

AUG 3 1993

NO. 81-G-1331

JACK MEYER AND WIFE,
BARBARA MEYER

V.

JOHNS-MANVILLE SALES
CORPORATION, ET AL

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IN THE DISTRICT COURT OF

BRAZORIA COUNTY, TEXAS

239TH JUDICIAL DISTRICT

ST0009969

INTERROGATORIES OF
KAISER GYPSUM COMPANY, INC.
TO DOW CHEMICAL COMPANY

PLAINTIFF'S EXHIBIT

DOW-804

TO: DOW CHEMICAL COMPANY by its attorney of record, Andrew Hanen,
Andrews & Kurth, 4200 Texas Commerce Tower, Houston, TX
77002.

KAISER GYPSUM COMPANY, INC. propounds these interrogatories
to DOW CHEMICAL COMPANY.

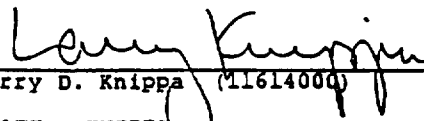
Pursuant to Rule 168, Texas Rules of Civil Procedure, the
following interrogatories shall be answered separately and fully
in writing under oath. Answers to the interrogatories shall be
preceded by the interrogatory to which the answer pertains, with
the answers to be signed by the person making them, and the provi-
sions of Rule 14, T.R.C.P. shall not apply.

The original of the sworn answers is to be filed in the Court
in which this suit is pending thirty (30) days after the service
of these interrogatories, with a true copy of the sworn answers at
the time forwarded to the undersigned.

You are reminded that, under the provisions of Rule 168,
Texas Rules of Civil Procedure, a party is under a duty seasonably
to amend its answers if it obtains information upon the basis of
which (1) it knows that the answer was incorrect when made; (2) it
knows that the answer though correct when made is no longer true
and the circumstances are such that a failure to amend the answer
is in substance a knowing concealment or misrepresentation; or

(3) if the party expects to call an expert witness whose name and the subject matter of such witness' testimony has not been previously disclosed in response to an appropriate interrogatory, such answer must be amended to include the name, address, and telephone number of the witness and the substance of the testimony concerning which the witness is expected to testify, as soon as is practical, but in no event less than fourteen (14) days prior to the beginning of trial except on leave of court. If such amendment is not timely made, the testimony of the witness is subject to exclusion by the trial court.

Respectfully submitted,


Larry D. Knippa (11614000)

HEATH & KNIPPA
2800 Texas Commerce Tower
Houston, Texas 77002
(713) 224-3330

Attorneys for
KAISER GYPSUM COMPANY, INC.

ST0009970

WRITTEN INTERROGATORIES

1. Did Dow Chemical Company, from January 1, 1940, through December 31, 1965, have on its premises in Freeport, Texas, any product manufactured or sold by Kaiser Gypsum Company, Inc.?

Unknown

2. If the answer to interrogatory number one (1) is in the affirmative, please:

(a) Specifically identify the product:

N/A

(b) The date it was purchased:

N/A

(c) State verbatim all information printed on any identification tag on the product:

N/A

(d) State any identifying serial numbers on the product:

N/A

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- (e) The exact location where such product is located on your premises in Freeport, Texas:

N/A

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- (f) State verbatim the contents of any documents, notes, memoranda, specifications, purchase orders, bills, receipts and records pertaining to the purchase by Dow Chemical Company of any product sold or manufactured by Kaiser Gypsum Company, Inc, between January 1, 1940, and December 31, 1966.

N/A

- (g) In lieu of answering subparagraph (f) of Interrogatory number two (2) please attach true and correct and legible copies of all such documents, notes, memoranda, specifications, purchase orders, bills, receipts and records referred to in subparagraph (f) to your answers to these interrogatories.

N/A

3. Please state the name and address of the person answering these interrogatories.

Edward A. Aldous, Jr., Senior Attorney
The Dow Chemical Company
Freeport, Texas 77541

4. Please specifically identify all sources of information referred to in answering these interrogatories.

N/A

5. List the names and addresses of all witnesses who have knowledge of the facts:

(a) Of the purchase or acquisition of Kaiser Gypsum products by Dow Chemical Company:

Unknown

(b) The location thereof in the Freeport premises;

Unknown

(c) The contact of Plaintiff Meyer with such products.

Unknown

ST0009973