects to the argumentative nature of this request.

Subject to and without waiving its objections, Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 47:

Please produce all documents relating to your manufacturing of any asbestos or asbestos-containing products, or products to which any amount of asbestos was added, for use at any of Defendant's facilities or for sale to others.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos nor is it limited to those products to which Plaintiff alleges he was exposed. Reynolds further objects that this Request is overly broad and seeks documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence because the Plaintiff does not allege that Reynolds manufactured any asbestos-containing product to which he claims exposure. Moreover, Plaintiff's request that Reynolds produce documents concerning "products to which any amount of asbestos was added" is vague and ambiguous and does not describe with reasonable particularity the documents requested. For the same reasons, this request is overly broad and seeks documents that are neither relevant, nor

reasonably calculated to lead to the discovery of relevant evidence, and additionally, the request, as worded, is incomprehensible and cannot be answered.

REQUEST FOR PRODUCTION NO. 48:

Please produce all documents relating to your use of any asbestos containing materials, asbestos containing products or tools with which asbestos is used, for any process taking place at any of Defendant's facilities.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects that this Request is overly broad and requests documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it is not limited to the unidentified Reynolds premises at which Plaintiff allegedly worked, not limited to the time period Plaintiff allegedly worked at a Reynolds premises, nor is it limited to asbestos-containing products to which the Plaintiff claims exposure, and not limited to the areas of Reynolds' plants in which the Plaintiff claims to have been exposed. Moreover, Plaintiff's failure to describe the "tools" or "processes" to which he refers makes this request vague and ambiguous.

Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 49:

Please produce all documents relating to your use, manipulation or handling of asbestos in any industrial processes at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Plaintiff simply has failed to identify the "Premises At Issue." Reynolds objects that this Request is overly broad and requests documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence

to the extent it is not limited to the asbestos-containing products to which the Plaintiff claims exposure, the specific Reynolds premises at which Plaintiff allegedly worked, when Plaintiff worked at this premises, and the areas of Reynolds' plants in which the Plaintiff claims to have been exposed. Reynolds objects that the phrase "use, manipulation or handling" fails to describe with sufficient particularity the documents requested. Moreover, Plaintiff's failure to describe the "tools" or "processes" to which he refers makes this request vague and ambiguous.

Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 50:

Please produce all marketing and advertising materials related in any way to your manufacturing of asbestos or asbestos containing materials or your use of asbestos or asbestos-containing materials in your industrial processes.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects that this Request seeks documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence because the Plaintiff does not allege that Reynolds Manufactured an asbestos-containing product to which he was exposed. Moreover, this request is overly broad, unduly burdensome, vague, ambiguous, and fails to describe the documents requested with reasonable particularity because it is not limited to the Reynolds premises at which Plaintiff allegedly worked, the time period at which Plaintiff worked at the Reynolds premises, and the specific asbestos-containing products to which he claims he was exposed. Reynolds further objects to the phrase "industrial processes" as vague and ambiguous.

Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 51:

Please produce all documents relating to boilers at Defendant's Premises At Issue. This request includes owner manuals, maintenance manuals, purchase orders, and invoices.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects that this request is overly broad and requests documents that are neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence to the extent that it pre-dates and post-dates the time Plaintiff allegedly worked on Reynolds' premises. Moreover, Plaintiff's request that Reynolds produce "all documents relating to boilers" fails to describe the documents requested with reasonable particularity.

Subject to its objections Reynolds will attempt to answer this request once the Plaintiff has identified specifically whether he is claiming exposure to asbestos as a result of working with/or around boilers as well as the asbestos-containing products to which he was allegedly exposed on Reynolds' premises, the specific Reynolds premises at which he allegedly worked, the time period he allegedly worked at the Reynolds premises, and specifies the areas of the plants in which he allegedly worked.

REQUEST FOR PRODUCTION NO. 52:

Please produce all documents relating to any audits you conducted or caused to be conducted at Defendant's Premises At Issue in order to review some aspect of Defendant's safety program.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to

Plaintiff's alleged exposure, nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos, nor is it limited to those products to which Plaintiff alleges he was exposed, and it is not limited to audits pertaining specifically to asbestos. Reynolds further objects to the phrase "review some aspect of Defendant's safety program" as vague and ambiguous, and fails to describe the documents requested with particularity.

Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the specific premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 53:

Please produce all documents provided by you to other plants or facilities relating to safety in the industry, audit procedures or means to eliminate dust exposure, including, but not limited to asbestos dust, at industrial facilities.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects that this request is vague, ambiguous, overly broad, unduly burdensome, and is not reasonably calculated to lead to the discovery of admissible evidence in that it seeks documents not related to asbestos, the specific Reynolds premises at which Plaintiff allegedly worked, the specific time period during which the Plaintiff allegedly worked at Reynolds, and the specific asbestos-containing products to which Plaintiff claims he was exposed while at Reynolds.

Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the specific premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 54:

Please produce depositions and trial transcripts of your current or former employees or other corporate representatives taken in any matter involving an alleged injury or claimed property damage due to asbestos or insurance coverage for claims related to asbestos injury or property damage.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects that this request is overly broad, unduly burdensome, and seeks documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it concerns claims other than those originating from the specific Reynolds plant that Plaintiff allegedly worked, and to the extent it concerns exposure and injury claims that are dissimilar to Plaintiff's. Moreover, this request is overly broad and unduly burdensome, and exceeds the permissible scope of discovery in requesting that Reynolds attempt to locate every transcript concerning testimony provided by Reynolds' employees. Plaintiff's failure to specify an individual whose transcript he is requesting also makes this request overly broad and potentially unreasonable. At this time, Plaintiff has failed to identify the specific Reynolds premises at which he allegedly worked, the time period in which he worked at the premises, the type of work that he performed at Reynolds, the areas within the premises in which he worked, and he has failed to describe the injury he claims to have suffered as a result of his work at Reynolds. Without this basic information, Reynolds cannot respond to this Request at this time.

REQUEST FOR PRODUCTION NO. 55:

Please produce exhibit lists produced to you by any other counsel for plaintiff in other cases involving claim of injury or property damage alleged to have been caused by asbestos exposure.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects that this request is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent it fails to contain a temporal limitation, is not limited to claims specific to the Reynolds premises at which Plaintiff allegedly worked, and because the exhibit lists of other Plaintiffs, if any, would do nothing more than identify documents produced to

counsel for Plaintiff previously. Accordingly, to request that Reynolds undertake the burden and expense of attempting to locate each exhibit list exceeds the permissible bounds of discovery under the Texas Rules of Civil Procedure, and is nothing more than an attempt by Plaintiff to have Reynolds do his work for him.

REQUEST FOR PRODUCTION NO. 56:

Please produce all correspondence from you to Plaintiff's employer and from Plaintiff's employer to you during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the "Premises At Issue," the "Time Period At Issue," and Plaintiff's employer while at Reynolds' premises, and the request is not limited to areas of Reynolds premises in which Plaintiff alleges he was exposed to asbestos-containing products, nor is it limited to the work that Plaintiff performed while at Reynolds. Further, this Request seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence to the extent that it seeks documents not related to Plaintiff.

Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the specific premises and time periods at issue, his specific job at Reynolds, and Plaintiff's employer while at Reynolds.

REQUEST FOR PRODUCTION NO. 57:

Please produce all documents that indicate or reference in any way any decision or discussion related to the cessation of the use of asbestos or asbestos-containing products in any of your facilities.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects that this request is overly broad, unduly burdensome and seeks documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests documents concerning facilities other than the specific Reynolds premises at which Plaintiff worked, and to the extent it requests documents outside of the specific time period during which Plaintiff worked at Reynolds. Reynolds further objects to this Request as vague, ambiguous, overly broad and unduly burdensome in that Plaintiff has simply failed to identify the “Premises At Issue” and the “Time Period At Issue,” nor is it limited to areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos, and it is not limited to those products to which Plaintiff alleges he was exposed. Moreover, the wording of the Request is such that it fails to specify the documents requested with reasonable particularity.

Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the specific premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 58:

Please produce all documents that indicate or reference in any way any the catalog or index or subscriptions or holdings of any library or other research repository of Defendant containing magazines, journals, books, publications or other documents relating to asbestos (including, but not limited to, the effects of exposure to asbestos, industrial hygiene measures relating to asbestos dust, and medical information or research relating to asbestos or its effects on animals or humans, populations at risk, etc.).

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects that the terms “any catalog or index or subscriptions or holdings” make this Request vague and ambiguous, overly broad, unduly burdensome, and exceeds the permissible scope of discovery. Moreover, this request seeks documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant documents to the extent it seeks documents that are not related to the

specific Reynolds premises at which Plaintiff allegedly worked, the specific time period during which Plaintiff allegedly worked at Reynolds, the specific asbestos-containing products to which Plaintiff alleges exposure at Reynolds, the specific areas of the premises in which Plaintiff allegedly worked, the specific job Plaintiff allegedly performed at Reynolds, and the specific injury Plaintiff claims he suffers as a result of his work at Reynolds. Without this basic information, Reynolds cannot begin to respond to this Request.

REQUEST FOR PRODUCTION NO.59:

Please produce all inventory, stock-on-hand, warehouse or other documents pertaining to asbestos-containing products that were stored, maintained, stockpiled, or kept by Defendant for use at any facility of Defendant, including Defendant's Premises At Issue, at any time.

RESPONSE:

In addition to the foregoing General Objections, Reynolds further objects to this Request as vague, ambiguous, overly broad, unduly burdensome, and neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in that Plaintiff has simply failed to identify the "Premises At Issue" and the "Time Period At Issue," and it is not limited to the time periods relevant to Plaintiff's alleged exposure, nor is it limited to the specific Reynolds premises at which he allegedly worked, the areas of the Reynolds plants in which the Plaintiff alleges he was exposed to asbestos, nor is it limited to those products to which Plaintiff alleges he was exposed. Moreover, Plaintiff's request is so broad that it fails to describe the documents requested with reasonable particularity.

Reynolds cannot even begin to respond to this Request until Plaintiff informs Reynolds, at a minimum, the specific premises and time periods at issue.

REQUEST FOR PRODUCTION NO. 60:

Please produce any letters, affidavits, or stipulations concerning authenticity of any of Defendant's documents provided by you in any other case involving claim of injury or property

damage alleged to have been caused by asbestos exposure.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects that Plaintiff's request it search all its files for "letters, affidavits, or stipulations" concerning an unspecified group of documents is so unduly burdensome and overly broad that it exceeds the permissible scope of discovery. Moreover, this Request is overly broad and requests documents that are neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent that it requests Reynolds produce documents unrelated to the alleged exposure of claimants who worked at the same Reynolds premises, at the same time, performing the same job as Plaintiff in the same area of the premises, were employed by the same employer as Plaintiff, claimed exposure to the same asbestos-containing products while at Reynolds, and claimed the same injury as Plaintiff as a result of their work at Reynolds. Reynolds further objects to this Request as overly broad and seeking documents not relevant to Plaintiff's claims in that Plaintiff does not allege damage to property.

**PLAINTIFF'S REQUESTS FOR ADMISSION AND
FURTHER REQUESTS FOR PRODUCTION**

REQUEST FOR ADMISSION NO. 1:

Admit that asbestos-containing products, asbestos-containing friction products, and/or machinery requiring the use of asbestos or asbestos-containing products were utilized on Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds further objects that this Request is vague, ambiguous, and overly broad because it does not specify the "asbestos-containing products, asbestos-containing friction products, and/or machinery requiring the use of asbestos or asbestos-containing products" to which Plaintiff alleges exposure.

Subject to its objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 2:

Admit that Plaintiff was exposed to asbestos at Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request because

Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds specifically objects to this Request because it attempts to shift onto Reynolds one of the elements on which Plaintiff has the burden of proof – that Plaintiff was exposed to harmful levels of airborne asbestos fibers at a Reynolds facility. Moreover, Reynolds objects to this Request because it is without foundation and does not specify the asbestos-containing products to which Plaintiff alleges exposure. Reynolds further objects to this Request as vague and ambiguous. Reynolds would have to speculate what is meant by the phrase "exposed to asbestos" since exposure to such products has nothing to do with exposure to harmful levels of airborne asbestos fibers.

Subject to its objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR PRODUCTION NO. 61:

If your response to the foregoing request is anything other than “admit”, produce all documents which support your response, including any documents which you believe support a denial of the foregoing admission or any documents showing what reasonable inquiry you undertook in connection with your inability to admit or deny the foregoing request.

RESPONSE:

See Reynolds’ Objections and response to Plaintiffs’ Request for Admission No. 2.

Reynolds does not know what documents or materials this Request is seeking and, therefore, cannot respond.

REQUEST FOR ADMISSION NO. 3:

Admit that you have no air monitoring for asbestos taken on Defendant’s Premises At Issue during the Time Period At Issue.

RESPONSE

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds’ discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds’ premises, nor has Plaintiff provided any information concerning where on Reynolds’ premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds’ premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds further objects to this Request because of the argumentative, categorical manner in which it is phrased. Reynolds objects to this Request’s lack of foundation to the extent it assumes or implies that circumstances existed that would require or necessitate personal monitoring of the Plaintiff’s breathing zone. Plaintiff has not produced any evidence to substantiate the allegations that he was exposed to any airborne asbestos fibers at a Reynolds facility.

Subject to its Objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR PRODUCTION NO. 62:

Admit that results of air monitoring for asbestos taken on Defendant's Premises At Issue during the Time Period At Issue indicate Plaintiff was exposed to asbestos at Defendant's Premises At Issue during the Time Period At Issue:

RESPONSE:

In addition to its General Objections, Reynolds objects to this request because, as worded, it is nonsensical and fails to request documents. Reynolds refers Plaintiff to Reynolds objections and response to Request for Admission No. 3, and incorporates these objections and response as if fully set forth herein.

In the event the Court construes this as a Request to Admit, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR PRODUCTION NO. 63:

If your response to the foregoing request is anything other than "admit", produce all documents which support your response, including any documents which you believe support a denial of the foregoing admission or any documents showing what reasonable inquiry you undertook in connection with your inability to admit or deny the foregoing request.

RESPONSE:

See Reynolds' objections and response to Request for Production No. 62. Reynolds does not know what documents or materials this Request is seeking and, therefore, cannot respond.

REQUEST FOR ADMISSION NO. 4:

Admit that Defendant's employees were working with asbestos-containing materials at Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. This request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence to the extent it requests this information concerning "work with asbestos-containing materials" in areas other than those in which Plaintiff allegedly worked and during times other than when he allegedly worked in those areas. Additionally, the phrase "working with asbestos-containing materials" is vague and ambiguous. Moreover, Reynolds object to this Request as overly broad to the extent that Plaintiff has not shown that he was an employee of Reynolds.

Subject to its objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 5:

Admit that contractors were working with asbestos-containing materials at Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because Plaintiff has failed, in response to Reynolds'

discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds objects that this Request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests information concerning contractors who were not working with asbestos-containing materials in the areas of the plants in which Plaintiff allegedly worked and during the time period(s) of his alleged work.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 6:

Admit that Defendant was aware of the presence of asbestos-containing products on Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds objects that this

request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests information concerning asbestos-containing products other than those to which Plaintiff alleges exposure.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 7:

Admit that Defendant was aware of the use of asbestos-containing products on Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests information concerning asbestos-containing products other than those to which Plaintiff alleges exposure.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request. and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 8:

Admit that you did not post a warning, caution or hazard signs concerning asbestos at Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests information concerning areas of the plant other than those in which the Plaintiff allegedly worked. Moreover, Reynolds objects to the argumentative manner in which this request is phrased, and its assumption that asbestos-containing products were present in the areas of the plants in which Plaintiff allegedly worked and during the time periods he allegedly worked in such areas, which Reynolds expressly denies. Accordingly, Reynolds objects to the lack of foundation to the extent this Request assumes or implies that any circumstance warranted any warning signs in any area of the plant in which Plaintiff allegedly was present and during the times he was allegedly present in such area.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 9:

Admit that you did not post a warning, caution or hazard signs in Spanish concerning asbestos at Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds objects that this Request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests information concerning areas of the plant other than those in which the Plaintiff allegedly worked. Moreover, Reynolds objects to the argumentative manner in which this Request is phrased, and its assumption that asbestos-containing products were present in the areas of the plants in which Plaintiff allegedly worked and during the time periods he allegedly worked in such areas, which Reynolds expressly denies. Accordingly, Reynolds objects to the lack of foundation to the extent this Request assumes or implies that any circumstance warranted any warning signs in any area of the plant in which Plaintiff allegedly was present and during the times he was allegedly present in such area. Moreover, Reynolds objects to the Request as not relevant to the extent that Plaintiff has not showed that he could not read English.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 10:

Admit that you specified the use of asbestos-containing materials at Defendant's Premises At Issue prior to or during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests information concerning asbestos-containing materials other than those to which the Plaintiff alleges exposure.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 11:

Admit that asbestos-containing materials were in use at Defendant's Premises At Issue in the 1950s.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests information concerning areas of the plant other than those in which the Plaintiff allegedly worked, and requests information outside of the time period during which the Plaintiff allegedly worked on Reynolds' premises. Moreover, Reynolds objects to the argumentative manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 12:

Admit that asbestos-containing materials were in use at Defendant's Premises At Issue in the 1960s.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on

Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests information concerning areas of the plant other than those in which the Plaintiff allegedly worked, and requests information outside of the time period during which the Plaintiff allegedly worked on Reynolds' premises. Moreover, Reynolds objects to the argumentative manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 13:

Admit that asbestos-containing materials were in use at Defendant's Premises At Issue in the 1970s.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated

to lead to the discovery of relevant evidence to the extent it requests information concerning areas of the plant other than those in which the Plaintiff allegedly worked, and requests information outside of the time period during which the Plaintiff allegedly worked on Reynolds' premises. Moreover, Reynolds objects to the argumentative manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 14:

Admit that asbestos-containing materials were in use at Defendant's Premises At Issue in the 1980s.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence to the extent it requests information concerning areas of the plant other than those in which the Plaintiff allegedly worked, and requests information outside of the time period during which the Plaintiff allegedly worked on Reynolds' premises. Moreover, Reynolds objects to the argumentative manner in which this request is

phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 15:

Admit that asbestos-containing materials were in use at Defendant's Premises At Issue in the 1990s.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Moreover, Reynolds objects to the argumentative manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 16:

Admit that you did not provide to contractors working at Defendant's Premises At Issue health and safety procedures relating to the use of asbestos at Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague and ambiguous because Plaintiff has failed, in response to Reynolds' discovery requests, to identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds further objects to the phrase "health and safety procedures" as vague and ambiguous.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 17:

Admit that you did not provide to contractors working at Defendant's Premises At Issue health and safety procedures in Spanish relating to the use of asbestos at Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because it is not limited to, and Plaintiff has failed to, identify the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, nor has the Plaintiff provided any information concerning his inability to read or understand English. Reynolds

further objects to the phrase “health and safety procedures” as vague and ambiguous. By way of further objection, Reynolds objects to this Request as overly broad and seeking information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence to the extent that it seeks a response relating to contractors for whom Plaintiff was not employed while at a Reynolds facility.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 18:

Admit that you did not conduct with contractors health and safety meetings relating to the use of asbestos at Defendant’s Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds’ premises, nor has Plaintiff provided any information concerning where on Reynolds’ premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds’ premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. By way of further objection, Reynolds objects to this Request as overly broad and seeking information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence to the extent that it seeks a response relating to contractors for whom Plaintiff was not employed while at a Reynolds facility.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 19:

Admit that you did not conduct with contractors health and safety meetings in Spanish relating to the use of asbestos at Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, nor has Plaintiff produced and information concerning his inability to read or understand English. By way of further objection, Reynolds objects to this Request as overly broad and seeking information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence to the extent that it seeks a response relating to contractors for whom Plaintiff was not employed while at a Reynolds facility.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 20:

Admit that you did not take any steps to protect contractor employees from exposure to asbestos on Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. By way of further objection, Reynolds objects to this Request as overly broad and seeking information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence to the extent that it seeks a response relating to contractors for whom Plaintiff was not employed while at a Reynolds facility. Reynolds further objects to this Request as overly broad, vague and burdensome because Plaintiff has failed to define what is meant by "steps to protect contractor employees." Reynolds further objects to the argumentative, categorical manner in which the Request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR PRODUCTION NO. 64:

If your response to the foregoing request is anything other than "admit", produce all documents which support your response, including any documents which you believe support a denial of the foregoing admission or any documents showing what reasonable inquiry you undertook in connection with your inability to admit or deny the foregoing request.

RESPONSE:

See Response to Request for Admission No.20. Reynolds does not know what documents or materials this Request is seeking and, therefore, cannot respond.

REQUEST FOR ADMISSION NO. 21:

Admit that asbestos is still in use at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds further objects to this request to the extent that it relates to information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, Plaintiff has made no claim of ongoing asbestos exposure at Reynolds and, accordingly, no response should be required.

To the extent that a response is necessary, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 22:

Admit that asbestos is still in place at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds further objects to this request to the extent that it relates to information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, Plaintiff has made no claim of ongoing asbestos exposure at Reynolds and, accordingly, no response should be required.

To the extent that a response is necessary, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 23:

Admit that the United States government has contracted with Defendant for work at Defendants Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request in its entirety because the information it seeks is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Moreover, Plaintiff has failed to identify the specific "Premises At Issue" and, therefore, Reynolds objects to this Request as vague and ambiguous. Additionally, this Request fails to specify a particular year or years for which it seeks such information.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 24:

Admit that the United States government paid Defendant more than \$10,000 for the work it contracted with Defendant for work at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request in its entirety because the information it seeks is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Moreover, Plaintiff has failed to identify the specific "Premises At Issue" and, therefore, Reynolds objects to this Request as vague and ambiguous. Additionally, this Request fails to specify a particular year or years for which it seeks such information.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 25:

Admit that Defendant owned Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where

on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 26:

Admit that Defendant operated Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 27:

Admit that you did not conduct air monitoring for the presence of asbestos dust during the time period in question.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds further objects to this Request because of the argumentative, categorical manner in which it is phrased and to the lack of foundation to the extent it assumes or implies that circumstances existed that would require or necessitate personal monitoring in the areas of the plants in which Plaintiff allegedly worked and during the time periods he allegedly worked in those areas, which Reynolds expressly denies.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 28:

Admit that during the Time Period At Issue, you did not conduct air monitoring tests for levels of asbestos at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks

he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. Reynolds further objects to this Request because of the argumentative, categorical manner in which it is phrased and to the lack of foundation to the extent it assumes or implies that circumstances existed that would require or necessitate personal monitoring in the areas of the plants in which Plaintiff allegedly worked and during the time periods he allegedly worked in those areas, which Reynolds expressly denies.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 29:

Admit that you were aware that business invitees at Defendant's Premises At Issue did not understand English.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, nor has he provided any information concerning his ability or inability to speak or understand English. This Request seeks information that is neither relevant nor reasonably calculated to lead to the discovery of relevant evidence to the extent it seeks information regarding the linguistic capabilities of anyone

other than the Plaintiff.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 30:

Admit that you did not take any steps to ascertain whether business invitees at Defendant's Premises At Issue understood English.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, nor has he provided any information concerning his ability or inability to speak or understand English. Moreover, this Request seeks information that is neither relevant nor reasonably calculated to lead to the discovery of relevant evidence to the extent it seeks information regarding the linguistic capabilities of anyone other than the Plaintiff.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 31:

Admit that you did not to provide safety orientations to contractor employees prior to

their commencing work at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. By way of further objection, Reynolds objects to this Request as overly broad and seeking information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence to the extent that it seeks a response relating to contractors for whom Plaintiff was not employed while at a Reynolds facility. Reynolds further objects to the terms and phrases "safety orientations," and "provide," are vague and ambiguous.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 32:

Admit that you did not to provide safety orientations in Spanish to contractor employees prior to their commencing work at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates

he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds. By way of further objection, Reynolds objects to this Request as overly broad and seeking information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence to the extent that it seeks a response relating to contractors for whom Plaintiff was not employed while at a Reynolds facility. Reynolds further objects to the terms and phrases "safety orientations," and "provide," as vague and ambiguous. Moreover, Plaintiff has failed to produce evidence of his inability to understand English and, to the extent that he could, this Request seeks information that is entirely irrelevant.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 33:

Admit that you hired or contracted with Plaintiff's employer to remove asbestos-containing materials from Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-

containing products to which he was allegedly exposed at Reynolds, nor has Plaintiff identified his employer while at Reynolds. Moreover, this Request seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it requests information concerning worked performed by Plaintiff's employer in areas other than those in which the Plaintiff worked, and concerns worked performed by individuals other than the Plaintiff.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 34:

Admit that you hired or contracted with Plaintiff's employer to replace asbestos-containing materials at Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, nor has Plaintiff identified his employer while at Reynolds. Moreover, this Request seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it Requests information concerning worked performed by Plaintiff's employer in areas other than those in which the Plaintiff worked, and concerns worked performed by individuals other than

the Plaintiff.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 35:

Admit that you hired or contracted with Plaintiff's employer to install asbestos-containing materials at Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and he has not identified his employer while at Reynolds. Moreover, this Request seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it Requests information concerning worked performed by Plaintiff's employer in areas other than those in which the Plaintiff worked, and concerns worked performed by individuals other than the Plaintiff.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 36:

Admit that you hired or contracted with Plaintiff's employer to maintain asbestos-containing materials at Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while at Reynolds. Moreover, this Request seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it Requests information concerning worked performed by Plaintiff's employer in areas other than those in which the Plaintiff worked, and concerns worked performed by individuals other than the Plaintiff.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 37:

Admit that you hired or contracted with Plaintiff's employer to do new construction work at Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as

vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while at Reynolds. Moreover, this Request seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it Requests information concerning worked performed by Plaintiff's employer in areas other than those in which the Plaintiff worked, and concerns worked performed by individuals other than the Plaintiff.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 38:

Admit that you hired Plaintiff's employer to do "turnaround" work at Defendant's Premises At Issue during the Time Period At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-

containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while at Reynolds. Moreover, this Request seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of relevant evidence to the extent it Requests information concerning worked performed by Plaintiff's employer in areas other than those in which the Plaintiff worked, and concerns worked performed by individuals other than the Plaintiff.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 39:

Admit that you communicated with Plaintiff's employer concerning the work to be performed on Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while at Reynolds. Reynolds objects to the term "communicated" as vague and ambiguous in the context of this Request.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 40:

Admit that you instructed Plaintiff's employer concerning the work to be performed on Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds., and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects to this Request because it attempts to shift onto Reynolds several of the elements on which Plaintiffs have the burden of proof, including that Plaintiff was on a premises owned by Reynolds, and that Reynolds retained direction and control over Plaintiff's work. Upon information and belief, Plaintiff was employed by an independent contractor, and, as such, the activities of Plaintiff were under the direction and control of his employer and not Reynolds. Reynolds further objects that the term "instructed" is vague and ambiguous.

Subject to these objections, Reynolds denies that it retained the right of control over the work of Plaintiff or his employer. By way of further response, Reynolds states that because

Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 41:

Admit that you instructed Plaintiff's employer concerning how the work was to be performed on Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects to this Request because it attempts to shift onto Reynolds several of the elements on which Plaintiffs have the burden of proof, including that Plaintiff was on a premises owned by Reynolds, and that Reynolds retained direction and control over Plaintiff's work. Upon information and belief, Plaintiff was employed by an independent contractor, and, as such, the activities of Plaintiff were under the direction and control of his employer and not Reynolds. Reynolds further objects that the term "instructed" is vague and ambiguous.

Subject to its objections, Reynolds denies that it retained the right of control over the work of Plaintiff or his employer. By way of further response, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 42:

Admit that you showed Plaintiff's employer how the work was to be performed on Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects to this Request because it attempts to shift onto Reynolds several of the elements on which Plaintiffs have the burden of proof, including that Plaintiff was on a premises owned by Reynolds, and that Reynolds retained direction and control over Plaintiff's work. Upon information and belief, Plaintiff was employed by an independent contractor, and, as such, the activities of Plaintiff were under the direction and control of his employer and not Reynolds. Reynolds further objects that the term "instructed" is vague and ambiguous.

Subject to its objections, Reynolds denies that it retained the right of control over the work of Plaintiff or his employer. By way of further response, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 43:

Admit that your specifications indicated to Plaintiff's employer how the work was to be

performed on Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased. Reynolds further objects that the term "specifications" and the phrase "how the work was to be performed" are vague and ambiguous.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR PRODUCTION NO. 65

If your response to the foregoing request is anything other than "admit", produce all documents which support your response, including any documents which you believe support a denial of the foregoing admission or any documents showing what reasonable inquiry you undertook in connection with your inability to admit or deny the foregoing request.

RESPONSE:

See Response to Request for Admission No. 43. Reynolds does not know what documents this Request is seeking and, therefore, cannot respond.

REQUEST FOR ADMISSION NO. 44:

Admit that your specifications indicated to Plaintiff's employer what materials were to be used in performing the work on Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased. Reynolds further objects that the terms "specifications" and phrase "what materials were to be used" are vague and ambiguous.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR PRODUCTION NO. 66:

If your response to the foregoing request is anything other than "admit", produce all documents which support your response, including any documents which you believe support a denial of the foregoing admission or any documents showing what reasonable inquiry you undertook in connection with your inability to admit or deny the foregoing request.

RESPONSE:

See Response to Request for Admission No. 43. Reynolds does not know what documents this Request is seeking and, therefore, cannot respond.

REQUEST FOR ADMISSION NO. 45:

Admit that you told Plaintiff's employer or supervisor when to start work.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, whether Reynolds (1) told Plaintiff's employer when to start or stop the work, (2) told Plaintiff's employer in what order the work was to be performed, (3) required the work to be done to Reynolds' satisfaction, (4) required defective work to be corrected, (5) observed the work, (6) inspected the work and/or (7) approved the work is irrelevant to Reynolds' liability in this matter. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 46:

Admit that you told Plaintiff's employer or supervisor when to stop work.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, whether Reynolds (1) told Plaintiff's employer when to start or stop the work, (2) told Plaintiff's employer in what order the work was to be performed, (3) required the work to be done to Reynolds' satisfaction, (4) required defective work to be corrected, (5) observed the work, (6) inspected the work and/or (7) approved the work is irrelevant to Reynolds' liability in this matter. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 47:

Admit that you told Plaintiff's employer what materials to use when doing the work

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request because

it is duplicative of Request No. 44. Accordingly, Reynolds refers Plaintiff to its objection and response to Request No. 44 and denies this Request.

REQUEST FOR ADMISSION NO. 48:

Admit that you told Plaintiff's employer in what order the work should be done.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, whether Reynolds (1) told Plaintiff's employer when to start or stop the work, (2) told Plaintiff's employer in what order the work was to be performed, (3) required the work to be done to Reynolds' satisfaction, (4) required defective work to be corrected, (5) observed the work, (6) inspected the work and/or (7) approved the work is irrelevant to Reynolds' liability in this matter. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 49:

Admit that you told Plaintiff's employer the deadline by which the work on Defendant's Premises At Issue was to be completed.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, whether Reynolds (1) told Plaintiff's employer when to start or stop the work, (2) told Plaintiff's employer in what order the work was to be performed, (3) required the work to be done to Reynolds' satisfaction, (4) required defective work to be corrected, (5) observed the work, (6) inspected the work and/or (7) approved the work is irrelevant to Reynolds' liability in this matter. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 50:

Admit that you had the power to correct the work performed by the employees of

Plaintiff's employer on Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, whether Reynolds (1) told Plaintiff's employer when to start or stop the work, (2) told Plaintiff's employer in what order the work was to be performed, (3) required the work to be done to Reynolds' satisfaction, (4) required defective work to be corrected, (5) observed the work, (6) inspected the work and/or (7) approved the work is irrelevant to Reynolds' liability in this matter. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 51:

Admit that you had the power to require that the work performed by the employees of Plaintiff's employer on Defendant's Premises At Issue be redone to your satisfaction.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, whether Reynolds (1) told Plaintiff's employer when to start or stop the work, (2) told Plaintiff's employer in what order the work was to be performed, (3) required the work to be done to Reynolds' satisfaction, (4) required defective work to be corrected, (5) observed the work, (6) inspected the work and/or (7) approved the work is irrelevant to Reynolds' liability in this matter. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 52:

Admit that you had the power to stop the work performed by the employees of Plaintiff's employer on Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has

failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, whether Reynolds (1) told Plaintiff's employer when to start or stop the work, (2) told Plaintiff's employer in what order the work was to be performed, (3) required the work to be done to Reynolds' satisfaction, (4) required defective work to be corrected, (5) observed the work, (6) inspected the work and/or (7) approved the work is irrelevant to Reynolds' liability in this matter. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 53:

Admit that you observed the work performed by the employees of Plaintiff's employer on Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where

on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, whether Reynolds (1) told Plaintiff's employer when to start or stop the work, (2) told Plaintiff's employer in what order the work was to be performed, (3) required the work to be done to Reynolds' satisfaction, (4) required defective work to be corrected, (5) observed the work, (6) inspected the work and/or (7) approved the work is irrelevant to Reynolds' liability in this matter. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 54:

Admit that you inspected the work performed by the employees of Plaintiff's employer on Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-

containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects that this request is overly broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, whether Reynolds (1) told Plaintiff's employer when to start or stop the work, (2) told Plaintiff's employer in what order the work was to be performed, (3) required the work to be done to Reynolds' satisfaction, (4) required defective work to be corrected, (5) observed the work, (6) inspected the work and/or (7) approved the work is irrelevant to Reynolds' liability in this matter. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 55:

Admit that you approved the work performed by the employees of Plaintiff's employees of Plaintiff's employer on Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while he was at Reynolds. Reynolds objects that this request is overly

broad and seeks information that is neither relevant, nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, whether Reynolds (1) told Plaintiff's employer when to start or stop the work, (2) told Plaintiff's employer in what order the work was to be performed, (3) required the work to be done to Reynolds' satisfaction, (4) required defective work to be corrected, (5) observed the work, (6) inspected the work and/or (7) approved the work is irrelevant to Reynolds' liability in this matter. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REQUEST FOR ADMISSION NO. 56:

Admit that you retained the power to control all phases of the work being performed by the employees of Plaintiff's employer on Defendant's Premises At Issue.

RESPONSE:

In addition to the foregoing General Objections, Reynolds objects to this Request as vague, ambiguous, and overly broad because the Request is not limited to, and Plaintiff has failed to identify, the specific Reynolds premises at which he allegedly worked, the specific dates he worked on Reynolds' premises, nor has Plaintiff provided any information concerning where on Reynolds' premises he worked, nor has he provided any information concerning the job tasks he allegedly performed on Reynolds' premises, nor has he specifically identified the asbestos-containing products to which he was allegedly exposed at Reynolds, and Plaintiff has not identified his employer while at Reynolds. Moreover, Reynolds objects to the argumentative and categorical manner in which this request is phrased. Reynolds further objects that the phrase "power to control all phases of the work being performed" is overly broad, vague and

ambiguous.

Subject to these objections, Reynolds states that because Plaintiff has failed to provide this basic information Reynolds lacks sufficient information to respond to this Request, and, therefore denies this Request.

REYNOLDS METALS COMPANY

By: Lori Elliott Guzman

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CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of July 2001, a true and correct copy of the above and foregoing instrument is being served by overnight mail, , on the following Plaintiffs' counsel:

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All other known counsel of record are given notice of this pleading by regular United States mail only.
