



NO. 96-03172-A

RAMON T. CEDILLO; ALVINO
ROSENDO LOPEZ; AMBROSIO NIRO
RAMIREZ; and RICHARD FUENTES
VELA

Plaintiffs

VS.

OWENS-CORNING FIBERGLASS
CORPORATION ET. AL.

Defendants

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IN THE DISTRICT COURT OF

NUECES COUNTY, TEXAS

28TH JUDICIAL DISTRICT

**DEFENDANTS, SUNOCO, INC. (R&M)'S AND KOCH REFINING COMPANY'S,
SUPPLEMENTAL RESPONSES TO PLAINTIFFS' REQUESTS FOR DISCLOSURE**

TO: Plaintiffs, RAMON T. CEDILLO, ALVINO ROSENDO LOPEZ and AMBROSIO
NINO RAMIREZ by and through their attorney of record, Patrick N. Haines of Baron &
Budd, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219.

COME NOW, Defendants, Sunoco, Inc. (R&M) and Koch Refining Company, and file
the following Supplemental Responses to Plaintiffs' Requests for Disclosure:

(f) The following information regarding testifying experts:

1. name, address and telephone number;
2. the subject matter of the expert's testimony;
3. the general substance of the expert's mental impressions and opinions. a
brief summary of the basis for such opinions or if the expert is not
retained by you or otherwise subject to your control, all documents
reflecting the experts' impressions, opinions and the basis therefor
4. For each expert employed or otherwise controlled by you, produce:
 - (A) all documents, tangible things, reports, models, or data
compilations provided to, reviewed by, or prepared by or for
each expert in anticipation of such expert's testimony; and
 - (B) each expert's resume and bibliography.

BY 
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DPY

RESPONSE:

(1) and (2):

Marc K. Powell
8200 San Diego
Odessa, Texas 79765

Mr. Powell may testify regarding refinery industrial hygiene and safety rules and procedures. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiffs' experts' claims and related topics.

Jonathan M. Haas
1765 Preserve Point Terrace
Orange Park, Florida 32073
904-264-7939

Mr. Haas may testify regarding Sun's corporate industrial hygiene and safety rules and procedures. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiffs' experts' claims and related topics.

Willis Jernigan
Koch Refining Company
2825 Suntide Road
Corpus Christi, Texas 78409
361-241 4811

Mr. Jernigan may testify regarding refinery industrial hygiene and safety rules and procedures. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiffs' experts' claims and related topics.

Walter Tyler
1401 South Hanley
St. Louis, Missouri 63144
314-768-4100

Mr. Tyler may testify regarding refinery industrial hygiene and safety rules and procedures. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiffs' experts' claims and related topics.

John Kampfenkel
1308 Circle Lane
Bedford, Texas
(817) 685-8476

Mr. Kampfenkel may testify regarding refinery compliance with environmental regulations and related issues. Further, he may also offer opinions and/or rebuttal

testimony as necessary to Plaintiffs' experts' claims and related topics.

Wayne Stewart, M.D.
Medical Director
Sun Company, Inc.
(Current address and phone number unknown)

Dr. Stewart may testify regarding the policies and procedures implemented by the Medical Department of Sun. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiffs' experts' claims and related topics.

Jack Stein, M.D.
Medical Director
Sunoco, Inc. (R&M)
Ten Penn Center
1801 Market Street
Philadelphia, Pennsylvania 19103

Dr. Stein may testify regarding the policies and procedures implemented by the Medical Department of Sun. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiffs' experts' claims and related topics.

J. Ronald Ficke, M.D.
Medical Director
Sun Company, Inc.
(Current address and phone number unknown)

Dr. Ficke may testify regarding the policies and procedures implemented by the Medical Department of Sun. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiffs' experts' claims and related topics.

Sam Cade, M.D.
Texas Diagnostic Imaging
3535 Worth Street #110
Dallas, Texas 75246
214-820-3219

Dr. Cade is a "B" reader and may testify regarding the radiographs of the Plaintiffs. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiffs' experts' claims and related topics.

Dr. Robert Shephard
University of Texas Medical Branch at Tyler
11937 U.S. Hwy 271
Tyler, Texas
(903) 877-7100

Dr. Shephard is a "B" reader and may testify regarding the radiographs of the Plaintiffs. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiffs' experts' claims and related topics.

Dr. Patrick Connelly
2727 West Holcomb
Houston, Texas 77024
(713)442-0000

Dr. Connelly is a "B" reader and may testify regarding the radiographs of the Plaintiffs. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiffs' experts' claims and related topics.

Dr. John R. Holcomb
4410 Medical Drive Suite 440
San Antonio, Texas 78229
(210) 692-9601

Dr. Holcomb is a medical doctor who performed an independent medical examination of Ramon Cedillo and Ambrosio Ramirez. He is expected to testify regarding these Plaintiffs current medical condition, and that they are not suffering from any disease, condition or ailment which was caused by any alleged exposure to asbestos. A copy of Dr. Holcomb's reports have previously been provided to the Plaintiffs. It is expected that Dr. Holcomb will testify that the Plaintiffs do not have asbestosis and will further testify concerning the overall condition and the relationship of that condition, if any, to Plaintiff's exposure to asbestos. He is also expected to testify concerning (a) anatomy and function of the respiratory and circulatory systems; (b) nature of asbestos; (c) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure; (d) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system; (e) methods of diagnosis of various diseases, particularly the means of establishing the differential diagnosis of alleged asbestos related diseases with other non-asbestos related diseases; (f) cigarette smoking and its effects on the lung; (g) the relationship of cigarette smoking to lung cancer and cancers of other sites with reference to epidemiological studies and physiologic effect; (h) difference between impairment and disability; (i) effect of asbestosis on disability and life expectancy; and (j) lack of a relationship between the presence of pleural plaques and a later development of any form of cancer. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiffs' experts' claims and related topics.

Katheryn Hale, M.D.
6550 Fannin, #1215
Houston, Texas 77030
713-790-6492

Robert Ross, M.D.

17030 Manes, #214
Houston, Texas 77090
713-383-6100

Drs. Hale and Ross are expected to testify regarding examination and diagnosis of the physical condition of the Plaintiff. It is expected that such doctors will testify that the Plaintiff does not have asbestosis and will further testify concerning the overall condition and the relationship of that condition, if any, to Plaintiff's exposure to asbestos. Both doctors are also expected to testify concerning (a) anatomy and function of the respiratory and circulatory systems; (b) nature of asbestos; (c) the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure; (d) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system; (e) methods of diagnosis of various diseases, particularly the means of establishing the differential diagnosis of alleged asbestos related diseases with other non-asbestos related diseases; (f) cigarette smoking and its effects on the lung; (g) the relationship of cigarette smoking to lung cancer and cancers of other sites with reference to epidemiological studies and physiologic effect; (h) difference between impairment and disability; (i) effect of asbestosis on disability and life expectancy; and (j) lack of a relationship between the presence of pleural plaques and a later development of any form of cancer. Further, they may also offer opinions and/or rebuttal testimony as necessary to Plaintiffs' experts' claims and related topics.

(3), (4)(A) and (B):

Defendants will supplement with further information in this regard, once Plaintiffs have produced such information regarding their testifying experts to these Defendants, as is permitted under the Texas Rules of Civil Procedure.

Defendants reserve the right to supplement their expert witness disclosure, and supplements thereto, once Plaintiffs disclose the nature of each of their expert witness' testimony.

Defendants cross-designate any and all expert witnesses of any party to this lawsuit.

Defendants reserve the right to call any and all expert witnesses designated by any Defendant in this case.

Defendants reserve by designation the right and privilege to call to testify the experts previously designated by Plaintiffs, but without necessarily adopting or endorsing any of their opinions, and without waiving Defendants' right to challenge Plaintiffs' experts on any issues,

including without limitation qualifications, conclusions and opinions. Further, Defendants reserve the right to cross-examine Plaintiffs' expert witnesses and reserve the right to use Plaintiffs' experts' documents in the cross-examination of Plaintiffs' experts and direct examination of experts. Defendants cross-designate those experts designated by Plaintiffs, however, nothing in this cross-designation implies or requires that these Defendants have in any way adopted the testimony of Plaintiffs' experts.

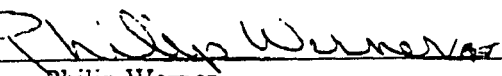
Defendants further reserve the right to call undesignated expert witnesses in rebuttal, whose identities and testimony cannot reasonably be foreseen until Plaintiffs' named experts have written reports in this case and/or have presented evidence at trial.

Defendants reserve the right to withdraw the designation of expert witnesses and aver positively that any such previously designated expert will not be called as an expert witness at trial, and to re-designate same as consulting expert who cannot be called by opposing counsel.

Defendants reserve whatever additional rights they may have with regard to experts, pursuant to the Texas Rules of Civil Procedure, the Texas Rules of Civil Evidence, this Court's ruling concerning designation of experts in case-in-chief and rebuttal, and other laws of the state.

Respectfully submitted,

WERNER & KERRIGAN, L.L.P.

By: 

Philip Werner

State Bar No. 21190200

1300 Post Oak Blvd., Suite 2225

Houston, Texas 77056

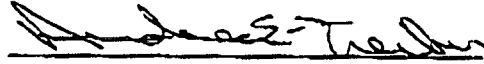
Phone: (713) 626-2233

Fax: (713) 626-9708

ATTORNEYS FOR DEFENDANTS,
SUNOCO, INC. (R&M) AND KOCH REFINING
COMPANY

CERTIFICATE OF SERVICE

Pursuant to Rule 21a of the Texas Rules of Civil Procedure, I hereby certify that a true and correct copy of the foregoing has been served on counsel of record listed on the attached service list by telecopy, hand delivery and/or certified mail, return receipt requested, on this the 24th day of June, 1999.



Andrea E. Treiber