

(36) FILE NAME: Celanese (CEL)

DATE: 0000

DOC#: CEL036

DOCUMENT DESCRIPTION: Celanese Interrogatory answers - Celanese
Answers Re Memberships is IHF,MCA,CMA, NSC - Tab H

THURMAN HARMON, et al.,

Plaintiffs,

vs.

OWENS CORNING (a/k/a OWENS
CORNING CORPORATION), et al.,

Defendants.

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IN THE DISTRICT COURT

DALLAS COUNTY, TEXAS

298TH JUDICIAL DISTRICT

**DEFENDANT CELANESE LTD'S OBJECTIONS AND RESPONSES TO PLAINTIFF
FIDENCIO ORTA SANCHEZ'S SECOND SET OF ADMISSIONS AND THIRD SET OF
REQUEST FOR PRODUCTION TO DEFENDANT CELANESE, LTD.**

TO: Plaintiff Fidencio Orta Sanchez, by and through his attorney, Chad Cotten,
BARON & BUDD, The Centrum, Suite 1100, 3102 Oak Lawn Avenue, Dallas,
Texas 75219

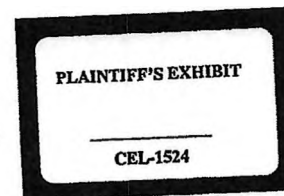
Pursuant to the Texas Rules of Civil Procedure (the "Rules"), Defendant
Celanese Ltd. (referenced herein as "Defendant" or "Celanese") submits these
Responses to Plaintiff Fidencio Orta Sanchez's Second Set of Requests for Admission
and Third Set of Requests for Production to Defendant Celanese Ltd. as follows:

GENERAL RESPONSES, OBJECTIONS AND ASSERTIONS OF PRIVILEGE

Celanese makes the following general objections to each and every request
directed to it

1. Celanese objects to Plaintiff's Instruction No. 1. Celanese may produce
non-privileged responsive documents in the manner in which they are kept in the

Celanese Ltd.'s Responses to Plaintiff
Fidencio Sanchez's Second Set of Requests
for Admission and Third Set of Requests
for Production to Defendant Celanese Ltd.



REQUEST FOR ADMISSION NO. 18

Admit that Celanese was a member of the Industrial Hygiene Foundation in 1968.

RESPONSE:

Admitted

REQUEST FOR ADMISSION NO. 19

Admit that Celanese was a member of the Industrial Hygiene Foundation in 1969.

RESPONSE:

Admitted

REQUEST FOR ADMISSION NO. 20

Admit that Celanese was a member of the Industrial Hygiene Foundation in 1970.

RESPONSE:

Admitted

REQUEST FOR ADMISSION NO. 21

Admit that Celanese was a member of the Industrial Hygiene Foundation in 1971.

RESPONSE:

Admitted

REQUEST FOR ADMISSION NO. 22

Admit that Celanese was a member of the National Safety Council in 1951.

RESPONSE:

Celanese Ltd.'s Responses to Plaintiff
Fidencio Sanchez's Second Set of Requests
for Admission and Third Set of Requests
for Production to Defendant Celanese Ltd.

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Celanese admits that it has been, and remains, a member of the National Safety Council. Although the beginning date of its membership in that organization is presently unknown, on present information and belief, Celanese was a member by at least some time in the mid-1960s.

REQUEST FOR ADMISSION NO. 23

Admit that Celanese was a member of the National Safety Council in 1952.

RESPONSE:

Celanese admits that it has been, and remains, a member of the National Safety Council. Although the beginning date of its membership in that organization is presently unknown, on present information and belief, Celanese was a member by at least some time in the mid-1960s.

REQUEST FOR ADMISSION NO. 24

Admit that Celanese was a member of the National Safety Council in 1953.

RESPONSE:

Celanese admits that it has been, and remains, a member of the National Safety Council. Although the beginning date of its membership in that organization is presently unknown, on present information and belief, Celanese was a member by at least some time in the mid-1960s.

REQUEST FOR ADMISSION NO. 25

Admit that Celanese was a member of the National Safety Council in 1954.

RESPONSE:

Celanese admits that it has been, and remains, a member of the National Safety Council. Although the beginning date of its membership in that organization is presently unknown, on present information and belief, Celanese was a member by at least some time in the mid-1960s.

Admit that Celanese was a member of the National Safety Council in 1969.

RESPONSE:

Celanese admits that it has been, and remains, a member of the National Safety Council. Although the beginning date of its membership in that organization is presently unknown, on present information and belief, Admitted.

REQUEST FOR ADMISSION NO. 41

Admit that Celanese was a member of the National Safety Council in 1970.

RESPONSE:

Celanese admits that it has been, and remains, a member of the National Safety Council. Although the beginning date of its membership in that organization is presently unknown, on present information and belief, Admitted.

REQUEST FOR ADMISSION NO. 42

Admit that Celanese was a member of the Manufacturing Chemistry Association in 1966.

RESPONSE:

On present information and belief, Admitted.

REQUEST FOR ADMISSION NO. 43

Admit that Celanese was a member of the Manufacturing Chemistry Association in 1967.

RESPONSE:

On present information and belief, Admitted..

REQUEST FOR ADMISSION NO. 44

Celanese Ltd.'s Responses to Plaintiff
Fidencio Sanchez's Second Set of Requests
for Admission and Third Set of Requests
for Production to Defendant Celanese Ltd.

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Admit that Celanese was a member of the Manufacturing Chemistry Association in 1968.

RESPONSE:

On present information and belief, Admitted.

REQUEST FOR ADMISSION NO. 45

Admit that Celanese was a member of the Manufacturing Chemistry Association in 1969.

RESPONSE:

On present information and belief, Admitted.

REQUEST FOR ADMISSION NO. 46

Admit that Celanese was a member of the Manufacturing Chemistry Association in 1970.

RESPONSE:

On present information and belief, Admitted.

REQUEST FOR ADMISSION NO. 47

Admit that a case of pnueumoconiosis was reported by a Celanese employee in 1951.

RESPONSE:

Celanese admits that in or around 1951 an employee at a plant other than the one at issue in this case did report an alleged dust-related illness, but the specific illness he reported he purportedly had was silicosis and was not an injury in any way related to alleged asbestos exposure.

REQUEST FOR ADMISSION NO. 48

Admit that Celanese did not employed any industrial hygienists before 1966.

RESPONSE:

Celanese Ltd.'s Responses to Plaintiff
Fidencio Sanchez's Second Set of Requests
for Admission and Third Set of Requests
for Production to Defendant Celanese Ltd.

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Celanese objects to this request on the grounds that it is overly broad in that it is not properly limited to the plant at issue in this litigation. Celanese further objects to this request on the grounds that it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing general and specific objections, Celanese admits only that it had an industrial hygienist on its direct company payroll before 1966 although Celanese obtained industrial hygiene services from its insurance carriers prior to that time.

REQUEST FOR ADMISSION NO. 49

Admit that Charles Laubly was the only industrial hygienist employed by Celanese from 1966-1970.

RESPONSE:

Celanese objects to this request on the grounds that it is overly broad in that it is not properly limited to the plant at issue in this litigation. Celanese further objects to this request on the grounds that it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing general and specific objections, denied as stated. Although Mr. Laubly was the only individual with the formal title of "industrial hygienist", others within the company performed industrial hygiene related activities during the stated time period.

REQUEST FOR ADMISSION NO. 50

Admit that Charles Laubly was the only industrial hygienist employed by Celanese until the mid 1970's.

RESPONSE:

Celanese objects to this request on the grounds that it is overly broad in that it is not properly limited to the plant at issue in this litigation. Celanese further objects to this request on the grounds that it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing general and specific objections, denied as stated. Although Mr. Laubly was the only individual with the formal title of "industrial

hygienist", others within the company performed industrial hygiene related activities during the stated time period.

REQUEST FOR ADMISSION NO. 51

Admit that Charles Laubly provided industrial hygiene services for all Celanese facilities from 1966-1970.

RESPONSE:

Celanese objects to this request on the grounds that it is overly broad in that it is not properly limited to the plant at issue in this litigation. Celanese further objects to this request on the grounds that it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing general and specific objections Celanese admits only that Mr. Laubly performed industrial hygiene services at Celanese's various facilities during the stated time period.

REQUEST FOR ADMISSION NO. 52

Admit that Celanese was aware of the 1958 Texas workplace regulations concerning airborne dust in 1960.

RESPONSE:

Due to the passage of time, Celanese can neither admit or deny this request.

REQUEST FOR ADMISSION NO. 53

Admit that Celanese did not have any company-wide policy for handling asbestos from 1959-1972.

RESPONSE:

Celanese objects to this request as overly broad in that it is not limited to the time period at issue in this litigation and thus seeks information not relevant to this litigation. Further, Celanese objects to this request as it is based upon an improper premise and in that it assumes facts not in evidence.

Celanese Ltd.'s Responses to Plaintiff
Fidencio Sanchez's Second Set of Requests
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