

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

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November 1, 1994

VIA FACSIMILE - (713) 643-6226

Catherina Baen
Williams, Bailey & Wesner, L.L.P.
8441 Gulf Freeway
Suite 600
Houston, Texas 77027-5001

Re: Civil Action No. H 94 1103; *Davis Elven, et al. v. Union Carbide Chemical and Plastics Company, Inc.*; In the United States District Court for the Southern District of Texas, Houston Division

Civil Action No. H 94 1101; *Dallas Stevenson, et al. v. Union Carbide Chemical and Plastics Company, Inc.*; In the United States District Court for the Southern District of Texas, Houston Division.

Dear Ms. Baen:

In accordance with Federal Rule of Civil Procedure 11, this letter will evidence our agreement concerning the resolution of outstanding discovery matters in the above-referenced cases.

In the *Elven* case, counsel have agreed to continue attempting to resolve our objections to Plaintiffs' interrogatories and requests for production and your responses to Defendant's interrogatories and requests for production. Each party (Union Carbide and Plaintiffs) will provide responsive answers and documents to those interrogatories and requests for production upon which agreement has been reached no later than the end of November, 1994. At that time, if there are any remaining disputes, they will be presented to the court for resolution. Plaintiffs will withdraw their pending Motion to Compel and for Sanctions. The parties will file a joint motion with the court requesting the times for the raising of experts be extended by one month. (Plaintiffs' deadline would be extended to December 18, 1994. Defendant's deadline would be extended to February 20, 1995).

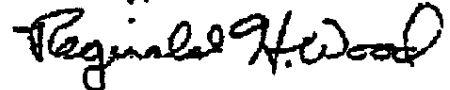
In the *Stevenson* cases, the agreement is the same, except that (1) responsive answers and documents will be served by the parties no later than the end of December, 1994 and (2) no extension of the expert deadlines is required.

UCC 073331

Ms. Catherine Baer
November 1, 1994
Page 2

If this letter accurately reflects our agreement, please so indicate by your signature and return a signed copy to me.

Sincerely,



Reginald H. Wood

RHW/sop

cc: Theodore J. Theophilos

ACCEPTED AND AGREED:



Catherine Baer

(Signature)

Lit 155047
CO

SIDLEY & AUSTIN
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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125th
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1866-1991

WRITER'S DIRECT NUMBER

(212) 906-2380

October 24, 1994

PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"

VIA FEDERAL EXPRESS

Reginald Wood, Esq.
Charles L. Drayden, Esq.
Drayden, Wyche & Wood, L.L.P.
1360 Post Oak Blvd., Suite 1650
Houston, TX 77056-3014

Re: Eirven v. UCC&P
Stevenson v. UCC&P

Dear Reggie:

Enclosed are bond copies of the opposition papers in
the above entitled matters, and a diskette.

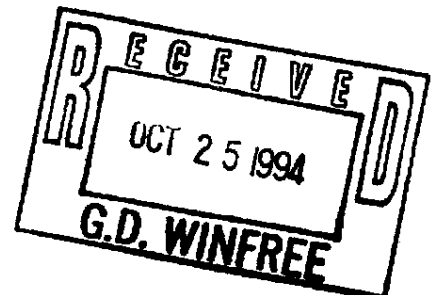
Sincerely,

Theodore J. Theophilos

TJT/sr

Enclosures

cc: Gregory Winfree, Esq. (Fed. Exp., w/enclosures)
Karen Myers (Fed. Exp., w/enclosures)



UCC 073336