

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

IN RE: YOUNKERS FIRE LITIGATION	:	LAW NO. CL 37-21553
	:	LAW NO. CL 37-21556

DEFENDANT UNION CARBIDE CORPORATION'S RESPONSES
TO INTERROGATORIES, SERIES II, NOS. 175-185

Defendant, UNION CARBIDE CORPORATION, in response to interrogatories (Series II) propounded by plaintiffs, states as follows:

In setting forth its answers, Union Carbide Corporation does not waive the attorney/client, work product, or other privilege or immunity from disclosure which may attach to information called for in, or responsive to, any interrogatory, and in answering all or any portion of any interrogatory, defendant does not concede the relevance or materiality of the interrogatory, or the subject matter to which the interrogatory refers.

These answers are submitted by Union Carbide Corporation subject to, and without waiving or intending to waive, but on the contrary, intending to reserve and reserving:

- (1) All questions as to competency, relevancy, materiality, privilege, and admissibility as evidence for any purpose of any of the documents referred to or answers given, or the subject matter thereof, in any subsequent proceeding in, or the trial of, this action or any other action or proceeding;
- (2) the right to object to other discovery procedures involving or related to the subject matter of the interrogatories herein responded to, including any request for the production of documents specifically identified herein; and
- (3) The right at any time to revise, correct, add to, or clarify any of the answers set forth herein, or documents produced or referred to herein.

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INTERROGATORY NO. 175

State whether or not you made any PVC compound or resin or plasticizer that was used in the production of any of the following types of wire or cable for the years 1959 to 1978:

- a. Size 12 American wire gauge, type THHN or THWN building wire (600 volt).
- b. Size 10 American wire gauge, type THHN or THWN building wire (600 volt).
- c. Size 12 American wire gauge, type TW building wire (600 volt).
- d. Size 4 American wire gauge, type THW building wire (600 volt).
- e. Size 6 American wire gauge, type THHN or THWN building wire (600 volt).
- f. Size 18 American wire gauge, type 2 conductor cable with an overall jacket-- commonly called in the trade as "bell" or "annunciator" wire (24 volt).
- g. Data Line 1014 wire and its equivalent as described in Deposition Exhibit No. 53.

ANSWER:

Union Carbide Corporation has manufactured polyvinyl chloride resin, compound and plasticizer which was used by others to produce finished wire insulation. Union Carbide Corporation did not specify, nor was it aware of, any specific size of wire for which resin or compounds should be utilized. That decision, of course, was up to the wire and cable manufacturers. A variety of wire insulation, however, some of which are referred to in plaintiffs' interrogatory, could have been produced using, in part, the type of resin, compound and plasticizer manufactured by Union Carbide Corporation. See, for example, the documents describing the characteristics of the polyvinyl chloride resin being produced in response to Series I Interrogatory No. 47.

INTERROGATORY NO. 176

If your answer to the interrogatory immediately above is in the affirmative, specifically describe the types of wire listed above for which you made or sold PVC compound or resin or plasticizer.

ANSWER:

See answer to No. 175.

INTERROGATORY NO. 177

State whether or not you sold any PVC compound or resin or plasticizer to: Cities Service Company, Chester Cable Operations, Chester, New York, or Hepco Wire and Cable Industries, Garnersville, New York.

ANSWER:

The summaries of the sales, to the extent such records have been retained, of polyvinyl chloride resin, compound and plasticizer to the entities identified in this interrogatory, are attached as Exhibit A to these answers.

INTERROGATORY NO. 178

If your answer to the interrogatory immediately above is in the affirmative, set forth the dates of all sales to said companies and specifically describe the material sold and the amounts thereof.

ANSWER:

See answer to No. 177.

INTERROGATORY NO. 179

State whether or not you made any PVC compound or resin or plasticizer which was in any way a part of or incorporated into wire or cable sold to any of the following entities between the periods 1959 and 1978:

- a. American District Telegraph.
- b. Johnson Electric
- c. Electrical Engineering and Equipment Company.
- d. Westinghouse Electric Supply Company.
- e. Crescent Electric Supply Company.
- f. Graybar Electric Company, Inc.

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ANSWER:

Union Carbide Corporation has not located or retained records establishing that it "made any PVC compound or resin or plasticizer which was in any way a part of or incorporated into wire or cable" sold to the entities identified in this interrogatory.

INTERROGATORY NO. 180

If your answer to the interrogatory immediately above is in the affirmative, describe:

- a. The entity to whom wire or cable containing your PVC compound or resin or plasticizer was supplied.
- b. The dates of the sales.
- c. The amounts of said wire or cable.

ANSWER:

Not applicable.

INTERROGATORY NO. 181

Identify and give the title, job description and employers of all persons who served as research assistant, liaison or consultant for the National Bureau of Standards with respect to the following:

- a. toxicity of PVC upon thermal degradation;
- b. flammability of PVC;
- c. smoke generation of PVC upon thermal degradation.

ANSWER:

This interrogatory is objected to insofar as it seeks the identity of employees of companies other than Union Carbide Corporation. To the best of its knowledge, no one employed by Union Carbide Corporation served as research assistant, liaison or consultant for the National Bureau of Standards with respect to the subjects referred to in subparagraphs a through c of this interrogatory.

INTERROGATORY NO. 182

Identify and give the title, job description and employers of all persons who served as research assistant, liaison or consultant for the National Electrical Code (NEC) with respect to the following:

- a. toxicity of PVC upon thermal degradation;
- b. flammability of PVC;
- c. smoke generation of PVC upon thermal degradation.

ANSWER:

This interrogatory is objected to insofar as it seeks the identity of employees of companies other than Union Carbide Corporation. To the best of its knowledge, no one employed by Union Carbide Corporation served as research assistant, liaison or consultant for the National Electrical Code (NEC) with respect to the subjects referred to in subparagraphs a through c of this interrogatory.

INTERROGATORY NO. 183

Identify and give the title, job description and employers of all persons who served as research assistant, liaison or consultant for the Underwriter's Laboratories, Inc. with respect to the following:

- a. toxicity of PVC upon thermal degradation;
- b. flammability of PVC;
- c. smoke generation of PVC upon thermal degradation.

ANSWER:

This interrogatory is objected to insofar as it seeks the identity of employees of companies other than Union Carbide Corporation. To the best of its knowledge, no one employed by Union Carbide Corporation served as research assistant, liaison or consultant for the Underwriter's Laboratories, Inc. with respect to the subjects referred to in subparagraphs a through c of this interrogatory.

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INTERROGATORY NO. 184

Identify and give the title, job description and employers of all persons who served as research assistant, liaison or consultant for the National Fire Protection Association (NFPA) with respect to the following:

- a. toxicity of PVC upon thermal degradation;
- b. flammability of PVC;
- c. smoke generation of PVC upon thermal degradation.

ANSWER:

This interrogatory is objected to insofar as it seeks the identity of employees of companies other than Union Carbide Corporation. To the best of its knowledge, no one employed by Union Carbide Corporation served as research assistant, liaison or consultant for the National Fire Protection Association (NFPA) with respect to the subjects referred to in subparagraphs a through c of this interrogatory.

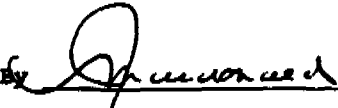
INTERROGATORY NO. 185

Identify and give the title, job description and employers of all persons, including the six graduate students who SPI funded to work on the Research Applied to National Needs (RANN), the National Fire Prevention and Control Administration (NFPCA), and the University of Utah bioscreening analysis of materials projects or programs as referred to on page 62 of Fire Journal, November 1976.

ANSWER:

Union Carbide Corporation does not know the individuals whom SPI funded to work on the "projects or programs as referred to on page 62 of Fire Journal, November, 1976."

UNION CARBIDE CORPORATION

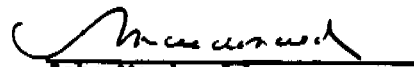
By 

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STATE OF CONNECTICUT }
COUNTY OF FAIRFIELD } ss.

AFFIDAVIT

JOHN MACDONALD, being duly sworn according to law,
deposes and says that he is the Assistant Secretary of Union
Carbide Corporation, that he is authorized to take this
affidavit on behalf of Union Carbide Corporation, and that
the facts set forth in the foregoing Responses to Interrogatories,
Series II, Nos. 175-185 , are true and correct to the best of
his knowledge, information and belief.


John Macdonald

Sworn to and Subscribed before
me this 26th day of
1982.


Notary Public

DIANE E. BUCKLAND
NOTARY PUBLIC

My Commission Expires: MY COMMISSION EXPIRES MARCH 31, 1988

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MAY 24 1962
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