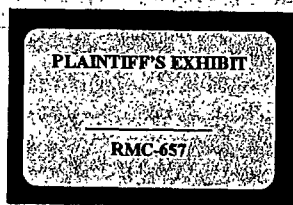


NO. S-98-5033CV-C



FAY MOORE, Individually and as
Personal Representative of the Heirs
and Estate of Leo Moore, Deceased,

Plaintiffs,

v.

REYNOLDS METALS COMPANY,
et al.,

Defendants.

IN THE DISTRICT COURT

NUECES COUNTY, TEXAS

343RD JUDICIAL DISTRICT

**DEFENDANT REYNOLDS METALS COMPANY'S
RESPONSE TO PLAINTIFF'S RULE 194 REQUEST FOR DISCLOSURE**

Defendant Reynolds Metals Company ("Reynolds"), by counsel, pursuant to Rule 194 of the Texas Rules of Civil Procedure, responds as follows to Plaintiff's Request for Disclosures:

A. The correct names of the parties to the lawsuit.

Reynolds states that its correct name is Reynolds Metals Company; it is without knowledge as to the correct names of the other parties to the lawsuit.

B. The name, address, and telephone number of any potential parties.

At this time, Reynolds is aware not aware of any "potential parties." Reynolds reserves the right to supplement its response to this request.

C. The legal theories and, in general, the factual bases of the responding party's claims.

Reynolds refers plaintiff to its Special Exceptions, Original Answer and Affirmative Defenses to Plaintiff's Original Asbestos Petition filed on March 9, 1998. At this time, Reynolds expects that its defense will be based on documentary and testimonial evidence (including lay and expert testimony) that.

- Decedent Leo Moore ("Moore") was not exposed to harmful levels of asbestos as an employee of Reynolds;
- Moore's lung cancer was attributable to a cause other than exposure to asbestos, specifically including, but not limited to, his use of tobacco products;
- Reynolds' did not breach any duty of care owed to Moore;
- Reynolds was not grossly negligent; and
- Moore was contributorily negligent.

D. The amount and any method of calculating economic damages.

Plaintiff's cause of action does not give rise to a recovery of economic damages, but only punitive damages for gross negligence. At this time, plaintiff has not disclosed the amount of damages she seeks nor the method of calculating such damages. Although Reynolds generally denies that grounds exist for punitive damages, Reynolds cannot respond specifically to plaintiff's claimed damages and/or damage calculation. Reynolds therefore reserves the right to supplement its response to this Request until such time as plaintiff has provided this information.

E. The name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case.

Investigation and discovery is ongoing in this matter, and, at this time, Reynolds does not know each and every individual who has knowledge of the relevant facts, nor does Reynolds know at this time whom it may call to testify at the trial of this matter. Reynolds therefore reserves the right to supplement its response to this Request in accordance with Rule 193 of the Texas Rules of Civil Procedure. At this time, Reynolds identifies the following individuals who may have knowledge of relevant facts and who Reynolds may call to testify at the trial of this matter:

1) Plaintiff

Mrs. Velena Fay Moore
3114 Main Street
Post Office Box 163
Ingleside, Texas 78362

2) Moore's Treating Physicians. Reynolds may call some or all of the following individuals as trial witnesses to offer testimony, including expert testimony, about their care, treatment and diagnosis of Moore.

Dr. C. H. Isensee
3302 South Alameda Street
Corpus Christi, Texas 78411

Dr. Phyllis J. Noss
4511 Fairway Avenue
Dallas, Texas 75219

Dr. Lorraine Stehn
1731 West Wheeler Avenue
Aransas Pass, Texas 78336

Dr. E. Brugo
506 East San Antonio Street
Victoria, Texas 77901

Dr. Kirby G. Barker, Jr.
Oncology-Hematology Associates
2601 Hospital Boulevard, Suite 112
Corpus Christi, Texas 78405
(512) 883-8553

Dr. Jerrold L. Abraham
State University of New York
750 East Adams Street
Syracuse, New York 13210

3) Coworkers. Reynolds may call Moore's coworkers as trial witnesses and reserves the right to supplement its response to this request when it has determined the names and locations of these witnesses.

4) Reynolds Personnel.

(a) Sherwin Alumina Plant Personnel. Reynolds may call some or all of the following individuals who were employed at various times at the Sherwin Alumina Plant to testify as to their personal knowledge concerning plant operations and plant conditions; the use of asbestos-containing products in plant operations; the elimination and abatement of asbestos; Reynolds' safety procedures, both in general and as they relate to asbestos (including the use of respirators), Moore's potential for asbestos exposure; and, other matters relevant to plaintiff's claims and/or Reynolds' defenses:

Dr. John Frandolig
RR 1, Box 358
Lake Geneva, WI 53147

Dr. Frandolig was the Sherwin Alumina Plant Medical Director from 1989-91. He may be called to testify about his knowledge regarding the Respiratory Surveillance Program at the Sherwin Alumina Plant, Reynolds' safety procedures in general, as well as specific safety procedures as they relate to asbestos. He may also be called to testify about his knowledge related to asbestos exposure procedures.

Dr. Guy Racette
8122 Deck Street
Corpus Christi, TX 78412

Dr. Racette was the Sherwin Alumina Plant Medical Director from 1991-93. He may be called to testify about his knowledge regarding the Respiratory Surveillance Program at the Sherwin Alumina Plant, Reynolds' safety procedures in general, as well as specific safety procedures as they relate to asbestos. He may also be called to testify about his knowledge related to asbestos exposure procedures.