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NUTTER, McCLENNEN & FISH

ONE INTERNATIONAL PLACE
BOSTON, MASSACHUSETTS 02110-2699

TELEPHONE: 617 439-2000 FACSIMILE: 617 973-9748

LIT
Warren v UC
CORR
DIRECT DIAL NUMBER:

(617) 439-2460

March 1, 1991
18371-1

John R. Downey, Esq.
Union Carbide Chemicals and Plastics Company, Inc.
Law Department
39 Old Ridgebury Road
Danbury, CT 06817-0001

Judith Elledge, Esq.
Conoco Inc.
600 North Derry Ashford
P.O. Box 2197
Houston, Texas 77252-2197

Mary Sundt, Esq.
The Dow Chemical Company
D30 Willard H. Dow Center
Midland, Michigan 48674

Re: Alice L. Warren, Administratrix
v. The Dow Chemical Company, Union Carbide, et al

Dear John, Judy and Mary:

I enclose a copy of the deposition exhibits marked at the deposition of Robert Bourget. Except for three hand-drawn exhibits at the deposition of Joe Tierney (copies of which I do not yet have), there were no other documents entered as exhibits at the depositions this week.

Best regards.

PRIVILEGED AND
"CONFIDENTIAL MATERIAL
SUBJECT TO PROTECTIVE
ORDER"

Very truly yours,

Sharon (g)
Sharon R. Burger

NO reference to UCCHP
MAR 4 1991

SRB/jlf
enclosure
cc: Ms. Yolanda Jackson (File No. H105L-76-034969)

[Typed and sent in Ms. Burger's absence.]

HYANNIS, MASSACHUSETTS
COUNSEL: AMSTERDAM • LONDON • TOKYO

UCC 081099

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION
NO. 89-30201-F

ALICE L. WARREN, ADMINISTRATRIX OF THE ESTATE OF JOHN H. WARREN, DECEASED
Plaintiff(s)

vs.

THE DOW CHEMICAL COMPANY, et. al.

Defendant(s)

NOTICE OF TAKING DEPOSITION



TO: Sharon R. Burger, Esq.
Nutter, McClennan & Fish
One International Pl.
Boston, MA 02210

Joseph R. Rendini, Esq.
Morrison, Mahoney & Miller
250 Summer Street
Boston, MA 02210

Please take notice that commencing at 1:00pm o'clock on February 26, 1991, at the offices of Robinson Donovan Madden & Barry, Plaintiff in this action by ~~MM~~ (her) ~~MM~~ attorney(s) will take the deposition upon oral examination of Robert Bourget pursuant to the Federal Rules of Civil Procedure before PAUL E. PHILBIN, Notary Public, in and for the Commonwealth of Massachusetts, or before some other officer authorized by law to administer oaths. The oral examination will continue from day to day until completed. You are invited to attend and cross-examine.

The Deponent is required to bring with him/her the following:

PLEASE SEE ATTACHED EXHIBIT "A"

Respectfully,
Keith A. Minoff, Esq.

Address: 1500 Main Street, Suite 1400
Tel. No.: Springfield, MA 01115 (413) 732-2301
Attorney(s) for the Plaintiff

cc: Philbin & Associates

CERTIFICATE OF SERVICE

I hereby certify that on January 21, 1991, I served the above notice on the parties in the above-entitled action by mailing a copy thereof postage prepaid, to his (her) (its) counsel of record Sharon R. Burger, Esq., Nutter McClennan & Fish, One International Pl., Boston, MA, 02210 and Joseph R. Rendini, Esq., Morrison, Mahoney & Miller, 250 Summer St., Boston, MA, 02210.

Keith A. Minoff
Attorney(s) for the Plaintiff

(COPIES OF THIS FORM AVAILABLE AT PHILBIN & ASSOCIATES, CERTIFIED SHORTHAND REPORTERS AT NO CHARGE.)

95 State Street
Springfield, MA 01103
Tel. (413) 733-4078

P. O. Box 402
Pittsfield, MA 01202
Tel. (413) 499-2231

UCC 081100

EXHIBIT A

1. Any and all documents in your possession, custody or control referring to, relating to, or evidencing any vinyl chloride monomer and other vinyl chloride delivered, shipped, supplied, sold or furnished to Monsanto's Indian Orchard plant in Springfield, MA from 1947 through 1974, including but not limited to contracts, purchase orders, invoices, receipts, bills of lading, material safety data sheets, logs, railroad documents, laboratory logs, data books, material and identification tags, tank card documents, correspondence, memoranda, etc.
2. Any and all documents setting forth or referring to Monsanto's policies and procedures for the retention and destruction of any of the documents requested in Item No. 1 from 1974 to the present.