



NO. 93-07046

LOUIE WHITE, ET AL,

Plaintiffs,

vs.

KEENE CORPORATION, ET AL,

Defendants.

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IN THE DISTRICT COURTS OF

TRAVIS COUNTY, TEXAS

147TH JUDICIAL DISTRICT

**DEPENDANT UNION PACIFIC RAILROAD COMPANY'S
FIRST SUPPLEMENTAL OBJECTIONS AND RESPONSES TO
PLAINTIFF'S SECOND SET OF INTERROGATORIES**

TO: E. L. Lambright, Plaintiff Decedent, by and through his attorneys of record, Kimberly Schauck, Baron & Budd, The Centrum, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219-4281.

Pursuant to Rules 166b and 167 of the Texas Rules of Civil Procedure, Union Pacific Railroad Company, Successor-in-Interest to Missouri-Kansas-Texas Railroad Company (Improperly named as Missouri Pacific Railroad Co. Individually and d/b/a Union Pacific Railroad Co., Successor-in-Interest to Missouri-Kansas-Texas Railroad Co.), Defendant herein, hereby submits its First Supplemental Objections and Responses to Plaintiff's Second Set of Interrogatories.

**DEPENDANT UNION PACIFIC RAILROAD COMPANY'S
FIRST SUPPLEMENTAL OBJECTIONS AND RESPONSES TO
PLAINTIFF'S SECOND SET OF INTERROGATORIES**

INTERROGATORY NO. 14: 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 does not reference any 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.

INTERROGATORY NO. 15: Does your company have, or has it ever had, or have your predecessor(s) or subsidiaries ever had, a Safety Department? If so, state:

A. The year such Safety Department was established;

B. Whether or not such Safety Department has operated continuously since being established;

C. The name of each director, chief, or head of your Safety Department year by year, beginning with the first year you had a Safety Director or Safety Department, and the last known address and phone number of each;

D. State the duties and responsibilities of such Safety Department.

ANSWER: Objection. This Interrogatory is vague, ambiguous, overly broad, unduly burdensome and seeks information which is neither relevant nor likely to lead to the discovery of admissible evidence. Subject to but without waiver of the foregoing objections, all Railroad Departments are conscious of safety issues. Further, Defendant has no records available from which to obtain the requested information for Plaintiff's employment period. The present General Director-Safety is Steve Kenyon. The General Director-Safety position is responsible for directing accident/injury prevention activities in the areas of industrial safety and health, public safety, and grade crossing safety to reduce accidents, injuries and occupational illness.

Respectfully submitted,

PHELPS DUNBAR

By Deborah Newman

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Attorney for Defendant Union Pacific Railroad Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Defendant Union Pacific Railroad Company's Second Supplemental Objections and Responses to Plaintiff's Second Set of Interrogatories has been sent via First Class Mail to all parties of record on attached service list; this 2nd day of September, 1997 and via facsimile to Kimberly Schauck, Baron & Budd, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219-4281, this 2 day of September, 1997.

Deborah Newman