

COPY

NO. B151305

MILTON ORION WEST, et al.,

Plaintiffs,

v.

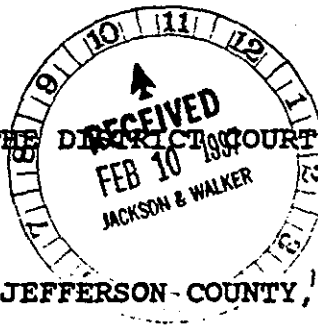
OWENS-CORNING FIBERGLAS
CORPORATION, et al.,

Defendants.

IN THE DISTRICT COURT

FOR JEFFERSON-COUNTY, TEXAS

60TH JUDICIAL DISTRICT



DISTRICT COURT OF JEFFERSON COUNTY TEXAS

97 FEB -7 AM 10:02

JOHN S. APPLEMAN
DISTRICT CLERK

RESPONSES OF DEFENDANT NORFOLK SOUTHERN RAILWAY
COMPANY TO PLAINTIFF'S REQUEST FOR PRODUCTION

Defendant Norfolk Southern Railway Company (NSRC) f/k/a/
Southern Railway Company (Southern), for its responses to
plaintiff's requests for production of documents, states as
follows:

PRELIMINARY STATEMENT AND GENERAL OBJECTION

The following responses are being provided after diligent
investigation and inquiry by defendant. However, because many of
the events relating to the matters inquired about by plaintiff's
requests occurred more than thirty (30) years ago, the
availability of persons involved and the existence of applicable
documents has been limited.

As a result of the foregoing factors, many of the
individuals who might have had personal knowledge of the matters
to which plaintiff's requests relate are deceased, retired, or
are otherwise unavailable to NSRC, and investigations to date
indicate that at least some documents which relate to matters
inquired about by these requests may have been destroyed in

- keeping with normal corporate record retention policy.

Accordingly, some responses are possibly incomplete. NSRC's investigation is continuing and should additional information surface, supplemental responses will be submitted. The following is a part of and is incorporated by reference in every response provided hereinafter:

This response is accurate as of the date of the Responses of Defendant Norfolk Southern Railway Company to Plaintiff's Request for Production. Norfolk Southern objects to responding to this request in regard to any period of time other than the period during which it employed plaintiff's decedent and further objects to providing information about geographic locations and operating units within its system other than those at which and for whom plaintiff's decedent worked. The bases for such objections are that any responses would be irrelevant to the subject matter of the pending litigation, would not be reasonably calculated to lead to the discovery of admissible evidence, and would be burdensome and oppressive.

NSRC objects to the instructions and definitions supplied by plaintiff with regard to these requests for production, on the bases that the definitions are overbroad, vague and often inconsistent with the normal usage and meaning of such words. The instructions are overbroad, burdensome and constitute an unreasonable expansion of the requests themselves. NSRC therefore gives notice that it does not consider itself bound by the instructions and definitions propounded by plaintiff, and instead has responded to these requests in a manner consistent with the normal understanding of the language

used in the request and to the extent necessary to fairly and fully answer the interrogatory.

The responses that follow, unless otherwise apparent from the context, are limited to the years 1968 - 1976, the period that plaintiff's decedent was employed by NSRC as a laborer on the Maintenance of Way gang in Mississippi and Alabama.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Produce any and all documents, memoranda and/or other writings, including but not limited to books, pamphlets, or other written materials of any kind or character in your possession that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings.

RESPONSE: See Preliminary Statement and General Objection. See also NSRC's Answers to Interrogatories. Documents responsive to this request for the time period of plaintiff's decedent's employment will be produced.

REQUEST FOR PRODUCTION NO. 2: Produce any and all documents, memoranda and/or other writings in your possession or organization that in any way related to the hazards of asbestos and/or airborne asbestos.

RESPONSE: See Preliminary Statement and General Objection. See Response to Request No. 1.

REQUEST FOR PRODUCTION NO. 3: Produce (any) and all publications in your possession that were disseminated or published by any trade association or organization and that contain information relating to the hazards of asbestos and/or airborne asbestos.

RESPONSE: See Preliminary Statement and General Objection. See Response to Request No. 1.

REQUEST FOR PRODUCTION NO. 4: Produce any and all safety meeting minutes or other documents, memoranda and/or writings that refer to the dangers of asbestos and/or safety measures to be taken by crew members or workers or employees in the vicinity of asbestos-containing products and/or machinery requiring the use of asbestos or asbestos/containing products and/or materials on Defendant's railroad, railway car(s) and/or engine(s) and/or locomotive(s) upon which and in the vicinity of which Plaintiff worked.

RESPONSE: See Preliminary Statement and General Objection. NSRC was aware of no such dangers and no such documents were generated during the time of plaintiff's decedent's employment. Prior to 1983 NSRC did not specifically inform employees regarding potential hazards of asbestos and/or diseases potentially associated with asbestos exposure, because it had no reason to believe that its employees were at risk.

REQUEST FOR PRODUCTION NO. 5: Produce any and all contracts, memoranda, and/or other writings that in any way reflect arrangements made for the removal of asbestos and/or the installation of asbestos-containing products, friction products

and/or machinery requiring the use of asbestos or asbestos-containing products and/or materials on Defendant's railroad, railway car(s) and/or engine(s) and/or locomotive(s) upon which and in the vicinity of which Plaintiff worked.

RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents generated prior to or during the time of plaintiff's decedent's employment. Further, plaintiff's decedent was not a shop employee, and, no abatements were undertaken at any Alabama shops during the time of plaintiff's decedent's employment.

REQUEST FOR PRODUCTION NO. 6: Produce any and all documents, memoranda, and/or other writings that in any way reflect a removal plan or organized written criteria or schedule for the removal of asbestos on Defendant's railroad(s), railway car(s) and/or engine(s) and/or locomotive(s) and/or roundhouses or shops upon which, in which and in the vicinity of which Plaintiff worked.

RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents generated prior to or during the time of plaintiff's decedent's employment. See also Response to Request No. 5.

REQUEST FOR PRODUCTION NO. 7: Produce any and all documents, memoranda, and/or other writings that discuss or relate in any way to removal of asbestos from any Defendant's railroads, railway car(s) and/or engine(s) and/or locomotive(s) and/or roundhouses or shops upon which, in which, or in the vicinity of which Plaintiff worked.

- RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents generated prior to or during the time of plaintiff's decedent's employment. See response to Requests No. 5 and 6 and NSRC's answers to plaintiff's interrogatories.

REQUEST FOR PRODUCTION NO. 8: Please produce any and all documents related to the medical condition of Plaintiff at any time during his employment with Defendant. This request specifically includes any and all x-rays, x-ray reports, medical notes and/or medical records of any kind, including annual physical forms, etc.

RESPONSE: NSRC will produce the scant personnel file which has been located. No other documents pertaining to plaintiff's decedent's medical condition or relating to his employment have been located.

REQUEST FOR PRODUCTION NO. 9: Produce any and all documents, memoranda and/or other writings that indicate and/or refer to in any way a decision related to ceasing the use of asbestos-containing products, friction products and/or machinery requiring the use of asbestos or asbestos-containing products and/or materials on Defendant's railroad(s), railway car(s) and/or engine(s) and/or locomotive(s) upon which and in the vicinity of which Plaintiff worked.

RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents generated prior to or during the time of plaintiff's decedent's employment. Investigation continues.

REQUEST FOR PRODUCTION NO. 10: Produce any and all specifications, blue prints, documents, memoranda and/or other writings that reflect and/or demonstrate in the form of a map and/or chart the location and dimensions of all car(s) and/or engine(s), locomotives, roundhouses and/or shops upon which and in the vicinity of which Plaintiff worked and specifically including, but not limited to, the location and/or placement, repair or installation of asbestos-containing products and/or materials at any time within the last thirty-five (35) years on those railroad(s), railway car(s) and/or engine(s) upon which and in the vicinity of which Plaintiff worked.

RESPONSE: See Preliminary Statement and General Objection. NSRC has scant information pertaining to plaintiff's decedent's employment. The information in plaintiff's decedent's personnel file indicates that he worked on a Maintenance of Way gang in Mississippi and Alabama and did not work in the shops or in and around locomotives or railroad cars. Investigation continues.

REQUEST FOR PRODUCTION NO. 11: Produce any photographs of asbestos products in place or asbestos products being fabricated and/or utilized on Defendant's railroad(s) and/or engine(s) upon which and in the vicinity of which Plaintiff worked.

RESPONSE: See response to Request No. 10.

REQUEST FOR PRODUCTION NO. 12: Produce any photographs of warning signs or other statements in place at any time in the vicinity of asbestos-containing products, friction products and/or machinery requiring the use of asbestos or asbestos-

containing products and/or materials and/or asbestos in place at any time during the last thirty-five (35) years on your railroad(s), railway car(s) and/or engine(s) upon which and in the vicinity of which Plaintiff worked.

RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents generated during the time of plaintiff's decedent's employment.

REQUEST FOR PRODUCTION NO. 13: Produce any documents (which) indicate in any way that individuals claimed injury to their lungs as a result of exposure to asbestos on any of Defendant's railroad(s), railway car(s) and/or engine(s) and/or locomotive(s).

RESPONSE: See Preliminary Statement and General Objection. NSRC further objects to this request to the extent it seeks to extend to materials protected by the attorney-client privilege or attorney work product doctrine. NSRC further objects to producing all non-privileged documents relating to asbestos claims, for the reason that such a request would constitute an undue burden and serve only to harass the defendant. NSRC received its first asbestos-related claim in 1983.

REQUEST FOR PRODUCTION NO. 14: Produce any minutes or other notes or records from any meetings at which the hazards and/or potential hazards of asbestos were discussed by officers, agents, and/or employees of Defendant.

RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents generated prior to or during the time of plaintiff's decedent's employment. NSRC objects to this request to the extent it seeks to extend to materials protected by the attorney-client privilege or attorney work product doctrine.

REQUEST FOR PRODUCTION NO. 15: Produce any and all documents, including invoices, shipping receipts, bills of lading, purchase orders, or other documents of a similar nature related to the purchase of asbestos-containing products for use on Defendants' railroad(s), railway car(s) and/or engine(s) and/or locomotive(s) upon which and in the vicinity of which Plaintiff worked.

RESPONSE: See Preliminary Statement and General Objection. NSRC has no documents reflecting asbestos product purchases for any time prior to or during the time plaintiff's decedent was employed by NSRC.

REQUEST FOR PRODUCTION NO. 16: Produce any and all records, documents, memoranda or other writings reflecting in any way any inspections by labor inspectors, insurance company inspectors or anyone from your company or hired by your company where asbestos-containing products were being used or installed and that included the taking or measure of "dust counts." This request specifically includes any and all of your railroad(s) and railway car(s) and/or engine(s) and/or locomotive(s) and/or roundhouse(s) or shops upon which and in the vicinity of which Plaintiff worked where asbestos-containing products were used and/or in place at any time in the last thirty-five (35) years.

RESPONSE: See Preliminary Statement and General Objection. Without waiver, NSRC states there were none during the time of plaintiff's decedent's employment. Investigation continues.

REQUEST FOR PRODUCTION NO. 17: In the event that Defendant performed or had performed any dust level counts with respect to

asbestos dust on any of its railroad(s), railway car(s) and/or engine(s) upon which and in the vicinity of which Plaintiff worked, produce any documents, memoranda, or other writings that in any way reflect the results of such studies or counts and actions taken as a result of such counts or studies.

RESPONSE: See response to Request No. 16.

REQUEST FOR PRODUCTION NO. 18: Please provide all documents referred to in answering Plaintiff's interrogatories propounded to the Defendant, identifying with specificity which documents were used to answer which interrogatories.

RESPONSE: Documents identified in answer to plaintiff's interrogatories will be produced to counsel for plaintiff for inspection and copying.

REQUEST FOR PRODUCTION NO. 19: (1) Please provide a curriculum vitae for each and every expert witnesses or expert or expert that the Defendant has retained or employs and cannot unequivocally state will not be a witness on its behalf at trial; and (2) with respect to any and all expert witness(es) identified in subpart (1), please provide any and all documents or tangible things including, but not limited to, all tangible reports, drawings, charts, exhibits, physical models, compilations of data, factual observations, tests, calculations, photographs, diagrams, sketches, movies, videotapes and tape recordings, opinions, supporting data and other documents and/or things reviewed and/or relied upon by him or her in formulating

- his or her opinions and conclusions on this case, including all learned treatises (texts, articles, studies, monographs, etc.) and consultant expert work product which forms the basis, in whole or in part, of the witness(es)' opinions or which he or she believes substantiates or corroborates his or her conclusions regarding this lawsuit.

RESPONSE: NSRC has not retained an expert witness to appear and testify at the trial of this cause.

REQUEST FOR PRODUCTION NO. 20: As to all such potential legal entities who are not now a party to this lawsuit, but who may be responsible for the incident in question, please provide:

- A. All documents tending to establish such liability; and,
- B. A list of all tangible items or things that may be reviewed tending to establish such liability, along with their location and the identity of the person to contact to view such tangible things.

RESPONSE: NSRC is aware of no such documents.

REQUEST FOR PRODUCTION NO. 21: Provide a copy of each policy of liability insurance intended to provide coverage to the Defendant, its agents and/or employees for liability on the date in question for allegations such as those delineated in Plaintiff's Original Complaint (and all amended complaints thereafter) including, but not limited to, all primary and excess policies covering the Defendant on the date in question, indicating the name and address of each carrier.

- RESPONSE: NSRC has no documents responsive to this request covering plaintiff's decedent's claim.

REQUEST FOR PRODUCTION NO. 22: Provide a copy of all invoices, purchase orders, agreements, contracts, correspondences, telefaxes, telexes, and/or documents of any type passing between this Defendant and any other entity regarding the acquisition, ordering, purchasing, supplying, removal or distribution of asbestos-containing products by Defendant during the time period Plaintiff was employed by Defendant.

RESPONSE: See response to previous requests.

REQUEST FOR PRODUCTION NO. 23: Provide a copy of all documents from which your present net worth may be ascertained.

RESPONSE: OBJECTION. NSRC objects to this Request for the reason that it could not lead to the discovery of admissible evidence. Punitive damages are not available in FELA actions.

REQUEST FOR PRODUCTION NO. 24: Provide a copy of all photographs, diagrams, videotapes, slides and/or movie film of the railroad, railway car(s) and/or engine(s) and/or locomotive(s) owned or operated by Defendant including, but specifically not limited to the engine room, boiler room, common areas, living quarters, railroads, roundhouses.

RESPONSE: OBJECTION. The request as framed is overbroad, burdensome and harassing. Plaintiff's decedent was not a shop employee. Investigation continues.

REQUEST FOR PRODUCTION NO. 25: Provide a copy of all medical records obtained by the Defendant relating to the Plaintiff.

RESPONSE: Any medical records which relate to plaintiff's decedent and have been obtained through medical authorizations supplied by plaintiff will be produced to counsel for plaintiff, for the cost of copying.

REQUEST FOR PRODUCTION NO. 26: Provide a copy of all documents including but not limited to invoices, purchase orders, agreements and contracts created by Defendant as a result of the installation, repair, replacement, removal and applying of asbestos-containing products, friction products and/or machinery requiring the use of asbestos or asbestos-containing products and/or materials on the railroad, railway car(s) and/or engine(s) and/or locomotive(s) owned or operated by Defendant on which and in the vicinity of which Plaintiff worked.

RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents, presently in existence, which were generated prior to or during the time of plaintiff's decedent's employment.

REQUEST FOR PRODUCTION NO. 27: Provide a copy of all documents regarding safety, safety training and/or safety meetings provided to or for the benefit of Plaintiff and others working on the car(s) and/or engine(s) on which Plaintiff worked relating to asbestos or asbestos-containing products, friction products and/or machinery requiring the use of asbestos or asbestos-containing products, friction products and/or materials on the railroad, railway car(s) and/or engine(s) and/or

- locomotive(s). Include any documents given out at such safety meetings and copies of the minutes of all safety meetings held for the benefit of the employees or crew members that worked on the railroad, railway car(s) and/or engine(s) and/or locomotive(s) in question.

RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents, presently in existence, which were generated prior to or during the time of plaintiff's decedent's employment at the location of his employment.

REQUEST FOR PRODUCTION NO. 28: Provide a copy of all Defendant's safety and policy manuals regarding the use of or exposure to asbestos-containing products, friction products and/or machinery requiring the use of asbestos or asbestos-containing products, friction products and/or materials from 1965 to the present.

RESPONSE: OBJECTION. NSRC is aware of no such documents, presently in existence, which were generated prior to or during the time of plaintiff's decedent's employment.

REQUEST FOR PRODUCTION NO. 29: Provide a copy of all personnel files maintained by Defendant or any agent of Defendant concerning the Plaintiff including but not limited to all earnings files, administrative files, and in particular any files concerning any physical examination conducted by the Defendant or for the benefit of the Defendant regarding Plaintiff either for hiring purposes, screening purposes or otherwise.

RESPONSE: NSRC will produce the scant personnel file it has located which pertains to plaintiff's decedent.

REQUEST FOR PRODUCTION NO. 30: Provide a copy of all reports, investigations, transcripts, memoranda, correspondence and/or documents of any type you received from, or sent to any city, county, state, or federal entity, including but not limited to the EPA, NIOSH, NIESH or OSHA regarding either the potential health hazards or dangers associated with exposure to asbestos-containing products and/or machinery requiring the use of asbestos or asbestos-containing products and/or materials or airborne asbestos, or regarding any surveys, testing or other actions taken to determine the presence of and concentration of airborne asbestos on such of Defendant's railroad(s), railway car(s) and/or engine(s) and/or locomotive(s) upon which and in the vicinity of which Plaintiff worked.

RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents generated prior to or during the time of plaintiff's decedent's employment.

REQUEST FOR PRODUCTION NO. 31: Provide a copy of all safety inspection or site inspection records referencing in any way asbestos or asbestos-containing products, friction products and/or machinery requiring the use of asbestos or asbestos-containing products and/or materials placed on or used on such of Defendant's railroad(s), railway car(s) and/or engine(s) upon which and in the vicinity of which Plaintiff worked.

RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents which were generated during the time of plaintiff's decedent's employment.

REQUEST FOR PRODUCTION NO. 32: Provide a copy of all Defendant's safety inspection policies and procedures in effect during the time Plaintiff was employed by Defendant regarding the handling of, application, use or exposure to asbestos-containing products, friction products and/or machinery requiring the use of asbestos or asbestos-containing products and/or materials on board the Defendant's railway car(s) and/or engine(s) and/or locomotive(s).

RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents which existed during the time of plaintiff's decedent's employment.

REQUEST FOR PRODUCTION NO. 33: Provide a copy of any and all photographs or video recordings, sketches, drawings, or pictures in Defendant's custody or control or that of your attorney, or of any agent or representative of you or your attorney, whether made as part of the reports of experts or made by you, your attorney, or persons acting as your agents or representatives, and pertaining to any of Defendant's railroad, railway car(s) and/or engine(s), and/or locomotive(s), engine rooms, boiler rooms, railyards, roundhouses, shops and/or common areas, concerning any asbestos-containing products, friction products and/or machinery requiring the use of asbestos or asbestos-containing products and/or materials contained within those areas. Request is hereby made for one print of each photograph or video recording produced in response to this request.

RESPONSE: OBJECTION. The request as framed is overbroad, burdensome and harassing. Plaintiff's decedent was not a shop employee.

REQUEST FOR PRODUCTION NO. 34: Produce a copy of any reports prepared by any person you plan to call as an expert witness at the time of trial which pertain to the incident made the basis of this suit, specifically including all factual observations and opinions of consulting experts, if such consulting expert's opinion forms the basis of any opinions, theories, or conclusions reached by any testifying experts, and any accompanying photographs, drawings, charts, models, video recordings or other visual aids to such reports. If any expert has not prepared a written report, or if the information mentioned above has not been compiled into report form, then request is hereby made that each expert make a written report containing all said information and that each report be produced for inspection and copying.

RESPONSE: See responses to preceding Requests. Insofar as reports are concerned, NSRC will comply with the Texas Rules of Civil Procedures.

REQUEST FOR PRODUCTION NO. 35: Any and all documents prepared by, delivered to, or in the possession of any person you plan to call as an expert witness at the time of the trial, or who won't be called as a witness but whose work product forms a basis in whole or in part of an expert who will be called to testify, which related to any fact or matter that is the subject of or related to the subject of this suit.

RESPONSE: See responses to preceding Requests.

REQUEST FOR PRODUCTION NO. 36: All witness statements or other documents generated or obtained in any investigations into the asbestos exposure made the basis of this lawsuit whether signed or unsigned. If you contend any such document is privileged, please identify specifically each document withheld, along with the specific privilege asserted.

RESPONSE: No such documents exist at this time.

REQUEST FOR PRODUCTION NO. 37: Any models, visual aids, experiments, documents or other writings or any items of demonstrative evidence prepared or preserved by you, your attorney, your experts, or any other person acting on your behalf that will or may be used in the trial of this lawsuit.

RESPONSE: NSRC objects to this request to the extent it seeks materials protected by either the attorney-client or attorney work product doctrine. Although such documents may be used at the time of trial, NSRC is not aware at this time of the identity of such documents.

REQUEST FOR PRODUCTION NO. 38: Please provide curriculum vitae for all expert witnesses that Plaintiffs intend to consult or call as witnesses at the trial of this case.

RESPONSE: NSRC objects to this request to the extent it seeks materials protected by either the attorney-client or attorney work product doctrine. See responses to preceding Requests.

REQUEST FOR PRODUCTION NO. 39: Copies of all depositions of any person previously employed by you specifically including, but not limited to Defendant or Defendant's employees,

representatives, or agents, taken in connection with any alleged asbestos exposure aboard and/or in the vicinity of any of Defendant's railroad, railway car(s) and/or engine(s) and/or locomotive(s).

RESPONSE: OBJECTION. NSRC objects to Request No. 39 for the reason that it is burdensome and oppressive, and done primarily to annoy and harass NSRC.

REQUEST FOR PRODUCTION NO. 40: Provide a copy of each and every document (including all reports, memos, photographs, statements and any material collected or acquired of any investigation, and all correspondence between yourself and your insurer, and any reports, notes or any other documents regarding testing, examinations, inspections, or opinions related in any way to asbestos or any other communication from any individual or entity to yourself, your insurer or any agent or representative of yourself or your insurer concerning this incident or any injuries or disabilities allegedly resulting therefrom) in your possession or control, or that of your insurer, health insurer, disability insurer, liability insurer, or other insurer, relating to your claim or the investigation of this incident by yourself, your insurer, or any individual or entity engaged for such a purpose.

RESPONSE: See Preliminary Statement and General Objection. NSRC objects to this request to the extent it seeks materials protected by either the attorney-client or attorney work product doctrine. NSRC is aware of no such non-privileged documents.

REQUEST FOR PRODUCTION NO. 41: Provide a copy of all accident, injury or illness reports concerning the Plaintiff prepared by and/or for Plaintiffs' employer(s) and/or agents in the general course of business.

RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents.

REQUEST FOR PRODUCTION NO. 42: Provide copies of any and all safety standards, regulations, rules or codes pertaining in any way to asbestos or inhalation of toxic fumes or substances, whether promulgated by government or private industry, or Plaintiff's employer from 1965 to the present.

RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents from its files generated prior to or during the time of plaintiff's decedent's employment.

REQUEST FOR PRODUCTION NO. 43: Provide a copy of any and all contracts and/or agreements of any kind (if oral, reduce the agreement to writing) made by Defendant to supply masks and/or other safety equipment to the Plaintiff or any other employees or crew members.

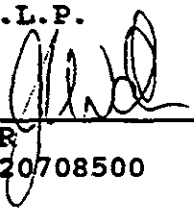
RESPONSE: See Preliminary Statement and General Objection. NSRC is aware of no such documents which were generated prior to or during the time of plaintiff's decedent's employment. See preceding responses reflecting the availability of masks and respirators.

REQUEST FOR PRODUCTION NO. 44: Provide copies of any and all documentation evidencing Defendant's compliance with the Boiler

-Inspection Act, formerly U.S.C. §20701, during the last thirty-five (35) years.

RESPONSE: NSRC objects to this request to the extent that it is vague, uoverbroad, burdensome and harassing. NSRC is aware of no such documents which were generated prior to or during plaintiff's decedent's employment.

JACKSON & WALKER, L.L.P.

By: 

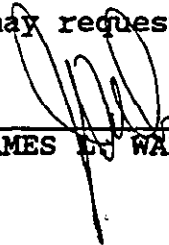
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ATTORNEYS FOR DEFENDANT NORFOLK
SOUTHERN RAILWAY COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was served by certified mail, return receipt requested, to Kimberly A. Castles, Baron & Budd, The Centrum, Suite 1100, 3102 Oak Lawn Avenue, Dallas, Texas 75219-4281, on this the 1st day of February, 1997.

All defense counsel may request a copy of this document.



JAMES L. WALKER

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