

reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this Interrogatory on the grounds that the information sought is equally available to Plaintiffs in the public domain. Subject to its objections, Union Carbide responds as follows:

Pursuant to the governing Case Management Order, all experts that Union Carbide presently intends to call as witnesses in this litigation have been disclosed in its Sixteenth Amended Fact and Expert Witness Disclosure, dated March 17, 2003. Union Carbide reserves the right to amend and/or supplement its Fact and Expert Witness Disclosure.

INTERROGATORY NO. 117: Identify any and all present or former directors, officers, employees, or agents of defendant, any predecessor or related company, who have testified in any manner whatsoever including a discovery or evidence deposition, or in a trial, in the last 20 years on behalf of or against the defendant, any predecessor, or related company, in any lawsuits involving a claim or claims based upon allegations of personal injury or property damage caused by exposure to, the use of, the application of, the installation of, or the presence of any asbestos or asbestos-containing product, other than persons who testified as plaintiffs in their own cases. Specifically included within the scope of this request are any suits involving the issue of insurance coverage for claims of personal injury or property damage resulted from the exposure to, the use, application, installation or presence of asbestos or asbestos-containing products.

RESPONSE:

See General Objections Nos. 1 – 8. Union Carbide further objects to this Interrogatory on the grounds that it seeks information that is in the public domain. Union Carbide also objects to this Interrogatory on the ground that the time period is overly broad. Union Carbide further objects to this Interrogatory to the extent that it calls for information about Union Carbide employees or premises, or policies pertaining to Union Carbide employees or premises that are unrelated to the claims in this litigation on the grounds that such requests are overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide is presently aware of the following former employees of Union Carbide who have testified in lawsuits based upon claims relating to asbestos. Union Carbide specifically reserves its right to object to the use at trial of the testimony of any former employees given in lawsuits unrelated to its Calidria asbestos. Moreover, Union Carbide specifically reserves the right to object to the use at trial of the testimony of any former employees given in lawsuits related to its Calidria asbestos unless its Calidria is specifically at issue in the case.

Bert K. Barton

A) James W. Manisto v. American Brake Block Corporation, et al., District Court, First Judicial District, Dakota County, Minneapolis, Minnesota, NO. C-5-88-1008, January 26, 1989.

B) Robert P. Payne, Josephine Stala as Administratrix of the Estate of Stanley Stala v. Advocate Mines, et al., Supreme Court of N.Y. Law Div., Middlesex County,