

GENERAL LITIGATION CASE MANAGEMENT DATA SHEET

New Case X
Update _____
Entered 1/1

BDF Report: Yes MASTER CASE: Y/N MASTER NO.: _____ PROJECT NO.: 15-9920

TITLE: Grace Overstreet, et al v. Dow Chemical Co. and Union Carbide Corporation

Division(s) S&CM

Group - C&P X CORP _____

Location Texas City, TX

Number of Suits 1

Number of Plaintiffs 2

Section: (check one)

☐ COM - Commercial and Antitrust ☐ COR - Corporate ☐ ELS - Environmental Law
☐ INT - International/Import-Export ☐ LAB - Labor ☐ PAT - Patent
☐ PRO - Product Liability ☒ TOR - Tort - Other than
☐ TRN - Transportation ☐ Product Liability

CASE ID: OVERSTREET, Cecil

Case Type:

Qtrly Rpt. (Check one) ☐ Claims Asserted (CA) ☐ Government Investigation (GI)
 ☐ Claims Unasserted (CL) ☒ Litigation (LT)
 ☐ Not Applicable (NA) ☐ Automobile Liability (AL)

NOT TO BE COMPLETED FOR COMMERCIAL LITIGATION

Class Code: (Check one)		
☐ ADP - ADMINISTRATIVE PROCEEDING	☐ BOC - BREACH OF CONTRACT	
☐ EMP - EMPLOYEE	☐ MAS - MASS LITIGATION	
☐ PDA - PROPERTY DAMAGE	☐ PER - PERSONAL INJURY	
☐ PRO - PRODUCT LIABILITY	☒ TOX - TOXIC TORT	
	☐ OTH - OTHER	
Subclass Code: (Check one)		
☐ BIR - BIRTH DEFECTS	☐ BLO - BLOOD	☐ BUR - BURN
☒ CAN - CANCER	☐ ENV - ENVIRONMENTAL	☐ FEA - FEAR OF
☐ IMM - IMMUNE	☐ NEU - NEUROLOGICAL	☐ OTH - OTHER
☐ REP - REPRODUCTIVE	☐ TOT - TRANSPORTATION OTHER	

Products Vinyl Chloride

Adversary Grace Overstreet

Adversary Counsel Vaughan O. Stewart, Lake Jackson, Texas

Firm Representing UCC: Sidley & Austin

Partner in Charge Nate Eimer

Claim Number _____

Insurance Company _____

Claim of Adversary It is alleged that Cecil Overstreet, a contractor's employee, died of brain cancer on Dec. 6, 1993 as a result of exposure to vinyl chloride while working at Dow and Union Carbide.

UCC Attorney: R.A. Butler

**PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"**

UCC 074057

**PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"**

Division Contact K.M. Myers

Expert Witnesses: _____

Defendants/UCC Witnesses _____

Forum USDC SD/TX

City Galveston

Docket C.A. G-94-790

Status: (Check one) ☒ Active or ☐ Closed

State TX

Priority _____

Joint Defense (Check one) ☐ Yes or ☒ No

Dates -

Filed 11/14/94

Served 11/14/94

Received 11/14/94

Probability of Unfavorable Outcome: (Check one) ☐ Probable ☒ Possible ☐ Remote

Prob. of Assertion of Unasserted Claim: (Check one) ☐ Probable ☐ Possible ☐ Remote

Damages Claimed Unstated compensatory and punitive

(The units for the following dollar amounts are in millions - Format 99.999)

MMS Claimed: _____

Other Relief: _____

Type of Outcome (Check one) ☐ Settlement ☐ Initial Determ ☐ Trial Verdict ☐ Other

Dates: _____

Terms _____

Amount Paid: _____ (MMS format 99.999)

Date Paid/Check Issued/Entered _____

Appealed (Check one) ☐ Yes or ☐ No

Date _____

Reversed ☐

Sustained ☐

Terms _____

Vermont File Location Number _____

RTM Date: _____

Archival Flag: _____

Reasonable Estimate

Reasonable Range of Loss

ESTIMATE RECOVERY

MIN RCVY MAX RCVY

0

0

0

0

2.50

0

Years to be paid: 0 to 0

TYPE OF MATTER (Check One)

☐ 61 - ACQ/DIV

☐ 62 - CONTRACT

☐ 63 - CREDIT

☐ 64 - DIST/TRANSP.

☐ 65 - ENERGY

☐ 66 - ENVIRON.

☐ 67 - GOV'T CONTR

☐ 68 - IMMIGRATION

☐ 69 - IMPORT/EXPORT

☐ 70 - LABOR

☐ 71 - OSHA

☐ 72 - PURCHASING

☒ 73 - TORT (TOXIC)

☐ 74 - TORT (TRAUMATIC)

☐ 75 - TSCA

☐ 76 - ANTITRUST

☐ 77 - TRADEMARKS

☐ 89 - OTHER

Litigation(561) ☒

Outside Atty Fees(485) _____

Trademark Exp.(564) _____

Project No.: 15-5520

Forecast (199) _____

UCC 074058

X

This Page to Be Completed Only For Matters with a Reasonable Estimate of Loss $\geq$ \$50,000 and/or a Maximum Range of Reasonable Estimate of Loss $\geq$ \$250,000 and/or with Respect to Which a Loss is "Probable".

II. Defense of Corporation: Plaintiff has been unable to provide information as to when or where he worked at a Union Carbide facility; no causation

III. Issues on Which Adversary Will Prevail: Uncertain

IV. Current Status: Union Carbide has moved for summary judgment because the plaintiff has been unable to provide information as to when or where Overstreet worked at a Union Carbide facility. Plaintiff has moved to dismiss without prejudice.

V. Possibility of Settlement: premature

VI. Other Actions by Corporation:

BDF Report - Comments:

August 22, 1995
Date

Robert A. Butler
Attorney

PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"

UCC 074059

ATTORNEY, POTLUM

ATTORNEY DUMB
C AND P CORPORATE CASE MANAGEMENT
ACTIVE CASES

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08/23/95

UNION COUNCIL HAS MOVED FOR SUMMARY JUDGMENT REGARDING THE PLAINTIFF HAS BEEN UNABLE TO PROVIDE
INFORMATION AS TO WHEN OR WHERE COUNCILSTAFF WORKED AT A UNION COUNCIL FACILITY. PLAINTIFF HAS MOVED
TO UNKNOWN ADDRESS. PLAINTIFF HAS MOVED.

(V) SETTLEMENT:
PENDING

(VI) OTHER ACTIONS BY THE CORPORATION.

NUMBER OF ITEMS RETRIEVED: 1

PRIVILEGED AND
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UCC 074061