

OCT. 30. 99* 20195

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
98-CVS-9679

GARY ROBERT ALBRIGHT, et al.

Plaintiffs,

v.

HNA HOLDINGS, INC., also known as
TREVIRA, INC. formerly HOECHST
CELANESE, INC. and FIBER
INDUSTRIES, INC.,

Defendants.

PLAINTIFF'S EXHIBIT

CEL-1377

**THE DEFENDANT'S RESPONSES
TO THE PLAINTIFF'S COURT
ORDERED INTERROGATORIES
DIRECTED TO DR. ERNEST M.
DIXON.**

Pursuant to Rules 26 and 33 of the North Carolina Rules of Civil Procedure, the defendant HNA Holdings, Inc. responds to the plaintiffs' court ordered interrogatories directed to Dr. Ernest M. Dixon as follows:

INTERROGATORY NO. 1: Please state your full name, current home address and current work address.

ANSWER: Ernest M. Dixon, M.D.
6305 Evermay Drive
McLean, Virginia 22101

INTERROGATORY NO. 2: Please provide the name(s) of your employer(s) since 1965.

ANSWER:

1. Celanese Corporation - 1965 to 1981 - Corporate medical director
2. Self employed as a consultant - - 1981 to present

INTERROGATORY NO. 3: For each employer above, provide the:

- (a) Name of your title, position with said employer;
- (b) The date(s) you occupied/held such position and/or title;
- (c) The plant(s) where you worked; and
- (d) The plant(s) which you oversaw, supervised or were part of your job responsibility.

ANSWER: See response to interrogatory number 2. Dr. Dixon did not work in any specific plant. He had overall responsibility for the medical and industrial health policy for the corporation, including all of the plants.

INTERROGATORY NO. 4: For each title/position stated above, provide a brief but inclusive description of your job responsibilities.

ANSWER: See response to interrogatory number 3.

INTERROGATORY NO. 5: Did your job titles or positions entail or encompass in any way the Salisbury fiber plant, including but not limited to:

- (a) The purchase of materials, construction and/or construction;
- (b) Supervision of the plant;
- (c) The health, safety and welfare of any plant worker;
- (d) The drafting, implementation or dissemination of any corporate policy, bylaw or rule affecting said plant of any plant worker.

ANSWER:

a. No.

b. No

c & d. Dr. Dixon had overall responsibility for medical issues and policies for the corporation, including worker health. He did not have direct responsibility for implementing policies at the plant level.

INTERROGATORY NO. 6: Please outline your education background, including any degrees obtained and/or any licensing, certification and official titles held or obtained.

ANSWER:

- 1. B.S. from the University of Virginia
- 2. M.D. from the University of Virginia
- 3. Sc.D in Industrial Health from the University of Cincinnati

INTERROGATORY NO. 7: When were you first made aware of any hazards to human health associated with exposure to asbestos-containing materials.

ANSWER: Dr. Dixon cannot say for certain when he was first aware of a hazard potentially associated with asbestos exposure, but believes that asbestosis was mentioned in the curriculum at the Kettering Institute of the University of Cincinnati during the late 1950s.

INTERROGATORY NO. 8: In regards to your answer above, identify the source of said communication or information and the manner in which you received it.

ANSWER: See response to Interrogatory number 7.

INTERROGATORY NO. 9: Please identify the name(s), current and last known address, title and/or position of the person with the most knowledge concerning worker health and safety issues at the Salisbury fiber plant in:

- (a) 1965
- (b) 1975
- (c) 1985
- (d) 1995

ANSWER:

a. Dr. Dixon does not know the name of the person with the most knowledge of worker health and safety issues at the Salisbury Fiber plant in 1965.

b. Sam Swearingen

c. Dr. Dixon does not know the names of the persons with the most knowledge concerning worker health and safety issues at the Salisbury Fiber plant in 1985 since he was retired at that time.

d. Dr. Dixon does not know the names of the persons with the most knowledge concerning worker health and safety issues at the Salisbury Fiber plant in 1995 since he was retired at that time.

INTERROGATORY NO. 10: Please identify the person(s) with the most knowledge concerning the corporate defendant knowledge, policies and/or procedures involving actual or potential hazards associated with asbestos-containing materials at any corporate location or plant in:

- (a) 1965
- (b) 1975
- (c) 1985
- (d) 1995

ANSWER: The defendant objects to Interrogatory Number 10 on the grounds that it is overly broad, unduly burdensome, and seeks the discovery of information that is not reasonably

calculated to lead to the discovery of relevant, admissible evidence. Subject to and without waiving the foregoing objections, the defendant responds to Interrogatory Number 10 as follows:

a. Dr. Dixon does not know the name of the person with the most knowledge concerning the corporate defendant's knowledge about policies and procedures involving actual or potential hazards associated with asbestos-containing materials in 1965. Dr. Dixon would certainly have some knowledge on that subject. The corporate director of safety at Celanese Corporation at that time was Glenn Fleming, who is now deceased.

b. Dr. Dixon does not know the name of the person with the most knowledge concerning the corporate defendant's knowledge about policies and procedures involving actual or potential hazards associated with asbestos-containing materials in 1975. Dr. Dixon would certainly have some knowledge on that subject. Mr. Kolodner was the corporate director of safety in 1975. Charles Laubly was the corporate industrial hygienist in 1975. Dr. Ernest Dixon was the corporate medical director in 1975.

c. Dr. Dixon does not know the name of the person with the most knowledge concerning the corporate defendant's knowledge about policies and procedures involving actual or potential hazards associated with asbestos-containing materials in 1985 since he was retired at that time.

d. Dr. Dixon does not know the name of the person with the most knowledge concerning the corporate defendant's knowledge about policies and procedures involving actual or potential hazards associated with asbestos-containing materials in 1995 since he was retired at that time.

INTERROGATORY NO. 11: Please identify the person(s) in charge of, or with primary responsibility to oversee worker health and safety at the Salisbury fiber plant from:

- (a) 1965-1975
- (b) 1975-1985

- (c) 1985-1995
- (d) 1995-present

ANSWER:

- a. Sam Swearingen
- b. Sam Swearingen and Dow Perry
- c. Dr. Dixon does not know the name of the person in charge of or with primary responsibility for worker health and safety at the Salisbury fiber plant from 1985 to 1995 since he was retired during that period.
- d. Dr. Dixon does not know the name of the person in charge of or with primary responsibility for worker health and safety at the Salisbury fiber plant from 1995 to present since he was retired at that time.

This 15th day of June, 1999.



Josephine H. Hicks
Attorney for Defendant
HNA Holdings, Inc.

OF COUNSEL:

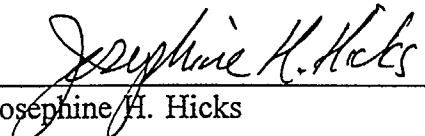
PARKER, POE, ADAMS & BERNSTEIN L.L.P.
2500 Charlotte Plaza
Charlotte, N.C. 28244
(704)372-9000

CERTIFICATE OF SERVICE

This is to certify that on this date I served the foregoing by depositing a copy thereof in the United States mail, postage prepaid, and addressed as follows:

Christopher D. Mauriello, Esq.
Wallace and Graham
525 North Main Street
Salisbury, NC 28144

This 1st day of June, 1999.



Josephine H. Hicks

OF COUNSEL:

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