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July 29, 1996

EL FILE

By Overnight Mail

Mr. Oscar Soliz
District Clerk
Nueces County Courthouse
901 Leopard Street
Corpus Christi, Texas 78401

AUG. 05. 96* 42941

**PLAINTIFF'S
EXHIBIT**

RMC-471

Leona Tiner v. Reynolds Metals Company, et al.
No. 94-03884-B

Dear Mr. Soliz:

Please find enclosed the following documents to be filed in the above-referenced matter:

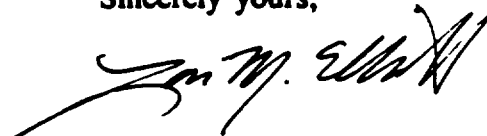
1. Defendant Reynolds Metals Company's First Supplemental Responses To Plaintiff's First Set Of Interrogatories; and
2. Defendant Reynolds Metals Company's Responses To Plaintiff's Second Set Of Interrogatories.

I have enclosed a third copy which I would appreciate your stamping filed and returning to me in the enclosed self-addressed, stamped envelope.

By copy of this letter, these documents are being served on plaintiffs' counsel via certified mail, return receipt requested, and on other known defense counsel by U.S. first-class mail, postage prepaid.

Thank you for your assistance with this matter. If you have any questions, please do not hesitate to call.

Sincerely yours,



Lori M. Elliott

Enclosures

Cause No. 94-03884-B

V.

Defendants.

117th JUDICIAL DISTRICT

Reynolds Metals Company's Response To Plaintiff's Second Set of Interrogatories- Page 1

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Attorneys for Reynolds Metals Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing instrument has been served via certified mail, return receipt requested and by overnight mail, on this the 29th day of July, 1996, on the following counsel of record in this proceeding:

Russell W. Budd, Esq.
Patrick N. Haines, Esq.
BARON & BUDD
3102 Oak Lawn Avenue
Suite 1100
Dallas, Texas 75219

William Abernethy, Esq.
Clay Coalson, Esq.
MEREDITH, DONNEL & ABERNETHY
1500 One Shoreline
Post Office Box 2624
Corpus Christi, Texas 78403-2624



David Craig Landin

GENERAL OBJECTIONS

Reynolds objects to these interrogatories for the reason that they seek to require Reynolds to set out in detail, and at its peril the relevant knowledge of its witnesses, which is properly the subject of deposition. Reynolds objects to this interrogatory as it is impossible in the context of this case to list each and every fact, in narrative form, which supports Reynolds' position. Further, there is no provision in the Texas Rules of Civil Procedure requiring a party to state "each and every fact" or anything in detail, and such request is merely an attempt to limit trial testimony.

Reynolds objects to these interrogatories for the reason that they exceed the permissible number of interrogatories as provided in Rule 168(5) of the Texas Rules of Civil Procedure.

Reynolds objects to these interrogatories as calling for trial strategy and attorney work product which are privileged from discovery pursuant to Rule 166b(3)(a) of the Texas Rules of Civil Procedure. Reynolds further objects to these interrogatories as they attempt to invade the attorney-client privilege.

INTERROGATORY NO. 1:

For each person identified in response to Plaintiff's Interrogatory No. 22, contained in Plaintiff's First Set of Interrogatories, please describe, with reasonable particularity, the relevant facts to which each person could be expected to testify and each and every fact upon which you intend to rely.

ANSWER:

Reynolds incorporates its General Objections herein. Reynolds objects that Plaintiff's First Interrogatory No. 22 did not request the names of individuals Reynolds expected to testify at trial. Instead, Plaintiff's First Interrogatory No. 22 requested the name of "each and every person . . . having knowledge of facts relevant to this case." Consequently, Reynolds does not expect that each person listed in response to Plaintiff's First Interrogatory No. 22 will testify at trial. Reynolds specifically states that any response to this interrogatory does not indicate that the individuals listed will, or will not, be called to testify on Reynolds' behalf at trial.

Subject to and without waiving any of its prior objections, Reynolds states the following:

1. Dr. Charles D. Dixon - Deceased.
2. Dr. Draper - Deceased.
3. Dr. Harry R. Bratt - Dr. Bratt was the Sherwin Alumina Plant Medical Director from 1971 through 1975.
4. Dr. Robert Dale Gamble - Dr. Gamble was the Sherwin Alumina Plant Medical Director from 1975 through 1989.
5. Dr. John Frandolig - Dr. Frandolig was the Sherwin Alumina Plant Medical Director from 1989 through 1991.
6. Dr. Guy Racette - Dr. Racette was the Sherwin Alumina Plant Medical Director from 1991 through 1993.
7. Dr. Wendell Roberts - Dr. Roberts is the Sherwin Alumina Plant physician and was Mr. Tiner's personal physician.

8. Dr. James MacMillan - Dr. MacMillan was the Corporate Medical Director for Reynolds from 1956-77.
9. Dr. E. Claiborne Irby - Dr. Irby was the Associate Medical Director for Reynolds from 1959-77 and the Corporate Medical Director from 1977-92.
10. Dr. David Warren - Dr. Warren was the acting Corporate Medical Director for Reynolds from 1992-93.
11. Dr. Woolson W. Doane - Dr. Doane is the Corporate Medical Director for Reynolds.
12. Homer M. Cole - Mr. Cole is the Corporate Director of Industrial Hygiene and Toxicology for Reynolds.
13. Ronald Benton - Mr. Benton was a member of the Industrial Hygiene Department at the Corporate Headquarters of Reynolds from 1974 to 1995, and he is currently the Director of the Safety Department.
14. Linda Maillet - Ms. Maillet is a Regional Industrial Hygienist at the Corporate Headquarters of Reynolds who is responsible for the Eastern Region.
15. Laurie Shelby - Ms. Shelby is the Manager of Industrial Hygiene Programs at the Corporate Headquarters of Reynolds.
16. James D. Davidson - Mr. Davidson was a Staff Industrial Hygienist at the Corporate Headquarters of Reynolds.
17. Stacey Hansen - Ms. Hansen was a Staff Industrial Hygienist at the Corporate Headquarters of Reynolds.
18. Deborah R. Hudgins - Ms. Hudgins was a Staff Industrial Hygienist at the Corporate Headquarters of Reynolds.

19. Edward J. Largent - Mr. Largent was a member of the Industrial Hygiene Department at the Corporate Headquarters of Reynolds.
20. Richard Mansur - Mr. Mansur was the Manager of the Industrial Hygiene Department at the Corporate Headquarters of Reynolds.
21. Dale Prokopchak - Mr. Prokopchak was a Staff Industrial Hygienist at the Corporate Headquarters of Reynolds.
22. H.L. Skalsky - Mr. Skalsky was a Medical Advisor, Physician, or member of the Industrial Hygiene Department at the Corporate Headquarters of Reynolds.
23. Karen Kestle - Ms. Kestle is the Senior Insurance Administrator at the Corporate Headquarters of Reynolds.
24. Bobby J. Sasser - Mr. Sasser was the Corporate Safety Director for Reynolds from 1973 to 1995.
25. C. Arlon Boatman - Mr. Boatman is the Health & Safety Manager for Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information. He may also have knowledge concerning Mr. Tiner's work habits, assignments, and medical condition.
26. Terry N. Roubidoux - Mr. Roubidoux is the Safety Coordinator for Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information.
27. Danis Cheaney - Ms. Cheaney is a Workers' Compensation Clerk at Sherwin.

28. William E. Hamblin - Mr. Hamblin is the Senior Maintenance Engineer at Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information.
29. Deloris Ulke - Ms. Ulke is the Head Nurse at Sherwin. See Ms. Ulke's deposition transcript.
30. Tim Woods - Mr. Woods is the Plant Controller at Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information.
31. C.R. Marsh - Mr. Marsh is a Purchasing Agent at Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information.
32. Dorothy Withers - Ms. Withers is the Secretary to the Purchasing Manager for Sherwin.
33. Frank Strickland - Mr. Strickland is the Purchasing Manager for Sherwin.
34. D.T. Greeson - Mr. Greeson is a Purchasing Agent for Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information.
35. Jim Tiffany - Mr. Tiffany was the Plant Engineer at Sherwin from approximately 1973-1976 and was a general Engineer, Maintenance Superintendent, and Senior Engineer for various periods from 1964-73 and 1985 to the present. See Mr. Tiffany's deposition transcript.

36. Jack C. Oates - Mr. Oates was the Plant Engineer at Sherwin from 1980-84 and was a Maintenance Engineer, Project Engineer, and Project Manager for various periods from 1967-74 and 1977-91. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information.
37. Howard Lee Grote - Mr. Grote is the Maintenance Engineer at Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information.
38. Jesse Castillo - Mr. Castillo is a Draftsman in the Engineering Department of Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information.
39. Edward S. Peterson, Jr. - Mr. Peterson is a Senior Project Engineer at Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information.
40. T.J. Mueller, Jr. - Mr. Mueller is a Senior Electrical Engineer at Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information.
41. Paul Matula - Mr. Matula is a Designer in the Engineering Department of Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information.
42. George D. DeAlcala - Mr. DeAlcala is an Electrical Engineer at Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and abatement of asbestos at the Sherwin Plant, as well as other information.

43. Charles D. Taylor - Mr. Taylor is the Corrosion Control Supervisor at Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and the abatement of asbestos at the Sherwin Plant, as well as other information.
44. Audelia T. Rodriguez - Ms. Rodriguez is the secretary to the Plant Engineer at Sherwin. She may have knowledge of Reynolds' safety procedures and the use of asbestos at the Sherwin Plant, as well as other information.
45. Hector De La Garza - Mr. De La Garza has been in the Environmental Department at Sherwin. He may have knowledge of Reynolds' safety procedures, the use of asbestos, and the abatement of asbestos at the Sherwin Plant.
46. Adan J. Villarreal - Mr. Villarreal is the Cost Accountant at Sherwin.
47. Lester Charles Homan - Mr. Homan is a Senior Accountant at Sherwin.
48. Nelda Salinas - Ms. Salinas is the Accounts Payable Clerk at Sherwin.
49. Stan Millsap - Mr. Millsap was the Safety Director at Sherwin. He may have knowledge of Reynolds' safety procedures and the use of asbestos at the Sherwin Plant, as well as other information. He may also have knowledge of Mr. Tiner's work habits and assignments.
50. Joseph Nichols - Mr. Nichols was the Corporate Safety Director for Reynolds from 1945-73.
51. Service Environmental Co. - This company performed insulation and/or asbestos abatement work at the Sherwin plant.
52. Industrial Specialist Inc. - This company performed insulation and/or asbestos abatement work at the Sherwin plant.

53. Estes Refractory & Insulation - This company performed insulation and/or asbestos abatement work at the Sherwin plant.
54. TGI Stephens - This company performed insulation and/or asbestos abatement work at the Sherwin plant.
55. Thermo Tech Inc. - This company performed insulation and/or asbestos abatement work at the Sherwin plant.
56. Gilman Insulation Co. - This company performed insulation and/or asbestos abatement work at the Sherwin plant.
57. Falcon Associates - This company performed insulation and/or asbestos abatement work at the Sherwin plant.
58. Brand Remediation Services, Inc. - This company performed insulation and/or asbestos abatement work at the Sherwin plant.
59. Northwinds Abatement, Inc. - This company performed insulation and/or asbestos abatement work at the Sherwin plant.
60. Casanova Industrial Insulation - This company performed insulation and/or asbestos abatement work at the Sherwin plant.

INTERROGATORY NO. 2:

Do you contend that Plaintiff's Decedent's injuries and damages, as alleged in this law suit, were the result of Decedent's own actions and/or alleged negligence? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

Reynolds incorporates its General Objections herein. Discovery is ongoing. Subject to and without waiving any of its prior objections, Reynolds states that is continuing its investigation of this matter. Reynolds states further that Mr. Tiner's supervisors at Sherwin specifically warned him, and others, about the hazards associated with, and the safety procedures required when, working with asbestos. Answering further, Reynolds refers plaintiff to the depositions taken in this case.

INTERROGATORY NO. 3:

Do you contend that Plaintiff's Decedent's injuries and damages, as alleged in this law suit, were solely the result of the actions of other entities, over whom Defendant had no right of control? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

Reynolds incorporates its General Objections herein. Discovery is ongoing. Subject to and without waiving any of its prior objections, Reynolds states that is continuing its investigation of this matter. Reynolds states further that Mr. Tiner was not exposed to harmful levels of asbestos while employed by Reynolds.

INTERROGATORY NO. 4:

Do you contend that Defendant specifically warned Robert Tiner about the hazards of asbestos and asbestos-containing products prior to 1972? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

Reynolds incorporates its General Objections herein. Discovery is ongoing. Subject to and without waiving any of its prior objections, Reynolds states that Mr. Tiner's supervisors at Sherwin specifically warned him, and others, about the hazards associated with, and the safety procedures required when, working with asbestos both before and after 1972. Answering further, Reynolds refers plaintiff to the depositions taken and the documents produced by Reynolds in this case.

INTERROGATORY NO. 5:

Do you contend that Defendant specifically warned Robert Tiner about the hazards of asbestos and asbestos-containing products prior to 1984? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

See Answer to Interrogatory No. 4.

INTERROGATORY NO. 6:

Do you contend that Defendant specifically warned Robert Tiner about the hazards of asbestos and asbestos-containing products prior to 1993? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

See Answer to Interrogatory No. 4.

INTERROGATORY NO. 7:

Do you contend that Robert Tiner was not exposed to asbestos while employed by Defendant? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

Reynolds incorporates its General Objections herein. Reynolds objects to this interrogatory for the reason that the term "exposed" in the context of this litigation is vague, and without further explanation, cannot be meaningfully answered. Moreover, discovery is ongoing.

Subject to and without waiving any of its prior objections, Reynolds states that Mr. Tiner was not exposed to harmful levels of asbestos while employed by Reynolds.

INTERROGATORY NO. 8:

Do you contend that Robert Tiner's injuries and damages, as alleged in this law suit, were the result of exposure to asbestos at jobsites and/or locations other than Defendant's Sherwin facility? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

See Answer to Interrogatory No. 7.

In addition, Robert Tiner has claimed that he was exposed to asbestos at Southwest Refinery in Corpus Christi, Texas, including Combustion Engineering and Riley Stokes boilers, and that the exposure to asbestos products at that site caused his mesothelioma.

INTERROGATORY NO. 9:

Do you contend that Defendant performed measurements and/or studies prior to 1970 to determine the quantity of asbestos fibers in the air at the Sherwin facility? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

Reynolds incorporates its General Objections herein. Discovery is ongoing. Subject to and without waiving any of its prior objections, Reynolds states that it is continuing its investigation of this matter. At this time, Reynolds believes that any asbestos fibers in the air at the Sherwin facility were not harmful because of the nature of the plant, the safety practices and procedures in place for handling asbestos, and the availability of protective equipment.

INTERROGATORY NO. 10:

Do you contend that Defendant's representatives, insurance carriers and/or agents performed measurements and/or studies prior to 1970 to determine the quantity of asbestos fibers in the air at the Sherwin facility? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

See Answer to Interrogatory No. 9.

INTERROGATORY NO. 11:

Do you contend that Defendant provided dust masks and/or respirators to Robert Tiner, specifically for the purpose of protection from the hazards of asbestos and asbestos-containing products, prior to 1970? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

Reynolds incorporates its General Objections herein. Discovery is ongoing. Subject to and without waiving any of its prior objections, Reynolds states that, prior to 1970, it provided Mr. Tiner with dust masks and/or respirators, and instructions how to use them, for the purpose of protecting Mr. Tiner from asbestos fibers and other dust. Answering further, Reynolds refers plaintiff to the depositions taken and the documents produced by Reynolds in this case.

INTERROGATORY NO. 12:

Do you contend that Robert Tiner did not suffer from mesothelioma? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

Reynolds incorporates its General Objections herein. Discovery is ongoing. Subject to and without waiving any of its prior objections, Reynolds states that it is continuing its investigation of this matter.

INTERROGATORY NO. 13:

Do you contend that Robert Tiner's mesothelioma was not caused by exposure to asbestos? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

See Answers to Interrogatory Nos. 7 and 12.

INTERROGATORY NO. 14:

Do you contend that Robert Tiner's mesothelioma was not caused by exposure to asbestos while employed at Reynolds Metals Company? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

See Answers to Interrogatory Nos. 7 and 12.

INTERROGATORY NO. 15:

Did Defendant enter into any contracts with the Federal Government or any of its agencies between 1960 and 1972, wherein the amount of said contract exceeded \$10,000?

ANSWER:

Yes.

INTERROGATORY NO. 16:

If the answer to Interrogatory No. 15 is "yes", did any of the materials, supplies, articles or equipment manufactured or furnished under said contracts originate from the Sherwin facility?

ANSWER:

No.

INTERROGATORY NO. 17:

For each individual Reynolds Metals employee or former employee listed below, please identify all trade and/or professional organizations to which said individual belonged at any time.

ANSWER:

(a) E.C. Irby, M.D.

Certified by American Board of Preventive Medicine In Occupational Medicine
Virginia Occupational Medical Association
Virginia Medical Society
Richmond Academy of Medicine
American College of Physicians
American College of Preventive Medicine
Governor's Advisory Committee for Toxic Substance Information Act
Advisory Committee, Virginia Industrial Commission
American Aluminum Association Health Committee
Steering Committee Health Careers, Virginia Council of Health and Medical Care
Advisory Committee NIOSH Educational Resource Center, North Carolina
Governor's Advisory Board-Health and Safety Codes
American Occupational Medicine Association
American Academy of Occupational Medicine
American College of Occupational Medicine
American Medical Association

(b) Homer Cole

Aluminum Association Health Committee
Aluminum Association Task Group on Welding
Aluminum Association Task Group on Trace Metals
International Primary Aluminum Institute Health Committee
MCV Affiliated Associate Professor
University of North Carolina School of Public Health
American Industrial Hygiene Association
Central Virginia Industrial Hygiene Association
Academy of Industrial Hygiene
American College of Toxicology

(c) Edward Largent

The New York Academy of Sciences
American Industrial Hygiene Association
American Conference of Governmental Industrial Hygienists
American Chemical Society

(d) Richard Mansur

American Industrial Hygiene Association
American Conference of Governmental Industrial Hygiene

(e) J.M. MacMillan, M.D.

American College of Physicians
Southern Medical Association
American Medical Association
Occupational Medical Association

(f) B.J. Sasser

American Society of Testing and Materials
American Society of Safety Engineers
National Fire Protection Association
Virginia Manufacturing Association Safety Committee
Certified Safety Professional (Safety and Health Codes Board, Virginia)
Aluminum Association (ad hoc safety committee)

(g) Ron Benton

American Industrial Hygiene Association
National Safety Council
American Society of Safety Engineers
American Academy of Industrial Hygiene
The Society of Sigma Xi
American National Standards Institute
Certified Industrial Hygienist
Certified Safety Professional
Registered Occupational Hygienist in Canada

INTERROGATORY NO. 18:

Does Defendant have a Corporate Safety and Health Committee? If so, please identify all members of said committee and state whether minutes of the meetings of said committee are and/or have been maintained.

ANSWER:

Reynolds incorporates its General Objections herein. Reynolds objects to this interrogatory as overly broad in time, place, and subject matter. The requested information is irrelevant in this lawsuit and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving any of its prior objections, Reynolds states that it does not have a "Corporate Safety and Health Committee," but has other committees which address safety and health issues. See the documents produced in this litigation.

REYNOLDS METALS COMPANY

By: Arlon Boatman
ARLON BOATMAN
Manager, Health and Safety

STATE OF TEXAS

COUNTY OF San Patricio

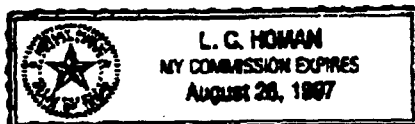
§
§
§

BEFORE ME, the undersigned Notary Public, on this day personally appeared ARLON BOATMAN, Manager, Health and Safety, for REYNOLDS METALS COMPANY, who being by me duly sworn under oath and deposed and said that he is the representative of Defendant REYNOLDS METALS COMPANY in the above entitled and numbered cause; he is charged with collecting information gathered by REYNOLDS METALS COMPANY'S officers, agents and/or employees; has compiled this information as a result of the investigation of REYNOLDS METALS COMPANY'S officers, agents and/or employees; that he has read the questions contained in the foregoing instrument and that to the best of his knowledge, information, and belief, formed after reasonable inquiry, the statements contained therein are true and correct and are based upon the information that is available and has been gathered by REYNOLDS METALS COMPANY'S officers, agents and/or employees.

Arlon Boatman
ARLON BOATMAN

SUBSCRIBED AND SWORN TO BEFORE ME, by the said ARLON BOATMAN on this the 29th day of July, 1996, to certify which witness my hand and seal of office.

L.C. Homan
Notary Public in and for
the State of Texas



L.C. HOMAN
Print or type name

My commission expires: 8-26-97