

A-920,967-C

ROBERT L. ABERNATHY, ET AL

V.

A C & S, INC., ET AL

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IN THE DISTRICT COURT OF

ORANGE COUNTY, TEXAS

128TH JUDICIAL DISTRICT

A-920,961-C

INA SUE BAILEY, ET AL

V.

A C & S, INC., ET AL

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IN THE DISTRICT COURT OF

ORANGE COUNTY, TEXAS

128TH JUDICIAL DISTRICT

NO. A930,810-C

BEN GRADY GILBERT,
AND WIFE, RUBY GILBERT

VS.

A.C. AND S., INC., ET AL

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IN THE DISTRICT COURT OF

ORANGE COUNTY, TEXAS

128TH JUDICIAL DISTRICT

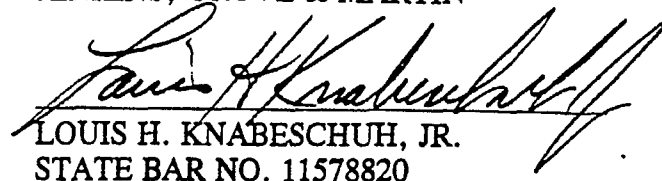
**DEFENDANT KAISER ALUMINUM & CHEMICAL CORPORATION'S
SUPPLEMENTAL RESPONSES TO PLAINTIFFS'
REQUESTS FOR PRODUCTION OF DOCUMENTS
REGARDING FINANCIAL DATA CONCERNING PUNITIVE DAMAGES**

TO: PLAINTIFFS, BY AND THROUGH THEIR ATTORNEY OF RECORD, ANN K. RITTER AND D. SCOTT BEARD, NESS, MOTLEY, LOADHOLT, RICHARDSON & POOLE, P.A., 151 MEETING STREET, SUITE 600, CHARLESTON, SOUTH CAROLINA 29401

Pursuant to the Texas Rules of Civil Procedure, Defendant KAISER ALUMINUM & CHEMICAL CORPORATION submits the following supplemental responses to Plaintiffs' Requests for Production of Documents Regarding Financial Data Concerning Punitive Damages in the above entitled cause of action.

Respectfully submitted,

JENKINS, GROVE & MARTIN

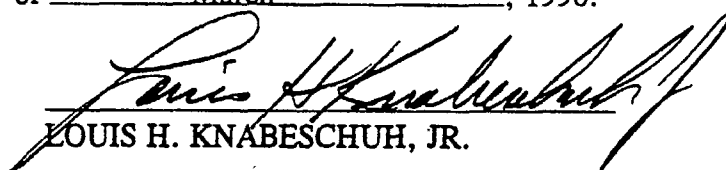


LOUIS H. KNABESCHUH, JR.
STATE BAR NO. 11578820
P.O. BOX 26008
BEAUMONT, TEXAS 77720-6008
TELEPHONE (409) 832-4100
TELECOPIER (409) 832-4242

ATTORNEYS FOR DEFENDANT,
KAISER ALUMINUM & CHEMICAL
CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded to Plaintiffs' counsel by certified mail, return receipt requested, and to all other counsel of record by regular U.S. mail on this 8th day of March, 1996.



LOUIS H. KNABESCHUH, JR.

REQUESTS FOR PRODUCTION

Request to Produce No. 6.: Curriculum Vitae, written report, and all prior transcripts of experts identified in your responses to Interrogatory Nos. 24-25.

RESPONSE:

See Supplemental Answers to Interrogatory Nos. 24-25.

Request to Produce No. 7.: If you are part of a holding company, produce any and all documents which relate or pertain to all payments of dividends, corporate allocations and charges for corporate expenses made by you to the parent corporation.

RESPONSE:

See the attached Annual Reports for 1987 -1994.

Request to Produce No. 8.: If you contend that you are unable to pay an award of punitive damages because of your financial condition or otherwise, produce all documents in support thereof.

RESPONSE:

See Supplemental Answer to Interrogatory No. 22.

Request to Produce No. 9.: Produce any written statements of any non-expert witnesses whom you propose to call as witness at trial on the issue of punitive damages.

RESPONSE:

See Supplemental Answers to Interrogatory Nos. 25-26.

Request to Produce No. 10.: Produce all documents that you will use in support of your defense that you are not liable for punitive damages.

RESPONSE:

See Supplemental Answer to Interrogatory No. 26.

Request to Produce No. 11.: All documents detailing and governing defendant's complete corporate or business history, including all those related to any sale of an asbestos-containing product line or stock in a company dealing in asbestos-containing products.

RESPONSE:

Defendant has not located any documents detailing any sale of "an asbestos-containing product line" of the former Kaiser Refractories Division or any sale by it of stock in a company that manufactured or sold asbestos-containing products. Defendant is not aware that any such sale ever occurred.

Request to Produce No. 12.: All documents governing the terms and conditions of the purchase, assumption or acquisition of any assets and/or liabilities of any corporation or entity previously engaged in the manufacturing or sale of asbestos-containing products.

RESPONSE:

Defendant will produce a copy of the merger agreement with Mexico Refractories Company and pertinent portions of the agreement for acquisition of certain assets from International Minerals & Chemical Corporation.

Request to Produce No. 13.: Documents embodying summaries of asbestos related personal injury claims against defendant, i.e. the claims history of this defendant including the file structure and forms of reports of each computer system containing such information.

RESPONSE:

Defendant is not aware of any such summaries other than those that are privileged as confidential attorney-client communications and/or confidential attorney work product.

Request to Produce No. 17: All consolidated and non-consolidated financial reports, including but not limited to annual reports, shareholder reports, profit and loss statements, balance sheets, statements of cash flow, income statements, audited financial statements, SEC 10-Ks and 10-Qs, generated by defendant for the past ten calendar or fiscal years.

RESPONSE:

Defendant will produce Annual Reports for 1987 - 1994.

Request to Produce No. 18: Produce a statement of any auditor and/or Certified Public Accountant as to the accuracy and reliability of all documents referred to in the preceding request, as to how they portray your financial condition.

RESPONSE:

See Annual Reports for 1987 - 1994.

Request to Produce No. 22: All documents governing or relating to the terms and conditions of sales of one or more a significant or material assets of defendants at any time within the past ten years.

RESPONSE:

See Annual Reports for 1987 - 1994.

Request to Produce No. 24: All SEC filings at any time within the past ten years related to the transactions which were the subject of the two immediately preceding requests.

RESPONSE:

See Annual Reports for 1987 - 1994.

Request to Produce No. 26.: All documents embodying each record or document retention or destruction policy, plan or program of your company.

RESPONSE:

Defendant will produce a copy of the most recent applicable document retention guidelines in effect at the time it still made or sold any asbestos-containing product.