

MAR-25

CAUSE NO.

IN RE: ASBESTOS LITIGATION

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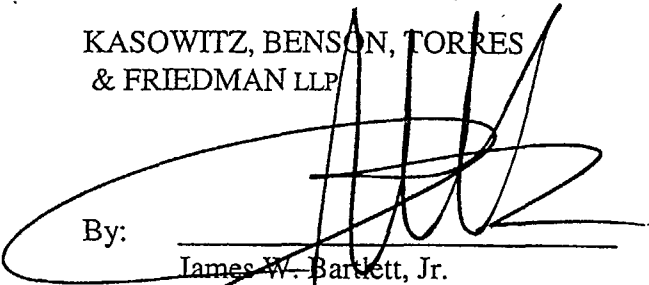
IN THE DISTRICT COURT OF

DALLAS COUNTY, TEXAS

**DEFENDANT MAREMONT CORPORATION'S FIRST AMENDED OBJECTIONS,
ANSWERS, AND RESPONSES TO PLAINTIFFS' MASTER INTERROGATORIES
AND REQUESTS FOR PRODUCTION PROPOUNDED TO DEFENDANTS**

COMES NOW, Defendant Maremont Corporation ("Maremont"), and makes and files its First Amended Objections, Answers, and Responses to Plaintiffs' Master Interrogatories and Requests for Production Propounded to Defendants ("discovery requests").

Respectfully submitted,

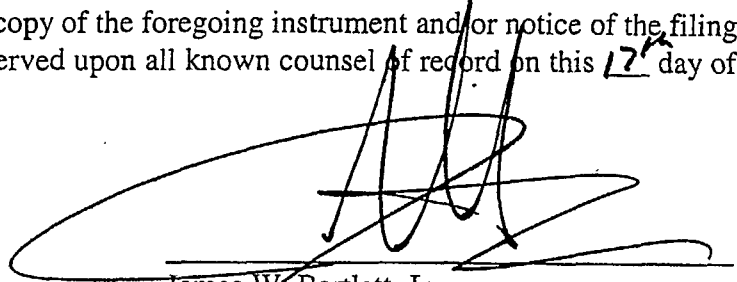
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing instrument and/or notice of the filing of the foregoing instrument has been served upon all known counsel of record on this 17th day of October, 2002.



James W. Bartlett, Jr.

PRELIMINARY STATEMENT

Maremont, One Noblitt Plaza, Columbus, Indiana 47201, incorporated in the State of Delaware, is primarily engaged in the manufacture and distribution of automotive exhaust systems, shock absorbers, MacPherson struts and related hardware and parts.

On or about December 15, 1953, Maremont purchased the assets of a company with a manufacturing facility located in Paulding, Ohio, known as the Grizzly Manufacturing Company ("Grizzly"). During its ownership of the Paulding facility, Maremont manufactured drum brake linings, clutch facings and disc brake pads. Maremont sold this division on or about June 30, 1977 to Nuturn Corporation.

Soon after the purchase by Nuturn, Nuturn closed the Paulding facility and transferred the manufacturing operation to a facility in Smithville, Tennessee. At this time, Maremont does not have in its employ any person or persons who previously worked at the Paulding facility. Furthermore, it appears that very few Maremont employees continued employment with Nuturn.

Very little documentation exists within Maremont concerning the Paulding, Ohio operation. Any documentation pertaining to the site that was not discarded by Nuturn upon its move to Smithville would presumably be under the custody and control of Nuturn Corporation.

GENERAL OBJECTIONS

1. Maremont objects to plaintiffs' discovery requests on the grounds that they are overbroad, vague, unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiffs' discovery requests have been propounded indiscriminately to every defendant without any attempt to tailor them to any individual defendant. Without waiving this objection and subject to the objections that follow, Maremont is providing

information in response to plaintiffs' discovery requests.

2. Maremont objects to plaintiffs' discovery requests on the grounds that they improperly attempt to shift the burden of establishing product identification and causation from plaintiffs to Maremont.

3. Maremont objects to plaintiffs' discovery requests to the extent they seek information relating to sales of asbestos-containing products by Maremont to any entity or entities other than entities specifically identified by plaintiffs as having been in the chain of distribution of an asbestos-containing product from Maremont to plaintiffs or plaintiffs' employers.

4. Maremont objects to plaintiffs' discovery requests to the extent they seek disclosure of information generated by persons other than Maremont that has come into the possession of Maremont's counsel during the course of discovery and trial preparation in asbestos-related litigation.

5. Maremont objects to plaintiffs' discovery requests to the extent they seek information relating to products of other companies.

6. Maremont objects to plaintiffs' discovery requests to the extent they seek information subsequent to Maremont ceasing production of any asbestos-containing product.

7. Maremont objects to plaintiffs' discovery requests to the extent they seek information that is not under Maremont's custody or control or which is within the public domain or otherwise equally available to plaintiffs as to Maremont.

8. Many of the events about which plaintiffs' discovery requests inquire occurred forty or more years ago. Accordingly, each response that follows is qualified by the fact that through the passage of time, information and documents that once existed may no longer be available.

9. Maremont does not concede that any of its responses to plaintiffs' discovery requests are or will be admissible evidence at a trial of this action, and Maremont does not waive any objection, on any ground, whether or not asserted herein, to the use of any such answer at trial.

10. To the extent applicable, Maremont incorporates by reference each of its objections in each response that follows and reserves the right to amend or supplement its responses to plaintiffs' discovery requests to reflect information which may become available to it up until the time of trial.

OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS

11. Maremont objects to the instructions and definitions supplied by plaintiffs with regard to the discovery requests on the grounds that the instructions and definitions are overly broad, vague, and often inconsistent with the normal usage and meaning of such words. These instructions and definitions constitute an unreasonable expansion of the discovery requests themselves. Maremont has therefore responded to the discovery requests in the manner consistent with a normal understanding of the language used in the response and to the extent necessary to fairly and fully respond to the discovery requests.

12. Maremont objects to plaintiffs' definitions and instructions to the extent those definitions and instructions request Maremont to make any inquiry beyond that which is required by the Texas Rules of Civil Procedure or to the extent they seek to include documents not within Maremont's custody or control.

ANSWERS TO INTERROGATORIES

INTERROGATORY NO. 1:

State the name, address, job title, length of time employed by Defendant, and a year-by-year list of all other positions, titles, or jobs held when working for Defendant of each person who has supplied any information used in answering these interrogatories.

ANSWER:

See general objections. Maremont also objects on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Much of the information sought by these interrogatories has been accumulated over time but not for purposes of responding to these interrogatories. It is not possible to now identify each person who, at some time, may have provided information that is being used to answer these interrogatories. No single employee, officer, or agent of the company has direct knowledge of the documents and information necessary to supply each and every response. The person signing these interrogatories does so to satisfy whatever requirements may exist under the Texas Rules of Civil Procedure. The person does not, however, have direct knowledge regarding any specific answer, but is informed that the review of the documents and discussions referred to above support the answers based upon the information available as to the date of signature.

INTERROGATORY NO. 2:

State whether or not you are a corporation. If so, state your correct corporate name, the state of your incorporation, the address of your principal place of business, the name and address of the person or entity authorized to accept service of process on your behalf, and whether or not you have ever held a Certificate of Authority to do business in the State of Texas.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous. Subject to the general and specific objections, and without waiving same, Maremont responds as follows:

Yes. Maremont Corporation. Maremont was incorporated in 1979 in Delaware. Maremont's primary mailing address is One Noblitt Plaza, Columbus, Indiana 47201. Maremont's agent for service of process in Texas is CT Corporation. Maremont has insufficient knowledge or belief to respond further to this interrogatory.

INTERROGATORY NO. 3:

Has Defendant or any of its predecessor or subsidiary companies at any time engaged in the mining and subsequent sale of material containing asbestos fibers? If so, identify the location of the mine(s), the years of its operations, the type of asbestos mine and whether you sold any asbestos to any Defendants in the Dallas County asbestos litigation.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

No.

INTERROGATORY NO. 4:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time manufactured or sold.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont manufactured and sold the following asbestos containing products: brake linings, disc pads, clutch facings and mufflers.

INTERROGATORY NO. 5:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time marketed or sold.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

See answer to Interrogatory No. 4.

INTERROGATORY NO. 6:

If the answer to one or more of the last three interrogatories is in the affirmative or lists any products, state as to each named product the following:

- (a) As to each product, state whether such product was mined, manufactured, marketed, and/or sold.
- (b) The names of the companies mining, manufacturing, marketing, and/or selling each product mined, manufactured, marketed, and/or sold.
- (c) The trade or brand name of each of those products mined, manufactured, marketed and/or sold.
- (d) The date each of the named products was placed on the market.
- (e) A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product and the percentage of asbestos put in each product.
- (f) The date each of the products was removed from the market and no longer sold or distributed and the reason or reasons therefor.
- (g) The date asbestos was removed from such products, if ever, and the reasons therefor.
- (h) A description of the physical appearance of each of the named products.
- (i) A detailed description of the intended uses of the named products.
- (j) Identify the last year that you sold each asbestos-containing product.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont refers plaintiffs to its answer to Interrogatory No. 4 and further responds as follows:

Maremont used trade names such as Grizzly, Ultra, Leland, Hyper, All-in-One, Over-the-Counter, Saftigrip and DD Silvertip, X-T Woven, Syncro, SS Metallic, Tru-Gard, Saftibond, Brake-In-A-Box, The Stop Box, Cherry Bomb, and Maremont. Maremont believes it placed edge codes on its friction products from approximately 1965 until 1977.

Maremont manufactured, sold and distributed friction products from December 15, 1953 until June 30, 1977. However, Maremont continued to distribute Nuturn-manufactured passenger car brake products to Sears after that date. Maremont friction products were sold to rebuilders. Maremont also sold passenger car brake products beginning in the late 1960s to Sears Roebuck & Company ("Sears"), who rebranded the products and sold them under the Sears brand name. Based upon available information, Nuturn-manufactured brake products sold to Sears no longer contained asbestos as of 1985.

Maremont began manufacturing and selling mufflers in the 1930s. The asbestos-containing paper was used in mufflers from the late 1950s to the late 1970s and only in those mufflers where the original equipment manufacturers specified its inclusion.

With regard to brake products, based upon available information, only chrysotile asbestos was used and the percentage of asbestos in at least a portion of such products varied between approximately 32% and approximately 65%. Based upon available information, components of at least a portion of such products were:

Asbestos, 5R	Linseed Oil
Asbestos, 6D	Mineral Spirits
Asbestos, 7D	Oxide, Brown
Asbestos, 7M	Oxide, Red
Asbestos, 8T	Resin, Bakelite 5095
Barium ferrite	Resin, Borden 774-113
Barytes, Bleached	Resin Monsanto 6823
Barytes, Unbleached	Resin, Schenectady 868
Carbon, Black	Resin, Varcum 6019A
Cashew Particles	Rubber Dust
Cast Iron Dust	Seacoal
Emergy Flour	Silica
Hexamethylenetetramine	Sulfur
Lime	Talc

With regard to the muffler products, for certain of such products an encapsulated asbestos-containing paper, which was not manufactured by Maremont, was used between the inner shell and outer wrap. The type of asbestos used is not known. Based upon available information, the percentage of asbestos in the paper was approximately 87-88%.

The products were primarily intended to be used as replacement parts for cars and trucks. The generic names of the described products are self explanatory. Certain of the muffler products were intended to be used as original equipment on automobiles. Maremont has insufficient knowledge or belief to respond further to this interrogatory.

INTERROGATORY NO. 7:

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the design, preparation, or introduction into the market of the products listed in interrogatory No. 6 still exist? If so, state:

- (a) A description of each such document.
- (b) The name, address, and job title of each person who currently has possession of each document, and where the documents are currently located.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont refers plaintiffs to its responses to plaintiffs' requests for documents.

INTERROGATORY NO. 8:

Before distributing, selling, or placing the products listed in your responses to Interrogatory Nos. 3-6 into the streams of commerce, were any tests conducted to determine potential health hazards involved in the use of, or exposure to, the materials such as asbestos, contained in those products? If the answer is affirmative, state:

- (a) The names of the products tested and the date of each test.

- (b) The name, address, and job title of each person conducting the tests or involved with conducting the tests.
- (c) The results of the tests.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Not by Maremont.

INTERROGATORY NO. 9:

Do any documents, including not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the testing of the products referred to in Interrogatory No. 6 now exist? If so, state:

- (a) A description of each such document.
- (b) The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont refers plaintiffs to its responses to plaintiffs' requests for documents.

INTERROGATORY NO. 10:

Did Defendant or any of its predecessor or subsidiary companies make any design changes or modifications as a result of those tests described in responses to Interrogatory No. 8? If the answer is affirmative, state:

- (a) The trade names of the products changed.
- (b) The nature of the changes made and the date of such changes or modifications.

- (c) The name, address, and job title of each person responsible for having caused a change to be made, or having made a change or modification.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

See answer to Interrogatory No. 8.

INTERROGATORY NO. 11:

After releasing the products listed in Interrogatory No. 6 to the public, were any tests conducted on them to determine potential health hazards resulting from the use of or exposure to the materials, such as asbestos, contained in those products? If the answer is affirmative, state:

- (a) The names of the products tested and the dates of such tests.
- (b) The name, address, and job title of each person who conducted those tests.
- (c) The results of those tests.
- (d) Whether, as a result of the tests, any products were removed from the market.
- (e) The names of all products removed from the market as a result of these tests.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

No.

INTERROGATORY NO. 12:

Do any documents, including written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the potential health hazards of the products listed in Interrogatory No. 6 now exist? If so, state:

- (a) The name of each product.
- (b) A description of each document and how it relates to each product.
- (c) The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont refers plaintiffs to its responses to plaintiffs' requests for documents.

INTERROGATORY NO. 13:

Did Defendant or any of its subsidiary companies make any design changes as a result of the tests discussed in your response to Interrogatories No. 8 or 11? If the answer is affirmative, state:

- (a) The names of the products changed or modified.
- (b) The name, address, and job title of each person responsible for having made a change or modification.
- (c) The nature of the hazard or defect which resulted in such change or modification.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

See answer to Interrogatory No. 8.

INTERROGATORY NO. 14:

Has Defendant or any of its predecessor or subsidiary companies at any time published or distributed any printed material, including brochures, pamphlets, catalogs, packaging or other written material or any kind or character containing any warnings concerning the possibility of injury resulting from the use of the asbestos-containing products listed in Interrogatory No. 6? If so, state:

- (a) The names of each relevant product.
- (b) The exact wording of each warning statement on each printed material.
- (c) A description of the printed material other than the warning statement.
- (d) The method used to distribute the warning to persons likely to use the product.
- (e) The date of each warning was first issued, distributed, or placed on packaging.
- (f) The name, address, and job title of each person responsible for having drafted or issued the warning.
- (g) The current location of any such printed material and the custodian thereof.
- (h) The form in which such literature-or printed material can be accessed, ie., the manner in which such literature is indexed or stored.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general objections, and without waiving same, Maremont responds as follows:

Based upon available information, the appropriate prescribed OSHA warning accompanied Maremont brake products beginning in or about 1972 and in 1973 for products sold to Sears. The exact wording of each warning read:

Caution
Contains Asbestos Fibers
Avoid Creating Dust
Breathing Asbestos May Cause Serious Bodily Harm

Carl Liggett and Ralph Wyatt are persons with knowledge of relevant facts concerning these warnings. Maremont states it has insufficient knowledge or belief to further respond to this interrogatory and refers plaintiffs to its responses to plaintiffs' requests for documents.

INTERROGATORY NO. 15:

Before 1970, had you received notice that any individual or individuals, other than those Plaintiffs who have filed personal injury actions in Texas State Courts is or are claiming or has or have claimed an injury as a result of using asbestos products manufactured and/or sold by your

company or any of its predecessors or subsidiaries before 1970? If so, state:

- (a) The name and address of each claimant.
- (b) The date of notice of each claim.
- (c) A description of the claim.
- (d) The type of injuries allegedly sustained.
- (e) The name and address of each attorney who represents each individual making a claim.
- (f) The style and court number of each claim.
- (g) The disposition of each claim that has been settled or taken to judgment.

ANSWER:

See general objections. Maremont objects to this interrogatory on the grounds that it is vague and ambiguous, and overbroad and unduly burdensome. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

No.

INTERROGATORY NO. 16:

Were your asbestos products distributed, marketed, packaged, labeled and/or sold by companies other than your own? If the answer is affirmative, list the names and addresses of each of those companies, and the products in question.

ANSWER:

See general objections. Maremont objects to this interrogatory on the grounds that it is vague and ambiguous, and overbroad and unduly burdensome. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Yes. Maremont refers plaintiffs to its answer to Interrogatory No. 6.

INTERROGATORY NO. 17:

Did you or any of your predecessors, successors, or subsidiaries have any distributors or sales representatives of asbestos products in the States of Alabama, Florida, Mississippi, Oregon, Washington, Georgia, Tennessee, Texas and Virginia? If so, state:

- (a) The name and address of each such distributor or sales representative.
- (b) The years in which such company or person distributed, marketed, or sold your products.
- (c) What products were distributed, marketed, or sold and in what years.

ANSWER:

See general objections. Maremont objects to this interrogatory on the grounds that it is vague and ambiguous, and overbroad and unduly burdensome. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

No.

INTERROGATORY NO. 18:

List each employee (including only physicians and/or hygienists) who has acted in a medical advisory capacity to your company at any time during the past 40 years, including, but not limited to, physicians and industrial hygienists, and the current address, telephone number and job title of each of those individuals and who has, had or may have had any knowledge regarding the hazards of asbestos.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is vague and ambiguous, overbroad and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Based upon available information, a physician (name unknown) was retained at the Paulding, Ohio facility for the purposes of general examinations and first-aid for two days per week as of 1969. Other physicians, the names of which are also not known by Maremont, visited the Paulding, Ohio and Nashville, Tennessee facilities on or after 1969 to take x-rays and conduct other medical tests of employees. Maremont complied with OSHA's requirements for medical examinations of covered

employees. Maremont also employed a company nurse, Kate Gary, at the Paulding facility. Maremont has insufficient knowledge or belief to respond further to this interrogatory.

INTERROGATORY NO. 19:

Does Defendant have in its possession any books, pamphlets, memoranda, or written materials of any kind or character that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings? If so, state:

- (a) The name of each such publication.
- (b) The date of publication and the names of the author and publisher (if any).
- (c) The date received by Defendant, if known.
- (d) The name, job title, and address of each person who currently has possession of each publication and its present location.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont refers plaintiffs to its responses to plaintiffs' requests for documents.

INTERROGATORY NO. 20:

Has Defendant, or any of its subsidiary or predecessor companies at any time been a member of any trade organization or association that published or disseminated any documents or information relating to the hazards of asbestos comprised of other manufacturers, miners, marketers, and/or sellers of asbestos products? If so, state:

- (a) The name and address of each such association or organization.
- (b) The dates during which Defendant or any of its subsidiaries or predecessors were members.
- (c) The names and dates of any publications, minutes, or reports published, written, or disseminated by any of the named associations or organizations.
- (d) Whether any of those publications are still in your possession, and if so:

- (i) A description of the publications, including the date.
- (ii) The current location of such publications.
- (iii) The custodian of such publications.
- (iv) The method or manner in which such publications are maintained.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Based upon available information, Maremont was a member of the Asbestos Information Association ("AIA") and the Friction Materials Standards Institute ("FMSI"). Maremont was a member of FMSI from 1954 to 1977 and of AIA from approximately 1975 to 1977. Maremont has insufficient knowledge or belief to respond further to this interrogatory.

INTERROGATORY NO. 21:

Identify by name and location each plant or manufacturing facility in which the products listed in your answers to Interrogatory Nos. 3-6 were manufactured, assembled, or prepared for sale or marketing, specifying which plants produced each item, the dates each plant is or was in operation, and the time during which each named item was produced or manufactured.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont manufactured brake products at a plant in Paulding, Ohio and assembled brake products at the Allied Drive Plant located in Nashville, Tennessee. Maremont manufactured mufflers at plants located in Harvey, Illinois; Loudon, Tennessee; and Ripley, Tennessee.

INTERROGATORY NO. 22:

Have printed sales materials been prepared by Defendant or any of its subsidiary or predecessor companies or their agents for purposes of marketing or advertising products containing asbestos? If so, state:

- (a) The name, address, and job title of each person or entity who prepared such materials.
- (b) The name, address, and job title of each person who currently has possession of such materials and their present location.
- (c) The date the materials were prepared.
- (d) The media used to disseminate the sales materials.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont did engage in advertising programs to promote its products; Maremont believes that it advertised at some time in at least the following magazines: "Brake & Front End," "Automotive Rebuilder," and "Automotive Chain Store." Maremont refers plaintiffs to its responses to plaintiffs' requests for documents and states it has insufficient knowledge or belief to respond further to this interrogatory.

INTERROGATORY NO. 23:

Have any written or printed materials or instructions of any kind or character been prepared by Defendant or any of its subsidiary or predecessor companies or their agents indicating how asbestos products should be used and maintained? If so, state:

- (a) The name, address, and job title of each person who prepared such materials or instructions or assisted in their preparation.
- (b) The name, address and job title of each person who currently has possession of such materials or instructions and their present location.
- (c) The dates of distribution or use and the manner in which such materials or instructions were distributed to purchasers of Defendant's products or those of its subsidiaries or predecessors.
- (d) The year each such written material or instruction was prepared and disclosed to potential consumers.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds it is vague and ambiguous, overbroad and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

At the request of Sears, Maremont prepared written training and other materials for Sears and its auto mechanics regarding brake change procedures. Maremont also prepared a report regarding the asbestos exposure in brake shoe grinding at the request of Sears. Maremont has insufficient knowledge or belief to respond further to this interrogatory.

INTERROGATORY NO. 24:

Does Defendant have insurance policies that might cover the claims made by Plaintiffs in these cases? If so, list the name of each insurance carrier, the amount of initial coverage, amount of coverage remaining at the present time, and the effective dates of each policy. (If properly answered, this interrogatory need not be supplemented as to the remaining amount of coverage).

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing general and specific objections, and without waiving same, Maremont responds as follows:

Yes, and refers plaintiffs to its response to plaintiffs' request for documents.

INTERROGATORY NO. 25:

As to the disease asbestosis, state:

- (a) The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- (b) How Defendant became aware of the existence of the disease.
- (c) Who within the company first discovered, recognized or understood the adverse consequences or effects of the disease and/or of asbestos exposure.
- (d) What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.

- (e) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form.
- (f) Who is the custodian of such information.
- (g) The date on which you first received knowledge or information that asbestosis was caused by inhalation of asbestos fibers.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Beginning in the 1950s, Maremont was aware of the potential health hazard associated with prolonged exposure to raw asbestos fiber. The initial awareness related to asbestosis. Maremont at no time believed that the encapsulated asbestos in its products presented any increased health risk to end-users and at no time during Maremont's ownership of the Paulding or Nashville facilities did an employee make a claim for an asbestos-related illness.

INTERROGATORY NO. 26:

As to the disease lung cancer, state:

- (a) The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- (b) How Defendant or its subsidiary or predecessor became aware of the disease and its relationship to asbestos exposure.
- (c) Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- (d) What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- (e) Whether any such information is still maintained by Defendants or its subsidiaries or predecessors in a written form.
- (f) Who is the custodian of such information.

- (g) The date on which you first received knowledge or information that lung cancer was caused by inhalation of asbestos dust and fibers.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

See answer to Interrogatory No. 25.

INTERROGATORY NO. 27:

As to pleural disease, pleural thickening or pleural plaques, state:

- (a) The date on which Defendant or its subsidiary or predecessor learned such disease was caused by inhalation of asbestos fibers by humans.
- (b) How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- (c) Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- (d) What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- (e) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- (f) Who is the custodian of such information.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

See answer to Interrogatory No. 25.

INTERROGATORY NO. 28:

As to the disease mesothelioma, state:

- (a) The date on which Defendant or its subsidiary or predecessor first learned such disease was caused by inhalation of asbestos fibers by humans.
- (b) The date on which Defendant first suspected that mesothelioma was caused by inhalation of asbestos dust and fibers.
- (c) How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- (d) Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- (e) What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- (f) Whether any such information is still maintained by Defendants or its subsidiary or predecessor in a written form.
- (g) Who is the custodian of such information.
- (h) Whether Defendant agrees that there is no known medical cure for mesothelioma.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing

Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

See answer to Interrogatory No. 25.

INTERROGATORY NO. 29:

As to gastro-intestinal cancer, laryngeal cancer, pharyngeal cancer or lymphatic cancer, state:

- (a) The type of cancer and the date on which Defendant or its subsidiary or predecessor first learned that such diseases were caused by inhalation of asbestos fibers by humans.
- (b) What cancers has the Defendant or its subsidiary or predecessor become aware can be caused by exposure to asbestos fibers?
- (c) The date on which Defendant first suspected other cancers were caused by asbestos inhalation.
- (d) Who within the company or its subsidiary or predecessor first discovered the adverse consequences or effects of asbestos exposure.
- (e) What information was disseminated with Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- (f) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- (g) Who is the custodian of such information.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

See answer to Interrogatory No. 25.

INTERROGATORY NO. 30:

Does Defendant contend that asbestos products can be manufactured or designed so as to eliminate all potential health hazards to persons working with or exposed to them? If the answer is affirmative, explain in detail, and attach any studies or surveys on which this answer is based.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects to responding to this interrogatory on the grounds that it calls for a legal and/or medical conclusion or opinion which Maremont is not qualified to render. Maremont additionally objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure, and because the Texas Rules of Civil Procedure do not require the production of documents in response to an interrogatory. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Contentions can only be formulated when discovery is completed. At the present time, Maremont has not conducted discovery or made a review of discovery conducted by other parties. Maremont reserves the right to supplement this answer upon completion of this review and of further discovery.

INTERROGATORY NO. 31:

Describe in detail the types of packages or packaging which Defendant or any of its subsidiary or predecessor companies used for asbestos material or products, listing the dates each type of package was used, a physical description of each type of package, and providing a description of any printed material or trademarks that appeared thereon.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont states that boxes containing friction products were either white or brown cardboard boxes. The boxes would either have the name Grizzly on the outside of the box or no name or the name of the customer, depending on the arrangement with the customer. It is believed that the friction products provided to Sears, prior to 1973, were in plain white cartons with labels.

From 1973 to 1976 there was a running change to the Over-The-Counter carton with a man working on a car. All-In-One products were plain white with a label and a caution. From 1976 to 1977 there was a change to Over-The-Counter products with a stop sign and to the All-In-One products to a stop light on the carton and on brochures. The colors red and black were also contained on the product to connote the stop light.

Boxes containing muffler products were either white or brown cardboard boxes and would either have the name Maremont on the outside of the box or no name or the name of the customer, depending on the arrangement with the customer. Maremont has insufficient knowledge or belief to respond further to this interrogatory.

INTERROGATORY NO. 32:

Has Defendant or any of its subsidiary or predecessor companies at any time entered into a "rebranding" agreement with any other company, either as buyer or seller, concerning asbestos materials or asbestos products? If so, state, as to each such agreement:

- (a) The name of the company manufacturing the asbestos products.
- (b) The trade name affixed to those products.
- (c) The periods of time covered by each such agreement.
- (d) The volume, in dollar amount, of each transaction.
- (e) The initial purchaser of the products.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont marketed and distributed primarily products of its own manufacture. However, for low-volume items, Maremont occasionally bought disc pads from other brake lining manufacturers and other products and relabeled them. The major source of supply of disc pads was Lear Siegler, Inc. and Fras-le. Maremont sold these products under its own trade names.

Furthermore, Maremont sold passenger car brake products beginning in the late 1960s to Sears Roebuck & Company ("Sears"), who rebranded the products and sold them under the Sears

brand name. Maremont refers plaintiffs to its answer to Interrogatory No. 6 and states that it has insufficient knowledge or belief to respond further to this interrogatory.

INTERROGATORY NO. 33:

List the name and address of each company from which Defendant or its subsidiary or predecessor purchased materials or asbestos products which Defendant sold or distributed in any form, stating the form of the materials, the dates of such purchases, and the ultimate disposal of such materials.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

See answer to Interrogatory No. 32.

INTERROGATORY NO. 34:

Does Defendant or any of its subsidiaries or predecessor currently have possession of any writings or contracts on those rebranding agreements set forth in the answer to interrogatory No. 32? If the answer is affirmative, state:

- (a) The name, address, and job title of each person having custody of each of those documents and their current location.
- (b) A brief description of each such document, including the dates and the parties signatory.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont refers plaintiffs to its responses to plaintiffs' requests for documents.

INTERROGATORY NO. 35:

Prior to 1968, did any person file a claim against a Worker's Compensation carrier covering Defendant or any of its subsidiaries or predecessors alleging that he/she contracted a disease from inhaling asbestos fibers? If so, provide:

- (a) A list of the claims, including each claimant's name, address and the date each claim was filed, and including the caption and jurisdiction of the claim.
- (b) The disease alleged in each such claim.
- (c) A brief summary of the disposition of each such claim.
- (d) The name, address and title of the person having custody of the records pertaining to each such claim.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds it is vague and ambiguous and would require Maremont to engage in conjecture as to its meaning. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

No.

INTERROGATORY NO. 36:

Did Defendant or any of its subsidiaries or predecessors maintain written minutes of corporate meetings, either board of directors, departmental, or otherwise, which reflect discussions pertaining to any subject matter related to asbestos, asbestos health hazards or asbestos products? If so, for each such set of minutes, state:

- (a) The dates of each such meeting.
- (b) The general subject matter discussed at each meeting.
- (c) Who was in attendance at each meeting.
- (d) Where and by whom the written minutes are presently maintained.
- (e) By whom the minutes were taken and put into final format.

- (f) Whether the minutes were abstracted and reports disseminated to other individuals, and if so, the names and job titles of those individuals.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont refers plaintiffs to its responses to plaintiffs' requests for documents.

INTERROGATORY NO. 37:

Do you or any of your subsidiaries, including foreign business entities, currently manufacture any products containing asbestos? If so, state:

- (a) As to each product, whether such product is mined, manufactured, and/or marketed or sold.
- (b) The names and addresses of the companies mining, manufacturing, marketing, and/or selling each of those products.
- (c) The trade or brand name of each of those products mined, manufactured, marketed, and/or sold.
- (d) The date each of the named products was placed on the market.
- (e) A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product.
- (f) A description of the physical appearance of each product and its packaging.
- (g) A detailed description of the intended uses of each of the named products.
- (h) Whether there are any warning labels on said products or containers regarding potential asbestos-related health hazards.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

No. . . .

INTERROGATORY NO. 38:

State whether you or any of your predecessors and/or subsidiaries maintain, from 1940 through the present or for any portion thereof, copies of invoices, shipping documents, bills of lading, purchase orders, or other documents of a similar nature relating to the mining, manufacture, marketing, sale or distribution of asbestos products. If so, state:

- (a) The location of such documents.
- (b) The name and address of the custodian of the documents.
- (c) The format in which the documents are kept, i.e., hard copy, microfilm, microfiche, etc.
- (d) In what form the documents can be accessed, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds it is vague and ambiguous and would require Maremont to engage in conjecture as to its meaning. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont refers plaintiffs to its responses to plaintiffs' requests for documents.

INTERROGATORY NO. 39:

Will you call company representatives as witnesses at the trial of any of these cases? If so, list:

- (a) The name, address, and job title of each company representative who may be called.
- (b) A summary of the testimony expected to be given by each such witness.
- (c) List any and all previous times that the named witnesses have either given deposition or trial testimony in an asbestos-related case, including the jurisdiction, style of the case, case number, date of testimony, and the name of the attorney taking the deposition for the Plaintiffs in that case.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds it is vague, ambiguous, overbroad, unduly burdensome, and would require Maremont to engage in conjecture as to its meaning. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont refers plaintiffs to its answer to Interrogatory No. 61.

INTERROGATORY NO. 40:

Have Defendant or its subsidiaries or predecessors ever acquired through purchase, reorganization, or merger another corporation, company, or business which manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos? If so, for each such entity, state:

- (a) Full and correct name.
- (b) Principal place of business.
- (c) State of incorporation.
- (d) Date of acquisition by Defendant.
- (e) Whether or not the business entity was ever authorized to transact business in the State of Texas.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds it is vague and ambiguous and would require Maremont to engage in conjecture as to its meaning. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont refers plaintiffs to the Preliminary Statement preceding these answers.

INTERROGATORY NO. 41:

Was each of your asbestos products generally expected to reach, or packaged to reach, the consumer or user, without substantial change in the condition in which it was sold? If not, with respect to any such product, explain in what way the Defendant claims its products were altered or substantially changed after sale or distribution and before reaching the user.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Yes, except that brake lining and disc pads sold to rebuilders were expected to be bonded or riveted to brake shoes or backing plates before reaching the consumer or user.

INTERROGATORY NO. 42:

For each asbestos-containing product identified in response to Interrogatory No. 6, identify all foreseeable users such as insulators, helpers, pipefitters, welders, machinists, plasterers, drywall finishers, carpenters, boilermakers, shipwrights and riggers, etc. of any of Defendant's asbestos-containing products.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects to responding to this interrogatory on the grounds that it calls for a legal and/or medical conclusion or opinion which Maremont is not qualified to render. Maremont further objects because plaintiffs have exceeded the

number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont states that mechanics were foreseeable users of its brake or clutch pad products.

INTERROGATORY NO. 43:

Based upon the material contents of your asbestos-containing products, the method of manufacturing, and the method of application, can such products be generally applied without liberating asbestos fibers into the air?

- (a) If there is a different answer concerning different products manufactured, sold, distributed, or used by your company, then specify the different products by precise manufacturer's name and popular name.
- (b) If there is a difference in your answer depending on the year or years in which a particular product was used, then specify in detail what year or years you are referring to and the specific products you are referring to and year involved.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

All of Maremont's products could be applied without liberating asbestos fibers, except the oversized drum brake lining sold to Sears from 1969 to 1976 for in-store installation, where it was intended that the mechanic would custom grind the lining.

INTERROGATORY NO. 44:

Was it a foreseeable use of your asbestos-containing products that they may have been removed, stripped, or replaced at some time after installation?

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects to responding to this

interrogatory on the grounds that it calls for a legal and/or medical conclusion or opinion which Maremont is not qualified to render. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

It was intended that the products would wear over time and require replacement. Maremont further states that contentions can only be formulated when discovery is completed. At the present time, Maremont has not conducted discovery or made a review of discovery conducted by other parties. Maremont reserves the right to supplement this answer upon completion of this review and of further discovery.

INTERROGATORY NO. 45:

Before 1970, did you or your subsidiaries or predecessor(s) ever arrange for any labor inspectors, insurance company inspectors or anyone from your company to go to job sites where your products were being used or installed to make or take dust level counts? If so, state when this procedure started, the purpose of such procedures, and all results of such procedures.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds it is vague and ambiguous, overbroad and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

No.

INTERROGATORY NO. 46:

If Defendant performed or had performed any dust level counts, what action, based on the results, did your company take?

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds it is vague and ambiguous, overbroad and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

See answer to Interrogatory No. 45.

INTERROGATORY NO. 47:

Has your company or its subsidiaries or predecessor(s) ever conducted or caused to be conducted any studies designed to assist in minimizing or eliminating the inhalation of asbestos dust and fibers by those exposed to the use of your company's products? If so, give the following:

- (a) Name of the person or firm conducting such studies;
- (b) The date the studies began and the date they were completed;
- (c) Any publication or other written dissemination of the results of the studies;
- (d) The nature of any action to eliminate or minimize the inhalation of asbestos dust fibers.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont has insufficient knowledge or belief to answer this interrogatory.

INTERROGATORY NO. 48:

Does your company have, has it ever had, or have your predecessor(s) or subsidiaries ever had, a Research Department? If so, give the year such Research Department was established, and whether or not such Research Department has operated continuously since being established, and

whether or not such Research Department has operated continuously since being established. State also:

- (a) The amount of time and money expended each year on research concerning asbestos or asbestos-containing products?
- (b) What percentage of gross sales did your company or its predecessor(s) spend on research concerning the health effects of asbestos?
- (c) State in detail the purposes, duties, and responsibilities of such Research Department.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds it is vague and ambiguous, overbroad and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

No.

INTERROGATORY NO. 49:

Does your company have, or has it ever had, or have your predecessor(s) or subsidiaries ever had, a Medical Department? If so, state:

- (a) The year such Medical Department was established;
- (b) Whether or not such Medical Department has operated continuously since being established;
- (c) The name of each director, chief, or head of your Medical Department year by year, beginning with the first year you had a Medical Director or Medical Department, and the last known address and phone number of each;
- (d) State the duties and responsibilities of such Medical Department.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is vague and ambiguous, overbroad and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have

exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont refers plaintiffs to its answer to Interrogatory No. 18.

INTERROGATORY NO. 50:

Did your company or its predecessor(s) or subsidiaries ever place any warning directly on any of its asbestos-containing product or on their packaging. If so, identify the product(s) and year said warning was first applied.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds it is vague and ambiguous, overbroad and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Based upon available information, Maremont did not place any warning directly on its friction products.

INTERROGATORY NO. 51:

Did your company or its predecessor(s) or subsidiaries ever stamp or place the name of the company, its initials, or any identifying logo on any of its asbestos-containing products? If so, please state the name brand names of such products, a description of such stamp or logo and the dates such were placed on the referred products.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds it is vague and ambiguous, overbroad and unduly burdensome. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds:

Yes. Maremont refers plaintiffs to its responses to plaintiffs' requests for documents.

INTERROGATORY NO. 52:

Has your company, or your predecessor(s) or subsidiaries, ever devised a research plan to develop, or actually developed or had developed, a product which did not contain asbestos and which could be substituted for one or more of your asbestos-containing products? If so, state the date that such research plan was begun and when such asbestos-free product was first placed on the market.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont's friction products business was sold to Nuturn before an asbestos-free product was placed on the market. Based upon available information, Nuturn-manufactured brake products sold to Sears no longer contained asbestos as of 1985. Furthermore, the determination to cease using asbestos in those Maremont mufflers that contained asbestos occurred in the late 1970s when the automobile manufacturers stopped specifying its use in such products.

INTERROGATORY NO. 53:

Did your company or its predecessor(s) or subsidiaries ever recall any products containing asbestos from the market or stream of commerce? If so, state:

- (a) All details of such recall;
- (b) The name of the product recalled, including the reason for the recall and the names and current addresses of those individuals who determined that it should take place;
- (c) The dates of recall;
- (d) The purpose for the recall.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject

to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont has insufficient knowledge or belief to respond further to this interrogatory.

INTERROGATORY NO. 54:

Before 1970, did you ever manufacture or sell products which did not contain asbestos and which could be substituted for your asbestos-containing products? If so, state the date such asbestos-free products were first placed on the market.

ANSWER:

- See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

See answer to Interrogatory No. 52.

INTERROGATORY NO. 55:

Have any products you identified in your response to Interrogatory Nos. 52 and 54 not performed as intended? Please list all such products that have not performed as intended.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

See answer to Interrogatory No. 52.

INTERROGATORY NO. 56:

Did your company or its predecessor(s) or subsidiaries ever make, order, or arrange for any industrial hygiene surveys regarding asbestos or asbestos-containing dust? If so, give the date of such surveys and state who, or what entity, was responsible for completion of such surveys.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

No.

INTERROGATORY NO. 57:

As to either the threshold limit values or maximum allowable concentrations of both asbestos dust and total dust provided by the American Conference of Governmental Industrial Hygienists, state:

- (a) The year in which Defendant or any predecessor(s) or subsidiaries were first advised of such limits or concentrations;
- (b) The name of the employee or official of the company receiving such advice;
- (c) How Defendant received notice of such limits or concentrations.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont has insufficient knowledge or belief to answer this interrogatory.

INTERROGATORY NO. 58:

Were the threshold limit values or maximum allowable concentrations inquired about in Interrogatory No. 57 for total dust, and not asbestos dust alone?

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont has insufficient knowledge or belief to answer this interrogatory.

INTERROGATORY NO. 59:

State in detail what tests, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using, working with or around, or installing your asbestos-containing products.

ANSWER:

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Not by Maremont.

INTERROGATORY NO. 60:

Please state the following with respect to each expert witness that you may call during trial of these cases. Please designate with specificity the expert witnesses that you may call, including:

- (a) The name, address, and job classification of each such expert witness;
- (b) The subject matter on which the expert is expected to testify;
- (c) The substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion;
- (d) Whether any person identified in subparagraph (a) above has provided a report or other documentation to you, and if so, identify and produce each such document or report;

- (e) Identify all documents that you have provided to each person identified in response to subparagraph (a) above;
- (f) Describe in detail the education and work history of, and identify any books, treatises, articles, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to subparagraph (a) above. Alternatively, in lieu of said responses, attach a copy of a resume or curriculum vitae and a list of publications to your answers.

ANSWER: . -

See general objections. Maremont also objects to this interrogatory on the grounds that it is overbroad and unduly burdensome, vague and ambiguous. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure, because the Texas Rules of Civil Procedure do not require the production of documents in response to an interrogatory, and because the Texas Rules of Civil Procedure do not permit the use of interrogatories to discover information pertaining to testifying experts. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont may call to testify at trial any of the expert witnesses listed on Exhibit "A," attached hereto.

INTERROGATORY NO. 61:

Please state the name, present address and present telephone number, along with the experience and qualifications, if applicable, of each and every person, known to Defendant or to Defendant's agents, having knowledge of facts relevant to these cases involving, but not limited to:

- (a) Identification of asbestos-containing products to which each and every individual Plaintiff, separate and distinct from all other Plaintiffs within the group, allegedly was exposed or facts disputing the identification of asbestos-containing products in this case.
- (b) Each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged damages, injuries and/or facts disputing each and every Plaintiff's alleged damages and/or injuries;
- (c) The negligence of any person or entity other than Defendant which Defendant contends was a cause of each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged injuries and/or damages;

- (d) Each of Defendant's defenses enumerated in Defendant's last filed Answer in each of these cases.

ANSWER:

See general objections. Maremont also objects to this request on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Maremont may call at trial any of the following non-expert witnesses: Mr. Carl Liggett, Ms. Rita M. Grisham, Mr. Robert Steinmetz, Mr. W. Charles Burkhead, Mr. Ralph Wyatt, Mr. Robert T. Mc Bride, Mr. Wayne Scheidt and Dr. Boris A. Sonin. Maremont additionally refers plaintiffs to Exhibit "A," attached. Maremont has insufficient knowledge or belief to respond further to this interrogatory.

INTERROGATORY NO. 62:

Please identify documents which will be used at time of trial, (Exhibit List, Deposition List), which are relevant to each of Defendant's enumerated defenses in Defendant's last filed Answer.

ANSWER:

See general objections. Maremont also objects to this request on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

If required, Maremont will provide the requested information at the time and in the manner specified by the applicable Dallas County standing order and/or the court.

INTERROGATORY NO. 63:

When, if ever, did Defendant or any of its predecessors-in-interest first receive a copy of the article entitled "A Health Survey of Pipe Covering Operations in Constructing Naval Vessels", published in January, 1946 in the Journal of Industrial Hygiene & Toxicology and authored by W. Fleischer and P. Drinker, et al ("the Fleischer-Drinker Report")?

- (a) Identify the name and position of the employee or officer who received same;

- (b) Please produce all documents generated by Defendant which discuss or in any way reference the "Fleischer-Drinker" study prior to 1968;
- (c) Please produce all documents upon which your responses above are based;
- (d) Please identify the name(s) and address(es) of any person(s) who can verify your above response;
- (e) Did Defendant ever rely on the Fleischer-Drinker Report in whole or in part as a basis that Defendant's asbestos products could be used in the workplace without risk of asbestos-related health impacts to the consumer and/or bystander;
- (f) If so, please produce every document which evidences in any way that Defendant relied on the Fleischer-Drinker Report in whole or in part for the proposition stated in Interrogatory No. 63(a) above;
- (g) If your answer to 63(e) is yes, when was the first date Defendant relied on the Fleischer-Drinker report in whole or in part for the proposition stated in 63(e) above?

ANSWER:

See general objections. Maremont also objects to this request on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Based upon available information, Maremont did not receive such article during the time it manufactured asbestos-containing products.

INTERROGATORY NO. 64:

When, if ever did Defendant or any of its predecessors-in-interest first receive a copy of the article entitled "A Study of Asbestos in the Asbestos Textile Industry", published in 1938 in Public Health Bill, No. 241, U.S. Public Health Service and authored by W.C. Dreessen ("the Dreessen Report")?

- (a) Identify the name and position of the employee or officer who received same;
- (b) Please produce all documents generated by Defendant which discuss or in any way reference the "Dreessen" study prior to 1968;

- (c) Please produce all documents upon which your responses above are based;
- (d) Please identify the name(s) and address(es) of any person(s) who can verify your above response;
- (e) Did Defendant ever rely on the Dreessen Report in whole or in part as a basis that Defendant's asbestos products could be used in the workplace without risk of asbestos-related health impacts to the consumer and/or bystander.
- (f) If so, please produce every document which evidences in any way that Defendant relied on the Dreessen Report in whole or in part for the proposition stated in Interrogatory No. 63(a) above;
- (g) If your answer to 63(e) is yes, when was the first date Defendant relied on the Dreessen report in whole or in part for the proposition stated in 63(e) above?

ANSWER:

See general objections. Maremont also objects to this request on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Maremont further objects because plaintiffs have exceeded the number of interrogatories permitted by the Texas Rules of Civil Procedure. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Based upon available information, Maremont did not receive such article during the time it manufactured asbestos-containing products.

RESPONSES TO REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

Please produce a true and correct copy of each photograph of each asbestos-containing product identified in answer to Interrogatory No. 4.

RESPONSE:

See general objections. Maremont also objects to this request on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Documents, if any, responsive in whole or in part to this request, may be contained in materials in Maremont's possession that will be made available to plaintiffs at a time and place to be agreed upon between the parties.

REQUEST FOR PRODUCTION NO. 2:

Please produce any diagrams or schematics indicating, stating or detailing the existence of any of your subsidiaries, predecessors, or divisions as defined on Page 1 of these Interrogatories and Request for Production.

RESPONSE:

See general objections. Maremont also objects on the grounds that it is overbroad and unduly burdensome, vague and ambiguous, not relevant and not calculated to lead to the discovery of admissible evidence. Subject to the foregoing Preliminary Statement and to the general and specific objections, and without waiving same, Maremont responds as follows:

Documents, if any, responsive in whole or in part to this request, may be contained in materials in Maremont's possession that will be made available to plaintiff at a time and place to be agreed upon between the parties.

**DEFENDANT MAREMONT CORPORATION'S
DESIGNATION OF WITNESSES**

COMES NOW, Defendant Maremont Corporation, (herein referred to as "Defendant"), and submits the following witness designations:

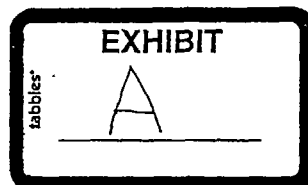
INTRODUCTION

This Defendant reserves the right to seasonably supplement the following list of witness designations as discovery progresses in these cases, and to utilize additional witnesses, exhibits and/or deposition designations in rebuttal to evidence offered by the plaintiff at trial. These may include, without limitation, any of the following:

1. medical records, reports, documents, correspondence, laboratory data, pathology reports and other medical reports or materials relating to the health or condition of the plaintiffs;
2. certain published medical and scientific literature relating to asbestos, asbestos-related diseases and smoking-related diseases, depending upon the medical and "state-of-the-art" testimony presented by the plaintiff at trial;
3. product photographs, photographs of product packaging and warnings, product brochures, product catalogues, information bulletins and/or technical specifications; and
4. standard ILO films for pneumoconiosis.

This Defendant also adopts and reserves the right to call any witness, use any deposition transcript, or utilize any exhibit designated or listed by any other party to this action, whether plaintiff or defendant. This Defendant adopts and reserves the right to call any and all witnesses listed by any other party to this action, whether plaintiff or defendant.

This Defendant reserves the right to amend the opinions which these witnesses will offer after determining the opinions of plaintiffs' experts and after plaintiffs specifically identify the products and times at which plaintiffs were exposed to said products.



I. GENERAL MEDICAL AND PLAINTIFF-SPECIFIC EXPERT WITNESSES:

The following witnesses may offer general testimony relating to alleged asbestos-related diseases, cigarette smoking, cancer of various organs, pneumonia, chronic obstructive lung disease, the pathology of cigarettes and asbestos, the pathogenesis of cigarette-related diseases, and the pathogenesis of asbestos-related diseases. These witnesses may also testify generally about specific abnormalities that might be in the plaintiffs' medical history including, but not limited to, the origin and treatment of congestive heart failure, the origin and treatment of cardiovascular heart diseases, the origin and treatment of various kinds of pneumonia, the origin and treatment of systematic hypertension, and like matters. These witnesses may also testify about the presence or absence of health disease or health risks associated with exposure to low levels of asbestos emanating from asbestos containing products.

A. This Defendant herewith lists a number of individuals whom they may call in the above-captioned matter.

These physicians may testify about the plaintiffs, and give testimony about the historical "state-of-the-art," the development of medical knowledge about asbestos, and presence of absence of medical consequences relating to low dose exposure to asbestos containing products. Each of these doctors may testify specifically about diseases, such as chronic obstructive pulmonary disease, even though in some cases they may not have seen plaintiffs, or reviewed medical records of the plaintiffs. They may testify in the area of general medicine as it relates to the development of an asbestos-related disease.

1. Dr. Oscar Auerbach, Deceased, by deposition
2. Dr. Andrew Churg, Associate Professor
University of British Columbia
Health Sciences Center Hospital
2211 Westbrook Mall
Vancouver, B.C., Canada V6T1W5
3. Dr. Edward A. Gaensler
63 Eucalyptus Knoll Road
Mill Valley, CA 94941
4. Dr. Forde McIver, Deceased, by deposition
5. Dr. W.K.C. Morgan
Chest Diseases Unit
University Hospital
339 Windmere Road
P.O. Box 5339, Postal Station A
London, Ontario N6A 5A5

6. Hans Weill, M.D.
Tulane University, School of Medicine
1700 Perdido Street
Second Floor
New Orleans, LA 70112
7. Dr. William Weiss
3912 Netherfield Road
Philadelphia, PA 19129
8. Dr. Peter Barrett
Chief of Radiology
Quincy City Hospital
Quincy, MA 02169
(617) 426-2110
9. Dr. Darryl Carter
Yale University
Department of Pathology
310 Cedar Street
New Haven, CN 06510
10. Dr. John E. Craighead
Department of Pathology
University of Vermont
Burlington, VT 05405
11. Dr. Richard Fraser
Montreal Chest Hospital Center
Department of Pathology
3650 St. Urbain
Montreal, Quebec H2X2P4
12. Dr. Bernard Gee
Yale University School of Medicine
333 Cedar Street
P.O. Box 3333
New Haven, CT 06510
13. Dr. Michael Henderson
330 Rittiman Road
San Antonio, TX 78209-2861
14. William G. Hughson, M.D., Ph.D.
Center for Occupational & Environmental Medicine
UCSD Medical Center
200 West Arbor Drive
San Diego, CA 92103-8800
(619) 294-6001

15. Dr. Gerald R. Kerby
Kansas University Medical Center
Pulmonary Division
Kansas City, KS 66103
16. Dr. Brooke T. Mossman
Pathology Department
Medical Alumni Building
Room A151, University of Vermont
Burlington, Vermont 05405
17. Dr. Joseph J. Renn
Internal Medicine Associates, Inc.
99 J.D. Anderson Drive
Morgantown, WV 26003
18. Dr. Victor Roggli
Assistant Professor of Pathology
Duke University Medical Center
Department of Pathology, Box 3712
Durham, NC 27710
19. Dr. Jonathan M. Samet
Chairman of the Department of Epidemiology
Johns Hopkins Institute
615 N. Wolfe Street
Baltimore, MD 21205
20. Dr. Peter W.J. Bartrip
Centre for Socio-Legal Studies
Wolfson College
Linton Road
Oxford OX2 6UD
United Kingdom
21. Kevin Brown, M.D.
Leicester House
North Creake
Norfolk, England
NR21 9JP
22. Morton Corn, Ph.D.
Director, Division of Environmental Health Engineering
Johns Hopkins University
Baltimore, MD 21205
23. John M.G. Davis, M.D.
Institute of Occupational Medicine Ltd.
8 Roxburgh Place
Edinburgh, Scotland
EH8 9SU

24. Janet Hughes, Ph.D.
Tulane University Medical Center
Section of Environmental Medicine SL15
1430 Tulane Avenue
New Orleans, LA 70112
25. Edward B. Illgren, M.D.
Conwyn Apartments
830 Montgomery Avenue
Bryn Mawr, PA 19010
26. R.C. Austin
Faculty of Laws
University College London
Bentham House
End Sleigh Gardens
London WC1H OE6
England
27. Richard J. Lee, Ph.D.
R.J. Lee Group, Inc.
350 Hochberg Road
Monroeville, PA 15146
28. Arthur Langer, Ph.D.
Director, Environmental Sciences Laboratory
Brooklyn College of the City University of New York
Brooklyn, NY 11210
(718) 951-4242 and (718) 951-4793
29. Phillip Cagle, M.D.
Baylor School of Medicine
Dept. of Pathology
1200 Moursund Street
Room 286A
Houston, TX
30. Dr. James Crapo
National Jewish Center
Denver, CO
(303) 398-1436
31. Dr. M. Joseph Fedoruk
Los Angeles, CA
32. Dr. Raymond Weiss
Rockville, MD
33. Dr. Charles Blake
Atlanta, GA

34. Dr. Robert Jones
Tulane University Medical Center
2430 Tulane Avenue
New Orleans, LA
35. J. Leroy Balzer, Ph.D.
408 Horse Trail Court
Walnut Creek, CA 94595
36. Dr. Robert Sawyer
149 Prospect Avenue
Guilford, CT 06437
37. Mark Lehto, Ph.D.
Purdue University
Purdue, IN
38. Dr. James Rasmuson
Denver, CO
39. Dorsett Smith
Seattle, WA
40. Robert Murray
United Kingdom
41. Otto Wong, Sc.D., F.A.C.E.
Applied Health Science, Inc.
181 Second Avenue
Suite 628
San Mateo, CA 94401
42. Phillip Pratt
Raleigh, NC
43. Brooks Emory, M.D.
Jefferson Hospital
1507 Metairie Road
New Orleans, LA
44. Ben Branscomb, M.D.
Professor of Medicine
University of Alabama School of Medicine
Birmingham, AL

45. James E. Lockey, M.D., M.S.
Institute of Environmental Health
University of Cincinnati Medical Center
Clinical Studies Division
5251 Medical Science Bldg., M.L. 182
231 Bethesda Ave.
Cincinnati, OH 45267-0182
46. Harry B. Demopoulos, M.D.
N.Y.U. Medical Center
Department of Pathology
550 First Avenue
New York, NY 10016
47. James Cimino, M.D., M.P.H.
Professor and Chairman
Department of Community Preventive Medicine
New York College
50 Willard Avenue
North Tarrytown, NY 10591
48. Stephen M. Ayers, M.D.
Medical College of Virginia
Box 565 MCV Station
Richmond, VA 23298
49. Kevin Browne, M.D.
66 A Warwick Way
London, England SW1V 1RZ
50. John G. Weg, M.D.
Pulmonary & Critical Care Medicine Division
University Hospital
University of Michigan
Ann Arbor, MI
51. Mr. Dohrman Byers
12060 Lawnview Avenue - #6
Cincinnati, OH
52. Alan S. Todd, CIH
Todd Environmental Consultants, Inc.
1012 West Ninth Avenue
King of Prussia, PA 19406
53. Roger L. Wabeke
Chemical Risk Management
8 Windham Lane
Dearborn, MI 48120

54. H. Corwin Hinshaw, M.D.
Professor Emeritus, U.S. Medical Center
450 Sutter Street
San Francisco, CA
55. Douglas Fowler, Ph.D.
643 Blair Island Road, Number 305
Redwood City, CA 94863
56. Dr. Pat Hessel
Alberta Asthma Center
P.O. Box 4033
Edmonton, Alberta T6E 6K2
57. Henry C. Field, M.S.
Virginia Beach, VA
58. Captain Douglas B. Brown
Department of Engineering
U.S. Merchant Marine Academy
Kings Point, NY
59. James A. Wilson
Marine Consulting and Surveying
99648 Wellington Drive
North Olmstead, OH 44070
60. I. Allen Feingold, M.D.
South Miami Hospital
7400 Southwest 2nd Avenue
Miami, FL
(305) 661-4611
61. Carl Mangold, C.I.H.
62. Larry Liukonen, C.I.H.
63. Donna M. Ringo, C.I.H.
64. Robert Gay, Ph.D.
65. Henry J. Silverman, M.D.
66. Robert W. Morgan, M.D.
67. Terrence Moisan, M.D.
68. Stanley Fiel, M.D.
69. Michael Graham, M.D.
70. John Fennessey, M.D.

71. Ronald G. Crystal, M.D.
Bruce Webster Professor of Internal Medicine
Cornell University Medical College
520 East 70th Street – Starr #505
New York, NY 10021
72. John Addison
25 Haddington Place
Edinburgh, Scotland EH7 4AF
73. Joseph A. Falcon, P.E.
17155 Roundhill Drive
Huntington Beach, CA 92649-4216
74. Mr. Lawrence R. Birkner
McIntyre, Birkner & Associates, Inc.
#514 2370 W. Highway 89A, Suite 11
Sedona, AZ 86336
(805) 494-8173
75. Dr. Russell Harley
Musc-Pathology
Charleston, SC 29425
76. Sheldon Rabinovitz
Sandler Occupational Associates
966 Hungerford Dr., Suite 20.
Rockville, MD 20852
77. Sidney Shindell, MD, LLB
Medical College of Wisconsin
8701 Watertown Plank Road
Milwaukee, WI 53226
78. William Dyson
Workplace Hygiene
1022 Jefferson Road
Greensboro, NC 27410
(336) 297-1642
79. Dr. Donald Greenberg
Professor of Pathology
Baylor College of Medicine
Houston, TX 77030
80. Dr. Jerome Kleinerman
Dept. of Pathology
Cleveland Metropolitan General Hospital
3395 Scranton Road
Cleveland, OH 44109

81. Dr. Marvin Kushner
Dean, Medical School
Health Sciences Center
SUNY, Stony Brook
Stony Brook, NY 11794
82. Dr. Nathaniel F. Rodman
WV University School of Medicine
Office of the Chairman
Dept. of Pathology, Room 2187
Morgantown, WV 26506
83. Professor Fred Pooley
Department of Minerals & Materials
University of Cardiff
Cardiff, Wales UK
84. James M. Bachman
Rancho Palos Verdes, CA 90275
85. Gayla McCluskey
Six Hartford Lane
Suite 106
Radnor, PA 19087
86. Dr. Roger McClellan
1111 Cuatro Serros, SE
Albuquerque, NM 87123
87. Dr. Mark Utell
Pulmonary and Critical Care Unit
Box 692
University of Rochester Medical Center
601 Elmwood Avenue
Rochester, NY 14642-4861
88. Dr. Bruce Case
89. Dr. Cesar Moran
The University of Alabama at Birmingham
Department of Pathology
Kracke Building, Room KB726
Birmingham, AL 35294
90. Mark R. Wick, M.D., F.C.A.P., F.A.S.C.P., F.A.C.D.
Division of Surgical Pathology
Room 3882 Old Medical School
University of Virginia Health Sciences Center
Box 214 Jefferson Park Avenue
Charlottesville, VA 22908

B. Defendant's Statement Concerning Testimony of Expert Witnesses:

1. Dr. Oscar Auerbach, Deceased, by deposition

Dr. Auerbach will not testify in person. Dr. Auerbach testifies generally about pathology, asbestos-related diseases, diseases related to cigarette smoking, and other matters of pulmonary pathology. Dr. Auerbach testifies regarding the "state-of-the-art" of cigarette smoking and its relationship to disease as well as other areas of pulmonary pathology.

2. Dr. Andrew Churg
Associate Professor
Chief, Laboratory of Anatomic Pathology
University of British Columbia
Health Sciences Center Hospital
2211 Westbrook Mall
Vancouver, B.C., Canada V6T1W5

Dr. Churg will testify about the pathology of asbestos-related diseases, his research into asbestos-related diseases, the carcinogenicity of various fiber types, and the relationship, if any, between asbestos and various diseases. Dr. Churg is a specialist in the pathology of occupational lung disease. He is also expected to testify that some asbestos-containing products do not create a health hazard and that any asbestos exposure from these products played no role in the genesis of plaintiffs' lung diseases, if any. Dr. Churg may testify, either live or by deposition, regarding general pathology and the pathology and the pathology of plaintiffs. He may also testify as to any matter raised by experts called by plaintiffs or any co-defendants.

In addition, Dr. Churg may testify regarding general medical issues, including but not limited to the following:

- a. the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;
- b. the nature of asbestos and asbestos-related disease;
- c. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- d. the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;

- e. the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive diseases or defects of the respiratory system;
- f. methods of diagnosis of various diseases with other non-asbestos-related diseases;
- g. incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;
- h. cigarette smoking and its effects on the lungs and other organs;
- i. the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;
- j. the difference between impairment and disability;
- k. the effect of asbestosis or other asbestos-related disease, on disability and life expectancy;
- l. the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;
- m. the history of evolution and knowledge of asbestos-related diseases;
- n. the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;
- o. cancer incidence in the general population and among asbestos workers and its potential causes;
- p. the incidence of mesothelioma among various kinds of workers exposed to asbestos, and the relative importance of various fiber types and the cause of mesothelioma; and
- q. to the extent not covered above, asbestos medicine in general.

Dr. Churg will express his opinion that the only established association concerning lung cancers and asbestos exposure is the association of asbestosis and lung cancers; that the association of occupational asbestos exposure and lung cancers is really the association of the specific disease, asbestosis and lung cancers; that only the confirmed presence of asbestosis establishes asbestos as a contributing cause of lung cancers in a person with a significant smoking history; that absent asbestosis, asbestos does not cause an increased risk of lung cancers. Dr. Churg may testify that occupational exposure to asbestos was a contributing factor in lung cancer. Dr. Churg may testify that pleural plaques, fiber burden counts and asbestos bodies also provide no information about the cause of lung cancers. Dr. Churg may testify as to what is asbestosis, whether there is an asbestos exposure threshold for asbestosis, and what constitutes that threshold for asbestosis.

3. Dr. Edward A. Gaensler
63 Eucalyptus Knoll Road
Mill Valley, CA 94941

Dr. Gaensler will testify about the pathology of asbestos related diseases, his research into asbestos related diseases, the carcinogenicity of various fiber types, and the relationship, if any, between asbestos and various diseases. Dr. Gaensler will testify about the epidemiology of asbestos related diseases, his statistical research, latency, state-of-the-art, and other related matters. Dr. Gaensler will testify about case-specific testimony, where applicable. He will testify about the evolution of asbestos disease, cigarette related diseases, and other respiratory or systematic conditions, specifically carcinomas, seen either independently or in connection with either of the foregoing.

4. Dr. Forde McIver, Deceased, by deposition

Dr. McIver, Deceased, was a pathologist in Charleston, South Carolina, who will testify by videotape.

5. Dr. W.K.C. Morgan
Chest Diseases Unit
University Hospital
339 Windermere Road
P.O. Box 5339, Postal Station A
London, Ontario N6A 5A5

Dr. Morgan is a pulmonologist. He will testify about the evolution of asbestos disease, the diseases involving cigarette smoking, and other diseases that are often seen in association with either of the foregoing. Dr. Morgan is a professor of medicine and director of chest diseases services at the University of Western Ontario. He was educated in England and Scotland, and among other appointments is a member of the Advisory Board for Occupational Health and Safety Resource Centre at the University of Western Ontario. Dr. Morgan may testify live or by deposition concerning the state of the available knowledge regarding asbestos-related disease at the relevant historical periods

of time. Dr. Morgan may also testify concerning current medical knowledge regarding plaintiffs' conditions and asbestos-related diseases.

6. Hans Weill, M.D.
Tulane University – School of Medicine
1700 Perdido Street
Second Floor
New Orleans, LA 70112

Dr. Weill is a pulmonary specialist. Dr. Weill will testify generally about asbestos-related diseases and diseases of the lungs, chest, respiratory system and other organs of the body. He may offer general testimony relating to cigarette smoking, cancer of various organs, cancer risks associated with cigarette smoking, asbestos exposure and other causative factors, and the pathogenesis and diagnosis of disease, including asbestos-related diseases. Dr. Weill may testify as to the various types of asbestos fibers and their role in the causation of disease. He may also testify as to the state-of-the-art medical as it relates to knowledge of health hazards associated with exposure to asbestos-containing dust in varying doses and in varying industries, based on his review of asbestos-related literature, and his own experience. Dr. Weill may testify specifically about plaintiffs' medical conditions by relating these general principles to plaintiffs' or plaintiffs' decedents' specific medical history through review of records, X-rays, or by hypothetical.

Dr. Weill may testify, in general, concerning asbestos related diseases and the effects of exposure to asbestos related diseases and the criteria for diagnosis of an asbestos related disease. He may also testify regarding the existence or non-existence of any asbestos related disease in plaintiffs, including, but not limited to pleural plaques, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer.

He may also testify on whether any asbestos related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos related disease. He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking. With respect to particular plaintiffs, he may testify as to review and interpretation of x-ray films, review and impairment or disability, whether the condition is progressive and whether other disease or conditions are present in plaintiffs.

Dr. Weill's testimony will be based on his training, experience, education, and review of the medical literature concerning asbestos related disease.

7. Dr. William Weiss
3912 Netherfield Road
Philadelphia, PA 19129

Dr. William Weiss is expected to testify about the evolution of asbestos disease, his knowledge of pulmonary lung disease of all varieties, the "state-of-the-art" of the development of knowledge regarding cigarettes and disease, the relationship between cigarette smoking and pulmonary fibrosis, the nature and evolution of x-ray work, his knowledge of x-rays as a "B" Reader and related matters.

8. Dr. Peter Barrett
Chief of Radiology
Quincy City Hospital
Quincy, MA 02169
(617) 426-2110

Dr. Barrett is a radiologist/B-Reader. He is expected to testify generally about radiographic concepts and evaluation and their relation to the diagnosis of pulmonary diseases. He will testify specifically regarding his evaluation of x-rays in the diagnosis of occupational pneumoconiosis. Dr. Barrett will testify that some asbestos-containing products are not hazardous and that any possible asbestos exposure from such asbestos-containing products could not have caused any of the plaintiffs' alleged illnesses.

Dr. Barrett is a practicing radiologist and a B-Reader certified by NIOSH. His testimony will relate to his interpretation of chest films taken of the plaintiffs, as disclosed in reports produced, if any, and which will be made available to the plaintiffs. It is anticipated that Dr. Barrett will testify generally as to his interpretation of the plaintiffs' chest films, the presence of any asbestos-related conditions as evidenced on the chest films, and the presence of other abnormalities or conditions unrelated to any exposure to asbestos.

9. Dr. Darryl Carter
Yale University
Department of Pathology
310 Cedar Street
New Haven, CN 06510

The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Carter has not prepared a report as yet; if he does, a copy will be provided to plaintiffs. Dr. Carter is expected to be able to testify concerning the circumstances under which exposure to certain forms and types of asbestos may be associated with the incidence of some forms of mesothelioma in some persons, and will testify concerning the results of his own experiences, the medical and scientific literature, and existing epidemiologic studies concerning associations that

are alleged to exist between exposure to asbestos in some populations and the mortality and/or incidence of some forms of cancer.

Dr. Carter is further expected to offer testimony concerning the effects of inhaled tobacco smoke and other factors on the occurrence of disease in populations who are also alleged to be exposed to asbestos containing products, and additionally concerning how the effects of inhaled tobacco smoke and other factors can confound the apparent results of certain epidemiologic studies. Dr. Carter is expected to testify that it cannot be said, to a reasonable degree of medical probability, that any hypothetical person's alleged "exposure" to products that may have contained asbestos was of importance to that individual, without reference to that specific person's individual work history, medical history, findings on physical examination and pathological examination of tissue, if any, information concerning the individual's use of protective equipment, specific types of asbestos containing product(s) used and/or handled, resolution of questions regarding exposures to substances other than asbestos-containing products, and other known etiologies for whatever conditions are found to exist.

It is further expected that Dr. Carter's testimony will generally respond to the pathologic, scientific and epidemiologic testimony which may be offered by plaintiffs' experts, and in that sense his testimony is dependent upon the prior testimony of such experts and cannot be specifically predicted. In expressing his opinions, Dr. Carter will rely on his own training, education, experience, research and publications, as well as the published medical and scientific literature that has been available to him over his career. Dr. Carter may testify as to the general medical aspects of the diagnosis and treatment of asbestos-related disease and the pathological effect of asbestos on the lung. He may also testify as to the relationship of asbestos exposure and the incidences of cancer.

Dr. Carter is expected to provide testimony in the following areas:

- a. anatomy and function of the respiratory and circulatory systems and the diagnosis and treatment of disease affecting such systems;
- b. the nature of asbestos and asbestosis;
- c. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;
- d. the nature and extent of medical and scientific knowledge regarding any association of obstructive and restrictive disease or defects of the respiratory system;
- e. the effect of exposure to substance other than asbestos on the development and manifestation of obstructive and restrictive disease or defects of the respiratory system;

- f. methods of diagnosis of various diseases, particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- g. incidence of lung cancer among individuals with asbestosis or asbestos exposure without asbestosis, compared with non-asbestotic asbestos workers, non-asbestos exposed workers and with the general population;
- h. the import of any exhibit (including without limitation, corporate documents of defendants) introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;
- i. cigarette smoking and its effect on the lung and other organs;
- j. the relative danger of this Defendant's asbestos-containing products;
- k. the relationship of cigarette smoking to cancer of the lung and cancers of other sites with references to epidemiological studies and physiologic effect;
- l. difference between impairment and disability;
- m. effect of asbestosis, or asbestos exposure without asbestosis, on disability and life expectancy;
- n. effect of pleural plaques or other pleural manifestations of asbestos exposure on lung functions or life expectancy;
- o. the lack of a relationship between presence of pleural plaques or other pleural manifestations of asbestos exposure on lung functions or life expectancy;
- p. cancer incidence in the general population and among asbestos workers and its potential causes;
- q. the history of evolution and knowledge of asbestos-related diseases; and

- r. the fiber types and exposure levels considered to be substantial in causing asbestos-related disease, specifically mesothelioma.

Additionally, Dr. Carter may testify concerning the diagnosis of the plaintiffs. Dr. Carter may also testify as to his findings and diagnosis after examination and analysis of tissue, slides or other pathologic materials, medical records, reports, radiographs and plaintiffs' work histories. He may give testimony concerning his review of any report purported to be diagnostic of any oncological conditions and the methods of and procedures for conducting fiber counts. He may give testimony regarding malignancies associated with asbestos exposure or cigarette abuse and other malignancies from which they must be differentiated, the appropriate protocols for diagnosis of those conditions, prognosis and information relating to the known causes of those malignancies. He may testify concerning the texts and other literature relevant to any malignancy purported to be asbestos-related and any other malignancy from which it must be distinguished, including data relevant to contentions of increased risk of asbestos-related disease or cancer, prognosis, the relevant standards of care and considerations relating to medical monitoring. His testimony may include discussion of any relevant of any relevant epidemiology, anatomy and physiology.

10. Dr. John E. Craighead
Department of Pathology
University of Vermont
Burlington, VT 05405

Dr. Craighead is a pathologist at the University of Vermont. He will testify generally about the evolution of asbestos disease; the pathology of asbestos-related diseases including those named as "Non-Routine"; the "state-of-the-art" of asbestos-related diseases; and will testify about other areas of pulmonary pathology including, but not limited to, emphysema, carcinoma, and related matters. Dr. Craighead will testify regarding the diagnosis and cause of plaintiffs' conditions. He will discuss the differing physical, chemical and biological properties of various types of asbestos fibers, and will explain to the jury that chrysotile fibers are incapable of causing, or unlikely to have caused, plaintiffs' alleged conditions.

Dr. Craighead is expected to provide testimony in the following areas:

- a. anatomy and function of the respiratory and circulatory systems and the diagnosis and treatment of disease affecting such systems;
- b. the nature of asbestos and asbestosis;
- c. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;

- d. the nature and extent of medical and scientific knowledge regarding any association of obstructive and restrictive disease or defects of the respiratory system;
- e. the effect of exposure to substance other than asbestos on the development and manifestation of obstructive and restrictive disease or defects of the respiratory system;
- f. methods of diagnosis of various diseases, particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- g. incidence of lung cancer among individuals with asbestosis or asbestos exposure without asbestosis, compared with non-asbestotic asbestos workers, non-asbestos exposed workers and with the general population;
- h. the import of any exhibit (including without limitation, corporate documents of defendants) introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;
- i. cigarette smoking and its effect on the lung and other organs;
- j. the relative danger of this Defendant's asbestos-containing products;
- k. the relationship of cigarette smoking to cancer of the lung and cancers of other sites with references to epidemiological studies and physiologic effect;
- l. difference between impairment and disability;
- m. effect of asbestosis, or asbestos exposure without asbestosis, on disability and life expectancy; and
- n. effect of pleural plaques or other pleural manifestations of asbestos exposure on lung functions or life expectancy;

11. Dr. Richard Fraser
Montreal Chest Hospital Center
Department of Pathology
3650 St. Urbain
Montreal, Quebec H2X2P4

Dr. Fraser is a pulmonary pathologist. He has written extensively on the pathology of chest diseases. He is expected to testify generally about pathologic concepts of disease, the etiology and course of disease processes both related to asbestos and non-asbestos causes. He will also testify case specifically on his analysis of tissue samples and medical records.

12. Dr. Bernard Gee
Yale University School of Medicine
333 Cedar Street
P.O. Box 3333
New Haven, CT 06510

Dr. Bernard Gee is a board certified pulmonologist who is expected to testify generally about the wide range of pulmonary diseases and specifically about occupational lung disease. Dr. Gee will testify regarding his vast research in pulmonology, which has promulgated some 200 papers, abstracts, and chapters in textbooks on pulmonary medicine.

13. William G. Hughson, M.D., Ph.D.
Center for Occupational &
Environmental Medicine
UCSD Medical Center
200 West Arbor Drive
San Diego, CA 92103-8800
(619) 294-6001

The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Hughson has not prepared a report in this case. Dr. Hughson is board certified in pulmonology, internal medicine, and occupational medicine. Dr. Hughson also is an epidemiologist. Dr. Hughson practices medicine at the University of California, San Diego. Dr. Hughson is expected to testify about certain encapsulated products (where asbestos fibers are thoroughly blended and mixed with the encapsulated binder which prevents a significant release of fibers) in that he has reviewed information and studies regarding exposure levels experienced with certain work practices used with encapsulated products, and is familiar with the literature concerning low level exposures. Dr. Hughson is expected to testify, based upon his review of the literature and of evidence of exposure, that exposure to certain encapsulated products was not a substantial contributing factor to plaintiffs' alleged asbestos-related disease. Dr. Hughson is expected to testify as to the ability of various types of fibers to cause disease and the properties of fibers that are believed to be

necessary in order to cause disease. Dr. Hughson is expected to testify generally about the pulmonary aspects of asbestos exposure, including matters such as dose response. Dr. Hughson is expected to testify about alleged occupational exposure and whether such exposure could be considered a substantial contributing factor to plaintiffs' alleged diseases.

Dr. Hughson is expected to testify about the principles of epidemiology and what is involved in an epidemiologic study. He is expected to testify that studies of particular groups or occupations of people are not necessarily applicable to other groups or occupations. Dr. Hughson is expected to testify as to the information necessary to determine the risks for a group of people or persons contracting an asbestos-related disease, and if it is scientifically possible to attribute a disease to a particular exposure. Dr. Hughson is expected to discuss epidemiological analysis of asbestos and how such analysis may be applied to the facts of a specific individual.

A copy of Dr. Hughson's C.V. will be made available upon request.

14. Dr. Gerald R. Kerby
Kansas University Medical Center
Pulmonary Division
Kansas City, KS 66103

Dr. Kerby is a pulmonologist at Kansas University Medical Center. He will testify regarding general pulmonary physiology and medicine, including lung cancer and mesothelioma. It is his opinion that, although asbestos may be found in the lung tissue, mesothelioma may not be caused by that asbestos.

15. Dr. Brooke T. Mossman
Pathology Department
Medical Alumni Building
Room A151, University of Vermont
Burlington, VT 05405

Dr. Mossman is a Ph.D. who engages in research in Burlington, Vermont, where she is associated with the University of Vermont. She has performed substantial research into questions relating to the interaction between human lung tissue and asbestos. Specifically, she has performed in vitro studies on human lung tissue and asbestos both within and without the presence of cigarette carcinogens. She will testify about that research and her conclusions and opinions related thereto.

16. Dr. Joseph J. Renn
Internal Medicine Associates, Inc.
99 J.D. Anderson Drive
Morgantown, WV 26003

Dr. Renn is a pulmonologist. In addition to case specific testimony where applicable, he will testify generally about medical matters related to the chest, asbestos-related diseases, diseases which are related to cigarette smoking, and other pulmonary problems which are often seen either independently or in association with any of the foregoing. Dr. Renn may also testify about the medical literature and its related matters.

17. Dr. Victor Roggli
Assistant Professor of Pathology
Duke University Medical Center
Department of Pathology, Box 3712
Durham, NC 27710

Dr. Roggli is a pathologist at Duke University. He will testify generally about pulmonary pathology including, but not limited to, asbestos-related diseases, tumors related to cigarette smoking, carcinomas and other related matters.

18. Dr. Jonathan M. Samet
Pulmonary Division
Department of Medicine
University of New Mexico
Albuquerque, NM 87131

Dr. Samet is an internist and epidemiologist. He is expected to testify generally about the relationships between asbestos, cigarette smoking and lung cancer, and generally about the epidemiology of disease.

19. Dr. Peter W.J. Bartrip
Centre for Socio-Legal Studies
Wolfson College
Linton Road
Oxford OX2 6UD
United Kingdom

Dr. Bartrip has a Ph.D. in history. He is expected to testify generally about the development of the 1931 Asbestos Industry Regulations in the United Kingdom. He is expected to testify about the consultations among officials from the Factory Inspectorate, representatives of manufacturers and representatives of organized labor prior to the promulgation of the Regulations.

20. Kevin Browne, M.D.
Leicester House
North Creake
Norfolk, England
NR21 9JP

Dr. Browne is expected to testify regarding all facets of asbestos-related disease, including, without limitation, respiratory system functioning, physiology, state of the art medical knowledge regarding asbestos-related disease, pathology, epidemiology and risk assessment. Dr. Browne is an occupational medicine specialist with training in epidemiology. He is expected to testify concerning the physical aspects of asbestos and its relationship to human health; asbestos-related disease, diagnosis, treatment, prognosis and epidemiology; the etiology of cancer associated with asbestos exposure; the history of medical science concerning our knowledge and understanding of asbestos and asbestos-related disease; fiber types, dose/response and threshold levels needed to produce disease; and the relationship of asbestos exposure to other environmental and occupational factors and their comparative risks. He is also expected to testify that the use of some asbestos-containing products does not create an asbestos health hazard and that any asbestos exposure from these products played no role in the genesis of plaintiffs' lung disease, if any.

Dr. Browne may testify about the defense mechanisms of the human lung, including but not limited to how the lungs protect themselves from foreign substances such as asbestos fibers. Dr. Browne may also testify regarding the mechanisms of asbestos-related disease. In addition, he may testify about threshold levels of asbestos exposure below which there is no known risk of asbestos-related disease. Dr. Browne may opine about the information and conclusions to be drawn from human epidemiological, experimental animal and cellular studies concerning the ability of and circumstances under which asbestos fiber cause disease. Dr. Browne may also testify concerning the respirability and toxicity of different types of asbestos and their relationship, if any, to asbestosis, lung cancer, and mesothelioma.

21. Morton Corn, Ph.D.
Director, Division of Environmental Health Engineering
The Johns Hopkins University
Baltimore, MD 21205

Dr. Corn is expected to testify regarding the history and development of regulations and government documents concerning asbestos. He may testify about the dissemination and availability of information related to asbestos. Dr. Corn is a professor and the Division Director at The Johns Hopkins University, Department of Environmental Health Engineering and holds a Ph.D. in Industrial Hygiene and Sanitary Engineering from Harvard University. Dr. Corn will testify regarding exposure issues related to the handling of some asbestos-containing products as well as the relative risks, governmental regulations and feasibility of engineering controls. He may discuss and testify about levels of asbestos exposure experienced in various occupations and trades,

fiber emitting propensities of products, factors affecting levels of exposure, and industrial hygiene practices. Dr. Corn will also testify that the reasonably foreseeable use of some asbestos-containing electrical products does not create a health hazard. Dr. Corn may base his opinions regarding use of such asbestos-containing products on various fiber release studies performed at industrial hygiene laboratories.

Dr. Corn may also testify regarding the history of governmental regulation of asbestos and the rulemaking process for such regulation.

22. John M.G. Davis, M.D.
Institute of Occupational Medicine Ltd.
8 Roxburg Place
Edinburgh, Scotland
EH 9SU

Dr. Davis is expected to testify concerning the development of knowledge of asbestos-related diseases as a result of in vitro and in vivo experimentation. Dr. Davis is expected to testify concerning fiber size, fiber deposition, fiber clearance and other aspects of asbestos-related pathology. Dr. Davis is also expected to testify concerning the views of Dr. Brody.

23. Janet Hughes, Ph.D.
Tulane University Medical Center
Section of Environmental Medicine SL15
1430 Tulane Avenue
New Orleans, LA 70112

Dr. Hughes is expected to testify regarding the epidemiological and statistical analyses performed by her and by others with respect to asbestos-related diseases.

24. Edward B. Illegren, M.D.
Conwyn Apartments
830 Montgomery Avenue
Bryn Mawr, PA 19010

Dr. Illegren is expected to testify regarding all facets of asbestos-related disease, including, without limitation, respiratory system functioning, physiology, state of the art medical knowledge regarding asbestos-related disease, pathology, epidemiology and risk assessment. Dr. Illegren is expected to testify regarding risk assessment. Dr. Illegren is expected to testify regarding risk assessment and epidemiological studies conducted by him and by others.

25. R.C. Austin
Faculty of Laws
University College London
Bentham House, Endsleigh Gardens
London WC1H OE6
England

Dr. Austin will testify about the procedures by which industrial regulations have been drafted and implemented in the United Kingdom. He will testify about the role of consultation among government, industry and labor in the creation of such regulations.

26. Richard J. Lee, Ph.D.
R.J. Lee Group, Inc.
350 Hochberg Road
Monroeville, PA 15146

Dr. Lee is expected to testify about the development of scientific knowledge and techniques regarding the measurement of levels of asbestos in the air and in lung tissue. Dr. Lee may comment upon techniques used by plaintiffs' experts to generate and analyze air; dust and lung tissue samples; and conclusions drawn therefrom. Dr. Lee may also testify concerning the propensity of gasketing materials to release fibers and the specific fiber level generated therefrom during normal use.

27. Arthur Langer, Ph.D.
Director, Environmental Sciences Laboratory
Brooklyn College of the City University
Of New York
Brooklyn, NY 11210
(718) 951-4242; (718) 951-4793

The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Langer has not prepared a report in this case. Dr. Langer is a mineralogist with a Ph.D. from Columbia University. Dr. Langer is a Professor of mineralogy at City University, New York, New York, and director of the Environmental Sciences Laboratory of the Institute of Applied Sciences, Brooklyn College of the City University of New York. Dr. Langer is expected to identify and describe the various methods by which inorganic material, from aerosols, bulk samples, or tissue, may be analyzed chemically, crystallographically, and structurally. Dr. Langer is expected to testify about the various types of asbestos fiber, the geographic locations where the fibers can be found, the potential biologic activity of the various fibers can be found, the potential biologic activity of the various fibers in the human lung (including inorganic toxicity), the physical and chemical characteristics of the various asbestos fibers, and the identification and characterization of asbestos fibers. Dr. Langer is expected to testify as to the types of inorganic minerals found in the lung tissue of persons with malignant mesothelioma and which are associated with the incidence of malignant mesothelioma in humans. Dr. Langer is expected to testify as to the types of

fibers that have been shown to create an increased risk for malignant mesothelioma. Dr. Langer is expected to testify as to the potential for certain finished asbestos containing products to be contaminated with inorganic minerals and the amounts of the types of trace contaminants that may be found in the products. Dr. Langer is expected to offer testimony as to the amount of contaminants that are found in finished asbestos-containing products—if any—and the chemical, crystallographic, and structural composition of the contaminants. Dr. Langer is expected to testify as to the levels of airborne contaminants that can be generated from a finished product—if any.

Dr. Langer is expected to testify, based upon his review of the literature and of evidence of exposure that exposure to certain encapsulated products did not result in a release of any contaminants sufficient to cause disease in persons such as plaintiffs. Dr. Langer is expected to testify that his work, and the literature, does not establish that certain encapsulated products are contaminated with tremolite asbestos.

A copy of Dr. Langer's C.V. will be made available upon request.

28. Phillip Cagle, M.D.
Baylor School of Medicine
Dept. of Pathology
1200 Moursund Street
Room 286A
Houston, TX

The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Cagle has not as yet prepared a report; if he does, a copy will be provided to plaintiffs. Dr. Cagle will be offered by this Defendant as an expert physician, with particular expertise in pathology, in the process of carcinogenesis, as a researcher in the field of asbestos related conditions and their etiology, in the pathologic diagnosis and grading of non-malignant conditions associated with exposure of certain populations to asbestos-containing products and /or materials, and in the epidemiologic and etiologic aspects of certain cancers that are alleged to be causally associated with exposure of certain populations to asbestos containing products and/or materials. Dr. Cagle is expected to provide testimony concerning the anatomic structure and functioning of the lung from a pathologic perspective, the defense mechanisms and functioning of the lung in health and otherwise, the responses of the lung to various stimuli, and the role of various components of the respiratory system in the proper functioning of the lung. Dr. Cagle is expected to describe and distinguish various types of asbestos fibers; to describe the things which affect the ability of asbestos fibers to affect various structures within the respiratory system; and to describe the body's specific responses to fibers of asbestos that are inhaled, whether or not they are retained.

It is further believed that Dr. Cagle will define and distinguish various conditions, such as asbestosis, pleural changes and other non-malignant changes that may be attributable in some persons to the results of long-term inhalation and retention of some

forms of asbestos fiber. Dr. Cagle is further expected to be able to testify concerning the circumstances under which exposure to certain forms and types of asbestos may be associated with the incidence of some forms of mesothelioma in some persons, and will testify concerning the results of his own experiences, the medical and scientific literature, and existing epidemiologic studies concerning associations that are alleged to exist epidemiologically between exposure to asbestos in some populations and the mortality and/or incidence of some forms of cancer. Dr. Cagle is further expected to offer testimony concerning the effects of inhaled tobacco smoke and other factors on the occurrence of disease in populations who are also alleged to be exposed to asbestos containing products, and additionally concerning how the effects of inhaled tobacco smoke and other factors can confound the apparent results of certain epidemiologic studies. Dr. Cagle is also expected to testify that it cannot be said, to a reasonable degree of medical probability, that any hypothetical person's alleged "exposure" to products that may have contained asbestos was of importance to that individual, without reference to that specific person's individual work history, medical history, findings on physical examination of tissue, if any, information concerning the individual's use of protective equipment and pathological examination of tissue, if any, of asbestos containing product(s) used and/or handled, resolution of questions regarding exposures to substances other than asbestos-containing products, and other known etiologies for whatever conditions are found to exist. It is further expected that Dr. Cagle's testimony will generally respond to the pathologic, scientific and epidemiologic testimony which may be offered by plaintiffs' experts, and in that sense his testimony is dependent upon the prior testimony of such experts and cannot be specifically predicted. In expressing his opinions, Dr. Cagle will rely on his own training, education, experience, research and publications, as well as the published medical and scientific literature that has been available to him over his career.

Dr. Cagle may testify as to the general medical aspects of the diagnosis and treatment of asbestos-related disease and the pathological effect of asbestos on the lung. He may also testify as to the relationship of asbestos exposure and the incidence of cancer.

Dr. Cagle is expected to provide testimony in the following areas:

- a. anatomy and function of the respiratory and circulatory systems and the diagnosis and treatment of disease affecting such systems;
- b. the nature of asbestos and asbestosis;
- c. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;

- d. the nature and extent of medical and scientific knowledge regarding any association of obstructive and restrictive disease or defects of the respiratory system;
- e. the effect of exposure to substance other than asbestos on the development and manifestation of obstructive and restrictive disease or defects of the respiratory system;
- f. methods of diagnosis of various diseases, particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- g. incidence of lung cancer among individuals with asbestosis or asbestos exposure without asbestosis, compared with non-asbestotic asbestos workers, non-asbestos exposed workers and with the general population;
- h. the import of any exhibit (including without limitation, corporate documents of defendants) introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;
- i. cigarette smoking and its effect on the lung and other organs;
- j. the relative danger of this Defendant's asbestos-containing products;
- k. the relationship of cigarette smoking to cancer of the lung and cancers of other sites with references to epidemiological studies and physiologic effect;
- l. difference between impairment and disability;
- m. effect of asbestosis, or asbestos exposure without asbestosis, on disability and life expectancy;
- n. effect of pleural plaques or other pleural manifestations of asbestos exposure on lung functions or life expectancy;
- o. the lack of a relationship between presence of pleural plaques or other pleural manifestations of asbestos exposure on lung functions or life expectancy;

- p. cancer incidence in the general population and among asbestos workers and its potential causes;
- q. the history of evolution and knowledge of asbestos-related diseases; and
- r. the fiber types and exposure levels considered to be substantial in causing asbestos-related disease, specifically mesothelioma.

Additionally, Dr. Cagle may testify concerning the diagnosis of plaintiffs. Dr. Cagle may also testify as to his findings and diagnosis after examination and analysis of tissue, slides or other pathologic materials, medical records, reports, radiographs and plaintiffs' work history. He may give testimony concerning his review of any report purported to be diagnostic of any oncological condition and the methods of and procedures for conducting fiber counts. He may give testimony regarding malignancies associated with asbestos exposure or cigarette abuse and other malignancies from which they must be differentiated, the appropriate protocols for diagnosis of those conditions, prognosis, and information relating to the known causes of those malignancies. He may testify concerning the text and other literature relevant to any malignancy purported to be asbestos-related and any other malignancy from which it must be distinguished, including data relevant to contentions of increased risk of asbestos-related disease or cancer, prognosis, the relevant standards of care and considerations relating to medical monitoring. His testimony may include discussion of any relevant epidemiology, anatomy and physiology.

29. Dr. James Crapo
National Jewish Center
Denver, CO
(303) 398-1436

The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Crapo has not as yet prepared a report in this case; if he does, a copy will be provided to plaintiffs. Defendants are not aware of all of the areas of testimony or proof that plaintiffs intend to produce at trial, and therefore, Defendant cannot proffer all expected testimony until they have had the benefit of reviewing all of plaintiffs' experts' reports and opinions. To the extent that a witness expresses an opinion at trial or in discovery that has not been divulged prior to the time that this statement was served on counsel, and which creates a need for additional areas of rebuttal testimony or proof, Defendant reserves the right to supplement this statement. Dr. Crapo is board certified in internal medicine with a subspecialty certification in pulmonary diseases. Dr. Crapo practices medicine at the National Jewish Medical Center in Denver, Colorado. Dr. Crapo is expected to testify about the pulmonary aspects of asbestos exposure, including matters such as dose response, pathogenicity, carcinogenicity, and the potential for asbestos-related disease as a result of exposures to the different types of fibers. Dr. Crapo is expected to testify as to

general medical issues and physiology. Dr. Crapo is expected to testify about alleged occupational exposure -- as described by plaintiffs' witnesses -- and whether such exposure could be considered a substantial contributing factor to plaintiffs' alleged diseases. Dr. Crapo is expected to testify about the principles of epidemiology and what is involved in an epidemiologic study. He is expected to testify that studies of particular groups or occupations of people are not necessarily applicable to other groups or occupations. Dr. Crapo is expected to testify as to the information necessary to determine the risks for a group of people or persons contracting an asbestos-related disease, and if it is scientifically possible to attribute a disease to a particular exposure. Dr. Crapo is expected to discuss epidemiological analysis of asbestos and how such analysis may be applied to the facts of a specific individual. Dr. Crapo is expected to testify either live or by deposition concerning plaintiffs' medical conditions, cigarette smoking and lung diseases, and generally about the pulmonary system and its functions as well as conditions and diseases of the pulmonary system. Dr. Crapo may also testify about asbestos and its effect on the markers and diseases, and the risks associated with developing cancers. Dr. Crapo is also expected to testify about any matter raised by experts called by the plaintiffs or co-defendants including, but not limited to, plaintiffs' medical conditions, the state of medical knowledge concerning asbestos, asbestos-related disease and other occupational diseases.

30. Dr. M. Joseph Fedoruk
Los Angeles, CA

The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Fedoruk has not as yet prepared a report in this case; if he does, a copy will be provided to plaintiffs. Defendant is not aware of all the areas of testimony or proof that plaintiff intends to produce at trial and, therefore, Defendant cannot proffer all expected testimony until it has had the benefit of reviewing all of plaintiffs' experts' reports and opinions. To the extent that a witness expresses an opinion at trial or in discovery that has not been divulged prior to the time that this statement was served on counsel, and which creates a need for additional areas of rebuttal testimony or proof, Defendant reserves the right to supplement this statement. Dr. Fedoruk is board certified in internal medicine and occupational medicine and is a certified industrial hygienist. Dr. Fedoruk practices in Los Angeles, California. Dr. Fedoruk is expected to testify about the pulmonary aspects of asbestos exposure, including matters such as dose response, pathogenicity, carcinogenicity, and the potential for asbestos-related disease as a result of general medical issues and physiology. Dr. Fedoruk is expected to testify about the principles of industrial hygiene and the factors that are important to industrial hygiene studies. He is expected to testify about the principles of industrial hygiene and the factors that are important to industrial hygiene studies. He is expected to testify to the manner in which medical experts can use industrial hygiene data and how the data should be interpreted in specific cases. Dr. Fedoruk is expected to testify as to the manner should be properly considered in evaluating asbestos exposures.

A copy of Dr. Fedoruk's C.V. will be made available upon request.

31. Dr. Raymond Weiss
Rockville, MD

The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Weiss has not as yet prepared a report in this case; if he does, a copy will be provided to plaintiffs. Defendants are not aware of all of the areas of testimony or proof that plaintiffs intend to produce at trial and, therefore, Defendant cannot proffer all expected testimony until they have had the benefit of reviewing all of plaintiffs' experts' reports and opinions. To the extent that a witness expresses an opinion at trial or in discovery that has not been divulged prior to the time that this statement was served on counsel, and which creates a need for additional areas of rebuttal testimony or proof, this Defendant reserves the right to supplement this statement. Dr. Weiss is board certified in internal medicine and oncology. Dr. Weiss practices in Rockville, Maryland. Dr. Weiss is expected to testify about the alleged carcinogenic aspects of asbestos exposure, including matters such as dose response, epidemiology, and the types of cancer that are medically accepted as causally associated with exposure to asbestos. Dr. Weiss is expected to testify as to general medical issues and carcinogenicity.

A copy of Dr. Weiss' C.V. will be made available upon request.

32. Mr. Charles Blake
Atlanta, GA

The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Mr. Blake has not as yet prepared a report in this case; if he does, a copy will be provided to plaintiffs. Defendants are not aware of all of the areas of testimony or proof that plaintiffs intend to produce at trial and, therefore, Defendant cannot proffer all expected testimony until they have had the benefit of reviewing all of the plaintiffs' experts' reports and opinions. To the extent that witness expresses an opinion at trial or in discovery that has not been divulged prior to the time that this statement was served on counsel, and which creates a need for additional areas of rebuttal testimony or proof, Defendant reserves the right to supplement this statement. Mr. Blake is a certified industrial hygienist. Mr. Blake is employed in Atlanta, Georgia. Mr. Blake is expected to testify about alleged occupational exposures to plaintiffs and whether such exposure could be considered as creating a scientifically significant amount of risk for the development of an asbestos-related disease. Mr. Blake is expected to testify about the principles of industrial hygiene and the factors that are important to industrial hygiene studies. He is expected to testify as to the manner in which industrial hygiene data should be properly considered by experts in evaluating exposures. Mr. Blake will be provided with copies of the testing data of experts retained by counsel for plaintiffs and will be asked to comment on the methods used in the studies as well as the results of the studies, as compared to published studies and work performed by Mr. Blake in the past.

33. Dr. Robert Jones
Tulane University Medical Center
2430 Tulane Avenue
New Orleans, LA

Dr. Jones is a pulmonologist who is currently a staff physician at Tulane Medical Center Hospital and a Professor of Medicine at Tulane University School of Medicine in New Orleans, Louisiana. Dr. Jones is expected to testify either live or by deposition concerning plaintiffs' medical conditions, cigarette smoking and lung disease, and generally about the pulmonary system and its functions as well as conditions and diseases of the pulmonary system. Dr. Jones may also testify about asbestos and its effects on the pulmonary system, including the diagnosis and prognosis of asbestos-related markers and diseases, and the risks associated with developing cancers. Dr. Jones is also expected to testify about any matter raised by experts called by the plaintiffs of co-defendants including, but not limited to, plaintiffs' medical conditions, the state of medical knowledge concerning asbestos, asbestos-related disease and other occupational diseases.

34. J. Leroy Balzer, Ph.D.
408 Horse Trail Court
Walnut Creek, CA 94595

Dr. Balzer has a B.S. Degree in Public Health Microbiology and M.S. Degree in Preventive Medicine/Public Health, which were awarded by the University of California at Los Angeles in 1962 and 1963 respectively. Dr. Balzer earned the Doctor of Philosophy Degree in Environmental Health Science/Industrial Hygiene from the University of California at Berkley in 1971. From 1963 to 1965, he was employed as an environmental health scientist at the University of California at Berkley. From 1966 to 1971, Dr. Balzer was employed by the University of California School Of Public Health as a research associate and research fellow. In 1966, he became involved in a coordinated research program of occupational medicine, industrial hygiene and education of insulation contractors. This intense study of the construction industry was sponsored through grants from the United States Public Health Service and involved observing the work environment of insulators. Dr. Balzer was a Certified Chancellor at the University of California Health Sciences Campus in San Francisco. He has lectured on occupational/environmental health issues in the United States and internationally. In 1993, Dr. Balzer became a full time consulting industrial hygienist and was appointed an Assistant Clinical Professor, School of Medicine, University of California Health Sciences. Dr. Balzer is a member of the American Conference of Governmental Industrial Hygienists (Affiliate) and the American Industrial Hygiene Association.

Dr. Balzer is an environmental consultant. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels as to work practices regarding various types of occupations using products that contained asbestos. He may testify as to the applicability of the OSHA and Environmental Protection Agency's guidelines as they relate to various types of products, including

gaskets and packing, He may testify as to exposure that may result from the use of other types of asbestos products.

Dr. Balzer has personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, skills, and training. Dr. Balzer may testify about the size, construction, layout and working environment of facilities, such as where the plaintiffs worked. He may testify about the nature of the working environment in such locations. He may testify about his knowledge of the composition and asbestos content, if any, of the products and may testify concerning the ability of such products to emit asbestos fiber under certain conditions. He may testify generally as to the industrial hygiene state-of-the-art. He may testify to the dust levels produced by particular insulation operations and products, including pipe and block insulation. He may also address insulator union knowledge of asbestos hazards, the historical development of the use of respirators in association with the use of asbestos-containing products. He may testify about whether the products identified are capable of emitting respirable asbestos fibers of type or quantity that could have substantially contributed to the plaintiffs' alleged asbestos-related conditions. He may testify about applicable governmental standards and regulations. His testimony will be based, in part, on the results of testing that he has performed or reviewed for products that are the same or substantially similar to those of which the plaintiffs complain. He may also testify to the dust levels produced by particular insulation operations and products, including pipe and block insulation. He may also address insulator union knowledge of asbestos hazards, the historical development of the use of respirators in association with the use of asbestos-containing materials. He may also testify as to any matter raised by experts called by plaintiffs or any co-defendants. Dr. Balzer may testify regarding an individual's risks or exposure to asbestos from different media, including, but not limited to, ambient air, industrial products and occupational settings. Balzer may testify concerning: (1) circumstances in occupational settings that may result in direct exposure for person having contact with asbestos-containing products or equipment with asbestos insulation, and (2) circumstances that may result in bystander exposure for those nearby others having contact with asbestos containing products or equipment with asbestos insulation. Balzer may testify about industrial hygiene principles and methodologies used to determine potential hazards due to asbestos exposure.

35. Dr. Robert Sawyer
149 Prospect Avenue
Guilford, CT 06437

Dr. Sawyer is an industrial hygienist who is expected to testify regarding fiber release from various products, threshold limit values, and dose values for disease. Dr. Sawyer may further testify, in general, concerning asbestos related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos related diseases and the criteria for diagnosis of any asbestos related disease. He may also testify regarding the existence or non-existence of any asbestos related disease in the plaintiffs, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer. He may also testify on whether any asbestos related disease

allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos related disease.

He may also testify on the increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in plaintiffs. Dr. Sawyer's testimony will be based on his training, experience, education, and review of the medical literature concerning asbestos related disease.

36. Mark Lehto, Ph.D.
Purdue University
Purdue, IN

Dr. Lehto will testify about the history of warnings and the proper content of product warnings.

37. Dr. James Rasmuson
Denver, CO

Dr. Rasmuson is an industrial hygienist who will testify about the history of industrial hygiene, threshold values, the measurement of atmospheric dust and particulate matter, and other related matters.

38. Dorsett Smith
Seattle, WA

Dr. Smith will testify about the pathology of asbestos related disease, his research into asbestos related diseases, the carcinogenicity of various fiber types, and the relationship, if any between asbestos and various diseases, latency, state-of-the-art and other related matters. Dr. Smith will testify about case specific testimony where applicable. He will testify about the evolution of asbestos disease, cigarette related diseases, and other respiratory or systemic conditions, specifically carcinomas, seen either independently or in connection with either of the foregoing. Dr. Smith will testify about the various fiber types of asbestos and, if necessary, about apportionment between product usage.

39. Robert Murray
Guildford Institute
Ward Street
Guildford GUI LH
England

Dr. Murray will testify about the development of knowledge concerning the health effects of asbestos and about practices with respect to asbestos and health in the United Kingdom. He will testify live or by deposition, consistent with his depositions In Re: Asbestos School Litigation, U.S.D.C., Eastern District of Pennsylvania, No. 83-0268, November 19, 1990; or Cimino, et al. v. Raymark Industries, Inc. et al., U.S.D.C., Eastern District of Texas, No. B-86-0456-CA, January 30, 1990; or John L. May, Archbishop of St. Louis, et al v. AC and S, Inc., et al., U.S.D.C., Eastern District of Missouri, 88-0386-C-5, July 16, 1992.

40. Otto Wong, Sc.D., F.A.C.E.
Applied Health Science, Inc.
181 Second Avenue
Suite 628
San Mateo, CA 94401

Dr. Wong is a board-certified epidemiologist and a fellow of the American College of Epidemiology. He is expected to testify regarding the history and development of scientific and medical knowledge about asbestos-related disease, the epidemiology of asbestos diseases, and increased risk of cancer and life-shortening problems not related to asbestos exposure. He is also expected to testify as to the status of epidemiological studies regarding asbestos-related disease.

41. Brooks Emory, M.D.
Jefferson Hospital
New Orleans, LA

Dr. Emory is expected to testify either live or by deposition concerning plaintiffs' medical conditions, cigarette smoking and lung disease, and generally about the pulmonary system and its functions as well as conditions and diseases of the pulmonary system. Dr. Emory may also testify about asbestos and its effect on the pulmonary system, including the diagnosis and prognosis of asbestos-related markers and diseases, and the risks associated with the developing cancer. Dr. Emory is also expected to testify about any matter raised by experts called by the plaintiffs and co-defendants including, but not limited to, plaintiffs' medical conditions, the state of medical knowledge concerning asbestos-related diseases and other occupational diseases.

42. Ben Branscomb, M.D.
Professor of Medicine
University of Alabama School of Medicine
Birmingham, AL

Dr. Branscomb is expected to testify either live or deposition concerning plaintiffs' medical conditions, cigarette smoking and lung disease, and generally about the pulmonary system and its functions, as well as conditions and diseases of the pulmonary system. Dr. Branscomb may also testify about asbestos and its effect on the pulmonary system, including the diagnosis and prognosis of asbestos-related markers and diseases, and the risks associated with developing cancers. Dr. Branscomb is also expected to testify about any matter raised by experts called by the plaintiffs or co-defendants including, but not limited to, plaintiffs' medical conditions, the state of medical knowledge concerning asbestos, asbestos-related disease and other occupational diseases.

43. Harry B. Demopoulos
N.Y.U. Medical Center
Department of Pathology
550 First Avenue
New York, NY 10016

Dr. Demopoulos is a professor of pathology at New York University and Medical Center. Dr. Demopoulos may be expected to testify live or by deposition concerning the state of the available medical knowledge regarding asbestos-related disease at the relevant historical periods of time. Dr. Demopoulos may also testify concerning current medical knowledge regarding plaintiffs' conditions and asbestos-related diseases.

44. James E. Lockey, M.D., M.S.
Institute of Environmental Health
University of Cincinnati Medical Center
Clinical Studies Division
5251 Medical Science Bldg., M.L. 182
231 Bethesda Ave.
Cincinnati, OH 45267-0182

Dr. Lockey is a pulmonologist who is expected to testify about any matter raised by experts called by the plaintiffs and co-defendants including, but not limited to, plaintiffs' medical conditions, the state of medical knowledge concerning asbestos, asbestos-related disease and other occupational diseases. Dr. Lockey may also be expected to testify concerning the state of the available medical knowledge regarding asbestos related disease at the relevant historical periods of time.

45. James Cimino, M.D., M.P.H.
Professor and Chairman
Department of Community Preventive Medicine
New York College
50 Willard Avenue
North Tarrytown, NY 10591

Dr. Cimino is presently professor and chairman of the Department of Community and Preventive Medicine, New York Medical College, Valhalla, New York. Dr. Cimino may be expected to testify live or by deposition concerning the state of the available medical knowledge regarding asbestos-related disease at the relevant historical periods of time. Dr. Cimino may also testify concerning current medical knowledge regarding plaintiffs' conditions and asbestos-related diseases.

46. Stephen M. Ayers, M.D.
Medical College of Virginia
Box 565 MCV Station
Richmond, VA 23298

Dr. Ayers may be expected to testify live or by deposition concerning the state of the available medical knowledge regarding asbestos-related disease at the relevant historical periods of time. Dr. Ayers may also testify concerning current medical knowledge regarding plaintiffs' conditions and asbestos-related diseases. Dr. Ayers may testify on state-of-the-art and the Saranac papers, to the effect that Defendant could not have known end users were at risk until approximately the late 1960s. He may also testify as to any matter raised by experts called by plaintiffs or any co-defendants.

47. John G. Weg, M.D.
Pulmonary & Critical Care Medicine Division
University Hospital
University of Michigan
Ann Arbor, MI

Dr. Weg will testify concerning the state of the available medical knowledge regarding asbestos-related disease at the relevant historical periods of time and the process by which medical knowledge evolved concerning exposure to asbestos-containing products. Dr. Weg will also testify as to issues of medical causation in certain cases.

48. Mr. Dohrman Byers
12060 Lawnview Avenue - #6
Cincinnati, OH

Mr. Byers' testimony may be presented by way of deposition taken on October 21, 1985, in Brandt v. Owens-Illinois, Inc., Case No. 605-147, Milwaukee Circuit Court,

Wisconsin. Mr. Byers testified as to the interpretation and application of the Threshold Limit Value by the U.S. Public Health Service.

49. Alan S. Todd, CIH
Todd Environmental Consultants, Inc.
1012 West Ninth Avenue
King of Prussia, PA 19406

Mr. Todd will testify about the asbestos exposures encountered aboard merchant marine vessels.

50. Roger L. Wabeke
Chemical Risk Management
8 Windham Lane
Dearborn, MI 48120

Mr. Wabeke will testify about the asbestos exposures encountered aboard merchant marine vessels.

51. H. Corwin Hinshaw, M.D.
Professor Emeritus, U.S. Medical Center
450 Sutter Street
San Francisco, CA

Dr. Hinshaw may testify live or by deposition concerning asbestos-related disease, cigarette smoking and lung disease, and generally about the pulmonary system and its functions, as well as conditions and diseases of the pulmonary system. Dr. Hinshaw may also be expected to testify about asbestos and its effect on the pulmonary system, including the diagnosis and prognosis of asbestos-related markers and diseases, and the risks associated with developing cancers. Dr. Hinshaw may also testify about any matter raised by experts called by the plaintiffs or co-defendants including, but not limited to, asbestos-related disease, the state of medical knowledge concerning asbestos, and occupational disease. Dr. Hinshaw may further testify concerning the state of the available medical knowledge regarding asbestos-related disease at the relevant historical periods of time. Dr. Hinshaw may also testify concerning current medical knowledge regarding plaintiffs' medical conditions.

52. Douglas Fowler, Ph.D.
643 Blair Island Road, Number 305
Redwood City, CA 94863

Dr. Fowler is an industrial hygienist who may testify live or by deposition concerning issues relating to plaintiffs' theories of "fiber drift," issues relating to the threshold limit value, protective measures, plaintiffs' level of exposure to asbestos, and other industrial hygiene-related issues.

53. Dr. Pat Hessel
Alberta Asthma Center
P.O. Box 4033
Edmonton, Alberta T6E 6K2

Dr. Hessel may testify live or by deposition concerning the epidemiology of asbestos-related diseases among various populations.

54. Henry C. Field, M.S.
Virginia Beach, VA

Mr. Field may testify live or by deposition about the construction, overhaul and repair of ships. Based upon his training, background, experience, and documents he has reviewed, he will testify as to when various asbestos-related products may have been used in ship construction or in overhaul and repair work. He will also testify regarding seamen's various job functions and any exposure in the course of those activities.

55. Captain Douglas B. Brown
Department of Engineering
U.S. Merchant Marine Academy
Kings Point, NY

Captain Brown may testify live or by deposition about the construction, engineering, and routine operation of ships. Based upon his training, background, experience, and documents he has reviewed, he will testify as to when and how various asbestos-related products may have been used in ships and whether use of those products would ever result in the release of dust. He will also testify regarding seamen's various job functions and any exposures in the course of those activities.

56. James A. Wilson
Marine Consulting and Surveying
99648 Wellington Drive
North Olmsted, OH 44070

Mr. Wilson will testify regarding the regulations and standards administered and enforced by the U.S. Coast Guard concerning the use of asbestos aboard inspected commercial and government owned or chartered vessels operated under inter-agency inspection agreement; the general contents and purposes of various Coast Guard standards as contained in federal regulations, approved equipment lists, Navigation and Investigation Circulars (NVICs), and internal standards enforcement procedures; limitations imposed upon inspected vessels in the use of non-approved materials; and procedures established by the U.S. Coast Guard for the use, repair, and maintenance of asbestos and asbestos containing insulation, gaskets, and other shipboard materials.

57. I. Allen Feingold, M.D.
South Miami Hospital
7400 Southwest 62nd Avenue
Miami, FL
(305) 661-4611

Dr. Feingold is the Chief of the Division of Pulmonary Medicine at South Miami Hospital. He will testify as a state-of-the-art witness generally and with respect to asbestos-containing products. He may also testify concerning the physiological and radiological aspects of asbestos-related lung disease, including etiology, diagnosis, treatment, prognosis and epidemiology; the causes of lung cancer; the history of the medical science concerning our knowledge and understanding of asbestos and asbestos-related disease; fiber types, dose/response and threshold levels needed to produce disease; the relationship of asbestos exposure to other environmental factors and their comparative risks. Dr. Feingold will also testify that work with some asbestos-containing products does not result in dangerous asbestos fiber exposure and that any asbestos exposure from these products played no role in the genesis of plaintiffs' lung disease, if any. In addition, Dr. Feingold is expected to testify about the various fiber release studies performed at industrial hygiene laboratories, on the use of asbestos containing products. Dr. Feingold may testify, in general, concerning asbestos related disease and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos related diseases and the criteria for diagnosis of an asbestos-related disease. He may also testify regarding the existence or non-existence of any asbestos related disease in the plaintiffs, including, but not limited to, pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer. He may also testify on whether any asbestos related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos related disease. He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify to the health consequences of smoking.

58. Carl Mangold, C.I.H.

Dr. Mangold is a certified industrial hygienist. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and government agencies. He may testify as to issues involving reentrainment and fiber drift. He may testify as to work practices regarding various types of occupations using products that contain asbestos. He may testify as to the applicability of the OSHA and Environmental Protection Agency's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products.

59. Larry Liukonen, C.I.H.

Mr. Liukonen is a certified industrial hygienist. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposures levels as promulgated by private organizations and government agencies. He may testify as to issues involving reentrainment and fiber drift. He may testify as to work practices regarding various types of occupations using products that contained asbestos. He may testify as to the applicability of the OSHA and Environmental Protection Agency's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products.

60. Donna M. Ringo, C.I.H.

Donna M. Ringo is a certified industrial hygienist. She may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. She may testify regarding threshold limit values and permissible exposures levels as promulgated by private organizations and government agencies. She may testify as to issues involving reentrainment and fiber drift. She may testify as to work practices regarding various types of occupations using products that contained asbestos. She may testify as to the applicability of the OSHA and Environmental Protection Agency's guidelines as they relate to various types of products including gaskets and packings. She may testify as to exposure that may result from the use of other types of asbestos products.

61. Robert Gay, Ph.D.

Dr. Gay is an environmental consultant and chemist. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposures levels as promulgated by private organizations and government agencies. He may testify as to issues involving reentrainment and fiber drift. He may testify as to work practices regarding various types of occupations using products that contained asbestos. He may testify as to the applicability of the Environmental Protection Agency's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products.

62. Henry J. Silverman, M.D.

Dr. Henry J. Silverman may testify, in general, concerning asbestos related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos related diseases and the criteria for diagnosis of an asbestos related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach

cancer. He may also testify on whether any asbestos related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos related disease. He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking. With respect to particular plaintiffs, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in plaintiffs. Dr. Silverman's testimony will be based on his training, experience, education and review of the medical literature concerning asbestos related disease.

63. Robert W. Morgan, M.D.

Dr. Robert Morgan may testify, in general, concerning asbestos related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of any asbestos related disease. He may also testify regarding existence or non-existence of any asbestos related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer. He may also testify on whether any asbestos related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos containing gasket and packing products. He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking. With respect to particular plaintiffs, he may testify as to review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in plaintiffs.

Dr. Morgan's testimony will be based on his training, experience, education, and review of the medical literature concerning asbestos related disease.

64. Terrence Moisan, M.D.

Dr. Terrence Moisan may testify, in general, concerning asbestos related diseases and the effects of exposure upon persons in occupational settings, including the epidemiology of asbestos related diseases and the criteria for diagnosis of an asbestos related disease. He may also testify regarding the existence or non-existence of any asbestos related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer. He may also testify on whether any asbestos related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos related disease. He may also testify on increased risk of cancer issues and whether a particular plaintiff has a

reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking. With respect to particular plaintiffs, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in plaintiffs. Dr. Moisan's testimony will be based on his training, experience, education and review of the medical literature concerning asbestos related disease.

65. Stanley Fiel, M.D.

Dr. Stanley Fiel may testify, in general, concerning asbestos related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos related disease. He may also testify regarding the existence and non-existence of any asbestos related disease in the plaintiffs, including, but not limited to pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer. He may also testify on whether any asbestos related disease allegedly suffered by plaintiffs was medically or proximately caused by exposure to asbestos containing gasket and packing products. He may also testify on the existence of a dose response relationship between exposure to asbestos and asbestos related disease. He may also testify on increased risk of cancer issues and whether a particular plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking. With respect to particular plaintiffs, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in plaintiffs. Dr. Fiel's testimony will be based on his training, experience, education and review of the medical literature concerning asbestos related disease.

66. Michael Graham, M.D.

Dr. Michael Graham is a board certified pathologist who may give testimony regarding the pathological diagnosis of the medical condition of any plaintiff and in the case of a deceased plaintiff, may give testimony as to the cause of death. He will further testify as to whether any given plaintiff or plaintiff's decedent had a condition or illness caused by asbestos exposure. He may also testify on the latency period related to various asbestos related diseases and the carcinogenic properties of different types of asbestos fibers.

67. John Fennessey, M.D.

Dr. John Fennessey is a practicing radiologist and a B-reader certified by NIOSH. His testimony will relate to his interpretation of chest films taken of the plaintiffs. It is anticipated that Dr. Fennessey will testify generally as to his interpretation of the plaintiffs' chest films, the presence of any asbestos-related conditions as evidenced on the chest films, and the presence of other abnormalities or conditions unrelated to any exposure to asbestos.

68. Ronald G. Crystal, M.D.
Bruce Webster Professor of Internal Medicine
Cornell University Medical College
520 East 70th Street – Starr #505
New York, NY 10021

Dr. Crystal may testify regarding the different types of asbestos, asbestos-related health effects, the functioning of the respiratory system, lung defense mechanisms, and lung fiber burden. Dr. Crystal may also testify regarding risk assessment, state of the art medical knowledge regarding asbestos, and other related medical and scientific subjects. Dr. Crystal may testify regarding levels of asbestos exposure below which no disease has been found. He may also quantify high levels of exposure and differentiate those from low levels of exposure, exposure in buildings; materials and ambient air. Dr. Crystal may comment regarding studies, epidemiological or animal data, articles or other materials relied upon by experts in the field. His testimony will be based upon his education, experience, and the literature in his fields of expertise.

69. John Addison
25 Haddington Place
Edinburgh, Scotland EH7-4AF

John Addison is a mineralogist with particular expertise in asbestos mineralogy. Dr. Addison may express opinions specific to plaintiffs based upon actual analysis of tissue. He may also proffer case-specific opinion even if he has not conducted separate tissue content analysis and quantification. Dr. Addison may proffer opinions from perspective of a mineralogist about the causation of any medical condition diagnosed by physicians in these matters. Dr. Addison may testify about the analytical methods utilized over time to identify and quantify mineral dusts and the role of various minerals in causing mesothelioma and that commercially available chrysotile probably does not cause or contribute to cancer.

70. Mr. Lawrence R. Birkner
McIntyre, Birkner & Associates, Inc.
#514 2370 W. Highway 89A, Suite 11
Sedona, AZ 86336
(805) 494-8173

Larry Birkner is a certified industrial hygienist trained in the measurement of dusts and related matters. He is prepared to testify regarding the history of industrial hygiene methods, and exposure levels which trigger related matters. He is prepared to testify about respirator history, what constitutes good hygiene practice, and the periods of time from an industrial hygiene standpoint when people and companies became aware of associated health risks. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and governmental agencies. He may testify as to issues involving

reentrainment and fiber drift. He may testify as to work practices regarding various types of occupations using products that contained asbestos.

He may testify as to the applicability of the OSHA and Environmental Protection Agency's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products. Mr. Birkner has personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, skills and training. Mr. Birkner may testify about the size, construction, layout and working environment of facilities such as where the plaintiffs worked. He may testify about his knowledge of the composition and asbestos content, if any, of the products and may testify concerning the ability of such products to emit asbestos fiber under certain conditions. He may testify generally as to the industrial hygiene state-of-the-art. He may testify to the dust levels produced by particular insulation operations and products, including pipe and block insulation. He may also address insulator union knowledge of asbestos hazards, the historical development of the use of asbestos-containing products. He may testify about whether some of the products identified are capable of emitting respirable asbestos fibers of type or quantity that could have substantially contributed to the plaintiffs' alleged asbestos-related conditions. He may testify about applicable governmental standards and regulations.

He may also testify as to any matter raised by experts called by the plaintiffs or any co-defendants. Birkner may testify regarding an individual's risks or exposure to asbestos from different media, including, but not limited to, ambient air, industrial products and occupational settings. Birkner may testify concerning: (a) circumstances in occupational settings that may result in direct exposure for persons having contact with asbestos-containing products or equipment with asbestos insulation, and (b) circumstances that may result in bystander exposure for those nearby others having contact with asbestos containing products or equipment with asbestos insulation. Birkner may testify about industrial hygiene principles and methodologies used to determine potential hazards due to asbestos exposure.

Mr. Birkner will discuss the development of warnings through society and the development of attitudes about what should be stated in warnings. He will also testify about the importance of the development of warnings as they relate to asbestos.

71. Dr. Russell Harley
Musc-Pathology
Charleston, SC 29425

Dr. Harley is expected to provide testimony concerning the anatomic structure and functioning of the lung from a pathologic perspective, the defense mechanisms and functioning of the lung in health and otherwise, the responses of the lung to various stimuli, and the role of various components of the respiratory system in the proper functioning of the lung. Dr. Harley is expected to describe and distinguish various types of asbestos fibers; to describe the things which affect the ability of asbestos fibers to

affect various structures within the respiratory system; and to describe the body's specific responses to fibers of asbestos that are inhaled, whether or not they are retained. It is further believed that Dr. Harley will define and distinguish various conditions, such as asbestosis, pleural changes and other non-malignant changes that may be attributable in some persons to the results of long-term inhalation and retention of some forms of asbestos fiber.

Dr. Harley is further expected to testify concerning the circumstances under which exposure to certain forms and types of asbestos may be associated with the incidence of some forms of mesothelioma in some persons, and will testify concerning the results of his own experiences, the medical and scientific literature, and existing epidemiologic studies concerning associations that are alleged to exist epidemiologically between exposure to asbestos in some populations and the mortality and/or incidence of some forms of cancer.

Dr. Harley is further expected to offer testimony concerning the effects of inhaled tobacco smoke and other factors on the occurrence of disease in populations who are alleged to be exposed to asbestos-containing products, and additionally concerning how the effects of inhaled tobacco smoke and other factors can confound the apparent results of certain epidemiologic studies. Dr. Harley is also expected to testify that it cannot be said, to a reasonable degree of medical probability, that any hypothetical person's alleged "exposure" to products that may have contained asbestos was of importance to that individual, without reference to that specific person's individual work history, medical history, findings on physical examination and pathological examination of tissue, if any, information concerning the individual's use of protective equipment, specific types of asbestos-containing product(s) used and/or handled, resolution of questions regarding exposures to substances other than asbestos-containing products, and other known etiologies for whatever conditions are found to exist. It is further expected that Dr. Harley's testimony will generally respond to the pathologic, scientific and epidemiologic testimony which may be offered by plaintiffs' experts and cannot be specifically predicted. In expressing his opinions, Dr. Harley will rely on his own training, education, experience, research and publications, as well as the published medical and scientific literature that has been available to him over his career. Dr. Harley may testify as to the general medical aspects of the diagnosis and treatment of asbestos-related disease and the pathological effect of asbestos on the lung. He may also testify as to the relationship of asbestos exposure and the incidence of cancer.

72. Sheldon Rabinovitz
Sandler Occupational Associates
966 Hungerford Dr., Suite 20
Rockville, MD 20852

The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Rabinovitz has not as yet prepared a report in this case; if he does, a copy will be provided to plaintiffs. Dr. Rabinovitz has not prepared a report for this case. Defendant is not aware of all of the

areas of testimony or proof that plaintiff intends to produce at trial and, therefore, Defendant cannot proffer all expected testimony until it has had the benefit of reviewing all of plaintiffs' experts' reports and opinions. To the extent that a witness expresses an opinion at trial or in discovery that has not been divulged prior to the time that this statement was served on counsel, and which creates a need for additional areas of rebuttal testimony or proof, Defendant reserves the right to supplement this statement. Dr. Rabinovitz is a certified industrial hygienist and toxicologist. He is employed at SOMA, and is a past employee of EPA and NIOSH. A copy of his C.V. will be provided.

Dr. Rabinovitz is expected to testify about the principles of industrial hygiene and the factors that are important to industrial hygiene studies both currently and historically. He is expected to testify as to the manner in which experts can use current and historical industrial hygiene data and how the data should be interpreted in specific cases. Dr. Rabinovitz has reviewed available documents, depositions, and exhibits with respect to Armstrong World Industries, Inc., and is expected to testify as to the reasonableness of the industrial hygiene practices employed by AWI in the past to protect its workers. Dr. Rabinovitz is familiar with the historical state of the art practices and the information available in the medical and scientific literature. Dr. Rabinovitz is expected to testify as to the reasonableness of the industrial hygiene practices employed by AWI in relation to the historical knowledge of the scientific and medical communities. Dr. Rabinovitz is expected to testify that in the past to protect its workers. Dr. Rabinovitz is familiar with the historical state of the art practices and the information available in the medical and scientific literature. Dr. Rabinovitz is expected to testify as to the reasonableness of the industrial hygiene practices employed by AWI in relation to the historical knowledge of the scientific and medical communities. Dr. Rabinovitz is expected to testify that in the past AWI acted reasonably in the manufacture and the sale of its products.

A copy of Dr. Rabinovitz's C.V. will be made available upon request.

73. Sidney Shindell, MD, LLB
Medical College of Wisconsin
8701 Watertown Plank Road
Milwaukee, WI 53226

a. State of the Art:

Dr. Shindell is a physician. He will testify generally about the evolution of asbestos disease; the pathology of asbestos-related diseases including those named as "non-routine"; the "state-of-the-art" of asbestos-related diseases; and, will testify about other areas of pulmonary pathology including, but not limited to, emphysema, carcinomas, and related matters. Dr. Shindell will testify about his personal experience in the development of the history of asbestos related medicine and the medical literature and his impressions of 1964 being a "watershed" year as it relates to asbestos disease. Dr. Shindell will testify regarding the different physical, chemical and biological properties of various types of asbestos fibers, and will explain to the jury that chrysotile fibers are incapable of causing, or unlikely to have caused, plaintiffs' alleged conditions.

b. Medical Testimony:

Dr. Shindell may provide testimony in the following areas:

- i. anatomy and function of the respiratory and circulatory systems and the diagnosis and treatment of disease affecting such systems;
- ii. the nature of asbestos and asbestosis;
- iii. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneal cavity;
- iv. the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- v. the effect of exposure to substances other than asbestos, such as tobacco, on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- vi. methods of diagnosis of various diseases, particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;
- vii. incidence of lung cancer among individuals with asbestosis or asbestos exposure;
- viii. without asbestosis, compared with non-asbestotic asbestos workers, non-asbestos exposed workers, and with the general population;
- ix. the import of any exhibit (including without limitation, corporate documents) introduced as evidence, or any items prepared for use for demonstrative purposes by any witness;
- x. cigarette smoking and its effect on the lung and other organs;

- xi. the relative danger of this Defendant's asbestos-containing products;
- xii. the relationship of cigarette smoking to cancer of the lung and cancers of other sites with reference to epidemiological studies and physiologic effect;
- xiii. difference between impairment and disability;
- xiv. effect of asbestos, or asbestos exposure without asbestos, on disability and life expectancy;
- xv. effect of pleural plaques or other pleural manifestations of asbestos exposure on lung function or life expectancy; and
- xvi. the relative carcinogenicity of chrysotile asbestos relative to other forms of asbestos.

c. The Alleged Role of Chrysotile as a Carcinogen for Mesothelioma:

Dr. Shindell is expected to testify as to the ability of various types of fibers to cause disease and the properties of fibers that are believed to be necessary in order to cause disease. He is expected to testify that chrysotile asbestos fibers are not expected to produce an increased risk to mesothelioma.

d. The Role of Encapsulated Products in the Release of Asbestos:

Dr. Shindell is expected to testify about certain encapsulated products (where the asbestos fibers are thoroughly blended and mixed with the encapsulated binder which prevents a significant release of fibers) in that he has reviewed information and studies regarding exposure levels experienced with certain work practices used with encapsulated products, and is familiar with the literature concerning low level exposures. Dr. Shindell is expected to testify based upon his review of the literature and of evidence of exposure that exposure to certain encapsulated products was not a substantial contributing factor to plaintiffs' alleged asbestos-related disease. Dr. Shindell is expected to testify that the literature does not support a causal relationship between exposure to certain encapsulated products and the development of an asbestos-related disease.

e. Dose Response

Dr. Shindell is expected to testify generally about the pulmonary aspects of asbestos exposure, including matters such as dose response. Dr. Shindell is expected to testify about occupational exposure and whether such exposure could be considered a

substantial contributing factor to plaintiffs' alleged diseases. Dr. Shindell is expected to testify that as exposures to asbestos have diminished since the inception of the OSHA standards, the extent and number of cases of asbestosis have been and are expected to continue to diminish.

f. Epidemiology

Dr. Shindell is expected to testify about the principles of epidemiology and what is involved in an epidemiologic study. He is expected to testify that studies of particular groups or occupations of people are not necessarily applicable to other groups or occupations. Dr. Shindell is expected to testify as to the information necessary to determine the risks for a group of people or persons contracting an asbestos-related disease, and it is scientifically possible to attribute a disease to a particular exposure. Dr. Shindell is expected to discuss epidemiological analysis of asbestos and how such analysis may be applied to the facts of a specific individual.

g. Lung Cancer

Dr. Shindell is expected to testify that cigarette smoking is the chief cause of lung cancer, that almost all of the lung cancers in America occur in present or ex-smokers, and that one cannot develop lung cancer related to asbestos exposure unless there is underlying asbestosis.

h. Development of Mesothelioma

Dr. Shindell is expected to testify that the earlier exposures to asbestos are, if sufficient, the principal cause of the disease and not later exposures. Dr. Shindell is expected to testify that in at least 33% of mesotheliomas, asbestos exposure cannot be found.

74. William Dyson
WorkPlace Hygiene
1022 Jefferson Road
Greensboro, NC 27410
(336) 297-1642

William Dyson is a certified industrial hygienist trained in the measurement of dusts and related matters. He is prepared to testify regarding the history of industrial hygiene, industrial hygiene methods, and exposure levels which trigger diseases associated with dust exposure, good housekeeping measures, and other related matters. He is prepared to testify about respirator history, what constitutes good hygiene practice, and the periods of time from an industrial hygiene standpoint when people and companies became aware of associated health risks. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and governmental agencies. He may testify as to

issues involving reentrainment and fiber drift. He may testify as to work practices regarding various types of occupations using products that contained asbestos. He may testify as to the applicability of the OSHA and Environmental Protection Agency's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products.

Mr. Dyson has personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, skills, and training. Mr. Dyson may testify about the size, construction, layout and working environment of facilities such as where the plaintiffs worked. He may testify about his knowledge of the composition and asbestos content, if any, of the products and may testify concerning the ability of such products to emit asbestos fiber under certain conditions. He may testify generally as to the industrial hygiene state-of-the-art. He may testify to the dust levels produced by particular insulation operations and products, including pipe and block insulation. He may also address insulator union knowledge of asbestos hazards and the historical development of the use of respirators in association with the use of asbestos-containing products. He may testify about whether the same products identified are capable of emitting respirable asbestos fibers of type or quantity that could have substantially contributed to the plaintiffs' alleged asbestos-related conditions. He may testify about applicable government standards and regulations. He may also testify as to any matter raised by experts called by the plaintiff or any co-defendants.

Mr. Dyson may testify regarding an individual's risks or exposure to asbestos from different media, including, but not limited to, ambient air, industrial products and occupational settings. Mr. Dyson may testify concerning: (a) circumstances in occupation settings that may result in direct exposure for persons having contact with asbestos-containing products or equipment with asbestos insulation, and (b) circumstances that may result in bystander exposure for those nearby others having contact with asbestos containing products or equipment with asbestos insulation. Mr. Dyson may testify about industrial hygiene principles and methodologies used to determine potential hazards due to asbestos exposure. Mr. Dyson will discuss the development of warnings through society and the development of attitudes about what should be stated in warnings. He will also testify about the importance of the development of warnings through society and the development of attitudes about what should be stated in warnings. He will also testify about the importance of the development of warnings as they relate to asbestos.

75. Dr. S. Donald Greenberg
Professor of Pathology
Baylor College of Medicine
Houston, TX 77030

Dr. Greenberg is a professor of pathology at the Baylor College of Medicine in Houston, Texas. Included in his field of scientific interests are occupational lung diseases, and he has made over 250 presentations concerning pathology, and has authored or co-authored over 200 publications including those regarding asbestos-associated lung

disease. His opinion holds that there may be alternative causation of malignant mesothelioma other than asbestos, and he is expected to testify accordingly.

76. Dr. Jerome Kleinerman
Dept. of Pathology
Cleveland Metropolitan General Hospital
3395 Scranton Road
Cleveland, OH 44109

Dr. Kleinerman will testify about pulmonary pathology including, but not limited to, asbestos disease, tumors related to cigarette smoking, and other related matters.

77. Dr. Marvin Kuschner
Dean, Medical School
Health Sciences Center
SUNY, Stony Brook
Stony Brook, NY 11794

Dr. Kuschner is a pathologist. He will testify about the evolution of the pathology regarding asbestos, the evolution of the pathology regarding lung cancers, potential explanations for the development of cancer, and other questions. Dr. Kuschner may also testify about the "state-of-the-art" matters as they relate to asbestos associated diseases.

78. Dr. Nathaniel F. Rodman
WV University School of Medicine
Office of the Chairman
Dept. of Pathology, Room 2187
Morgantown, WV 26506

Dr. Rodman is a pathologist. He will testify about the evolution of asbestos disease, diseases related to cigarette smoking, and diseases that were often seen, but not necessarily, in relation to the foregoing.

79. Professor Fred Pooley
Department of Minerals & Materials
University of Cardiff
Cardiff, Wales, UK

The following statement of expected testimony has been prepared by counsel to comply with the expert witness disclosure requirements. The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness.

Professor Pooley is expected to testify regarding studies analyzing lung tissue from miners, millers, etc., and that compared to the lung tissue of people who have worked with a milled chrysotile finished product, the studies demonstrate that there is

significantly lower lung burden of tremolite in the people who have worked with milled chrysotile. Professor Pooley is also expected to testify that tremolite is substantially removed from the ore in the milling process in that lung burden for tremolite in miners and millers is on the order of 99 fibers of tremolite to every fiber of chrysotile whereas the lung burden for people who work with the milled finished product is on the order of 1 fiber of tremolite to 99 fibers of chrysotile. He will also testify regarding his examination of Canadian ore after milling and that he finds a very small level of tremolite. In comparing his findings to the assays of Canadian chrysotile before milling, he finds the level of tremolite to be reduced. Professor Pooley is of the opinion that all minerals have a fibrogenic potential assuming the same penetration into the lung, the same locations of deposition, and the same time of residence. He believes that chrysotile is less fibrogenic than either crocidolite or amosite because the chrysotile has repeatedly shown that it has a reduced penetration, different and lesser deposition location, and is removed more quickly from the lung. Therefore, he believes, chrysotile is less likely to cause asbestosis.

Also, he concludes that almost all of the asbestosis that he studied in 1977 resulted from amphiboles, not chrysotile. Any asbestosis associated with the use of chrysotile was attributable to tremolite. Chrysotile is less likely to produce asbestosis in humans than amphiboles because it has lower penetration, a different deposition pattern, and a different retention within the lung. Therefore, since the existence of asbestosis is a prerequisite for the attribution of lung cancer to asbestos, chrysotile is less likely to be a cause of lung cancer. He is also of the belief that crocidolite is less likely to be a cause of lung cancer. He is also of the belief that crocidolite is the overwhelming cause of mesothelioma with amosite being only a small cause.

80. James M. Bachman
Rancho Palos Verdes, CA 90275

Mr. Bachman is a certified industrial hygienist trained in the measurement of dusts and related matters. He will testify as to all areas of his industrial hygiene experience as an industrial hygienist employed by Atlantic Richfield Company. Mr. Bachman is prepared to testify regarding the history of industrial hygiene, industrial hygiene methods, and exposure levels which trigger diseases associated with dust exposure, good housekeeping measures, and other related matters. He is prepared to testify about respirator history, what constitutes good hygiene practice, and the periods of time from and industrial hygiene standpoint when people and companies became aware of associated health risks. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and governmental agencies. He may testify as to issues involving reentrainment and fiber drift. He may also testify as to work practices regarding various types of occupations using products that contained asbestos. He may testify as to the applicability of the OSHA and Environmental Protection Agency's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products.

Mr. Bachman has personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, skills, and training. Mr. Bachman may testify about the size, construction, layout and working environment of facilities such as where the plaintiffs worked. He may testify about this knowledge of the composition and asbestos content, if any, of the products and may testify concerning the ability of such products to emit asbestos fiber under certain conditions. He may testify generally as to the industrial hygiene state-of-the-art. He may testify to the dust levels produced by particular insulation operations and products, including pipe and block insulation. He may also address insulator union knowledge of asbestos hazards, the historical development of the use of respirators in association with the use of asbestos-containing products. He may testify about whether the same products identified are capable of emitting respirable fibers of type or quantity that could have substantially contributed to the plaintiffs' alleged asbestos-related conditions. He may testify about applicable governmental standards and regulations. He may also testify as to any matter raised by experts called by the plaintiffs or any co-defendants. Mr. Bachman may testify regarding an individual's risks or exposure to asbestos from different media, including, but not limited to, ambient air, industrial products and occupational settings. Mr. Bachman may testify concerning: (a) circumstances in occupational settings that may result in direct exposure for persons having contact with asbestos-containing products or equipment with asbestos insulation, and (b) circumstances that may result in bystander exposure for those nearby others having contact with asbestos-containing products or equipment with asbestos insulation. Mr. Bachman may testify about industrial hygiene principles and methodologies used to determine potential hazards due to asbestos exposure.

81. Gayla McCluskey
Six Hartford Lane
Suite 106
Radnor, PA 19087

Gayla McCluskey is a certified Industrial hygienist trained in the measurement of dusts and related matters. She is prepared to testify regarding the history of industrial hygiene, industrial hygiene methods, and exposure levels which trigger diseases associated with dust exposure, good housekeeping measures, and other related matters. She is prepared to testify about respirator history, what constitutes good hygiene practice, and the periods of time from an industrial hygiene standpoint when people and companies became aware of associated health risks. She may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. She may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and governmental agencies. She may testify as to issues involving reentrainment and fiber drift. She may testify as to work practices regarding various types of occupations using products that contained asbestos. She may testify as to the applicability of the OSHA and Environmental Protection Agency's guidelines as they relate to various types of products including gaskets and packings. She may testify as to exposure that may result from the use of other types of asbestos products.

Ms. McCluskey has personal knowledge of relevant facts but is also an expert based upon her specialized knowledge, skills, and training. Ms. McCluskey may testify about the size, construction, layout and working environment of facilities such as where the plaintiffs worked. She may testify about the nature of the working environment in such locations. She may testify about her knowledge of the composition and asbestos content, if any, of the products and may testify concerning the ability of such products to emit asbestos fiber under certain conditions. She may testify generally as to the industrial hygiene state-of-the-art. She may testify to the dust levels produced by particular insulation operations and products, including pipe and block insulation. She may also address insulator union knowledge of asbestos hazards, the historical development of the use of respirators in association with the use of asbestos-containing products. She may testify about whether the some products identified are capable of emitting respirable asbestos fibers of type or quantity that could have substantially contributed to the plaintiffs' alleged asbestos-related conditions. She may testify about applicable governmental standards and regulations. She may also testify as to any matter raised by experts called by the plaintiffs or any co-defendants.

Ms. McCluskey may testify regarding an individual's risks or exposure to asbestos from different media, including, but not limited to, ambient air, industrial products and occupational settings. Ms. McCluskey may testify concerning: (a) circumstances in occupational settings that may result in direct exposure for persons having contact with asbestos-containing products or equipment with asbestos insulation, and (b) circumstances that may result in bystander exposure for those nearby others having contact with asbestos containing products or equipment with asbestos insulation. Ms. McCluskey may testify about industrial hygiene principles and methodologies used to determine potential hazards due to asbestos exposure. Ms. McCluskey may discuss the development of warnings through society and the development of attitudes about what should be stated in warnings. She may also testify about the importance of the development of warnings ideas as they relate to asbestos. Ms. McCluskey may offer testimony about each of the products at issue in these cases and whether the product would or would not cause asbestos disease from the standpoint of an industrial hygienist.

Ms. McCluskey may also testify about the steel plants and the use of various products at those plants. Ms. McCluskey will testify about Johns Manville, Owens Corning Kaylo, and Pittsburgh Corning.

82. Gustavo Delgado

Gustavo Delgado is a certified industrial hygienist trained in the measurement of dusts and related matters. He is prepared to testify regarding the history of industrial hygiene, industrial hygiene methods, and exposure levels which trigger diseases associated with dust exposure, good housekeeping measures, and other related matters. He is prepared to testify about respirator history, what constitutes good hygiene practice, and the periods of time from an industrial hygiene standpoint when people and companies became aware of associated health risks. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels

as promulgated by private organizations and governmental agencies. He may testify as to issues involving reentrainment and fiber drift. He may testify as to work practices regarding various types of occupations using products that contained asbestos. He may testify as to the applicability of the OSHA and Environmental Protection Agency's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products.

Mr. Delgado has personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, skills, and training. Mr. Delgado may testify about the size, construction, layout, and working environment of facilities such as where the plaintiffs worked. He may testify about the nature of the working environment in such locations. He may testify about his knowledge of the composition and asbestos content, if any, of the products and may testify concerning the ability of such products to emit asbestos fiber under certain conditions. He may testify generally as to the industrial hygiene state-of-the-art. He may testify to the dust levels produced by particular insulation operations and products, including pipe and block insulation. He may also address insulator union knowledge of asbestos hazards, the historical development of the use of respirators in association with the use of asbestos-containing products. He may testify about whether the products identified are capable of emitting respirable asbestos fibers of type or quantity that could have substantially contributed to the plaintiffs' alleged asbestos-related conditions. He may testify about applicable governmental standards and regulations. He may also testify as to any matter raised by experts called by the plaintiff or any co-defendants. Mr. Delgado may testify regarding an individual's risks or exposure to asbestos from different media, including, but not limited to, ambient air, industrial products and occupational settings. Mr. Delgado may testify concerning: (a) circumstances in occupational settings that may result in direct exposure for persons having contact with asbestos-containing products or equipment with asbestos insulation, and (b) circumstances that may result in bystander exposure for those nearby others having contact with asbestos containing products or equipment with asbestos insulation.

Mr. Delgado may testify about industrial hygiene principles and methodologies used to determine potential hazards due to asbestos exposure. Mr. Delgado will discuss the development of warnings through society and the development of attitudes about what should be stated in warnings. He will also testify about the importance of the development of warnings ideas as they relate to asbestos. Mr. Delgado may create an exposure evaluation in this case. He may create a retrospective exposure assessment for the plaintiffs in this case, for any of the products, for a co-worker, or for a job site. He may create an exposure assessment using another method. In creating the exposure analysis, Mr. Delgado may rely upon scientific and industrial articles and papers that reveal the various exposures for various products in various settings. In doing his assessment, he may rely upon the plaintiffs' testimony, the testimony of co-workers and family members, and personal visits he has made to the same or similar sites, photographs which reveal relevant information, summaries or affidavits, actual dust counts from the same or similar activities, answers to interrogatories, from this and other cases which reveal relevant facts, including the fiber content and fiber type of various

products, and information revealed through conversations with other industrial hygienists and scientists which are of a kind which industrial hygienists usually rely upon.

83. Dr. Roger McClellan

The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. McClellan has not as yet prepared a report in this case; if he does, a copy will be provided to plaintiffs. Defendants are not aware of all of the areas of testimony or proof that plaintiffs intend to produce at a trial and, therefore, Defendant cannot proffer all expected testimony until they have had the benefit of reviewing all of plaintiffs' experts' reports and opinions. To the extent that a witness expresses an opinion at trial or in discovery that has not been divulged prior to the time that this statement was served on counsel, and which creates a need for additional areas of rebuttal testimony or proof, Defendant reserves the right to supplement this statement. Dr. McClellan is a Doctor of Veterinary Medicine, and he is an epidemiologist. Dr. McClellan is retired.

Dr. McClellan is expected to testify about animal studies and the relationship between animal studies and aspects of asbestos exposure, including matters such as dose response, pathogenicity, carcinogenicity, and the potential for asbestos-related disease as a result of exposures to the different types of fibers. Dr. McClellan is expected to testify about alleged occupational exposure – as described by plaintiffs' witnesses – and whether such exposure could be considered a substantial contributing factor to plaintiffs' alleged diseases. Dr. McClellan is expected to testify about the principles of epidemiology and what is involved in an epidemiologic study. He is expected to testify that studies of particular groups or occupations of people are not necessarily applicable to other groups or occupations. Dr. McClellan is expected to testify as to the information necessary to determine the risks for a group of people or persons contracting an asbestos related disease, and if it is scientifically possible to attribute a disease to a particular exposure. Dr. McClellan is expected to discuss epidemiological analysis of asbestos and how such analysis may be applied to the facts of a scientific individual.

Dr. McClellan is expected to testify either live or by deposition concerning plaintiffs' medical conditions, cigarette smoking and lung disease, and generally about the pulmonary system. Dr. McClellan may also testify about asbestos and its effect on the pulmonary system, including the diagnosis and prognosis of asbestos-related markers and disease, and the risks associated with developing cancers. Dr. McClellan is also expected to testify about any matter raised by experts called by the plaintiffs or co-defendants including, but not limited to, plaintiffs' medical conditions, the state of the medical knowledge concerning asbestos, asbestos-related disease and other occupational diseases.

Dr. McClellan is expected to provide testimony in the following areas:

- a. anatomy and function of the respiratory and circulatory systems and the diagnosis and treatment of disease affecting such systems;

- b. the nature of asbestos and asbestosis;
- c. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, and peritoneal cavity;
- d. the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- e. the affect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- f. methods of diagnosis of various diseases, particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos related diseases;
- g. incidence of lung cancer among individuals with asbestosis or asbestos exposure without asbestosis, compared with non-asbestotic asbestos workers, non-asbestos exposed workers, and with the general population;
- h. the import of any exhibit (including without limitation, corporate documents of defendants) introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;
- i. cigarette smoking and its effect on the lung and other organs;
- j. the relative danger of this Defendant's asbestos-containing products;
- k. the relationship of cigarette smoking to cancer of the lung and cancers of other sites with reference to epidemiological studies and physiologic effect;
- l. difference between impairment and disability;
- m. affect of asbestosis, or asbestos exposure without asbestosis, on disability and life expectancy;

- n. effect of pleural plaques or other pleural manifestations of asbestos exposure on lung function or life expectancy;
- o. the lack of a relationship between presence of pleural plaques and a later development of any form of cancer;
- p. cancer incidence in the general population and among asbestos workers and its potential causes;
- q. the history of evolution and knowledge of asbestos-related diseases; and
- r. the fiber types and exposure levels considered to be substantial in causing asbestos-related disease, specifically mesothelioma.

Dr. McClellan is expected to testify about chrysotile asbestos, amosite asbestos, and fiber burden studies. Dr. McClellan is expected to testify that there is a difference between the various asbestos fibers and their individual ability to produce or contribute to specific asbestos related disease. He is expected to testify about this difference in this fiber potential. Dr. McClellan is also expected to testify about the dose responses relationship for asbestosis, lung cancer, and mesothelioma. Dr. McClellan will testify about threshold levels for various diseases. Dr. McClellan may be provided with specific fiber burden studies and asked for his opinions about those fiber burden studies. Dr. McClellan may provide retrospective exposure assessment evaluations by one or more individuals and asked to comment on those exposure findings as they relate to causation or substantial factors of causation.

Dr. McClellan is expected to testify about his animal studies, the relevance of animal studies to humans, the early animal studies with asbestos, the variability of the production of cancer in various types of experimental animals, and other related matters.

84. Dr. Mark Utell

The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Utell has not yet prepared a report in this case; if he does, a copy will be provided to plaintiffs.

Defendant is not aware of all of the areas of testimony or proof that plaintiffs intend to produce at trial and, therefore, Defendant cannot proffer all expected testimony until they have had the benefit of reviewing all of plaintiffs' experts' reports and opinions. To the extent that a witness expresses an opinion at trial or in discovery that has not been divulged prior to the time that this statement was served on counsel, and which creates a need for additional areas of rebuttal testimony or proof, Defendant reserves the right to supplement this statement. Dr. Utell is board certified in internal medicine with a

subspecialty certification in pulmonary diseases. Dr. Utell is expected to testify about the pulmonary aspects of asbestos exposure, including matters such as dose response, pathogenicity, carcinogenicity, and the potential for asbestos-related disease as result of exposures to the different types of fibers. Dr. Utell is expected to testify as to general medical issues and physiology. Dr. Utell is expected to testify about alleged occupational exposure – as described by plaintiffs' witnesses – and whether such exposure could be considered a substantial contributing factor to plaintiffs' alleged diseases. Dr. Utell is expected to testify that studies of particular groups or occupations of people are not necessarily applicable to other groups or occupations. Dr. Utell is expected to testify as to the information necessary to determine the risks for a group of people or persons contracting an asbestos-related disease, and if it is to determine the risks for a group of people or persons contracting an asbestos-related disease, and if it is scientifically possible to attribute a disease to a particular exposure. Dr. Utell is expected to discuss epidemiological analysis of asbestos and how such analysis may be applied to the facts of a specific individual.

Dr. Utell is expected to testify either live or by deposition concerning plaintiffs' medical conditions, cigarette smoking and lung disease, and generally about the pulmonary system and its functions as well as conditions and diseases of the pulmonary system. Dr. Utell may also testify about asbestos and its effect on the pulmonary system, including the diagnosis and prognosis of asbestos related markers and diseases, and the risks associated with developing cancers. Dr. Utell is also expected to testify about any matter raised by experts called by the plaintiffs or co-defendants including, but not limited to, plaintiffs' medical conditions, the state of medical knowledge concerning asbestos, asbestos-related disease and other occupational diseases.

Dr. Utell is expected to provide testimony in the following areas:

- a. anatomy and function of the respiratory and circulatory systems and the diagnosis and treatment of disease affecting such systems;
- b. the nature of asbestos and asbestosis;
- c. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, and peritoneal cavity;
- d. the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- e. the affect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system

and other causes of obstructive and restrictive disease or defects of the respiratory system;

- f. methods of diagnosis of various diseases, particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos related diseases;
- g. incidence of lung cancer among individuals with asbestosis or asbestos exposure without asbestosis, compared with non-asbestotic asbestos workers, non-asbestos exposed workers, and with the general population;
- h. the import of any exhibit (including without limitation, corporate documents of defendants) introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;
- i. cigarette smoking and its effect on the lung and other organs;
- j. the relative danger of this Defendant's asbestos-containing products;
- k. the relationship of cigarette smoking to cancer of the lung and cancers of other sites with reference to epidemiological studies and physiologic effect;
- l. difference between impairment and disability;
- m. affect of asbestosis, or asbestos exposure without asbestosis, on disability and life expectancy;
- n. effect of pleural plaques or other pleural manifestations of asbestos exposure on lung function or life expectancy;
- o. the lack of a relationship between presence of pleural plaques and a later development of any form of cancer;
- p. cancer incidence in the general population and among asbestos workers and its potential causes;
- q. the history of evolution and knowledge of asbestos-related diseases; and

- r. the fiber types and exposure levels considered to be substantial in causing asbestos-related disease, specifically mesothelioma.

Dr. Utell is expected to testify about chrysotile asbestos, amosite asbestos, and fiber burden studies. Dr. Utell is expected to testify that there is a difference between the various asbestos fibers and their individual ability to produce or contribute to specific asbestos related disease. He is expected to testify about this difference in this fiber potential. Dr. Utell is also expected to testify about the dose responses relationship for asbestosis, lung cancer, and mesothelioma. Dr. Utell will testify about threshold levels for various diseases. Dr. Utell may be provided with specific fiber burden studies and asked for his opinions about those fiber burden studies. Dr. Utell may provide retrospective exposure assessment evaluations by one or more individuals and asked to comment on those exposure findings as they relate to causation or substantial factors of causation.

85. Dr. Bruce Case

It is impossible to set forth in precise detail the exact topics and content to the testimony of Dr. Case. Dr. Case has researched asbestos and asbestos medicine for many years. He has opinion about his research, his studies, the development of knowledge about asbestos, and about the relationship of asbestos to disease. Dr. Case has specific opinions about the development of the disease, mesothelioma, and its relationship to crocidolite, amosite, and chrysotile. He will offer opinions about his research into chrysotile and where and how it might be implicated in the development of asbestosis, mesothelioma, and any lung cancer. Dr. Case is expected to testify about the epidemiology of asbestos related diseases and the incidence of disease in both men and women.

Dr. Case is a pathologist and epidemiologist at McGill University. He will testify generally about the evolution of asbestos disease; the pathology of asbestos-related diseases including those named as "Non-Routine"; the "state-of-the-art" of asbestos-related diseases; and, will testify about other areas of pulmonary pathology including, but not limited to, emphysema, carcinomas, and related matters.

Dr. Case may testify regarding the diagnosis and cause of plaintiffs' conditions. He will discuss the differing physical, chemical and biological properties of various types of asbestos fibers, and will explain to the jury that chrysotile fibers are incapable of causing, or unlikely to have caused, plaintiffs' alleged conditions.

Dr. Case is expected to provide testimony in the following areas:

- a. anatomy and function of the respiratory and circulatory systems and the diagnosis and treatment of disease affecting such systems;
- b. the nature of asbestos and asbestosis;

- c. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, and peritoneal cavity;
- d. the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- e. the affect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- f. methods of diagnosis of various diseases, particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos related diseases;
- g. incidence of lung cancer among individuals with asbestosis or asbestos exposure without asbestosis, compared with non-asbestotic asbestos workers, non-asbestos exposed workers, and with the general population;
- h. the import of any exhibit (including without limitation, corporate documents of defendants) introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;
- i. cigarette smoking and its effect on the lung and other organs;
- j. the relative danger of this Defendant's asbestos-containing products;
- k. the relationship of cigarette smoking to cancer of the lung and cancers of other sites with reference to epidemiological studies and physiologic effect;
- l. difference between impairment and disability;
- m. affect of asbestosis, or asbestos exposure without asbestosis, on disability and life expectancy; and

- n. effect of pleural plaques or other pleural manifestations of asbestos exposure on lung function or life expectancy.

Dr. Case is expected to testify about chrysotile asbestos, amosite asbestos, and fiber burden studies. Dr. Case is expected to testify that there is a difference between the various asbestos fibers and their individual ability to produce or contribute to specific asbestos related disease. He is expected to testify about this difference in this fiber potential. Dr. Case is also expected to testify about the dose responses relationship for asbestosis, lung cancer, and mesothelioma. Dr. Case will testify about threshold levels for various diseases. Dr. Case may be provided with specific fiber burden studies and asked for his opinions about those fiber burden studies. Dr. Case may provide retrospective exposure assessment evaluations by one or more individuals and asked to comment on those exposure findings as they relate to causation or substantial factors of causation.

86. Dr. Cesar Moran

It is impossible to set forth in precise detail the exact topics and content to the testimony of Dr. Moran. Dr. Moran has researched asbestos and asbestos medicine for many years. He has opinion about his research, his studies, the development of knowledge about asbestos, and about the relationship of asbestos to disease. Dr. Moran has specific opinions about the development of the disease, mesothelioma, and its relationship to crocidolite, amosite, and chrysotile. He will offer opinions about his research into chrysotile and where and how it might be implicated in the development of asbestosis, mesothelioma, and any lung cancer. Dr. Moran is expected to testify about the epidemiology of asbestos related diseases and the incidence of disease in both men and women.

Dr. Moran is a pathologist at the University of Alabama. He will testify generally about the evolution of asbestos disease; the pathology of asbestos-related diseases including those named as "non-routine"; the "state-of-the-art" of asbestos-related diseases; and, will testify about other areas of pulmonary pathology including, but not limited to, emphysema, carcinomas, and related matters.

Dr. Moran may testify regarding the diagnosis and cause of plaintiffs' conditions. He will discuss the differing physical, chemical and biological properties of various types of asbestos fibers, and will explain to the jury that chrysotile fibers are incapable of causing, or unlikely to have caused, plaintiffs' alleged conditions.

Dr. Moran is expected to provide testimony in the following areas:

- a. anatomy and function of the respiratory and circulatory systems and the diagnosis and treatment of disease affecting such systems;
- b. the nature of asbestos and asbestosis;

- c. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, and peritoneal cavity;
- d. the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;
- e. the affect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;
- f. methods of diagnosis of various diseases, particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos related diseases;
- g. incidence of lung cancer among individuals with asbestosis or asbestos exposure without asbestosis, compared with non-asbestotic asbestos workers, non-asbestos exposed workers, and with the general population;
- h. the import of any exhibit (including without limitation, corporate documents of defendants) introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;
- i. cigarette smoking and its effect on the lung and other organs;
- j. the relative danger of this Defendant's asbestos-containing products;
- k. the relationship of cigarette smoking to cancer of the lung and cancers of other sites with reference to epidemiological studies and physiologic effect;
- l. difference between impairment and disability;
- m. affect of asbestosis, or asbestos exposure without asbestosis, on disability and life expectancy; and
- n. effect of pleural plaques or other pleural manifestations of asbestos exposure on lung function or life expectancy.

87. Mark R. Wick, M.D., F.C.A.P., F.A.C.P., F.A.S.D.
Division of Surgical Pathology
Room 3882 Old Medical School
University of Virginia Health Sciences Center
Box 214, Jefferson Park Avenue
Charlottesville, VA 22908

Dr. Wick is Board Certified in Anatomic and Clinical Pathology by the American Board of Pathology. Dr. Wick may provide testimony regarding his examination of plaintiffs' or plaintiffs' decedents' medical records, work history and pathology material. He may also testify regarding the biological effects of asbestos and the evidence of the relationship between the inhalation of various forms of asbestos fibers and asbestos-associated disease and the factors that go into evaluating whether there is any medical risk from asbestos-containing products.

The observations and opinions offered by Dr. Wick in this matter will be based on his review of the materials provided; a continuing review of the available scientific literature relating to the health effects of materials of interest in this matter and Dr. Wick's education and professional experience.

Dr. Wick is expected to provide testimony concerning the anatomic and structure and functioning of the lung from a pathologic perspective, the defense mechanisms and functioning of the lung in health and otherwise, the responses of the lung to various stimuli, and the role of various components of the respiratory system in the proper functioning of the lung. Dr. Wick is expected to describe and distinguish various types of asbestos fibers; to describe the things which affect the ability of asbestos fibers to affect various structures within the respiratory system; and to describe the body's specific responses to fibers of asbestos that are inhaled, whether or not they are retained.

It is further believed that Dr. Wick will define and distinguish various conditions, such as asbestosis, pleural changes and other non-malignant changes that may be attributable in some persons to the results of long-term inhalation and retention of some forms of asbestos fiber. Dr. Wick is further expected to be able to testify concerning the circumstances under which exposure to certain forms and types of asbestos may be associated with the incidence of forms of mesothelioma in some persons, and will testify concerning the results of his own experiences, the medical and scientific literature, and existing epidemiologic studies concerning associations that are alleged to exist epidemiologically between exposure to asbestos in some populations and the mortality and/or incidence of some forms of cancer.

Dr. Wick is further expected to offer testimony concerning the effects of inhaled tobacco smoke and on the occurrence of disease in populations who are also alleged to be exposed to asbestos containing products, and additionally concerning how the effects of inhaled tobacco smoke and other factors can confound the apparent results of certain epidemiologic studies.

Dr. Wick is also expected to testify that it cannot be said, to a reasonable degree of medical probability, that any hypothetical person's alleged "exposure" to products that may have contained asbestos was of importance to that individual, without reference to that specific person's individual work history, medical history, findings on physical examination and pathological examination of tissue, if any, information concerning the individual's use of protective equipment, specific types of asbestos containing product(s) used and/or handled, resolution of questions regarding exposures to substances other than asbestos-containing products, and other known etiologies for whatever conditions are found to exist.

It is further expected that Dr. Wick's testimony will generally respond to the pathologic, scientific and epidemiologic testimony which may be offered by plaintiffs' experts, and in that sense his testimony is dependent upon the prior testimony of such experts and cannot be specifically predicted.

In expressing his opinions, Dr. Wick will rely on his own training, education, experience, research and publications, as well as the published medical and scientific literature that has been available to him over his career.

Dr. Wick may testify as to the general medical aspects of the diagnosis and treatment of asbestos-related disease and the pathological effect of asbestos on the lung. He may also testify as to the relationship of asbestos exposure and the incidence of cancer.

C. Defendant's Deposition Transcripts/Trial Testimony Which May Be Read At Trial.

1. Dr. Corwin Hinshaw, December 18 and 19, 1992, videotape deposition; U.S. District Court for the Southern District of Mississippi; Lelos Wedgeworth v. Armstrong Cork, et al.; Civil Action Number J78-002(N), and other cases consolidated therewith.
2. Dr. Alton Ochsner, September 11 and 12, 1980, deposition; U.S. District Court for the Southern District of Mississippi, Southern Division; L.T.Chapin, et al v. AC and S; Civil Action Number 579-0272.
3. Dr. Forde A. McIver, February 26, 1980, videotape deposition; U.S. District Court, District of South Carolina, Charleston Division; In Re: Asbestos.
4. Dr. Nicholas Sargent, August 1, 1986, videotape deposition; Pasadena, California.

5. Dr. James Pearle, July 31, 1986, videotape deposition; Anaheim, California.
6. Willis Hazard, February 11, 1981, deposition, Toledo, Ohio.
7. Deposition of Forde A. McIver, M.D., dated September 15, 1978 (Vols. I and II); Lollie Hendrix, Widow of Eugene Hendrix, and as Administratrix of the Estate of Eugene Hendrix, Deceased, v. Combustion Engineering, Inc. et al.; United States District Court for the Southern District of Georgia, Augusta Division; Civil Action File No. CV177-167.
8. Deposition of Henry C. Barron, Jr., dated October 15, 1980; Ralph G. Watson, et al v. The Celotex Corporation, et al.; United States District Court for the Southern District of Georgia, Augusta Division; Civil Action File No. CV179-240.
9. Deposition of Henry C. Barron, Jr., dated October 16, 1980; Ralph G. Watson, et al v. The Celotex Corporation, et al.; United States District Court for the Southern District of Georgia, Augusta Division; Civil Action File No. CV179-240.
10. Deposition of Henry C. Barron, Jr., dated December 11, 1980; Ralph G. Watson, et al v. The Celotex Corporation, et al.; United States District Court for the Southern District of Georgia, Augusta Division; Civil Action File No. CV179-240.
11. Deposition of H. Clarence Barron, Jr., dated September 15, 1981; In Re: Asbestos Cases; United States District Court for the Southern District of Georgia, Savannah Division; Civil Action File Nos. CV 479-267, CV479-312, CV479-326, CV479-332, CV480-97, CV479-287, CV479-313, CV479-327, and CV479-334.
12. Deposition of Andrew T. Haas, dated August 22, 1980; In Re: Asbestos Cases; United States District Court for the Northern District of Georgia, Atlanta Division; Civil Action File Nos. CV79-1385-A, CV77-633-A, CV77-111-A, CV77-632-A, and CV79-2036-A; In Re: Asbestos Cases; United States District Court for the Southern District of Georgia, Augusta Division; Civil Action File No. CV176-166; and In Re: Asbestos Cases; United States District Court for the Southern District of Georgia, Savannah Division.
13. Deposition of Roy J. Steinfurth dated August 12, 1980 (2 volumes); In Re: Asbestos Cases; United States District Court for the Southern District of Georgia, Augusta Division; Civil Action

File No. CV176-166; United States District Court for the Northern District of Georgia, Atlanta Division; Civil Action File Nos. CV79-1385-A, CV77-633-A, CV77-111-A, CV77-632-A, CV79-2036-A, and United States District Court for the Southern District of Georgia, Savannah Division.

14. Trial testimony of August Pocius; Carol Louise Tuten v. Johns-Manville Sales Corporation, et al.; Circuit Court of the Fourth Judicial District, in And For Duval County, Florida, Case No. 77-13991-CA, Division K.
15. Trial testimony of Dr. Edward A. Gaensler; John Daniel Davis v. Armstrong World Industries, et al.; Circuit Court of Monongalia County, West Virginia; Civil Action File No. 86-C-763.
16. Trial testimony of Dr. W.K.C. Morgan; John Daniel Davis v. Armstrong World Industries, et al.; Circuit Court of Monongalia County, West Virginia; Civil Action File No. 86-C-763.
17. Trial testimony of Dr. Andrew Churg; In Re: Baltimore City Personal Injury and Wrongful Death Asbestos Cases; Circuit Court for Baltimore City, Consolidated File No. 89236704.

II. DEFENDANT-SPECIFIC EXPERT LIABILITY, PRODUCT IDENTIFICATION AND LAY WITNESSES:

A. Maremont-Specific Witness List

1. Mr. Carl Liggett
2182 University Drive
Naperville, IL 60565
(708) 442-6800

Mr. Liggett was the head of manufacturing for Maremont at its Paulding, Ohio facility. Mr. Liggett is expected to testify regarding the composition of Maremont's friction products, the packaging of the products, health and safety issues and all issues related thereto.

2. Ms. Rita Grisham
12105 Lascassas Pike
Milton, TN 37118
(615) 292-0604

Ms. Grisham was the assistant to the director of brake products at Maremont. Ms. Grisham is expected to testify regarding the composition of Maremont's friction products, the warnings that accompanied Maremont's friction products, the packaging of

the products, distribution channels, health and safety issues and any and all issues related thereto.

3. Mr. Robert Stienmetz
15603 South Pulaski Road
Markham, IL 60426
(708) 506-6300

Mr. Steinmetz worked for Maremont from September 1964 until July 1, 1977. He started as a product engineer and ultimately became the Vice President and General Manager for the Heavy Duty Division. Mr. Steinmetz is expected to testify regarding the composition of Maremont's friction products, the packaging of the products, distribution channels, health and safety issues and any and all issues related thereto.

4. Mr. Charles Burkhead
333 E. Ontario, #3001-B
Chicago, IL 60611
(312) 664-3570

Mr. Burkhead was based in Atlanta as a field sales representative for Maremont. Mr. Burkhead is expected to testify regarding the distribution of Maremont's friction products, health and safety issues, the labeling and packaging of Maremont's friction products, and any and all issues related thereto.

5. Mr. Ralph Wyatt
772 North Walnut St.
Paulding, OH 45879
(419) 399-4462

Mr. Wyatt worked for more than three decades for Maremont and was at various points an industrial engineer, operations manager, and OSHA/NIOSH administration manager at Maremont's Paulding, Ohio facility. Mr. Wyatt is expected to testify regarding the composition of Maremont's friction products, the labeling and packaging of Maremont's friction products, health and safety issues, and any and all issues related thereto.

6. Mr. Robert T. Mc Bride
577 Clarke Road
Lenoir City, TN 37771
(865) 986-7289

Mr. McBride was the Quality Control Manager in Maremont's muffler division from 1969 through 1991. Mr. McBride is expected to testify regarding the composition of Maremont's muffler products, the labeling and packaging of Maremont's muffler products, health and safety issues, and any and all issues related thereto.

7. Dr. Boris A. Sonin
Komsomolskaya Street 9, Apt. 21
Asbest, Sverdlovsk Region
Russian Federation 624260

Dr. Sonin was employed by the scientific research institute VNIiproektasbest in Asbest from 1953-1993 and was at various points an engineer, head of the laboratory, Deputy Science Director and eventually Director of the institute, which was responsible for testing asbestos mineral deposits and mined product, as well as developing and maintaining standards for asbestos classification, in addition to other activities. Dr. Sonin is expected to testify regarding the Soviet Union's production and exportation of asbestos.

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

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October 17, 2002

***Via Certified Mail -
Return Receipt Requested***

Jim Hamlin
District Clerk, Dallas County
George L. Allen, Sr. Courts Bldg.
600 Commerce Street, 1st Floor
Dallas, Texas 75202-4606

RE: **Cause No. ; *In Re Master Asbestos Litigation*; In The District Court of
Dallas County, Texas**

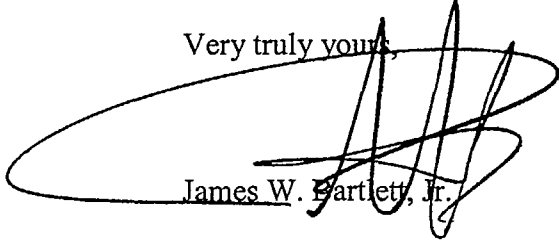
Dear Mr. Hamlin:

Enclosed for filing among the other papers in the above-styled matter is an original and one copy of **Defendant Maremont Corporation's First Amended Objections, Answers, and Responses to Plaintiffs' Master Interrogatories and Requests for Production Propounded to Defendants.**

I would appreciate it if you would file-stamp the extra copy of the document and return it to us in the enclosed self-addressed stamped envelope.

Thank you for your assistance.

Very truly yours,


James W. Bartlett, Jr.

JWB/yzr
Enclosures

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

Mr. Jim Hamlin
October 17, 2002
Page 2

cc: *Via Certified Mail -
Return Receipt Requested*
Ms. Angela Owens
BARON & BUDD, P.C.
The Centrum
3102 Oak Lawn Avenue, Suite 1100
Dallas, Texas 75219

Via Regular Mail
All Known Defense Counsel
(Copies provided upon request)