

UCCS
2 Law Files

UNION CARBIDE CORPORATION
437 MAC CORMICK AVE. SOUTH CHARLESTON, W. VA. 25303
LAW DEPARTMENT

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J. E. Vandyck
J. E. Cross

RECEIVED

MAY 28 1982

C. L. DUDNICK

new litigation file:

May 25, 1982

Gregory R. Gorrell, Esq.
Jackson, Kelly, Holt & O'Farrell
P. O. Box 553
Charleston, West Virginia 25322

Re: Civil Action No. 82-135
Ernest Lee Stevens v. Union Carbide Corporation

Dear Greg:

This will confirm the telephone conversation between you, Mr. Triplett and me today concerning captioned matter, and in connection therewith I enclose to you the only document which we have received relative to subject matter.

This enclosure, which is a "Notice to Take Deposition" was received in the mail, from the Secretary of State, in this office at 3:25 p.m. on May 24, 1982 and, as you will see as referred to in the notice that this was some hours after the hour of the deposition.

I understand that you and the law firm of Jackson, Kelly, Holt & O'Farrell will represent Union Carbide Corporation in this matter, and make necessary inquiry to determine the facts surrounding the Petition which, I understand, was filed for the purpose of perpetuating testimony of captioned claimant. We have no record of having been served with the notice relative to the filing of that Petition, although Mr. Field, counsel for this plaintiff, indicates it was issued.

Neither we nor the other Corporation named in the deposition and named in the Petition appeared in response to either of such notices.

I understand from Mr. Field that, notwithstanding the lack of appearance for whatever reason, he would be inclined to make this plaintiff available for purposes of examination in connection with the proceeding to perpetuating this testimony. You indicated you would contact Mr. Field in this regard.

We will await further information from you relative to any further development in connection herewith and you will pursue the interests of Union Carbide Corporation in regard thereto.

PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"

UCC 098223

Very truly yours,

[Signature]
E. D. Tissue

BDT/pe
Enclosure

c: Messrs. E. D. DeLoughy and R. L. Foster } w/enc.
C. L. Dudnick, Esq.