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October 15, 1986

Peter Davey, Esq.
Union Carbide Corporation
Law Department
39 Old Ridgebury Road
Danbury, Connecticut 06817-0001

Re: Memice v. PPG Industries, et al.

Dear Peter:

Enclosed please find a copy of plaintiff's Interrogatories which were served on me on October 11, 1986. Union Carbide's answers will be due on December 11.

After you have had a chance to review the Interrogatories, please call me so we can determine who is in the best position to gather the information requested. We can also discuss which questions are objectionable and, hence, need not be answered.

Sincerely,

Bob

ROBERT L. HOLLINGSHEAD

RLH:js
Enclosure

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Attorneys for Plaintiff(s)

LOTTIE MEMICE, et al,	)	SUPERIOR COURT OF NEW JERSEY
	)	LAW DIVISION
Plaintiff(s),	)	PASSAIC COUNTY
	)	DOCKET NO. L 20509-86
vs.	)	
	)	Civil Action
PPG INDUSTRIES, INC., et al,	)	
	)	
Defendants.	)	<u>INTERROGATORIES</u>

TO: PITNEY, HARDIN, KIPP & SZUCH, ESQS.
Attorneys for Defendant, Union Carbide Corp.
163 Madison Ave.
CN 1945
Morristown, NJ 07960

SIRS:

PLEASE TAKE NOTICE that the Plaintiff demands of the Defendant, Union Carbide Corp., written answers, under oath, to the following Interrogatories within the time prescribed by law:

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As used in these Interrogatories, the terms document, agreement, contract or documentation mean any written, graphic or recorded matter or other means of preserving thought or expression, however produced or reproduced, and all nonidentical copies and drafts thereof, in Defendants' possession, custody or control, including, without limitation, correspondence, contracts, memoranda, checks, invoices, policies, ledgers, journals, notes, reports, statements, notices and all other material which is printed, written, typewritten, stamped, photocopied, microfilmed, filmed, tape-recorded or otherwise recorded and/or retained in any tangible matter or means.

If you claim that any document is privileged or otherwise not subject to discovery, set forth the date of each document, each addressor and each addressee, including each blind copy addressee, the present location of each such document and the identity of the present custodian of each such document.

The following Interrogatories are continuing in nature, so as to require amendment or supplementation if Defendant or Defendant's counsel later become aware of facts which indicate that the answer previously given was incorrect or incomplete.

Definitions: "VCM" referred to herein is vinyl chloride monomer.

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1. State your correct name, office address, principal place of business, and the type of business in which you presently are engaged.

a. Please state in what business you were engaged on the date of filing this action.

b. Is your name correctly stated in the Complaint on file in this cause?

c. If you state that your name is not correctly stated, then state the correct title by which you should be designated as a party plaintiff or party defendant in an action at law.

2. State whether or not you are a person, firm, or corporation.

a. If you state that you are a partnership, then state the name of each and every partner composing said partnership and the name under which such partnership does business.

b. If you state you are a corporation, state on what date you were incorporated and at what place.

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3. State the name, age, business address, and present home address, of any person or persons answering or assisting in answering these interrogatories.

a. State when said individual was first employed by you and the duration of any such employment.

b. List each and every position said individual has held with this defendant or any subsidiary of this defendant or predecessor company.

c. List the educational background of any such individual answering these interrogatories.

d. State whether or not the individual answering these interrogatories possesses or holds any ownership interest in this defendant, or any subsidiary of this defendant, either by way of owned stock, stock options, or ownership of any type whatsoever.

4. State the name and address of each and every person who was present at the answering or preparing of the answering of these interrogatories. State what connection, if any, said persons had with this defendant.

5. Please list each and every writing, article, publication, or document consulted by you, your attorneys, agents, servants, or employees in preparation of your answers to these interrogatories.

6. Please state whether or not you have been advised that these answers to interrogatories are given under oath and may be used as evidence at the trial of this cause.

7. State whether or not you have ever contracted to sell VCM in the State of New Jersey. If so, state:

a. With whom you have so contacted;

b. The date of any such contact;

c. Attached hereto a clear copy of the contract.

e. State in what general distribution area VCM was distributed (i.e., nationally, southeast, southwest, internationally, etc.).

9. State whether or not, for the VCM manufactured or distributed by you, it was anticipated that the employees of each purchaser would be exposed to VCM;

a. In the manufacture of VCM or as a result of the preparation of VCM.

10. State whether any directions, instructions or notifications of any kind concerning the use of VCM products were included with your product.

a. If so, state which such products contain any such instruction or direction.

b. If so, attach a copy of any such directions or instructions to these interrogatories.

c. State the dates of distribution of each such directions, instruction or notification.

11. State the names and addresses of all licensed distributors, contractual distributors, consignment distributors or distributors of any nature of this defendant's VCM including in your answer the trade name of each and every product so distributed by the individual distributor, in the State of New Jersey from 1960 up to and including 1983.

a. State the inclusive dates of any such distributorship agreements.

b. State the last date any VCM was shipped by this defendant to any such distributor. State:

i. The type of product so shipped,

ii. The quantity of the product so shipped.

c. Attach a copy of each and every contract or agreement for any such distributorship.

12. State whether or not at any time prior to the filing of this lawsuit, you made any recall, or any repurchase of any VCM.

a. If so, identify each and every product so recalled or repurchased.

b. If so, state from whom said product was recalled or repurchased, including their address.

c. If so, state the date of any such recall or repurchase.

d. If so, state the quantity of any such recall or repurchase, by individual product.

e. State specifically and in detail the purpose for said recall or repurchase of any product.

f. State what disposition was made of any such product recalled or repurchased and whether or not any of said product exists at the present time, and if so, in whose possession said product is.

g. State whether or not you traded, swapped or provided a chemical in lieu of VCM.

i. If so, state the type of material traded, including the material traded for.

ii. If so, state the name of the entity with whom any such trade or swap was made.

iii. State the date of any such trade or swap.

iv. State the purpose for any such trade or swap.

13. State the name and address of any entity or entities from whom this defendant purchased, or acquired its VCM.

a. State the inclusive dates during which this defendant made any such purchase or acquisition.

b. If you state that you did not purchase or acquire any VCM from any other entity, state specifically and in detail your source of VCM.

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14. State whether or not this defendant, at any time, affixed warnings or any other cautionary labels of any type whatsoever to purchasers of VCM.

a. If so, state specifically and in detail the exact wording of each and every warning or cautionary remark so affixed or labeled.

b. If so, state the inclusive dates any such warnings or cautionary labels were first affixed to your products.

c. State the exact location said label or warning was affixed.

d. State the method of application of any such label or warning.

e. State the color and size of the printing of any such warning or caution.

f. State whether or not any such caution or warning was affixed to the product itself or to the shipping container of each such individual product. If you state that any such label or warning was affixed to the product, then state the frequency of its reproduction on any such product (i.e., the distance separating each and every label or warning on the product).

g. State the dates any product so affixed with warnings or cautionary labels was first shipped, distributed, or sold to any source by you. State:

i. The name of the product, individually,

ii. The recipient of any such product.

h. State the dates any and all products so affixed with warnings or cautionary labels were first shipped or distributed by you into the State of New Jersey:

i. The name of the product;

ii. To whom said product was shipped or distributed.

15. State the date of commencement or inception of any program concerning affixing of labeling or cautionary warnings concerning VCM.

a. State the names and addresses of those persons in charge of, or with ultimate authority over the conception of and development of any labeling or cautionary warnings to be affixed to VCM containers or supplied to purchasers of VCM.

b. State specifically and in detail the reason necessitating or prompting you to begin affixing warnings or cautionary labels for VCM, including in your answer any state or federal directives requiring said labelings or warnings, or any industry standards recommending placement of any such cautionary labels or warnings.

16. State in whose possession at the present time each and every type warning label or labels or cautionary labels for VCM are.

a. State whether or not you have copies, plans, drawings, or schematics of each and every such cautionary warning or label used by you for VCM.

b. Attach a copy of each and every such label or cautionary warnings to these interrogatories for each type of product.

17. State whether or not this defendant has, or is currently manufacturing any VCM for which there is wording on the product or its container, denoting that the product is known to cause cancer.

a. If so, state the name of each and every product to which such wording is attached, or on whose container said wording is attached.

b. State the location, size of the wording, and label color of any such label on any such product or its container.

c. State the exact wording used to denote the cancer causing characteristics of VCM.

d. State the date of inception of any such lettering or wording.

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e. State specifically and in detail the reason for application on your product or container, the fact that the product is known to cause cancer.

18. State whether or not this defendant has at any time prior to the filing of this lawsuit, or is presently in the process of purchasing or acquiring in any way, manner, or method, any firm, corporation, or other business of any type which has in the past, or is presently in the business of manufacturing, distributing or otherwise transporting or selling VCM.

a. If so, state the correct name and address of any such entity so acquired.

b. State the date of said acquisition.

c. State the type of acquisition (i.e., asset purchase, stock promoting, merger with control subsidiary, etc.).

d. State whether or not the liabilities of the acquired entity were assumed by this defendant.

e. State the trade names of any and all VCM products manufactured or distributed by the acquired entity.

f. State whether or not this defendant continued to manufacture or market VCM products of the acquired entity subsequent to the acquisition.

i. State whether or not the trade name or trade names so acquired were changed,

ii. State any and all changes made.

g. Attach copies of any and all such purchase or acquisition agreements.

h. State whether or not at the present time any such entity so acquired in the past, is still owned by you in whole or in part. If you state that it is no longer owned in whole or in part by you, then state to whom said entity was sold and the date of sale of said entity.

19. State whether or not this defendant, or any of its subsidiaries, including the name of the subsidiary, have ever in the past distributed, sold, marketed, or otherwise placed into the stream of commerce any VCM manufactured by some other legal entity during the past 40 years.

a. If so, state the trade name of any such VCM material so distributed, sold or placed in the stream of commerce.

b. If so, state the name and address of the manufacturer of each VCM material so distributed, sold, or placed in the stream of commerce.

c. State whether or not that product was marketed, distributed, sold or placed in the stream of commerce under the name of the original manufacturer, or the name of this defendant or its subsidiary.

d. State the inclusive dates and areas of distribution of any such product so listed in (a) above.

e. State what VCM content or combination of VCM were used in any such product including in your answer the percent of VCM contained in each such product.

f. State the type of industrial VCM material so distributed.

g. State whether or not at any time during the period of time said product was distributed, sold or placed in the stream of commerce, it had any warnings or cautionary labels.

i. If so, state specifically and in detail the substance of each and every cautionary label,

ii. State the inclusive date said label was included on the product or its container,

iii. State whether or not any such warning or cautionary label was affixed to the product or its container when received by you,

iv. If you state that no warning or cautionary label was affixed when you received same, then state in detail the reasons, or what prompted you or your subsidiary to affix any such warnings or cautionary labels.

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20. State whether or not this defendant, or any of its subsidiaries, or any entity from whom this defendant acquired VCM distributed by this defendant, prescribed any recommended methods, instructions, or directions, concerning field handling or use.

a. State specifically and in detail each and every recommended practice, procedure or instruction for:

i. Field handling,

ii. Use.

b. State by what method any such recommended practice, instruction, procedure, or directive was disseminated to the buyer or user of said product.

c. State the inclusive dates during which any such recommended or prescribed practices or instructions were disseminated for field handling and use.

d. State the earliest date any such instructions were attached to either the product or its container, including in your answer whether or not the instruction was attached to the product itself or the container.

e. State the names and addresses of those persons responsible for, or who formulated any and all prescribed or recommended methods, instructions or directives.

f. State the date when this defendant first discussed, formulated or prepared any recommended practice or instruction for either field handling or use of VCM.

21. State whether or not at any time in the past you have manufactured, marketed or distributed VCM that did not include instructions or materials or recommendations concerning:

a. Field handling,

b. Use.

22. State whether or not you, your agents, or employees or anyone known to you have either originals or copies of any and all documents, pamphlets, brochures, writings, warnings, instructions or any documents of any type whatsoever, prepared by you or on your behalf, as instructions or recommended procedures or methods for field handling or use of VCM distributed by you.

a. If so, attach a copy of each and every such document.

b. List each and every such document by title, date of publication and author and to which product said document specifically applied.

23. State whether or not this defendant ever produced, sold, or otherwise provided a respirator, mask or other protective device with the sale or distribution of your VCM to be used by the ultimate users of your product.

a. If you state you did so provide such item, then state the inclusive dates during which same was provided.

b. If so, state specifically and in detail the type of respirator, mask, or other protective device so provided.

c. State the manufacturer of any such protective device.

d. State the purpose of which any said protective device was furnished.

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e. State whether or not any instructions were included with your product concerning the use of said protective device. If so,:

i. State what product said instructions accompanied.

ii. State specifically and in detail the instruction included.

24. List by publication name, date of publication and product, each and every article of advertising or advertising literature or brochure accompanying the marketing or selling of your VCM that was prepared, manufactured, or published by or for you from the date of the original manufacture of your product up until today's date.

a. If the advertising literature does not contain the name of the author, then state by whom any such advertising was authored.

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b. State to whom any such literature would have been disseminated and whether or not said literature accompanied individual packages of your product.

c. Attach a copy of each and all such advertisements that have been published, prepared or manufactured.

d. If you object to attaching a copy of same, then state in whose custody or control same is at the present time.

25. State whether or not this defendant at any time prior to the date of filing of this action, ever warned its employees or offered any type of respirator, mask, protective equipment, appliance or protective clothing to its own employees in its manufacturing, processing or distribution facilities.

a. If so, state the date any such warning or such device or clothing was first furnished to your employees packaging, transporting, manufacturing or processing VCM.

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b. State specifically and in detail each and every warning so given by this defendant to its employees and state the reason for any such warning.

c. Describe specifically and in detail each and every respirator, mask, protective equipment, appliance, warning device or protective clothing so furnished or offered to your employees. State:

i. The date any such device or clothing was first offered or furnished.

ii. The reason any said device or clothing was so offered.

26. State whether or not any claim has, in the past, ever been filed against this defendant or a subsidiary of this defendant, by an employee or person claiming injury or death resulting from exposure to VCM. If so, state:

a. The date the first such claim was brought.

b. The number of claims that have been brought against this defendant or its subsidiary, from the date the first claim was brought, up until the date of filing this action and to date of certification of these answers to interrogatories.

c. The job classification of each and every such employee or person so filing any such claim.

d. The name of the individuals making such claims.

e. The state in which any such claim was brought or made.

f. The nature of said claim.

g. The ultimate or current disposition of any such claim. (This question refers not only to common law tort actions, but also to Workmen's Compensation claims and any other statutory claim which has allegedly arisen out of occupational hazards or exposure to your VCM product.)

h. The name and address of the attorney for the petitioner, plaintiff or complainant.

i. The caption of each such complaint or petition including docket number or any such other reference number.

27. State whether or not any claim has, in the past, ever been filed against any entity subsequently acquired by this defendant, claiming injury or death resulting from exposure to VCM. If so, state:

a. The date the first such claim was brought.

b. The number of claims that were brought against that entity from the date said claim was first brought up until the date of acquisition by this defendant.

c. The job classification of each and every such person or employee so filing any such claim.

d. The name of the individual making any such claim.

e. The state in which any such claim was made or brought.

f. The nature of any such claim.

g. The ultimate or current disposition of any such claim.

h. Whether or not any pending action against any entity acquired by you was assumed by you upon acquisition of that entity.

i. The name of that department, subdivision or section of any acquired entity under which any such claim would have been processed. (This question refers not only to common law tort actions, but also Workmen's Compensation claims and any other statutory claim which allegedly arose out of any occupational hazard or exposure to VCM containing products.)

j. The name and address of the attorney for the petitioner, plaintiff or complainant.

28. State whether or not this defendant or its subsidiaries ever instigated, conducted or otherwise funded by grant, any type of research, including but not limited to on-the-job research to determine the effects of exposure to VCM.

a. If so, state the dates of any such on-the-job field studies, including the name or term given any such study.

b. State the place or places where any such on-the-job or field studies were conducted.

c. State the names and addresses of each and every person, firm, or corporation conducting each and every such on-the-job or field study.

d. State whether or not you conducted, instigated or funded such studies.

e. State the amount of your monetary contribution toward any such study, or your investment in such study, or your investment in such study.

f. State the purpose for conducting, instigating or funding any such study.

g. State specifically and in detail the findings, results and conclusions of any such on-the-job research or field studies.

h. Please attach a copy of any such on-the-job research or field study.

i. In the event you elect not to attach a copy, please state in whose possession same is at the present time.

j. State whether or not the findings, results, or conclusions of any and all such on-the-job research or field studies were disseminated to any person, firm or corporation.

i. State the manner in which any such results or conclusions were disseminated.

ii. State the dates of dissemination of any such matter. Identify to whom said results were disseminated.

iii. State whether or not any such results or conclusions were published.

iv. If published, state the date of publication and the name of the publication wherein they appeared, including volume and number.

29. State whether or not this defendant had no right of access to any job sites where VCM materials were being used.

a. If so, state whether this defendant attempted to gain access for the purpose of conducting field studies on any job site where its VCM materials were being used.

b. State the names and addresses and respective relationships to this defendant of each person who was to conduct the field studies but was denied access to job site.

c. State the date, location and name of every person and his employer denying access to the persons listed in (b) above, with the reason given for the denial.

d. Please attach hereto copies of any and all written communications relative to the denial of access between this defendant and/or persons employed to conduct the field studies and the person denying access to the job site.

i. If you object to attaching copies hereto, please list by reference name, number or notation, each and every such written communication.

ii. State in whose custody same is at the present time.

30. Identify which, if any, of the organizations or associations this defendant or any of its subsidiaries was, or presently is, a member, participated in, or was otherwise associated. Please include in your answer the following:

a. Inclusive dates of membership, participation or association.

b. The names of each of your representatives to said association.

c. Each and every committee, division or subcommittee of said association on which that individual served.

d. The inclusive dates of membership on any such committee or subcommittee within any such association.

a. Inclusive dates of membership, participation or association.

b. The names of each of your representatives to said association.

c. Each and every committee, division or subcommittee of said association on which that individual served.

d. The inclusive dates of membership on any such committee or subcommittee within any such association.

e. Any office or position held either by you, or any employee of yours within any such association.

31. List each and every document, including minutes, abstracts or recordings in this defendant's possession, or available to this defendant, of any and all meetings of the institutes or associations listed in the preceding interrogatory to which you presently claim membership, participation or association or in the past have claimed membership, participation or association.

a. State in whose custody any such abstracts are at the present time.

b. Attach a copy of any such document to your answers to interrogatories.

32. State whether or not this defendant recognizes that VCM could cause or result in cancer and its related maladies in human beings.

a. If so, state the date when this defendant first learned that VCM could cause of result in cancer.

b. State the source of information from which this defendant learned that VCM could cause or result in the disease of cancer in human beings.

c. State what is this defendant's understanding of the dangers of exposure to VCM (i.e., what portions, areas, or organs of the body are effected by VCM and what is the effect of it on the human body).

33. State whether or not this defendant recognizes that exposure to VCM has in the past, and at the present time, is in anyway associated with cancer in human beings.

a.. If so, state the date this defendant first learned that such exposure was associated with cancer in human beings.

b. State the source of information from which this defendant derived its information that exposure to VCM was associated with cancer in human beings.

c. State what portions of the human body or organs of the human body are effected by exposure to VCM.

d. State what this defendant contends in the minimum exposure to VCM necessary to cause cancer in human beings, including in your answer the duration of exposure, the amount of particular exposure involved and whether or not one type as opposed to any other type VCM is significant in determining the effect of exposure.

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34. State whether or not you, your agents or employees have attempted to keep abreast of the scientific knowledge and data concerning VCM and the harmful effects of VCM upon the bodies of human beings.

a. If so, state the name of that particular department or section, or organization within your company charged with the responsibility of keeping abreast of the scientific knowledge concerning it.

b. Give the names of any and all persons who have been responsible for, or in a superintendence role over said section, department or organizations within your company.

i. State who is presently in charge of said section or department.

ii. State the educational background of each and every person who has headed up in the past this department, section or organization up to and including the present time.

35. List each and every document of any type which this defendant has read, consulted, been advised on, and any and all information of whatever kind this defendant has obtained concerning VCM and its harmful effects on the bodies of human beings.

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a. List each and every such document by title, date and author and name of publication, in which said appeared.

b. State the date you obtained copies of any such documents.

36. Please state each and every document consulted by you, or any of your witnesses, lay or expert, in connection with the cause and effects of the disease known as cancer.

a. The title of any such document.

b. Where said document was published, if published, including the date and volume of any said publication.

c. The author of any such publication.

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37. State whether or not this defendant, or its agents, servants or employees, including its attorneys, are aware of any medical or scientific articles of any kind published in any journal, writing, book or other publication of any nature, before 1974, dealing with VCM and its effect on individuals exposed to it.

a. If so, list each and every such publication by date, author and the publication in which said article appeared.

b. State when this defendant first became aware of any such article.

c. State the name of that person in the defendant's employ who first learned of said article.

i. Give the present address of any such person.

ii. State whether or not he is still employed by this defendant, and if so, in what capacity.

iii. State the educational background of that person first learning of such article.

d. If so, state whether any interoffice memoranda, communications or other documents were prepared concerning any article or articles known to this defendant before 1974, concerning VCM.

e. Please list by date and author, including recipient, each and every such interoffice communication, memorandum or document.

f. Please attach a copy of any such interoffice communication or memorandum to your answers to interrogatories.

g. If you object to attaching a copy, then state in whose custody or control same are at the present time.

38. Please state specifically and in detail the date you first became aware of the incidents of cancer in users of VCM. State:

a. The source of said information.

b. Who with your company, was first made aware of any such incidents.

c. What was done to advise individuals working with VCM of the probable effects of VCM on the human body.

39. If you stated that you were aware that VCM could cause disorders or cancer in human beings, what, if anything, did you do to protect the health of your employees from exposure to VCM when first learning of the potential effect of VCM.

a. Describe in detail what steps were taken.

b. List specifically and in detail each and every document by title, date, producer and recipient relating to steps taken to prevent exposure to VCM to your employees.

c. Attach a copy of any such document relating thereto.

40. On the date of first discovery by this defendant of the dangers to one's health from exposure to VCM and if anything, did this defendant do to alert the users of its products, or people who had used said products in the past containing VCM including but not limited to industrial use of the dangers associated with the use of VCM.

a. State what, if anything, this defendant did at any time, from the time of first learning of the dangers of VCM until the present time, to protect the health and safety of users of its products from the effects of VCM exposure.

b. State the dates any and all programs or directives were instituted concerning protection of users or attempts to notify users of the effects.

c. List each and every item of interoffice communication by date, author and recipient, including title, which involved steps to be taken to protect the user or consumer of your VCM product.

d. Attach copies of any and all such interoffice correspondence concerning steps taken to protect the users or consumers of VCM products.

41. List each and every document of any kind, including statements, writings, reports from insurance companies, computer printouts, x-rays, medical records, or any other type information which you have regarding the plaintiff in this lawsuit.

UCC
045142

a. Attach copies of any and all such documents to these interrogatories.

42. State the name and address of each and every expert witness that has been consulted by you and is expected to testify in this case.

a. Give the date you first consulted said expert witness.

b. State the qualifications, including educational background, articles published, and position held either in industry or in education, or with you, of said expert witness.

c. State each and every fact that was made known to this expert in order to arrive at any opinion or conclusion.

d. State specifically and in detail each and every opinion or conclusion which has been reached by this expert.

e. State each and every fact, ground or basis upon which any such opinion or conclusion was reached.

43. List the names and addresses of each and every person you expect to call as a witness at the trial of this lawsuit and provide a summary of the expected testimony of each such witness.

44. State the total amount of the Defendant's liability insurance coverage with respect to this accident and include the name of the insurance company and policy number.

45. Annex copies of statements, if any, made by the Plaintiff prior to the institution of this suit pursuant to R.4:10-2(c).

46. State all known admissions made by any of the parties and state whether oral or in writing.

47. State the names and present addresses of all persons known by this Defendant to possess knowledge of relevant facts concerning the case and state in substance the knowledge of each such person.

48. Annex copies of Co-Defendants' answers to this Defendant's Interrogatories.

49. State all present facts known by these Defendants upon which they base their claims as set forth in each paragraph of the Separate Defenses.

UCC
045145

50. State whether the Defendant has any excess liability or umbrella insurance coverage. If so, state the amount of said coverage, the name of the insurance carrier and the policy number.

51. If it is your contention that the Plaintiff's injuries were caused in whole or in part by some persons or entity other than yourself, please identify each such person or entity fully, giving each such person or entity's name, address, occupation, title and professional relationships to you, if any.

52. If you intend to rely on any tangible evidence at the time of trial, for each indicate: (a) a complete detailed description of each piece of evidence; (b) the present location of each piece of evidence; (c) what each piece of evidence depicts; (d) the names and addresses of the persons supplying the piece of evidence; and (e) the date upon which the evidence was taken or received.

53. If photographs or films are to be used at time of trial, for each indicate: (a) the date taken or filmed; (b) persons taking the film or photographs; (c) the present location of such films or photographs; (d) the length or size of each; and (e) what each film or photograph depicts.

UCC
045146

54. State whether or not you have ever entered into a contract or agreement for the sale of VCM with the Pantasote Company. If so, state:

a. The date of said Contract.

b. Whether said Contract was fully performed by each party.

c. Whether said Contract was terminated earlier than the termination date. If so, indicate the termination date and the reason for such earlier termination.

d. Whether any of the terms of the Contract were modified orally, in writing or by conduct of the parties.

e. If any Contract was not fully performed, state in detail all alleged nonperformances.

f. Attach hereto a clear copy of said Contract or Agreement together with any modifications or alterations thereof.

UCC
045147

g. State the names and address of each individual known by you to be familiar with said contracts or agreements for both vendor and vendee.

55. State whether you ever sold VCM to the Pantasote Company. If so, state:

a. The dates of sales.

b. The quantity of each sale.

c. The method of payment.

d. The delivery date.

e. The method of delivery.

f. Pounds or other measurement of the quantity of the delivery.

g. Person or persons who have relevant knowledge concerning said sales from vendor and vendee.

56. For each year from 1960 up to and including 1983, state:

a. Your annual capacity in millions of pounds for VCM. If by some other measurement other than millions of pounds, indicate same.

b. Actual production in millions of pounds. If by some other measurement other than millions of pounds, please indicate same.

57. State your percentage of the U.S. market for VCM for the years 1960 up to and including 1983.

58. State all manufacturers of VCM for the years 1960 up to and including 1983.

59. State all facts in support of your contention that you did not supply, manufacture not distribute VCM which caused Plaintiff's injury.

MARCUS & LEVY
Attorneys for Plaintiff(s)

DATED: OCTOBER 7, 1986

By *S. Robert Princiotta*
S. ROBERT PRINCIOTTO

CERTIFICATION

I hereby certify that the copies of the reports annexed hereto rendered by proposed expert witnesses are exact copies of the entire report or reports rendered by them; that the existence of other reports of said experts, either written or oral, are unknown to me, and if such become later known or available, I shall serve them promptly on the propounding party.

I am familiar with the above facts of this case and I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment for contempt of court.

DATED: _____

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