

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO. MID-13619-91

PETER CERKA and
HELEN CERKA, his wife

Plaintiffs,

v.

A.C. 28., Inc., et al.;

Defendants.

ASBESTOS LITIGATION

INTERVIEW

I, MAUREEN MATSEN, being duly sworn, affirm that I have first hand knowledge of the matters set forth herein.

1. I am an attorney with McGuire Woods Battle and Seothe, counsel for Westinghouse Electric Corporation in asbestos-related litigation in Mississippi, North Carolina and Texas.

2. I have been involved in the production of the files of the Westinghouse Corporate Industrial Hygiene Department and I am familiar with the arrangements for and the conduct of that production and the privilege review which preceded it.

3. The production of the Westinghouse Industrial Hygiene files was conducted in response to discovery outstanding in Mississippi, Texas and North Carolina.

4. The production of Westinghouse Industrial Hygiene files was in no way related to asbestos litigation which may or may not be pending in West Virginia.

5. A single copy of the draft memo which is the subject of plaintiffs' Cross-Motion to De-Privilege the "Westinghouse Memorandum" was delivered to counsel for plaintiffs at Ness, Motley, Loadholt, Richardson & Poole as a result of their review of Westinghouse Industrial Hygiene documents produced. That document was contained in a box of copies shipped on November 25, 1992.

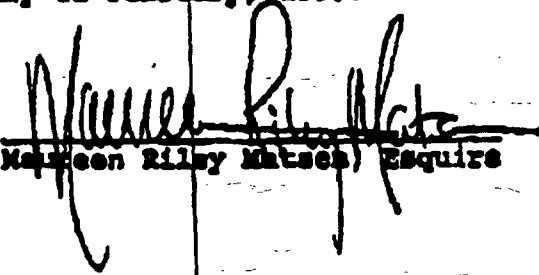
6. Westinghouse requested that plaintiffs' counsel return the draft memo by letters to counsel at Ness, Motley dated, November 30, January 5, January 10 and January 13.

7. A single privilege log has been created as a result of the removal of privileged materials from the Industrial Hygiene files prior to plaintiffs' review. That log was sent to plaintiffs' counsel at Ness, Motley on November 30, 1992. The revision of that log is underway but, as yet, incomplete.

8. Counsel for plaintiffs in Texas and North Carolina, Andrew Waters of Barron & Budd, received copies of letters from this affiant to Susan Mial, dated October 26 and October 28, which set forth the conditions of the document production, attached to this affiant's letter to Mr. Waters dated October 28, 1992.

Further the affiant sayeth not.

Given my hand this 30 day of February, 1993.


Maureen Riley Matsch Esquire

STATE OF VIRGINIA

CITY OF RICHMOND

} to-wit:

Subscribed and sworn to before me this 3rd day of
February, 1993.

Nellen D. Jenkins
Notary Public

My Commission expires: May 24, 1993