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January 16, 1987

Hon. Nicholas G. Mandak
Assignment Judge
Superior Court of New Jersey
Passaic County Court House
Paterson, New Jersey 07505

Re: Memice v. PPG Industries, et al.
Docket No. L-20509-86

Dear Judge Mandak:

I am in receipt of a copy of Mr. Princiotto's letter to Your Honor dated January 13, 1987 by which he submits an alternate proposed form of Order in connection with the applications heard before Your Honor on December 19, 1986. Objection is hereby made, on behalf of all clients represented by this office, to the entry of the Order submitted by Mr. Princiotto.

As is set forth in Mr. Ridley's proposed form of Order, submitted to Your Honor under cover of his letter of January 8, 1987, and as Your Honor will recall, defendants sought and received from Your Honor the right to appear on short notice to object to the ten simple interrogatories to be served by plaintiffs, should that be necessary. Apparently, it is necessary. Mr. Princiotto, however, is seeking to have Your Honor direct that the interrogatories which he has served be answered, despite his notice of substantial objection on the part of the defendants.

As did Mr. Ridley, I corresponded with plaintiff's counsel upon receipt of the new set of ten interrogatories, objected to

URL 21786

Hon. Nicholas G. Maniak
January 16, 1987
Page 2.

those interrogatories, and asked him to communicate with me to attempt to resolve our differences without the necessity of court intervention. On January 14, 1987 Mr. Princiotto and I conferred by telephone. We reviewed and discussed each and every one of the interrogatories served by him on January 5, 1987. I advised him that I believed only questions 5, 6 and 9 were appropriate pursuant to Your Honor's directives, which were that these interrogatories be directed to each defendant's involvement, if any, with the supply of the subject product, VCM, to Pantasote, the decedent's employer in this matter. Mr. Princiotto, however, would not agree to accept answers to questions 5, 6 and 9 only, and advised me that he had submitted the interrogatories to Your Honor with the request that an Order be entered directing that all ten interrogatories be answered by all defendants.

I respectfully request that Your Honor deny this request, and provide the defendants with the opportunity to argue this matter before Your Honor, should that be necessary. I note that Mr. Princiotto has suggested a telephone conference call with Your Honor and Mr. Ridley only. Since all defendants will be affected by any ruling on this subject, I respectfully request that we have the right to participate in any conference or argument.

Respectfully yours,

Claire T. Barile
For TOMPKINS, McGUIRE & WACHENFELD

CTB/mm

cc: S. Robert Princiotto, Esq.
All Defense Counsel

bcc: All Clients

URL 21787