

5. Defendant objects to the Interrogatories to the extent that they purport to require Defendant to provide information pertaining to any time period other than the relevant time period which Plaintiff was allegedly employed by Defendant.

6. Defendant objects to the Interrogatories to the extent that they purport to allege Plaintiff was employed by Missouri Pacific Railroad Company as opposed to Union Pacific Railroad Company.

7. Defendant objects to the Interrogatories to the extent that they require in excess of thirty (30) responses.

8. Defendant reserves the right to supplement or amend its responses as appropriate.

INTERROGATORIES

INTERROGATORY NO. 33: Please state whether written warnings were placed at any locations adjacent to or near asbestos in place on railroads, railway car(s) and/or engine(s) and/or locomotives owned or operated by Defendant at anytime from 1965 to the present. If so, please describe with specificity such signs, including size, color, wording, etc. Additionally, please state the number of such signs that were installed and indicate the specific location of each such sign and the dates such sign was at that location.

ANSWER: Objection. This Interrogatory is overly broad, unduly burdensome and seeks information which is neither relevant nor likely to lead to the discovery of admissible evidence because it asks for information outside of the time frame during which plaintiff claims employment with Defendant.

INTERROGATORY NO. 39: Please describe each and every occasion during the past thirty years when any regulatory agency or other governing body inspected Defendant's railroad, railway car(s) and/or engine(s) and/or locomotives in question for the purpose of ascertaining whether health and safety regulations were being followed or adhered to, including the date of such inspection and/or meeting, the results, and whether a written report was produced.

ANSWER: Objection. This Interrogatory is overly broad, unduly burdensome and seeks information which is neither relevant nor likely to lead to the discovery of admissible evidence because it is not limited to the time period during which Plaintiff was allegedly employed by Defendant nor is it limited to the job site or facilities on which Plaintiff was allegedly employed by Defendant. Defendant has acted to fulfill the requirements, rules, and guidelines established by the United States government to regulate railroads and locomotives. Those same requirements, rules and regulations are a matter of public record and are equally available to Plaintiff.

INTERROGATORY NO. 43: Please describe all actions taken by Defendant to comply with the Boiler Inspection Act, previously 45 U.S.C. §23 during the past thirty-five (35) years, now designated at 49 U.S.C. §20701 et seq.

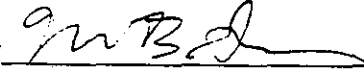
ANSWER: Objection. This Interrogatory is overly broad, unduly burdensome and seeks information which is neither relevant nor likely to lead to the discovery of admissible evidence because it is not limited to the time period during which Plaintiff was allegedly employed by Defendant nor is it limited to the job site or facilities on which Plaintiff was allegedly employed by Defendant. Moreover, this Interrogatory seeks information, if any exists, which is protected by the attorney-client privilege and the work product doctrine. Finally, this Interrogatory requires Defendant to make a legal conclusion in order to respond. Subject to but without

waiver of these objections, Defendant has located no documents responsive to this Interrogatory for the years of Plaintiff's alleged employment or for Plaintiff's alleged work site. Defendant has acted to fulfill the requirements, rules, and guidelines established by the United States government to regulate railroads and locomotives. Those same requirements, rules and regulations are a matter of public record and are equally available to Plaintiff.

Respectfully submitted,

PHELPS DUNBAR

By



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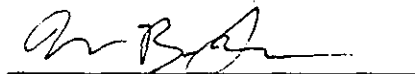
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Attorneys for Defendant Missouri Pacific Railroad
Company d/b/a Union Pacific Railroad Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Defendant Missouri Pacific Railroad Company d/b/a Union Pacific Railroad Company's Fourth Supplemental Objections and Responses to Plaintiff's Interrogatories has been sent via First Class Mail to other parties of record on attached service list and via Facsimile and Certified Mail to Plaintiff's counsel of record, Baron & Budd, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219-4281, this 12 day of March, 1998.



Mark B. Schaffer