

No. 94-1103

DORIS EIRVEN, INDIVIDUALLY §  
AND AS REPRESENTATIVE OF THE §  
ESTATE OF ROBERT H. EIRVEN, §  
DECEASED, ROBERT EIRVEN, JR., §  
AND SHEILA EIRVEN, §  
Plaintiffs §

vs. §

UNION CARBIDE CHEMICAL §  
AND PLASTICS COMPANY, INC., §  
Defendant. §

CIVIL ACTION NO. H-94-1103

**NOTICE OF DEPOSITION OF JOHN M. DEMENT, Ph.D., CIH**

TO: Plaintiffs, Doris Eirven, Robert Eirven, Jr., and Sheila Eirven by and through their counsel of record, Catherine Baen, Williams, Bailey & Wesner, L.L.P., 8441 Gulf Freeway, Suite 600, Houston, Texas 77017

Defendant UNION CARBIDE CHEMICAL AND PLASTICS COMPANY, INC., pursuant to Federal Rules of Civil Procedure 26 and 30, will take the deposition of John M. Dement, Ph.D., CIH on January 21, 1994 beginning at 9:00 a.m., at the offices of DRAYDEN, WYCHE & WOOD, L.L.P., 1360 Post Oak Boulevard, Suite 1650, Houston, Texas 77056.

The deposition of Mr. Dement will commence at the time and date stated above and will continue from day to day, or upon such adjourned date as may be agreed upon by the parties, until completed. You are further notified that the deponent is required to attend at such time and place to answer under oath such questions as may be propounded to him and to produce all documents, pursuant to Federal Rules of Civil Procedure 30(b) (5) and 34, requested on the list attached as Exhibit A hereto.

UCC 073572

Respectfully submitted,

DRAYDEN, WYCHE & WOOD, L.L.P.

By: Reginald H. Wood

Attorney-in-Charge

Reginald H. Wood

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Houston, Texas 77056

Tel: (713) 965-0120

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Deposition of John M. Derpent, Ph.D, CIH was mailed via first class mail, to the person listed below on this the 28<sup>th</sup> day of December, 1994.

Catherine Baen  
Williams, Bailey & Wesner, L.L.P.  
8441 Gulf Freeway, Suite 600  
Houston, Texas 77017

Reginald H. Wood  
Reginald H. Wood

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## EXHIBIT A

Pursuant to Rules 30 and 34 of the Federal Rules of Civil Procedure, John M. Dement is required to bring with him, at the time and place specified in the Notice of Deposition, any and all documents in his possession, custody or control, as defined in the Federal Rules of Civil Procedure, related in any way to the matters and items requested and listed below.

### DEFINITIONS

1. In this Notice, the term "document" shall mean all writings and means of communications of any kind, including the original and all non-identical copies, whether different from the original by reason of any notations made on such copies or otherwise. The term "document" shall include without limitation, letters, correspondence, memoranda, notes, diaries, statistics, telegrams, minutes, bids, contracts, payments and certificates for payment, statements/invoices, change orders, delay requests, liens and lien affidavits, bonds, daily logs, releases, draw requests, punch lists, engineering and architectural reports, inspection reports, expert reports, studies, text, statements, receipts, returns, summaries, pamphlets, books, booklets, periodicals, prospectus, interoffice and/or intra-office communications, offers, acceptances, approvals, notations, recordings, transcripts of any sort of conversations, telephone calls, meetings or other communications, bulletins, printed matter, computer printouts, teletypes, telefaxes, invoices, worksheets, counter pads, appointment books, charts, graphs, indexes, data sheets, data processing cards, data processing tapes, ledgers, financial statements, notes or memoranda or understandings, agreements, working papers, financial instruments or statements and documents reflecting financing, and any and all drafts, alterations, modifications, changes and amendments of any of the foregoing categories of documents. In addition, the term "document" shall also mean graphic or aural records and oral representations of any kind, including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings, motion pictures, computer tapes or computer cards, and any electronic, mechanical or electric recordings or representations of any kind, including without limitation, tapes, cassettes, films, discs, recordings, and transcripts of any audio, video or other recordings.

2. The term "pertaining" means relating to, referring to, describing, evidencing or constituting.

3. As used herein, the terms "you," "your," means John M. Dement, his agents, attorneys, doctors, experts, employees, and all other persons or entities acting or purporting to act on his behalf whether authorized to so or not, including any consultants, attorneys, or their agents having possession, custody, control, knowledge, or responsibility for any document or information called for herein.

### DOCUMENTS TO BE PRODUCED

1. Curriculum Vitae for John M. Dement, Ph.D., including all publications authorized by Dr. Dement in the last ten years and a listing of any other cases in which he has testified as an expert at trial or by deposition.

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2. All documents provided to deponent by Plaintiffs or Plaintiffs' counsel prior to December 19, 1994.
3. All documents provided to deponent by Plaintiffs or Plaintiffs' subsequent to December 19, 1994.
4. The written report, required by Federal Rule of Civil Procedure 26 (a)(2)(B) containing a complete statement of all opinions to be expressed and the basis and reasons for each opinion expressed.
5. The data and all other information considered by Dr. Dement in forming each opinion expressed.

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