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NOV 12 1999 00753

November 10, 1999

See attachments

Ms. Melissa Hutts
Baron & Budd
3102 Oak Lawn Avenue
Suite 1100
Dallas, Texas 75219

CMRRR NO. Z 271 972 257

Re: Cause No. 97-0844-E; *Jose J. Cano, Sr., et al. Owens-Corning Fiberglas Corporation, et al.*; In the 28th Judicial District Court of Nueces County, Texas

Dear Ms. Hutts:

Transmitted herewith please find the following:

1. Defendant Union Pacific Resources Company's Supplemental Responses to Plaintiff's Request for Production.

By copy of this letter, all known counsel of record are receiving a copy of this document without the enclosures.

Sincerely yours,

HAYS, McCONN, RICE & PICKERING



Craig S. Wolcott

CSW:elp
Enclosures

cc: All other known counsel of record (w/o encl.)

CSW422121.1



JOSE J. CANO, SR. AND MARIA CANO;	§	IN THE DISTRICT COURT OF
RUBEN EURESTE; and LEO MOORE	§	
AND VELENA FAY MOORE	§	
	§	
VS.	§	NUECES COUNTY, TEXAS
	§	
	§	
OWENS-CORNING FIBERGLAS	§	
CORPORATION, ET AL.	§	148TH JUDICIAL DISTRICT

DEFENDANT UNION PACIFIC RESOURCES COMPANY'S
SUPPLEMENTAL RESPONSES TO PLAINTIFF'S
REQUEST FOR PRODUCTION

COMES NOW DEFENDANT UNION PACIFIC RESOURCES COMPANY F/K/A CHAMPLIN PETROLEUM COMPANY, INDIVIDUALLY, AND AS SUCCESSOR BY MERGER TO PONTIAC REFINING CORPORATION, and pursuant to the Texas Rules of Civil Procedure, makes this its Supplemental Responses to Plaintiff's Request for Production as follows:

SEE ATTACHED.

Respectfully submitted,

HAYS, McCONN, RICE & PICKERING

By: 

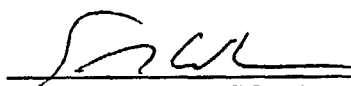
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ATTORNEYS FOR DEFENDANT UNION
PACIFIC RESOURCES COMPANY F/K/A
CHAMPLIN PETROLEUM COMPANY,
INDIVIDUALLY, AND AS SUCCESSOR BY
MERGER TO PONTIAC REFINING
CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument was forwarded via certified mail/return receipt requested to counsel for Plaintiffs and by regular mail to all counsel of record on this 12th day of November, 1999.


CRAIG S. WOLCOTT

OBJECTION APPLICABLE TO ALL REQUESTS

Defendant objects to each item of discovery to the extent that the discovery calls for documents protected by the attorney/client privilege, work product privilege, or the party communication privilege.

OBJECTIONS TO DEFINITIONS

Defendant objects to the stated definition of the terms "Defendant," "You," "Your" and "Your Company" on the grounds it is overly broad and seeks to extend the definition beyond the scope of discovery allowed under the Texas Rules of Civil Procedure, including but not limited to inquiries relating to subsidiaries, foreign subsidiaries and other separately incorporated non-parties thus rendering the Plaintiff's stated definitions overly broad, vague and improper.

Defendant objects to the stated definition of the terms "Document," "Documents," "Written Materials" and "Printed Materials" on the grounds it is overly broad, vague and clearly outside the scope of permissible discovery under the Texas Rules of Civil Procedure. This Defendant would specifically object to the attempt to extend the definition of these terms as requiring the responding party to make a determination of what documents may be responsive to these Interrogatories and Requests for Production "regardless of who now has or formerly had custody, possession or control" on the ground that is clearly outside the scope of permissible discovery and could be construed as seeking disclosure of information that would be protected from discovery by virtue of the attorney work product exemption afforded by the Texas Rules of Civil Procedure and the Texas Rules of Civil Evidence.

Defendant would further object to the stated definition of the terms "Meeting" or "Meetings" on the grounds that it is so overly broad and vain and renders each discovery request to which it may apply incapable of being answered; and therefore, improper under the Texas Rules of Civil Procedure.

Defendant objects to the stated definition of the terms "products containing asbestos fiber," "asbestos containing products" and "asbestos products" on the grounds it is overly broad, vague and not limited to the matters made the basis of this lawsuit and therefore, seeks disclosure of information and/or the production of documentation wholly irrelevant to any material issue in this case and not reasonably calculated to lead to the discovery of admissible evidence.

PRELIMINARY STATEMENT OF UNION PACIFIC RESOURCES COMPANY

Union Pacific Resources Company, a Delaware Corporation is currently an independent corporation but was previously a subsidiary of Union Pacific Corporation. A predecessor of Union Pacific Corporation purchased the stock of Champlin Petroleum Company and the former Pontiac Refinery from Celanese Corporation of America in 1969. Champlin Petroleum Company's name was changed to *Union Pacific Resources Company* in 1987. Also, effective January 1, 1987, 50% interest in the Corpus Christi refinery was sold to a subsidiary of PDVSA, the National Oil Company of Venezuela. A general partnership was established known as the Champlin Refining Company partnership operating the Corpus Christi refinery on behalf of the 50% interest held by a subsidiary of PDVSA and 50% interest held by Champlin Refining Inc., a wholly owned subsidiary of Champlin Petroleum Company (now known as Union Pacific Resources Company). Effective January 1, 1989, Champlin Refining, Inc. had sold its remaining 50% interest in Champlin Refining Company to a subsidiary of PDVSA which was subsequently merged by PDVSA into PDVSA's CITGO Petroleum Company.

Following the sale of its interest in the Corpus Christi Refinery, (formerly known as the Pontiac Refinery), Champlin Petroleum Company, now known as Union Pacific Resources Company, retained no records or documents relating to the operation of that refinery. All such documentation remained in the possession of the current owner and operator of that refinery.

REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 28:

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.

SUPPLEMENTAL RESPONSE:

Objection. Defendant Union Pacific Resources Company objects to this request on the grounds it is overly broad, vague, seeks production of documentation wholly irrelevant to any material issue in this case and not reasonably calculated to lead to the discovery of admissible evidence, and/or does not exist. Subject to its objections, and without waiver of same, Defendant produces Form 10-K reports for the fiscal years ended December 31, 1995 through December 31, 1998.