

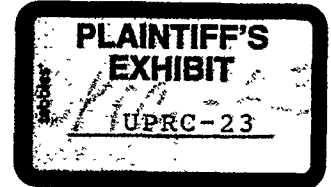
HAYS, McCONN, RICE & PICKERING
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
400 TWO ALLEN CENTER
1200 SMITH STREET
HOUSTON, TEXAS 77002
TELEPHONE (713) 654-1111
TELECOPIER (713) 650-0027

001.23.99* 11885

CRAIG S. WOLCOTT
BOARD CERTIFIED - CIVIL TRIAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

DIRECT LINE: (713) 752-8309
E-MAIL: CWOLCOTT@HAYSMcCONN.COM

October 21, 1999



Ms. Melissa Hutts
Baron & Budd
3102 Oak Lawn Avenue
Suite 1100
Dallas, Texas 75219

CMRRR NO. Z 271 972 742

Re: Cause No. 96-03172-A; *Ramon T. Cedillo, et al. vs. Owens-Corning Fiberglas Corporation, et al.*; In the 28th Judicial District Court of Nueces County, Texas

Dear Melissa:

Transmitted herewith please find Defendant Union Pacific Resources Company's Third Supplemental Responses and Objections to the Plaintiff's First Set of Interrogatories.

Sincerely yours,

HAYS, McCONN, RICE & PICKERING

A handwritten signature in black ink, appearing to be "CWolcott".

Craig S. Wolcott

CSW:elp
Enclosures

cc: All other counsel of record (w/o encl.)

VIA REGULAR MAIL

RAMON T. CEDILLO; ALVINO RESENDO	§	IN THE DISTRICT COURT OF
LOPEZ; AMBROSIO NINO RAMIREZ; and	§	
RICHARD FUENTES VELA	§	
	§	
VS.	§	NUECES COUNTY, TEXAS
	§	
	§	
OWENS-CORNING FIBERGLAS	§	
CORPORATION, ET AL.	§	28TH JUDICIAL DISTRICT

DEFENDANT UNION PACIFIC RESOURCES COMPANY
f/k/a CHAMPLIN PETROLEUM COMPANY, INDIVIDUALLY
AND AS SUCCESSOR BY MERGER TO PONTIAC REFINING CORPORATION
THIRD SUPPLEMENTAL RESPONSES AND OBJECTIONS
TO THE PLAINTIFF'S FIRST SET OF INTERROGATORIES

COMES NOW, Defendant UNION PACIFIC RESOURCES COMPANY in the above numbered and entitled cause of action and pursuant to the Texas Rules of Civil Procedure makes and files this its Third Supplemental Responses to Plaintiff's Request for Production as follows:

SEE ATTACHED.

Respectfully submitted,

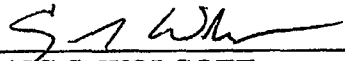
HAYS, McCONN, RICE & PICKERING

By: 
 B. STEPHEN RICE
 State Bar No. 16838000
 CRAIG S. WOLCOTT
 State Bar No. 21845475
 400 Two Allen Center
 1200 Smith Street
 Houston, Texas 77002
 (713) 654-1111 (Telephone)
 (713) 650-0027 (Facsimile)

ATTORNEYS FOR DEFENDANT
 UNION PACIFIC RESOURCES COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument was forwarded via certified mail/return receipt requested and/or via hand-delivery and/or via facsimile and/or via Federal Express to Plaintiff's counsel of record, and a copy of the cover letter to all other counsel of record, on this 21st day of October, 1999.



CRAIG S. WOLCOTT

OBJECTION APPLICABLE TO ALL REQUESTS

Defendant objects to each item of discovery to the extent that the discovery calls for documents protected by the attorney/client privilege, work product privilege, or the party communication privilege.

OBJECTIONS TO DEFINITIONS

Defendant objects to the stated definition of the terms "Defendant," "You," "Your" and "Your Company" on the grounds it is overly broad and seeks to extend the definition beyond the scope of discovery allowed under the Texas Rules of Civil Procedure, including but not limited to inquiries relating to subsidiaries, foreign subsidiaries and other separately incorporated non-parties thus rendering the Plaintiff's stated definitions overly broad, vague and improper.

Defendant objects to the stated definition of the terms "Document," "Documents," "Written Materials" and "Printed Materials" on the grounds it is overly broad, vague and clearly outside the scope of permissible discovery under the Texas Rules of Civil Procedure. This Defendant would specifically object to the attempt to extend the definition of these terms as requiring the responding party to make a determination of what documents may be responsive to these Interrogatories and Requests for Production "regardless of who now has or formerly had custody, possession or control" on the ground that is clearly outside the scope of permissible discovery and could be construed as seeking disclosure of information that would be protected from discovery by virtue of the attorney work product exemption afforded by the Texas Rules of Civil Procedure and the Texas Rules of Civil Evidence.

Defendant would further object to the stated definition of the terms "Meeting" or "Meetings" on the grounds that it is so overly broad and vain and renders each discovery request to which it may apply incapable of being answered; and therefore, improper under the Texas Rules of Civil Procedure.

Defendant objects to the stated definition of the terms "products containing asbestos fiber," "asbestos containing products" and "asbestos products" on the grounds it is overly broad, vague and not limited to the matters made the basis of this lawsuit and therefore, seeks disclosure of information and/or the production of documentation wholly irrelevant to any material issue in this case and not reasonably calculated to lead to the discovery of admissible evidence.

PRELIMINARY STATEMENT OF UNION PACIFIC RESOURCES COMPANY

Union Pacific Resources Company, a Delaware Corporation is currently an independent corporation but was previously a subsidiary of Union Pacific Corporation. A predecessor of Union Pacific Corporation purchased the stock of Champlin Petroleum Company and the former Pontiac Refinery from Celanese Corporation of America in 1969. Champlin Petroleum Company's name was changed to *Union Pacific Resources Company* in 1987. Also, effective January 1, 1987, 50% interest in the Corpus Christi refinery was sold to a subsidiary of PDVSA, the National Oil Company of Venezuela. A general partnership was established known as the Champlin Refining Company partnership operating the Corpus Christi refinery on behalf of the 50% interest held by a subsidiary of PDVSA and 50% interest held by Champlin Refining Inc., a wholly owned subsidiary of Champlin Petroleum Company (now known as Union Pacific Resources Company). Effective January 1, 1989, Champlin Refining, Inc. had sold its remaining 50% interest in Champlin Refining Company to a subsidiary of PDVSA which was subsequently merged by PDVSA into PDVSA's CITGO Petroleum Company.

Following the sale of its interest in the Corpus Christi Refinery, (formerly known as the Pontiac Refinery), Champlin Petroleum Company, now known as Union Pacific Resources Company, retained no records or documents relating to the operation of that refinery. All such documentation remained in the possession of the current owner and operator of that refinery.

INTERROGATORIES

INTERROGATORY NO. 9:

Please list all asbestos-containing products ("products") used at Defendant's Premises and state what these products were used for, from whom these products were purchased, where these products were installed, and the specific persons or contractors who installed these products. Further, indicate the first year each specific asbestos-containing product was no longer purchased and installed on Defendant's Premises.

SUPPLEMENTAL ANSWER:

Objection. Defendant Union Pacific Resources Company objects to this interrogatory on the grounds it is overly broad, vague, not limited to the time period relevant in this case nor is it limited to the matters made the basis of this lawsuit, specifically alleged exposure to asbestos fibers and therefore seeks disclosure of information wholly irrelevant to any material issue in this case and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant UPR supplements as follows: See enclosed documents labeled D0001743, J0014991, G0027516, G0026810, G0026336, G0001247, G0001248, FF0092993, FF0092994, FF0092956, FF0092957, FF0092916, FF0092917, FF0069504, FF0069456, FF0066961, FF0066949, FF0066950, FF0066502, FF0066004, FF0065798, FF0059607, FF0050589, FF0050(illegible), FF0046167, FF0046137, FF0045756, FF0044300, FF0043143, FF0041197, FF0041198, FF0039903-21, FF0038621, FF0033025, FF0026376, FF0024770, FF0017380, FF0017386, M0024111, M0012716-7

INTERROGATORY NO. 10:

Please state whether any asbestos-containing products in place or in use at Defendant's Premises have been abated at any time. If so, please list each person or company involved with the abatement of asbestos, including address and telephone number, and state the dates and particular locations of each abatement procedure.

SUPPLEMENTAL ANSWER:

Objection. Defendant Union Pacific Resources Company objects to this interrogatory on the grounds it is overly broad, vague, not limited to the time period relevant in this case nor is it limited to the matters made the basis of this lawsuit, specifically alleged exposure to asbestos fibers and therefore seeks disclosure of information wholly irrelevant to any material issue in this case and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant UPR supplements as follows: See enclosed documents labeled A0001058, A0001060, A0001061, A0001068, A0001468, A0065002-7, A0065434, AA0007341, D0001673, D0001674, D001690-97, D0001716, D0001743.

INTERROGATORY NO. 13:

Have you ever had a policy requiring workers on Defendant's premises to use respirators? If so, please state when this policy was implemented; describe this policy in detail; state to whom it applied (i.e. Defendant employees and contractor employees); and describe what types and brand names of respirators were required by you.

SUPPLEMENTAL ANSWER:

Objection. Defendant Union Pacific Resources Company objects to this interrogatory as overly broad, vague and not limited to asbestos or the matters made the basis of this suit. Subject to and without waiving the foregoing objections, Defendant UPR supplements as follows: *See* enclosed documents labeled D0001673, D0001674, D0001692.

INTERROGATORY NO. 16:

Have you ever warned workers on Defendant's Premises of the hazards of asbestos and asbestos-containing products? If so, describe in detail the methods of such warnings, who you warned and when. Please include in your response a description of any written warnings relating to the hazards of asbestos in place at Defendant's Premises and state when the written warnings were installed, how many were installed, and whether they have been removed.

SUPPLEMENTAL ANSWER:

Objection. Defendant Union Pacific Resources Company objects to this interrogatory on the grounds it is overly broad, vague and not limited to the time period relevant in this case and therefore seeks disclosure of information wholly irrelevant to any material issue in this case and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant UPR supplements as follows: *See* enclosed documents labeled A0061590, A0001693.