2000-757

IGNACIO SERAFIN	§	IN THE COUNTY COURT AT LAW
	§	
vs.	§	NO. 3
	§	
OWENS-CORNING, ET AL	§	EL PASO COUNTY, TEXAS

CHEVRON U.S.A. INC.'S SUPPLEMENTAL RESPONSE
REQUEST FOR DISCLOSURE

TO: INGACIO SERAFIN, by and through his attorney of record, Stephanie Finch, BARON & BUDD, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219-4281.

COMES NOW CHEVRON U.S.A. INC., one of the Defendants in the above entitled and numbered cause, responds to Disclosure as to Plaintiff, Ignacio Serafin, pursuant to Tex.R.Civ.P. 194.2.

f. In addition to Defendant's Answers to Plaintiffs' Master Set of Interrogatories filed *In re: All asbestos-Related Cases Filed by Baron & Budd, P.C. or to be Filed by Baron & Budd, P. C. in El Paso, County, Texas*, the following expert witnesses are herein designated:

Robert M. Ross, M.D., FCCP
6550 Fannin Street, Suite 2403
Houston, Texas 77030
(713) 383-6100

Dr. Ross is a specialist in the area of respiratory diseases. Dr. Ross may testify as to all matters pertaining to his examination of plaintiff and/or review of plaintiff's medical records, x-rays, and reports and supplemental reports of plaintiffs' experts; any communications with plaintiff or plaintiff's family members; the diagnostic criteria used to diagnose asbestos-related diseases; his opinions as to whether plaintiff suffers from asbestos-related disease and the basis of such opinions; plaintiff's medical conditions; his prognosis with regard to such medical conditions; and, if applicable, his opinions as to the cause of death. Dr. Ross may also testify about general medical issues with emphasis on the respiratory system and the effect that asbestos and other substances have on human health generally and with respect to plaintiff specifically. Dr. Ross may testify concerning his examination and diagnosis of the physical condition of plaintiff and the relationship, if any, of such condition of plaintiff's exposure, if any, to asbestos.

Dr. Ross may also testify regarding the anatomy and function of the respiratory and circulatory systems; the symptomatology, disease process and diagnosis of asbestosis and cancer of the respiratory systems, peritoneum and peritoneal cavity; the nature and extent of medical and scientific knowledge regarding any association of pulmonary disease with

asbestos fiber and the effect of exposure to substances other than asbestos in the development and manifestation of diseases of the respiratory system; the methods of diagnosis and means of establishing the differential diagnosis of asbestos-related diseases with non asbestos-related diseases; the incidence of lung cancer in the general population and those individuals exposed to asbestos; cigarette smoking and its effect on the lungs; the difference between impairment and disability; the effect of asbestosis on disability and life expectancy; the lack of relationship between pleural plaques and development of any cancer; the history of evolution and knowledge of asbestos-related diseases; and the evolution of the medical community's awareness of the increased risks for an asbestos-related disease in cases of prolonged exposure.

In addition, Dr. Ross may testify about issues relevant to a *Dauber/Havner/Robinson* Analysis.

A copy of Dr. Ross's CV and his report on Plaintiff are attached.

Arthur A. Cohen, M.D.
Curie Medical Building
1733 Currie Drive, Suite 309
El Paso, Texas 79902
(915) 533-9388

Dr. Cohen is a specialist in the area of respiratory diseases. Dr. Cohen may testify as to all matters pertaining to his examination of plaintiff and/or review of plaintiff's medical records, x-rays, and reports and supplemental reports of plaintiff's experts; any communications with plaintiff or plaintiff's family members; the diagnostic criteria used to diagnose asbestos-related diseases; his opinions as to whether plaintiff suffers from asbestos-related disease and the basis of such opinions; the Plaintiff's current medical condition and his prognosis of Plaintiff. Dr. Cohen is expected to testify that Plaintiff's lung condition is not impaired and that Plaintiff's pulmonary function studies are normal.

A copy of Dr. Cohen's CV and report on Plaintiff are attached.

Respectfully submitted,

STRONG, PIPKIN, NELSON,
BISSELL & LEDYARD, L.L.P.

David W. Ledyard
State Bar No. 12109400
Michael T. Bridwell
State Bar No. 02979600
14th Floor, San Jacinto Building
Beaumont, Texas 77701-3255
(409)981-1000
(409)981-1010 Facsimile

ATTORNEYS FOR DEFENDANT,
CHEVRON U.S.A. INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Chevron U.S.A. Inc.'s Supplemental Response to Disclosure has been send to Plaintiff's counsel by certified mail and to all other counsel of record by regular mail on this the 23th day of April, 2001.

Michael T. Bridwell

ARTHUR A. COHEN, M.D.
Diplomate American Board of Internal Medicine
Diplomate Subspecialty Board of Pulmonary Disease
Diagnosis and Treatment of
Diseases of the Chest

Curie Medical Building
1733 Curie Dr., Suite 309
El Paso, Texas 79902
(915) 533-9388
FAX 533-0078

July 25, 2000

Scott Hulse
201 E. Main #1100
PO Box 99123
El Paso, TX 79999-9123

Re: Ignacio Serafin

Dear Mr. Alley:

Ignacio Serafin was seen at your request, 7-21-00. Chest roentgenogram was reviewed, lung functions reviewed, history taken, and physical examination was performed.

This 63 year old man worked for a variety of companies as a laborer, beginning in 1961.

His first company was Briner, where he cleaned and repaired pipes. He states that he would replace installation, asbestos, and perhaps used an asbestos paste.

After that, he worked for various contractors. He worked at the Chevron Refinery, ASARCO. He worked as a pipe-fitter and doing insulation. He states that at times the work was rather dusty, and at no time did he wear a mask.

He is not sure when he was exposed to asbestos at this rime, but thinks asbestos was utilized in the installation. He does not know the years when asbestos was no longer utilized.

Recently, he had some orthopedic problems, and was told he had some cardiac arrhythmias. He did not know anything further than that.

His medications include Ibuprofen and Acetamenophen for his leg discomfort.

He did smoke, but stopped 30 years ago.

During direct questioning, he denied cough or sputum. However, he says that with exercise, at times, he has chest tightness and some wheezing. Because of his orthopedic problems, he has been doing very little walking, recently, and is unable to state his degree of dyspnea.

He was seen in consultation by Dr. Bondarevsky, who felt that he had x-ray findings of asbestosis, and found him to have entirely normal lung functions.

July 25, 2000 Re: Ignacio Serafin

On physical examination, he was a modestly obese man in no acute or chronic distress, who was walking with a cane. Blood pressure 142/70. Heart rate 76 and regular. Respiratory rate 16. HEENT were unremarkable. Neck supple. Chest and lungs were clear. Cardiac examination unremarkable. Abdomen obese, without liver, kidney , or spleen being palpable. Extremities revealed no clubbing, cyanosis, or edema. Brief neurological examination was unremarkable.

Chest roentgenogram done in my office was compared to previous x-rays. Again, they showed slight blunting at the right costal phrenic angle, and some increased bronchovascular markings.

Lung functions were repeated and were essentially identical to those of 2 years ago, showing normal lung functions and specifically, normal DLCO and lung volumes.

It is my feeling that Mr. Serafin exhibits x-ray findings consistent with, but not diagnostic of, asbestos exposure. There is minimal blunting at the right costal phrenic angle, which could be pleural thickening. There is no evidence of pleural calcification. The increased bronchovascular markings are of a very mild degree.

Lung functions were entirely normal.

In summary, it is my feeling that this man may show some roentgenographic findings consistent with pneumoconiosis, and consistent with but not diagnostic of, asbestos exposure. Lung functions are entirely normal, including the DLCO.

By classic criteria, asbestos related pulmonary disease should show some decrease in DLCO. This man shows no evidence of respiratory dysfunction.

My feeling, therefore, is that he manifests roentgenographic firdings of very mild degree that are consistent with pneumoconiosis, and lung functions which are entirely normal. I suspect he did have asbestos exposure. I [redacted] no evidence of asbestos related lung disease.

I want to thank you for asking me to see Mr. Serafin. If I can give you any further information, please do not hesitate to let me know.

Sincerely yours,

Arthur A. Cohen, M.D.
AAC:js

ROBERT M. ROSS, M.D. FCCP

6550 Fannin, Suite 2403
Texas Medical Center
Houston, TX 77030

Board Certified Pulmonary Diseases
Board Certified Internal Medicine
Occupational and Environmental Lung Diseases
NIOSH Certified B-Reader

Tel: (713) 383-6100
Fax: (713) 383-6103

NAME Ignacio Serafin DOB 5/26/37 SSN 461-74-3570

1A. DATE OF X-RAY 5/29/98

1B. FILM QUALITY [X] 1 2 3 U/R — If Not Grade 1 Give Reason: ______

1C. IS FILM COMPLETELY NEGATIVE? YES [X] Proceed to Section 5 NO [ ] Proceed to Section 2

2A. ANY PARENCHYMAL ABNORMALITIES CONSISTENT WITH PNEUMOCONIOSIS? YES [ ] COMPLETE 2B and 2C NO [ ] PROCEED TO SECTION 3

2B. SMALL OPACITIES

a. SHAPE/SIZE — PRIMARY: p s q t r u; SECONDARY: p s q t r u

b. ZONES — R L

c. PROFUSION — 0/- 0/0 0/1; 1/0 1/1 1/2; 2/1 2/2 2/3; 3/2 3/3 3/+

2C. LARGE OPACITIES

SIZE 0 A B C

PROCEED TO SECTION 3

3A. ANY PLEURAL ABNORMALITIES CONSISTENT WITH PNEUMOCONIOSIS? YES [ ] COMPLETE 3B, 3C and 3D NO [ ] PROCEED TO SECTION 4

3B. PLEURAL THICKENING

a. DIAPHRAGM (plaque) SITE 0 R L

b. COSTOPHRENIC ANGLE SITE 0 R L

3C. PLEURAL THICKENING . . . Chest Wall

a. CIRCUMSCRIBED (plaque)

	Right	Left
SITE	0 R	0 L
IN PROFILE i. WIDTH	0 A B C	0 A B C
ii. EXTENT	0 1 2 3	0 1 2 3
FACE ON iii. EXTENT	0 1 2 3	0 1 2 3

b. DIFFUSE

	Right	Left
SITE	0 R	0 L
IN PROFILE i. WIDTH	0 A B C	0 A B C
ii. EXTENT	0 1 2 3	0 1 2 3
FACE ON iii. EXTENT	0 1 2 3	0 1 2 3

3D. PLEURAL CALCIFICATION

	SITE 0 R EXTENT	SITE 0 L EXTENT
a. DIAPHRAGM	0 1 2 3	0 1 2 3
b. WALL	0 1 2 3	0 1 2 3
c. OTHER SITES	0 1 2 3	0 1 2 3

PROCEED TO SECTION 4

4A. ANY OTHER ABNORMALITIES? YES [ ] COMPLETE 4B and 4C NO [ ] PROCEED TO SECTION 5

4B. OTHER SYMBOLS (OBLIGATORY)

0 ax bu ca cn co cp cv di ef em es fr hi ho id ih kl pi px rp tb

Report items which may be of present clinical significance in this section. OD SPECIFY od.) ______

Date Personal Physician notified? MONTH DAY YR

4C. OTHER COMMENTS

No change from 1996 (6/7/96)

SHOULD WORKER SEE PERSONAL PHYSICIAN BECAUSE OF COMMENTS IN SECTION 4C. YES NO PROCEED TO SECTION 5

5. FILM READER'S INITIALS RMR DATE READ 1/25/00

ARTHUR A. COHEN, M.D.
Diplomate American Board of Internal Medicine
Diplomate Subspecialty Board of Pulmonary Disease
Diagnosis and Treatment of
Diseases of the Chest

Curie Medical Building
1733 Curie Dr., Suite 309
El Paso, Texas 79902
(915) 533-9388

C U R R I C U L U M V I T A E

NAME:	ARTHUR ALLEN COHEN
OFFICE ADDRESS:	1733 Curie Dr. #309 El Paso, Texas 79902 phone-(915) 533-9388
HOME ADDRESS:	6006 Balcones #4 El Paso, Texas 79912 phone-(915) 584-1894
BIRTHPLACE:	El Paso, Texas March 24, 1940
MARITAL STATUS:	Married - 3 children Wife - Charlotte
PREMEDICAL EDUCATION:	Duke University Durham, North Carolina
DEGREE:	Bachelor of Arts
DATE OF GRADUATION:	June, 1962
MEDICAL EDUCATION:	Baylor College of Medicine Houston, Texas
DATE OF GRADUATION:	June, 1966
INTERNSHIP:	Methodist Hospital June, 1966 - June, 1967 Houston, Texas
RESIDENCIES-FELLOWSHIPS:	Baylor Medical Center - Medical June, 1966- June, 1969 Baylor College of Medicine - Pulmonary Disease Houston, Texas June, 1969 - June, 1970
TEACHING APPOINTMENTS:	Teaching Fellowship - Baylor College of Medicine

CURRICULUM VITAE

NAME: ROBERT MARSHAL ROSS, M.D., FCCP
Board Certified Pulmonary Diseases
Board Certified Internal Medicine
Occupational and Environmental Lung Disease
NIOSH Certified B-Reader

ADDRESS:
HOME 2202 Sunset Blvd., Houston, Texas 77005
(713) 526-6470

OFFICE 6550 Fannin Street, Suite 2403
Houston, Texas 77030
(713) 383-6100

DATE OF BIRTH: October 21, 1946

CITIZENSHIP: U.S.

EDUCATION

1968 Bachelor of Science, University of Waterloo, Waterloo, Ontario Canada.

1969 Course work towards Master of Science in Physiology, University of Toronto, Toronto Canada.

1972 Doctor of Medicine (M.D.), McMaster University, Hamilton Canada.
Internship and Residency in Internal Medicine, McMaster University.
Fellowship in Pulmonary Diseases, McMaster University.

1976 Certified in Internal Medicine by American Board of Internal Medicine.

1977 Fellow of the Royal College of Physicians of Canada in Internal Medicine.

1978 Certified in subspecialty of Pulmonary Diseases by American Board of Internal Medicine.

1978 Fellow of the Royal College of Physicians of Canada in the subspecialty of Respirology (Pulmonary Diseases).

ACADEMIC APPOINTMENTS

Assistant Professor of Medicine (Pulmonary Department), Baylor College of Medicine, Houston, Texas 1977-1978.

Clinical Assistant Professor of Medicine (Pulmonary Department), Baylor College of Medicine, Houston, Texas 1979-1983.

Clinical Assistant Professor of Medicine (Pulmonary and Critical Care Department), Baylor College of Medicine, Houston, Texas 1997.

Adjunct Faculty Member, Health & Human Performance Department, University of Houston, Houston, Texas 1984 to present.

Director of Pulmonary Function Department, Houston Northwest Medical Center Hospital, Houston, Texas 1986 to 1997.

PROFESSIONAL

Medical Staff of The Methodist Hospital, Houston, Texas (Courtesy) and Houston Northwest Medical Center Hospital, Houston, Texas (Courtesy).

Author of expert medical software for interpreting cardiopulmonary exercise tests for a medical equipment company.

Teacher of pulmonary function and cardiopulmonary physiology to the Pulmonary Fellows at Baylor College of Medicine.

Part-time pulmonary department, Ben Taub Hospital, Harris County Hospital District 1977.

NIOSH Certified B-Reader 1998.

SOCIETIES

Fellow of American College of Chest Physicians
Member of Harris County Medical Society
Member of Texas Medical Association
Member of Texas Thoracic Society

PUBLICATIONS

Books:

Jackson, A. S. and R. M. Ross Understanding Exercise for Health & Fitness Kendall/Hunt Publishing Co., Dubuque, Iowa. Third Edition 1997.

Ross, R. M. Interpreting Exercise Tests CSI Software, Houston, Texas 1989.

Ross, R. M. and A. S. Jackson Exercise Concepts, Calculations and Computer Applications Benchmark Press Carmel, Indiana, 1990.

Articles:

Ross, R. M. "Bedside Calibration Check of Pulmonary Artery Catheters", Chest: 79:6, 717-718, 1981.

Ross, R. M. "Hepatic Dysfunction Secondary To Heart Failure", American Journal of Gastroenterology: 76: 511-578, 1981.

Ross, R. M. "Bedside Calibration of Pulmonary Artery Catheters", Chest: 84:4, 506-507, 1983.

Ross, R. M. and A. S. Jackson "Development and Validation of Total Work Equations for Estimating the Energy Cost of Walking", Journal of Cardiopulmonary Rehabilitation: 6: 185-192, 1986.

Ross, R. M. and A. Cordoba "Delayed Life-Threatening Hemothorax Associated with Rib Fractures", Journal of Trauma, 26:6, 576-578, June 1986.

Ross, R. M. and G. W. Johnson "Fat Embolism After Liposuction", Chest: 93:6, 1294-1295, June 1988.

Jackson, A. S., S. N. Blair, M.T. Mahar, L. T. Weir, R. M. Ross, J. E. Stuteville "Prediction of Functional Aerobic Capacity Without Exercise Testing", Medicine and Science in Sports and Exercise, 22: 863-870, 1990.

Jackson, A. S., E.F. Beard, L.T. Weir, R. M. Ross, J.E. Stuteville, and S.N. Blair "Changes in Aerobic Power of Men ages 25 to 70 years", Medicine and Science in Sports and Exercise, Vol. 27, No. 1, pp. 113-120, 1995.

Jackson, A. S. and R. M. Ross "Methods and Limitations of Assessing Functional Work Capacity Objectively", Journal of Back and Musculoskeletal Rehabilitation, 6: pp. 265-276, 1996.

Ross, R. M., D. B. Root and A. S. Jackson "Spirometric Norms", Advance for Managers of Respiratory Care, Vol. 6, No. 9, pp. 27-31, 1997.

Ross, R. M. and A. Siddiqi "Spirometry Essentials", Advance for Managers of Respiratory Care, Vol. 7, No. 2, p. 61&67, 1998.