

FILE NAME: General Electric (GE)

DATE: 2003

DOC#: GE047

DOCUMENT DESCRIPTION: Legal - Response to Objections and Interrogatories



CAUSE NO. 00-06517-K

MARY MILLER, Individually and as	)	IN THE DISTRICT COURT
Personal Representative of the Estate of	)	
ANDREW JOHN MILLER, Deceased	)	
	)	DALLAS COUNTY, TEXAS
V.	)	
	)	
GAF CORPORATION, et al	)	192ND JUDICIAL DISTRICT

**DEFENDANT GENERAL ELECTRIC COMPANY'S
SUPPLEMENTAL ANSWERS AND OBJECTIONS TO PLAINTIFF'S
MASTER INTERROGATORIES AND REQUESTS FOR PRODUCTION**

COMES NOW Defendant General Electric Company ("GE") and files its Original Answers and Objections to Plaintiff's Master Interrogatories and Requests for Production.

GENERAL OBJECTIONS

1. GE is a large, decentralized company whose products and businesses change constantly. GE no longer has, or may never have had, documents which relate to various aspects of Plaintiff's discovery. GE provides herein the information it has ascertained from investigation of available records and sources of information.

2. GE objects to Plaintiff's discovery to the extent it potentially calls for the disclosure of privileged and confidential information protected by the attorney client privilege, the attorney work product doctrine, and may be protected by other exclusions from discovery. It is impossible for GE to make any more specific privilege objections due to the overbreadth of this discovery which appears to go far beyond any product involved in the pending lawsuit, and to

GE states that it has employed many industrial hygienists and physicians who have had responsibility for employee health and safety. Given the breadth of the time period covered, the wide variety of products manufactured, the size of the company and the number of facilities owned or managed, it would be impossible to answer this Interrogatory, and as such it is overly broad and unduly burdensome. Subject to and without waiving any objections, GE states that the person currently responsible for industrial hygiene at GE Power Systems is Richard Lubert. The person currently responsible for industrial hygiene for the corporation, General Electric Company, is Kurt Kruegger. The current medical director for GE Power Systems is Dr. David Pratt. The current medical director for the corporation is Dr. Robert Galvin.

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:

GE states that it is not currently nor has it ever been aware of any clinical, epidemiological, toxicological, industrial hygiene, medical and/or scientific literature demonstrating that GE land-based steam turbines cause adverse health consequences. GE notes that the amount of materials published in both the technical and popular press that discuss possible correlations between asbestos, especially friable, amphibole asbestos, and human health consequences is voluminous. GE further states, however, that at all times its respective businesses kept apprised of the prevailing industry standards and standards of medical art as they related to the operation of GE's respective businesses. GE further states that because it is a large, decentralized company with facilities in numerous states and foreign countries, because there is no central repository for information of the type sought by way of the instant Interrogatory, and because GE no longer has, or never had, many of the documents required to answer this Interrogatory, a comprehensive answer is not possible and it reserves the right to supplement its answer. GE further states that by the early 1950s, Dr. Irving R. Sax of its Schenectady office was aware of the risk of asbestosis from high levels of exposure to asbestos dust and Dr. Sax made this information publicly available in his book, *Handbook of Dangerous Materials* (Reinhold Publishing 1951). GE further states that it would have been aware of the TLV's for all substances, including asbestos, published by the ACGIH in the 1940s. A copy of Dr. Sax's book can be made available at a mutually convenient time and place.

THOMPSON & KNIGHT

LLP

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April 4, 2003

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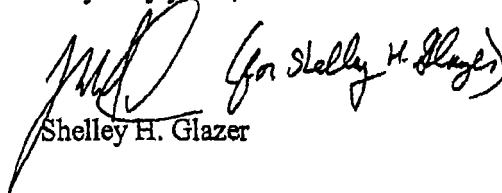
Re: Cause No. 00-06517-K; *Miller v. GAF Corporation, et al*

Dear Ms. Jackson:

On December 17, 2002, we served you with General Electric Company's Supplemental Answers and Objections to Plaintiffs' Master Interrogatories and Request for Production. After reviewing our discovery responses, it became apparent that our set of master discovery requests did not conform exactly to the Standing Order for Dallas County. The differences were minor and they did not affect our answers to the requests; however, we wanted to be sure to provide you with accurate discovery in this case. Thus, attached to this letter you will find a revised version of the discovery requests we served upon you on December 17, 2002.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,


Shelley H. Glazer

SHG:lag