PLAINTIFF'S EXHIBIT
KRC-746

NO. 26,166

GWENDOLYN GRAY LUCE, Individually and as Personal Representative of the Heirs and Estate of ROBERT THOMAS LUCE, Deceased	§	IN THE DISTRICT COURT OF MILAM COUNTY, TEXAS
vs.	§	
AC&S, INC., et al	§	20th JUDICIAL DISTRICT

DEFENDANT SUNOCO, INC. (R&M)'S OBJECTIONS AND RESPONSES TO PLAINTIFF'S 12/22/99 REQUEST FOR PRODUCTION

TO: Plaintiff, Gwendolyn Gray Luce, Individually and as Personal Representative of the Heirs and Estate of Robert Thomas Luce, Deceased, by and through her attorney of record, David C. Greenstone & C. Andrew Waters of Waters & Kraus, 4807 West Lovers Lane, Dallas, Texas 75209.

COMES NOW, Defendant, SUNOCO, INC. (R&M), improperly designated as Sun Oil Company and Sunoco, Inc. (hereinafter "Defendant" or "Sun"), and pursuant to the Texas Rules of Civil Procedure, files its Objections and Responses to Plaintiff's 12/22/99 Request for Production and by way of objections and responses respectfully states as follows:

Respectfully submitted,

WERNER & KERRIGAN, L.L.P.

By: _____

Philip Werner
State Bar No. 21190200
Andrea E. Treiber
State Bar No. 00791812
1300 Post Oak Boulevard, #2225
Houston, TX 77056
Telephone: (713) 626-2233
Facsimile: (713) 626-9708
ATTORNEYS FOR DEFENDANT,
SUNOCO, INC. (R & M)

CERTIFICATE OF SERVICE

Pursuant to Rule 21a of the Texas Rules of Civil Procedure, I hereby certify that a true and correct copy of the foregoing has been served upon all known counsel of record by telecopy, hand delivery, certified mail, return receipt requested, and/or regular mail, on this the 20th day of January, 2000.

Andrea E. Treiber

SUNOCO, INC. (R&M)'S OBJECTIONS AND RESPONSES TO PLAINTIFF'S 12/22/99 REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1.: Please produce any and all documents relating in any way to your Defendant's knowledge concerning the hazards of asbestos in the time frame of 1950 to the present.

OBJECTION: Defendant objects to this Request as being overly broad, and seeking information which is not relevant and not reasonably calculated to lead to the discovery of admissible evidence, because it is not restricted to any relevant time period. Defendant further objects to this Request as being an impermissible "fishing expedition".

RESPONSE: Subject to the foregoing objections and without waiving the same, Defendant answers as follows: Following a diligent search, Defendant has been unable to locate any documents responsive to this request for the time period 1950-1957.

REQUEST FOR PRODUCTION NO. 2. Please produce any and all documents relating in any way to precautions taken by your Defendant with respect to the hazards of asbestos in the time frame of 1950 to the present.

OBJECTION: Defendant objects to this Request as being overly broad, and seeking information which is not relevant and not reasonably calculated to lead to the discovery of admissible evidence, because it is not restricted to any relevant time period, and it is not restricted to the facility at issue in this lawsuit. Defendant further objects to this Request as being vague, insofar as it fails to define the term "precautions". Defendant further objects to this Request as being an impermissible "fishing expedition".

RESPONSE: Subject to the foregoing objections and without waiving the same, Defendant answers as follows: Following a diligent search, Defendant has been unable to locate any documents responsive to this request for the time period 1950-1957.

REQUEST FOR PRODUCTION NO. 3. Please produce any and all documents relating in any way to your Defendant's involvement and/or membership in any of the following organizations in the time frame of 1950 to the present:

a.) Industrial Hygiene Foundation
b.) National Safety Counsel
c.) American Petroleum Institute

OBJECTION: Defendant objects to this Request as being overly broad, and seeking information which is not relevant and not reasonably calculated to lead to the discovery of admissible evidence, because it is not restricted to any relevant time period. Defendant further objects to this request as being overly broad and unduly burdensome, because this Defendant has employed many people throughout the years, and it would be impossible to determine the membership of all its employees in the listed organizations for the time period requested.

RESPONSE: Subject to the foregoing objections and without waiving the same, Defendant answers as follows: Defendant is in the process of searching for documents pertaining to the relevant time period, and will supplement this response, if necessary.

NO. 26,166

GWENDOLYN GRAY LUCE, Individually and as Personal Representative of the Heirs and Estate of ROBERT THOMAS LUCE, Deceased	§	IN THE DISTRICT COURT OF
	§	MILAM COUNTY, TEXAS
vs.	§	
AC&S, INC., et al	§	20th JUDICIAL DISTRICT

CERTIFICATE OF WRITTEN DISCOVERY

Pursuant to the Texas Rules of Civil Procedure, Defendant Sunoco, Inc. (R&M), Improperly Designated as Sun Oil Company and Sunoco, Inc. files this Certificate of Written Discovery.

On the 20th day of January, 2000, Defendant Sunoco, Inc. (R&M), Improperly Designated as Sun Oil Company and Sunoco, Inc. served the following discovery materials pursuant to Rule 21a of the Texas Rules of Civil Procedure to C. Andrew Waters, 4807 West Lovers Lane, Dallas, Texas 75209.

DEFENDANT SUNOCO, INC. (R&M)'S OBJECTIONS AND RESPONSES TO PLAINTIFF'S 12/22/99 REQUEST FOR PRODUCTION

This Certificate is signed by an attorney of record for Sunoco, Inc. (R&M), Improperly Designated as Sun Oil Company and Sunoco, Inc.

Respectfully submitted,

WERNER & KERRIGAN, L.L.P.

By: _____

Philip Werner
State Bar No. 21190200
Andrea E. Treiber
State Bar No. 00791812
1300 Post Oak Boulevard, #2225
Houston, TX 77056
Telephone: 713-626-2233
Facsimile: 713-626-9708
Counsel for defendant, Sunoco, Inc. (R&M), Improperly Designated as Sun Oil Company and Sunoco, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded by certified mail, return receipt requested, hand delivery, telecopy and/or U.S. First Class Mail to all known counsel of record on this 20th day of January, 2000.

_____
Andrea E. Treiber

1-20-00

WERNER & KERRIGAN, L.L.P.
ATTORNEYS AT LAW
1300 POST OAK BOULEVARD
SUITE 2225
HOUSTON, TEXAS 77056-3014

ANDREA E. TREIBER
AETREIBER@WERNERKERRIGAN.COM

TELEPHONE (713) 626-2233
FAX (713) 626-9708

January 20, 2000

TO: Ms. Betty Robertson
Milam County District Clerk
100 South Fannin Street
Cameron, TX 76520

Via Overnight Delivery

RE: Cause No. 26,166; *Robert "R. T." Thomas Luce and Gwen Luce v. AC&S, Inc.;* In the 20th District Court of Milam County, Texas

Dear Ms. Robertson:

Enclosed please find an original and one copy of the document detailed below.

Certificate of Written Discovery
regarding Defendant Sunoco, Inc. (R&M)'s Objections
and Responses to Plaintiff's 12/22/99 Request for Production

Please return a file stamped copy of this document in the enclosed, self-addressed envelope. All known counsel of record have been sent a copy of same.

Thank you for your assistance in this matter.

Very truly yours,

WERNER & KERRIGAN, L.L.P.

Andrea E. Treiber

AET/tlh/Encs.

cc: C. Andrew Waters
Enc. David C. Greenstone
Law Offices of Andrew Waters
4807 West Lovers Lane
Dallas, TX 75209

Byron Sims
Brown, Sims, Wise & White
2000 Post Oak Boulevard, 21st Floor
Houston, TX 77056

D. Allan Jones
Orgain, Bell & Tucker
P. O. Box 1751
Beaumont, TX 77704

David Ledyard
Strong, Pipkin & Nelson
595 Orleans, 14th Floor
Beaumont, TX 77701-3255

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Houston, TX 77090
713-383-6100
Drs. Hale and Ross are expected to testify regarding (a) anatomy and function of the respiratory and circulatory systems; (b) nature of asbestos; (c) the nature and extent of medical and scientific knowledge regarding any association of cancer with differing levels of exposure to asbestos fibers; (d) the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system; and (e) cigarette smoking and its effects on the lung. Further, they may also offer opinions and/or rebuttal testimony as necessary to Plaintiff's experts' claims and related topics.

Dorsett D. Smith
4310 Colby Avenue
Everett, WA 98203
425-259-5171
Dr. Smith will testify in the field of occupational and pulmonary medicine and the state of knowledge as it existed from time to time relating to the health effects of asbestos exposure.

Lawrence R. Birkner
McIntyre Birkner & Associates, Inc.
Thousand Oaks, CA
805-494-8173
Dr. Birkner will testify in the field of industrial hygiene and the state-of-the-art knowledge as it existed from time to time relating to the health effects of asbestos exposure.

John A. Pendergrass
6700 Milkhouse Court
Mobile, AL 36695
334-607-0946
Dr. Pendergrass will testify in the field of industrial hygiene and the state-of-the-art knowledge as it existed from time to time relating to the health effects of asbestos exposure.

Dr. Frank Wier
8131 Wycomb Drive
Houston, TX 77070
281-893-4003
Dr. Wier will testify in the field of industrial hygiene and toxicology and the state-of-the-art knowledge as it existed from time to time relating to the health effects of asbestos exposure.

Leroy Balzer, Ph.D.
408 Horse Trial Court
Alamo, CA 94507
Dr. Balzer will testify in the field of industrial hygiene and the state-of-the-art knowledge as it existed from time to time relating to the health effects of asbestos exposure.

James O. Rasmuson
Chemistry and Industrial Hygiene, Inc.
4251 Kippling, #110
Wheat Ridge, CO 80033
303-420-8242
Mr. Rasmuson will testify in the field of industrial hygiene and toxicology and the state-of-the-art knowledge as it existed from time to time relating to the health effects of asbestos exposure.

Robert J. Awe, M.D.
Baylor College of Medicine
Ben Taub General Hospital
1504 Taub Loop
Houston, TX 77030
713-793-2467
Dr. Awe will testify in the field of internal and pulmonary medicine and the state-of-the-art knowledge as it existed from time to time relating to the health effects of asbestos exposure.

Sharon M. D'Orsie, Ph.D.
Eagle Environmental Health, Inc.
2600 Southwest Freeway, #810
Houston, TX 77098-4614
713-523-2453
Dr. D'Orsie will testify in the field of industrial hygiene and the state-of-the-art knowledge as it existed from time to time relating to the health effects of asbestos exposure.

Elizabeth L. Green, P.E.
Eagle Environmental Health, Inc.
2600 Southwest Freeway, #810
Houston, TX 77098-4614
713-523-2453
Dr. Green will testify in the field of industrial hygiene and the state-of-the-art knowledge as it existed from time to time relating to the health effects of asbestos exposure.

James E. Lockey, M.D., M.S.
556 Meadowcrest Road
Cincinnati, OH 45231
513-558-0040
Dr. Lockey will testify in the field of internal, pulmonary and occupational medicine and the state-of-the-art knowledge as it existed from time to time relating to the health effects of asbestos exposure.

Andrew Churg, M.D.
1229 West 7th Avenue
Vancouver, British Columbia
Canada V6H 1B7
604-732-0186
Dr. Churg will testify about the pathology of asbestos-related diseases, his research into asbestos-related diseases, the carcinogenicity of various fiber types, and the relationship, if any, between asbestos and various diseases. Dr. Churg is a specialist in the pathology of occupational lung disease.

He is also expected to testify that some asbestos-containing products do not create a health hazard and that any asbestos exposure from these products played no role in the genesis of plaintiff's lung diseases, if any.

Dr. Churg may testify, either live or by deposition, regarding general pathology and the pathology of Plaintiff. He may also testify as to any matter raised by experts called by Plaintiff or any Co-defendants.

In addition, Dr. Churg may testify regarding general medical issues, including but not limited to the following:

1. the anatomy and function of the respiratory and circulatory systems, including the protective systems of the body with regards to the inhalation and retention of dust, and the diagnosis and treatment of disease affecting such systems;

2. the nature of asbestos and asbestos-related disease;

3. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;

4. the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;

5. the effective of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;

6. methods of diagnosis of various diseases with other non-asbestos-related diseases;

7. incidence of lung cancer among individuals with asbestosis or asbestos exposure as compared to non-asbestotic asbestos workers, non-asbestos exposed workers and to the general population;

8. cigarette smoking and its effects on the lungs and other organs;

9. the relationship of cigarette smoking to cancer of the lung and cancers of other body parts with reference to epidemiology studies and physiologic effect;

10. the difference between impairment and disability;

11. the effect of asbestosis or other asbestos-related disease, or asbestos exposure without asbestosis or other asbestos-related disease, on disability and life expectancy;

12. the lack of relationship between the presence of pleural plaques and a later development of any form of cancer;

13. the history of evolution and knowledge of asbestos-related diseases;

14. the import of any exhibit introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;

15. cancer incidence in the general population and among asbestos workers and its potential causes;

16. the incidence of mesothelioma among various kinds of workers exposed to asbestos; and the relative importance of various fiber types and the cause of mesothelioma;

17. to the extent not covered above, asbestos medicine in general.

Dr. Churg will express his opinion that the only established association concerning lung cancers and asbestos exposure is the association of asbestosis and lung cancers; that the association of occupational asbestos exposure and lung cancers is really the association of the specific disease, asbestosis and lung cancers; that only the confirmed presence of asbestosis establishes asbestos as a contributing cause of lung cancers in a person with a significant smoking history; that absent asbestosis, asbestos does not cause an increased risk of lung cancers. Dr. Churg may testify that occupational exposure to asbestos without a confirmed diagnosis of asbestosis, provides no information about the cause of lung cancers and is not information supporting a conclusion that asbestos was a contributing factor in lung cancer. Dr. Churg may testify that pleural plaques, fiber burden counts and asbestos bodies also provide no information about the cause of lung cancers. Dr. Churg may testify as to what is asbestosis, whether there is an asbestos exposure threshold for asbestosis, and what constitutes that threshold for asbestosis.

Dr. Edward A. Gaensler
63 Eucalyptus Knoll Road
Mill Valley, CA 94941
Dr. Gaensler will testify about the pathology of asbestos-related diseases, his research into asbestos-related diseases, the carcinogenicity of various fiber types, and the relationship, if any, between asbestos and various diseases. Dr. Gaensler will testify about the epidemiology of asbestos-related diseases, his statistical research, latency, state-of-the-art, and other related matters. Dr. Gaensler will testify about case specific testimony, where applicable. He will testify about the evolution of asbestos diseases, cigarette related diseases, and other respiratory or systemic conditions, specifically carcinomas, seen either independently or in connection with either of the foregoing.

Dr. Forde McIver, Deceased, by deposition
Dr. McIver, Deceased, was a pathologist in Charleston, South Carolina, who will testify by videotape.

Dr. W.K.C. Morgan
Chest Diseases Unit
University Hospital
339 Windermere Road
P. O. Box 5339, Postal Station A
London, Ontario
Canada N6A 5A5
Dr. Morgan is a pulmonologist. He will testify about the evolution of asbestos disease, the diseases involving cigarette smoking, and other diseases which are often seen in association with either of the foregoing.

Dr. Morgan is a professor of medicine and director of chest diseases services at the University of Western Ontario. He was educated in England and Scotland, among other appointments, is a member of the Advisory Board for Occupational Health and Safety Resource Centre at the University of Western Ontario.

Dr. Morgan may testify live or by deposition concerning the state of the available knowledge regarding asbestos-related disease at the relevant historical periods of time. Dr. Morgan may also testify concerning current medical knowledge regarding Plaintiff's condition and asbestos-related disease.

Dr. William Weiss
3912 Netherfield Road
Philadelphia, PA 19129
Dr. William Weiss is expected to testify about the evolution of asbestos disease, his knowledge of pulmonary lung disease of all varieties, the "state-of-the-art" of the development of knowledge regarding cigarettes and disease, the relationship between cigarette smoking and pulmonary fibrosis, the nature and the evolution of x-ray work, his

knowledge of x-rays as a "*B*" reader and related matters.

Dr. Peter Barrett
Chief of Radiology
Quincy City Hospital
Quincy, MA 02169
Dr. Barrett is a radiologist/*B*-Reader. He is expected to testify generally about radiologic concepts and evaluation and its relation to the diagnosis of pulmonary diseases. He will testify specifically regarding his evaluation of x-rays in the diagnosis of occupational pneumoconiosis.

He is expected to testify generally about radiologic concepts and evaluation and its relation to the diagnosis of pulmonary diseases. He will testify specifically regarding his evaluation of x-rays in the diagnosis of occupational pneumoconiosis. Dr. Barrett will testify that some asbestos-containing products are not hazardous and that any possible asbestos exposure from such asbestos-containing products could not have caused any of the Plaintiff's alleged illnesses.

Dr. Barrett is a practicing radiologist and a *B*-reader certified by NIOSH. His testimony will relate to his interpretation of chest films taken of the Plaintiff, as disclosed in reports produced, if any, and will be made available to the Plaintiff. It is anticipated that Dr. Barrett will testify generally as to his interpretation of the Plaintiff's chest films, the presence of any asbestos-related condition as evidenced on the chest film, and the presence of other abnormalities or conditions unrelated to any exposure to asbestos.

Dr. Darryl Carter
Yale University
Department of Pathology
310 Cedar Street
New Haven, CT 06510
The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Carter has not prepared a report as yet; if he does, a copy will be provided to Plaintiff.

Dr. Carter is expected to be able to testify concerning the circumstances under which exposure to certain forms and types of asbestos may be associated with the incidence of some forms of mesothelioma in some persons, and will testify concerning the results of his own experiences, the medical and scientific literature, and existing epidemiologic studies concerning associations that are alleged to exist epidemiologically between exposure to asbestos in some populations and the mortality and/or incidence of some forms of cancer.

Dr. Carter is further expected to offer testimony concerning the effects of inhaled tobacco smoke and other factors on the occurrence of disease in populations who are also alleged to be exposed to asbestos-containing products, and additionally concerning how the effects of

inhaled tobacco smoke and other factors can confound the apparent results of certain epidemiologic studies.

Dr. Carter is expected to testify that it cannot be said, to a reasonable degree of medical probability, that any hypothetical person's alleged "exposure" to products that may have contained asbestos was of importance to that individual, without reference to that specific person's individual work history, medical history, findings on physical examination and pathological examination of tissue, if any, information concerning the individual's use of protective equipment, specific types of asbestos-containing product(s) used and/or handled, resolution of questions regarding exposures to substances other than asbestos-containing products, and other known etiologies for whatever conditions are found to exist.

It is further expected that Dr. Carter's testimony will generally respond to the pathologic, scientific and epidemiologic testimony which may be offered by Plaintiff's experts, and in that sense his testimony is dependent upon the prior testimony of such experts and cannot be specifically predicted.

In expressing his opinions, Dr. Carter will rely on his own training, education, experience, research and publications, as well as the published medical and scientific literature that has been available to him over his career.

Dr. Carter may testify as to the general medical aspects of the diagnosis and treatment of asbestos-related disease and the pathological effect of asbestos on the lung. He may also testify as to the relationship of asbestos exposure and the incidences of cancer. Dr. Carter is expected to provide testimony in the following areas:

1. anatomy and function of the respiratory and circulatory systems and the diagnosis and treatment of disease affecting such systems;

2. the nature of asbestos and asbestosis;

3. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;

4. the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;

5. the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive disease or defects of the respiratory system;

6. methods of diagnosis of various diseases, particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;

7. incidence of lung cancer among individuals with asbestosis or asbestos exposure without asbestosis, compared with non-asbestotic asbestos workers, non-asbestos exposed workers, and with the general population;

8. the importance of any exhibit (including without limitation, corporate documents of Defendants) introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;

9. cigarette smoking and its effect on the lung and other organs;

10. the relative danger of this Defendant's asbestos-containing products;

11. the relationship of cigarette smoking to cancer of the lung and cancers of other sites with references to epidemiological studies and physiologic effect;

12. difference between impairment and disability;

13. effect of asbestosis, or asbestos exposure without asbestosis, on disability and life expectancy; effect of pleural plaques or other pleural manifestations of asbestos exposure on lung functions or life expectancy;

14. the lack of a relationship between presence of pleural plaques and a later development of any form of cancer;

15. cancer incidence in the general population and among asbestos workers and its potential causes;

16. the history of evolution and knowledge of asbestos-related diseases;

17. the fiber types and exposure levels considered to be substantial in causing asbestos-related disease, specifically mesothelioma.

Additionally, Dr. Carter may testify concerning the diagnosis of the Plaintiff. Dr. Carter may also testify as to his findings and diagnosis after examination and analysis of tissue, slides or other pathologic materials, medical records, reports, radiographs and Plaintiff's work history. He may give testimony concerning his review of any report purported to be diagnostic of any oncological conditions and the methods of and procedures for conducting fiber counts. He may give testimony regarding malignancies associated with asbestos exposure or cigarette abuse and other malignancies from which they must be differentiated, the appropriate protocols for diagnosis of those conditions, prognosis and information relating to the known causes of those malignancies. He may testify concerning the texts and other literature relevant to any malignancy purported to be asbestos-related and any other malignancy from which it must be distinguished, including data relevant to contentions of

increased risk of asbestos-related disease or cancer, prognosis, the relevant standards of care and considerations relating to medical monitoring. His testimony may include discussion of any relevant epidemiology, anatomy and physiology.

Dr. John E. Craighead
Department of Pathology
University of Vermont
Burlington, VT 05405
Dr. Craighead is a pathologist at the University of Vermont. He will testify generally about the evolution of asbestos disease; the pathology of asbestos-related diseases including those named as "Non-Routine"; the "state-of-the-art" of asbestos-related diseases; and will testify about other areas of pulmonary pathology including, but not limited to, emphysema, carcinomas and related matters.

Dr. Craighead will testify regarding the diagnosis and cause of Plaintiff's condition. He will discuss the differing physical, chemical and biological properties of various types of asbestos fibers, and will explain to the jury that chrysotile fibers are incapable of causing, or unlikely to have caused, Plaintiff's alleged condition. Dr. Craighead is expected to provide testimony in the following areas:

1. anatomy and function of the respiratory and circulatory systems and the diagnosis and treatment of disease affecting such systems;

2. the nature of asbestos and asbestosis;

3. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;

4. the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;

5. the effect of exposure to substances other than asbestos on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;

6. methods of diagnosis of various diseases, particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;

7. incidence of lung cancer among individuals with asbestosis or asbestos exposure without asbestosis, compared with non-asbestotic asbestos workers, non-asbestos exposed workers, and with the general population;

8. the import of any exhibit (including without limitation, corporate documents of Defendants) introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;

9. cigarette smoking and its effect on the lung and other organs;

10. the relative danger of these Defendants' asbestos-containing products;

11. the relationship of cigarette smoking to cancer of the lung and cancers of other sites with reference to epidemiological studies and physiologic effect;

12. difference between impairment and disability;

13. effect of asbestosis, or asbestos exposure without asbestos, on disability and life expectancy;

14. effect of pleural plaques or other pleural manifestations of asbestos exposure on lung function or life expectancy.

Dr. Richard Fraser
Montreal Chest Hospital Center
Department of Pathology
3650 St. Urbain
Montreal, Quebec
Canada H2X 2P4
Dr. Fraser is a pulmonary pathologist. He has written extensively on the pathology of chest diseases. He is expected to testify generally about pathologic concepts of disease, the etiology and course of disease processes both related to asbestos and non-asbestos causes. He will also testify case specifically on his analysis of tissue samples and medical records.

Dr. Bernard Gee
Yale University School of Medicine
333 Cedar Street
P. O. Box 3333
New Haven, CT 06510
Dr. Bernard Gee is a board certified pulmonologist who is expected to testify generally about the wide range of pulmonary diseases and specifically about occupational lung disease. Dr. Gee will testify regarding his vast research in pulmonology which has promulgated some 200 papers, abstracts and chapters in textbooks on pulmonary medicine.

Dr. S. Donald Greenberg
Professor of Pathology
Baylor College of Medicine
Houston, TX 77030

Dr. Greenberg is a professor of pathology at the Baylor College of Medicine in Houston, Texas. Included in his field of scientific interests are occupational lung diseases, and he has made over 250 presentations concerning pathology, and has authored or co-authored over 200 publications including those regarding asbestos-associated lung disease. His opinion holds that there may be alternative causation of malignant mesothelioma other than asbestos, and he is expected to testify accordingly.

Dr. Greenberg is a board certified pathologist who may give testimony regarding he pathological diagnosis of the medical condition of any Plaintiff and, in the case of a deceased Plaintiff, may give testimony on the medical condition which caused Plaintiff's death. He will further testify as to whether any given Plaintiff or Plaintiff's decedent had a condition or illness caused by asbestos exposure. He may also testify on the latency period related to various asbestos-related diseases and the carcinogenic properties of different types of asbestos fibers.

Dr. Michael Henderson
330 Rittiman Road
San Antonio, TX 78209-2861
Dr. Henderson is a board certified oncologist. He will testify to general concepts regarding carcinogenesis, specifically in relation to asbestos and its alleged association with different forms of cancer.

Dr. William G. Hughson
UCSD Center for Occupational & Environmental Medicine
3500 Fifth Avenue, #102
San Diego, CA 92103-5020
The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Hughson has not prepared a report in this case.

Dr. Hughson is board certified in pulmonology, internal medicine and occupational medicine. Dr. Hughson also is an epidemiologist. Dr. Hughson practices medicine at the University of California, San Diego.

Dr. Hughson is expected to testify about certain encapsulated products (where the asbestos fibers are thoroughly blended and mixed with the encapsulating binder which prevents a significant release of fibers) in that he has reviewed information and studies regarding exposure levels experienced with certain work practices used with encapsulated products, and is familiar with the literature concerning low level exposures.

Dr. Hughson is expected to testify, based upon his review of the literature and of evidence of exposure, that exposure to certain encapsulated products was not a substantial contributing factor to Plaintiff's alleged asbestos-related disease. Dr. Hughson is expected to testify that the literature does not support a causal relationship between exposure to certain encapsulated

products and the development of an asbestos-related disease. Dr. Hughson is expected to testify as to the ability of various types of fibers to cause disease and the properties of fibers that are believed to be necessary in order to cause disease.

Dr. Hughson is expected to testify generally about the pulmonary aspects of asbestos exposure, including matters such as dose response. Dr. Hughson is expected to testify about alleged occupational exposure and whether such exposure could be considered a substantial contributing factor to Plaintiff's alleged diseases.

Dr. Hughson is expected to testify about the principles of epidemiology and what is involved in an epidemiologic study. He is expected to testify that studies of particular groups or occupations of people are not necessarily applicable to other groups or occupations. Dr. Hughson is expected to testify as to the information necessary to determine the risks for a group of people or persons contracting an asbestos-related disease, and if it is scientifically possible to attribute a disease to a particular exposure. Dr. Hughson is expected to discuss epidemiological analysis of asbestos and how such analysis may be applied to the facts of a specific individual.

Dr. Gerald R. Kerby
Kansas University Medical Center
Pulmonary Division
Kansas City, KS 66103
Dr. Kerby is a pulmonogist at Kansas University Medical Center. He will testify regarding general pulmonary physiology and medicine, including lung cancer and mesothelioma. It is his opinion that, although asbestos may be found in the lung tissue, mesothelioma may not be caused by that asbestos.

Dr. Jerome Kleinerman
Department of Pathology
Cleveland Metropolitan General Hospital
3395 Scranton Road
Cleveland, OH 44109
Dr. Kleinerman will testify about pulmonary pathology including, but not limited to, asbestos disease, tumors related to cigarette smoking and other related matters.

Dr. Marvin Kuschner
Dean, Medical School
Health Sciences Center
SUNY, Stone Brook
Stony Brook, NY 11794
Dr. Kuschner is a pathologist. He will testify about the evolution of the pathology regarding asbestos, the evolution of the pathology regarding lung cancers, potential explanations for the development of cancer, and other questions. Dr. Kuschner may also testify about "state-of-the-art" matters as they relate to asbestos-associated diseases.

Dr. Brooke T. Mossman
Pathology Department
Medical Alumni Building
University of Vermont, Room A151
Burlington, VT 05405
Dr. Mossman is a Ph.D. who engages in research in Burlington, Vermont, where she is associated with the University of VermonT. She has performed substantial research into questions relating to the interaction between human lung tissue and asbestos. Specifically, she has performed in vitro studies on human lung tissue and asbestos both within and without the presence of cigarette carcinogens. She will testify about that research and her conclusions and operations related thereto.

Dr. Joseph J. Renn
Internal Medicine Associates, Inc.
99 J.D. Anderson Drive
Morgantown, WV 26003
Dr. Renn is a pulmonologist. In addition to case specific testimony where applicable, he will testify generally about medical matters related to the chest, asbestos-related diseases, diseases which are related to cigarette smoking, and other pulmonary problems which are often seen either independently or in association with any of the foregoing. Dr. Renn may also testify about the medical literature and its related matters.

Dr. Nathaniel F. Rodman
West Virginia University School of Medicine
Office of the Chairman
Department of Pathology, Room 2187
Morgantown, WV 26506
Dr. Rodman is a pathologist. He will testify about the evolution of asbestos disease, diseases related to cigarette smoking, and diseases which were seen often, but not necessarily, in relation to the foregoing.

Dr. Jonathan M. Samet
Pulmonary Division
Department of Medicine
University of New Mexico
Albuquerque, NM 87131
Dr. Samet is an internist and epidemiologist. He is expected to testify generally about the relationships between asbestos, cigarette smoking and lung cancer, and generally about the epidemiology of disease.

Dr. Peter W.J. Bartrip
Centre for Socio-Legal Studies
Wolfson College
Linton Road

Oxford OX2 6UD
United Kingdom
Dr. Bartrip has a Ph.D. in history. He is expected to testify generally about the development of the 1931 Asbestos Industry Regulations in the United Kingdom. He is expected to testify about the consultations among officials from the Factory Inspectorate, representatives of manufacturers and representatives of organized labor prior to the promulgation of the Regulations.

Kevin Browne, M.D.
Leicester House
North Creake
Norfolk, England
NR21 9JP
Dr. Browne is expected to testify regarding all facets of asbestos-related disease, including, without limitation, respiratory system functioning, physiology, state-of-the-art medical knowledge regarding asbestos-related disease, pathology, epidemiology and risk assessment.

Dr. Browne is an occupational medicine specialist with training in epidemiology. He is expected to testify concerning the physical aspects of asbestos and its relationship to human health; asbestos-related disease, diagnosis, treatment, prognosis and epidemiology; the etiology of cancer associated with asbestos exposure; the history of medical science concerning our knowledge and understanding of asbestos and asbestos-related disease; fiber types, dose/response and threshold levels needed to produce disease; and the relationship of asbestos exposure to other environmental and occupational factors and their comparative risks.

He is also expected to testify that the use of some asbestos-containing products does not create an asbestos health hazard and that any asbestos exposure from these products played no role in the genesis of Plaintiff's lung disease, if any.

Dr. Brown may testify about the defense mechanisms of the human lung, including but not limited to, how the lungs protect themselves from foreign substances such as asbestos fibers. Dr. Browne may also testify regarding the mechanisms of asbestos-related disease. In addition, he may testify about threshold levels of asbestos exposure below which there is no known risk of asbestos-related disease. Dr. Browne may opine about the information and conclusions to be drawn from human epidemiological, experimental animal and cellular studies concerning the ability of and circumstances under which asbestos fiber cause disease. Dr. Browne may also testify concerning the respirability and toxicity of different types of asbestos and their relationship, if any, to asbestosis, lung cancer, and mesothelioma.

Morton Corn, Ph.D.
Director, Division of Environmental Health Engineering
The Johns Hopkins University
Baltimore, MD 21205

Dr. Corn is expected to testify regarding the history and development of regulations and government documents concerning asbestos. He may testify about the dissemination and availability of information related to asbestos.

Dr. Corn is a Professor and the Division Director at the Johns Hopkins University, Department of Environmental Health Sciences, Division of Environmental Health Engineering and holds a Ph.D. in Industrial Hygiene and Sanitary Engineering from Harvard University. Dr. Corn will testify regarding exposure issues related to the handling of some asbestos-containing products as well as the relative risks, governmental regulations and feasibility of engineering controls. He may discuss and testify about levels of asbestos exposure experienced in various occupations and trades, fiber-emitting propensities of products, factors affecting levels of exposure, and industrial hygiene practices. Dr. Corn will also testify that the reasonably foreseeable use of some asbestos-containing electrical products does not create a health hazard. Dr. Corn may base his opinions regarding use of such asbestos-containing products on various fiber release studies performed at industrial hygiene laboratories.

Dr. Corn may also testify regarding the history of governmental regulation of asbestos and the rule-making process for such regulation.

John M.G. Davis, M.D.
Institute of Occupational Medicine Ltd.
8 Roxburgh Place
Edinburgh, Scotland
EH8 9SU
Dr. Davis is expected to testify concerning the development of knowledge of asbestos-related diseases as a result of in vitro and in vivo experimentation. Dr. Davis is expected to testify concerning fiber size, fiber clearance and other aspects of asbestos-related pathology. Dr. Davis is also expected to testify concerning the views of Dr. Brody.

Janet Hughes, Ph.D.
Tulane University Medical Center
Section of Environmental Medicine SL 15
1430 Tulane Avenue
New Orleans, LA 70112
Dr. Hughes is expected to testify regarding the epidemiological and statistical analyses performed by herself and by others with respect to asbestos-related diseases.

Edward B. Illgren, M.D.
Conwyn Apartments
830 Montgomery Avenue
Bryn Mawr, PA 19010
Dr. Illgren is expected to testify regarding all facets of asbestos-related disease, including, without limitation, respiratory system functioning, physiology, state-of-the-art medical

knowledge regarding asbestos-related disease, pathology, epidemiology and risk assessment. Dr. Illgren is expected to testify regarding risk assessment and epidemiological studies conducted by him and by others.

R.C. Austin
Faculty of Laws
University College London
Bentham House
Endsleigh Gardens
London WC1H OE6
England
Dr. Austin will testify about the procedures by which industrial regulations have been drafted and implemented in the United Kingdom. He will testify about the role of consultation among government, industry and labor in the creation of such regulations.

Richard J. Lee, Ph.D.
R.J. Lee Group, Inc.
350 Hochberg Road
Monroeville, PA 15146
Dr. Lee is expected to testify about the development of scientific knowledge and techniques regarding the measurement of levels of asbestos in the air and in lung tissue. Dr. Lee may comment upon techniques used by plaintiffs' experts to generate and analyze air, dust and lung tissue samples and conclusions drawn therefrom. Dr. Lee may also testify concerning the propensity of gasketing materials to release fibers and the specific fiber levels generated therefrom during normal use.

Arthur Langer, Ph.D.
Institute of Applied Sciences
Brooklyn College of the City University
New York, New York
The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Langer has not prepared a report in this case.

Dr. Langer is a mineralogist with a Ph.D. from Columbia University. Dr. Langer is a Professor of Mineralogy at City University, New York, New York, and Director of the Environmental Sciences Laboratory of the Institute of Applied Sciences, Brooklyn College of the City University of New York.

Dr. Langer is expected to identify and describe the various methods by which inorganic material, from aerosols, bulk samples, or tissue, may be analyzed chemically, crystollagraphically, and structurally.

Dr. Langer is expected to testify about the various types of asbestos fiber, the geographic

locations where the fibers can be found, the potential biologic activity of the various fibers in the human lung (including inorganic toxicity), the physical and chemical characteristics of the various asbestos fibers, and the identification and characterization of asbestos fibers.

Dr. Langer is expected to testify as to the types of inorganic minerals found in the lung tissue of persons with malignant mesothelioma and which are associated with the incidence of malignant mesothelioma in humans. Dr. Langer is expected to identify the types of fiber that have been shown to create an increased risk for malignant mesothelioma. Dr. Langer is expected to testify as to the physical and chemical characteristics of the fibers that have been shown to create an increased risk of malignant mesothelioma.

Dr. Langer is expected to testify as to the potential for certain finished asbestos-containing products to be contaminated with inorganic minerals and the amounts of the types of trace contaminants that may be found in the products. Dr. Langer is expected to offer testimony as to the amount of contaminants that are found in finished asbestos-containing products, if any, and the chemical, crystallographic, and structural composition of the contaminants. Dr. Langer is expected to testify as to the levels of airborne contaminants that can be generated from a finished product, if any.

Dr. Langer is expected to testify, based upon his review of the literature and of evidence of exposure, that exposure to certain encapsulated products did not result in a release of any contaminants sufficient to cause disease in persons such as plaintiff. Dr. Langer is expected to testify that his work, and the literature, do not establish that certain encapsulated products are contaminated with tremolite asbestos.

Dr. M. Joseph Fedoruk
Los Angeles, CA
The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Fedoruk has not as yet prepared a report in this case; if he does, a copy will be provided to Plaintiff.

Defendant is not aware of all of the areas of testimony or proof that Plaintiff intends to produce at trial and, therefore, Defendant cannot proffer all expected testimony until it has had the benefit of reviewing all of Plaintiff's experts' reports and opinions. To the extent that a witness expresses an opinion at trial or in discovery that has not been divulged prior to the time that this statement was served on counsel, and which creates a need for additional areas of rebuttal testimony or proof, Defendant reserves the right to supplement this statement.

Dr. Fedoruk is board certified in internal medicine and occupational medicine and is a certified industrial hygienist. Dr. Fedoruk practices in Los Angeles, California.

Dr. Fedoruk is expected to testify about the pulmonary aspects of asbestos exposure, including matters such as dose/response, pathogenicity, carcinogenicity, and the potential for

asbestos-related disease as a result of exposures to the different types of fibers. Dr. Fedoruk is expected to testify as to general medical issues and physiology.

Dr. Fedoruk is expected to testify about alleged occupational exposures and whether such exposure could be considered a substantial contributing factor to Plaintiff's alleged diseases.

Dr. Fedoruk is expected to testify about the principles of industrial hygiene and the factors that are important to industrial hygiene studies. He is expected to testify to the manner in which medical experts can use industrial hygiene data and how the data should be interpreted in specific cases. Dr. Fedoruk is expected to testify as to the manner in which industrial hygiene data should be properly considered in evaluating exposures.

Dr. Raymond Weiss
Rockville, Maryland
The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Weiss has not as yet prepared a report in this case; if he does, a copy will be provided to Plaintiff.

Defendant is not aware of all of the areas of testimony or proof that Plaintiff intends to produce at trial and, therefore, Defendant cannot proffer all expected testimony until it has had the benefit of reviewing all of Plaintiff's experts' reports and opinions. To the extent that a witness expresses an opinion at trial or in discovery that has not been divulged prior to the time that this statement was served on counsel, and which creates a need for additional areas of rebuttal testimony or proof, Defendant reserves the right to supplement this statement.

Dr. Weiss is board certified in internal medicine and oncology. Dr. Weiss practices in Rockville, Maryland.

Dr. Weiss is expected to testify about the alleged carcinogenic aspects of asbestos exposure, including matters such as dose/response, epidemiology, and the types of cancer that are medically accepted as causally associated with exposure to asbestos. Dr. Weiss is expected to testify as to general medical issues and carcinogenicity.

Mr. Charles Blake
Atlanta, Georgia
The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness.

Mr. Blake is a certified industrial hygienist. Mr. Blake is employed in Atlanta, Georgia.

Mr. Blake is expected to testify about alleged occupational exposures of Plaintiff and whether such exposure could be considered as creating a scientifically significant amount of

risk for the development of an asbestos-related disease.

Mr. Blake is expected to testify about the principles of industrial hygiene and the factors that are important to industrial hygiene studies. He is expected to testify as to the manner in which experts can use industrial hygiene data and how the data should be interpreted in specific cases. Mr. Blake is expected to testify as to the manner in which industrial hygiene data should be properly considered in evaluating exposures.

Mr. Blake will be provided with copies of the testing data of experts retained by counsel for Plaintiff and will be asked to comment on the methods used in the studies as well as the results of the studies, as compared to published studies and work performed by Mr. Blake in the past.

Dr. Robert Jones
Tulane University Medical Center
2430 Tulane Avenue
New Orleans, LA
Dr. Jones is a specialist in pulmonary medicine.

Dr. Jones is a pulmonologist who is currently a staff physician at Tulane Medical Center Hospital and a Professor of Medicine at Tulane University School of Medicine in New Orleans, Louisiana. Dr. Jones is expected to testify either live or by deposition concerning Plaintiff's medical condition, cigarette smoking and lung disease, and generally about the pulmonary system and its functions as well as conditions and diseases of the pulmonary system. Dr. Jones may also testify about asbestos and its effect on the pulmonary system, including the diagnosis and prognosis of asbestos-related markers and diseases, and the risks associated with developing cancers. Dr. Jones is also expected to testify about any matter raised by experts called by the Plaintiff or Co-Defendants including, but not limited to, Plaintiff's medical condition, the state of medical knowledge concerning asbestos, asbestos-related disease and other occupational diseases.

J. Leroy Balzer, Ph.D.
408 Horse Trail Court
Walnut Creek, CA 94595
Dr. Balzer has a B.S. Degree in Public Health Microbiology and M.S. Degree in Preventive Medicine/Public Health which were awarded by the University of California at Los Angeles in 1962 and 1963, respectively. Dr. Balzer earned the Doctor of Philosophy Degree in Environmental Health Science/Industrial Hygiene from the University of California at Berkeley in 1971. From 1963 to 1965, he was employed as an environmental health scientist at the University of California at Berkeley. From 1966 to 1971, Dr. Balzer was employed by the University of California School of Public Health as a research associate and research fellow. In 1966, he became involved in a coordinated research program of occupational medicine, industrial hygiene and education of insulation contractors. This intense study of

the construction industry was sponsored through grants from the United States Public Health Service and involved observing the work environment of insulators.

Dr. Balzer was a Certified Industrial Hygienist from 1973 until 1987 when he became an Assistant Vice Chancellor at the University of California Health Sciences Campus in San Francisco. He has lectured on occupational/environmental health issues in the United States and internationally. In 1993, Dr. Balzer became a full-time consulting industrial hygienist and was appointed an Assistant Clinical Professor, School of Medicine, University of California Health Sciences. Dr. Balzer is a member of the American Conference of Governmental Industrial Hygienists (Affiliate), American Industrial Hygiene Association and other professional organizations.

Dr. Balzer may also testify to any and all other matters, within his knowledge and expertise, which are relevant to this particular case.

Dr. Balzer is an environmental consultant. He may give testimony regarding the level of fiber release, if any, from gasket and packing products in the occupational setting. He may testify regarding threshold limit values and permissible exposure levels as promulgated by private organizations and governmental agencies. He may testify as to issues involving re-entrainment and fiber drift. He may testify as to work practices regarding various types of occupations using products that contained asbestos. He may testify as to the applicability of the OSHA and Environmental Protection Agency's guidelines as they relate to various types of products including gaskets and packings. He may testify as to exposure that may result from the use of other types of asbestos products.

Dr. Balzer has personal knowledge of relevant facts but is also an expert based upon his specialized knowledge, skills and training. Dr. Balzer may testify about the size, construction, layout and working environment of facilities such as where the Plaintiff worked. He may testify about the nature of the working environment in such locations. He may testify about his knowledge of the composition and asbestos content, if any, of the products and may testify concerning the ability of such products to emit asbestos fiber under certain conditions. He may testify generally as to the industrial hygiene state-of-the-art. He may testify to the dust levels produced by particular insulation operations and products, including pipe and block insulation. He may also address insulator union knowledge of asbestos hazards, the historical development of the use of respirators in association with the use of asbestos-containing products. He may testify about whether some products identified are capable of emitting respirable asbestos fibers of type or quantity which could have substantially contributed to the Plaintiff's alleged asbestos-related condition. He may testify about applicable governmental standards and regulations. His testimony will be based, in part, on the results of testing which he has performed or reviewed for products which are the same or substantially similar to those of which the Plaintiff complains. Dr. Balzer may testify as to the industrial hygiene state-of-the-art. He may also testify to the dust levels produced by particular insulation operations and products, including pipe and block

insulation. He may also address insulator union knowledge of asbestos hazards, the historical development of the use of respirators in association with the use of asbestos-containing materials. He may also testify as to any matter raised by experts called by Plaintiff or any Co-defendants. Dr. Balzer may testify regarding an individual's risks or exposure to asbestos from different media, including, but not limited to, ambient air, industrial products and occupational settings. Dr. Balzer may testify concerning: (1) circumstances in occupational settings that may result in direct exposure for persons having contact with asbestos-containing products or equipment with asbestos insulation, and (2) circumstances that may result in bystander exposure for those nearby or others having contact with asbestos-containing products or equipment with asbestos insulation. Balzer may testify about industrial hygiene principles and methodologies used to determine potential hazards due to asbestos exposure.

Dr. Robert Sawyer
149 Prospect Avenue
Guilford, CT 06437
Dr. Sawyer is an industrial hygienist who is expected to testify regarding fiber release from various products, threshold limit values, and dose values for disease.

Dr. Sawyer may further testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of any asbestos-related disease. He may also testify regarding the existence or non-existence of any asbestos-related disease in the Plaintiff, including but not limited to, pleural changes, asbestosis, lung cancer, mesothelioma laryngeal cancer, esophageal cancer and stomach cancer. He may also testify on whether any asbestos-related disease allegedly suffered by Plaintiff was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose/response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular Plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking. With respect to particular Plaintiffs, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in Plaintiff.

Dr. Sawyer's testimony will be based on his training, experience, education, and review of the medical literature concerning asbestos-related disease.

Mark Lehto, Ph.D.
Purdue University
Purdue, IN

Dr. Lehto will testify about the history of warnings and the proper content of product warnings.

Dr. James Rasmuson
Denver, CO
Dr. Rasmuson is an industrial hygienist who will testify about the history of industrial hygiene, threshold values, the measurement of atmospheric dust and particulate matter, and other related matters.

Dorsett Smith
Chest Diseases, Inc.
4310 Colby Avenue, #201
Everett, WA 98203
Dr. Smith will testify about the pathology of asbestos-related diseases, his research into asbestos-related diseases, the carcinogenicity of various fiber types, and the relationship, if any, between asbestos and various diseases. Dr. Smith will testify about the epidemiology of asbestos-related diseases, latency, state-of-the-art, and other related matters. Dr. Smith will testify about case specific testimony, where applicable. He will testify about the evolution of asbestos disease, cigarette-related diseases, and other respiratory or systemic conditions, specifically carcinomas, seen either independently or in connection with either of the foregoing. Dr. Smith will testify about the various fiber types of asbestos and, if necessary, about apportionment between product usage.

Robert Murray
Guilford Institute
Ward Street
Guildford GUI LH
England
Dr. Murray will testify about the development of knowledge concerning the health effects of asbestos and about practices with respect to asbestos and health in the United Kingdom. He will testify live or by deposition, consistent with his depositions *In Re: Asbestosis School Litigation*, U.S.D.C., Eastern District of Pennsylvania, No. 83-0268, November 19, 1990; or *Cimino, et al v. Raymark Industries, Inc., et al*, U.S.D.C., Eastern District of Texas, No. B-86-0456-CA, January 30, 1990; or *John L. May, Archbishop of St. Louis, et al v. AC&S, Inc., et al*, U.S.D.C., Eastern District of Missouri, 88-0386-C-5, July 16, 1992.

Otto Wong, Sc.D., F.A.C.E.
Applied Health Science, Inc.
181 Second Avenue, #628
San Mateo, CA 94401
Dr. Wong is a board certified epidemiologist and a fellow of the American College of Epidemiology. He is expected to testify regarding the history and development of scientific and medical knowledge about asbestos-related disease, the epidemiology of asbestos

diseases, and increased risk of cancer and life-shortening problems not related to asbestos exposure. He is also expected to testify as to the status of epidemiological studies regarding asbestos-related diseases.

Brooks Emory, M.D.
Jefferson Hospital
New Orleans, LA
Dr. Emory is expected to testify either live or by deposition concerning Plaintiff's medical condition, cigarette smoking and lung disease, and generally about the pulmonary system and its functions as well as conditions and diseases of the pulmonary system. Dr. Emory may also testify about asbestos and its effect on the pulmonary system, including the diagnosis and prognosis of asbestos-related markers and diseases, and the risks associated with developing cancers. Dr. Emory is also expected to testify about any matter raised by experts called by the Plaintiff and Co-defendants, including but not limited to, Plaintiff's medical condition, the state of medical knowledge concerning asbestos-related diseases and other occupational diseases.

Ben Branscomb, M.D.
Professor of Medicine
University of Alabama School of Medicine
Birmingham, Al
Dr. Branscomb is expected to testify either live or by deposition concerning Plaintiff's medical condition, cigarette smoking and lung disease, and generally about the pulmonary system and its functions as well as conditions and diseases of the pulmonary system. Dr. Branscomb may also testify about asbestos and its effect on the pulmonary system, including the diagnosis and prognosis of asbestos-related markers and diseases, and the risks associated with developing cancers. Dr. Branscomb is also expected to testify about any matter raised by experts called by the Plaintiff and Co-defendants, including but not limited to, Plaintiff's medical condition, the state of medical knowledge concerning asbestos, asbestos-related disease and other occupational diseases.

James E. Lockey, M.D., M.S.
Institute of Environmental Health
University of Cincinnati Medical Center
Clinical Studies Division
5251 Medical Science Building, M.L. 182
231 Bethesda Avenue
Cincinnati, OH 45267-0182
Dr. Lockey is a pulmonologist who is expected to testify either live or by deposition concerning Plaintiff's medical condition, cigarette smoking and lung disease, and generally about the pulmonary system and its functions as well as conditions and diseases, and the risks associated with developing cancers. Dr. Lockey is also expected to testify about any matter raised by experts called by the Plaintiff and Co-defendants, including but not limited

to, Plaintiff's medical condition, the state of medical knowledge concerning asbestos, asbestos-related disease and other occupational diseases. Dr. Lockey may also be expected to testify concerning the state of the available medical knowledge regarding asbestos-related disease at the relevant historical periods of time.

Harry B. Demopoulos, M.D.
N.Y.U. Medical Center
Department of Pathology
550 First Avenue
New York, NY 10016
Dr. Demopoulos is a professor of pathology at New York University and Medical Center. Dr. Demopoulos may be expected to testify live or by deposition concerning the state of the available medical knowledge regarding asbestos-related disease at the relevant historical periods of time. Dr. Demopoulos may also testify concerning current medical knowledge regarding Plaintiff's condition and asbestos-related disease.

James Cimino, M.D., M.P.H.
Professor and Chairman
Department of Community Preventive Medicine
New York College
50 Willard Avenue
North Tarryton, NY 10591
Dr. Cimino is presently professor and chairman of the Department of Community and Preventive Medicine, New York Medical College, Valhalla, New York. Dr. Cimino may be expected to testify live or by deposition concerning the state of the available medical knowledge regarding asbestos-related disease at the relevant historical periods of time. Dr. Cimino may also testify concerning current medical knowledge regarding Plaintiff's condition and asbestos-related disease.

Stephen M. Ayers, M.D.
Medical College of Virginia
Box 565, MCV Station
Richmond, VA 23298
Dr. Ayers may be expected to testify live or by deposition concerning the state of the available medical knowledge regarding asbestos-related disease at the relevant historical periods of time. Dr. Ayers may also testify concerning current medical knowledge regarding Plaintiff's condition and asbestos-related disease.

Dr. Ayers may testify on state-of-the-art and the Saranac papers, to the effect that Defendants could not have known end users were at risk until approximately the late 1960's. He may also testify as to any matter raised by experts called by Plaintiff or any Co-defendant.

John G. Weg, M.D.

Pulmonary & Critical Care Medicine Division
University Hospital
University of Michigan
Ann Arbor, MI
Dr. Weg will testify concerning the state of the available medical knowledge regarding asbestos-related disease at the relevant historical periods of time and the process by which medical knowledge evolved concerning exposure to asbestos-containing products. Dr. Weg will also testify as to issues of medical causation in certain cases.

Mr. Dohrman Byers
12060 Lawnview Avenue, #6
Cincinnati, OH
Mr. Byers' testimony may be presented by way of deposition taken on October 21, 1985, in *Brandt v. Owens-Illinois, Inc.*, Case No. 605-147, Milwaukee Circuit Court, Wisconsin. Mr. Byers testified as to the interpretation and application of the Threshold Limit Value by the U.S. Public Health Service.

H. Corwin Hinshaw, M.D.
Professor Emeritus, U.S. Medical Center
450 Sutter Street
San Francisco, CA
Dr. Hinshaw may testify live or by deposition concerning asbestos-related disease, cigarette smoking and lung disease, and generally about the pulmonary system and its functions as well as conditions and diseases of the pulmonary system. Dr. Hinshaw may also be expected to testify about asbestos and its effect on the pulmonary system, including the diagnosis and prognosis of asbestos-related markers an diseases, and the risks associated with developing cancers. Dr. Hinshaw may also testify about any matter raised by experts called by the Plaintiff or Co-defendant, including but not limited to, asbestos-related disease, the state of medical knowledge concerning asbestos, and occupational diseases. Dr. Hinshaw may further testify concerning the state of the available medical knowledge regarding asbestos-related disease at the relevant historical periods of time. Dr. Hinshaw may also testify concerning current medical knowledge regarding Plaintiff's medical condition.

Douglas Fowler, Ph.D.
643 Blair Island Road, Number 305
Redwood City, CA 94863
Dr. Fowler is an industrial hygienist who may testify live or by deposition concerning issues relating to Plaintiff's theories of "fiber drift," issues relating to the Threshold Limit Value, protective measures, Plaintiff's level of exposure to asbestos, and other industrial hygiene-related issues.

Dr. Pat Hessel
Alberta Asthma Center
P. O. Box 4033

Edmonton, Alberta
Canada T6E 6K2
Dr. Hessel may testify live or by deposition concerning the epidemiology of asbestos-related diseases among various populations.

Henry C. Field, M.D.
Virginia Beach, VA
Mr. Field may testify life or by deposition about the construction, overhaul and repair of ships. Based upon his training, background, experience and documents he has reviewed, he will testify as to when various asbestos-related products may have been used in ship construction or in overhaul and repair work. He will also testify regarding seamen's various job functions and any exposures in the course of those activities.

I. Allen Feingold, M.D.
South Miami Hospital
7400 Southwest 62nd Avenue
Miami, FL
Dr. Feingold is the Chief of the Division of Pulmonary Medicine at South Miami Hospital. He will testify as a state-of-the-art witness generally and with respect to asbestos-containing products. He may also testify concerning the physiological and radiological aspects of asbestos-related lung disease, including etiology, diagnosis, treatment, prognosis and epidemiology; the causes of lung cancer; the history of the medical science concerning our knowledge and understanding of asbestos and asbestos-related disease; fiber types, dose/response and threshold levels needed to produce disease; the relationship of asbestos exposure to other environmental factors and their comparative risks. Dr. Feingold will also testify that work with some asbestos-containing products does not result in dangerous asbestos fiber exposure and that any asbestos exposure from these products played no role in the genesis of Plaintiff's lung disease, if any.

In addition, Dr. Feingold is expected to testify about the various fiber release studies, performed at industrial hygiene laboratories, on the use of asbestos-containing products.

Dr. Feingold may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of an asbestos-related disease. He may also testify regarding the existence or non-existence of any asbestos-related disease in the Plaintiff, including but not limited to, pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer. He may also testify on whether any asbestos-related disease allegedly suffered by Plaintiff was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose/response relationship between exposure to asbestos and asbestos-related disease. He may also testify on increased risk of cancer issues and whether a particular Plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking.

Henry J. Silverman, M.D.
Dr. Henry J. Silverman may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of an asbestos-related disease.

He may also testify regarding the existence or non-existence of any asbestos-related disease in the Plaintiff, including but not limited to, pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer. He may also testify on whether any asbestos-related disease allegedly suffered by Plaintiff was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence of a dose/response relationship between exposure to asbestos and asbestos-related disease. He may also testify on the increased risk of cancer issues and whether a particular Plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking.

With respect to a particular Plaintiff, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in Plaintiff. Dr. Silverman's testimony will be based on his training, experience, education and review of the medical literature concerning asbestos-related disease.

Robert W. Morgan, M.D.
Dr. Morgan may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of any asbestos-related disease. He may also testify regarding the existence or non-existence of any asbestos-related disease in the Plaintiff, including but not limited to, pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer. He may also testify on whether any asbestos-related disease allegedly suffered by Plaintiff was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence on a dose/response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular Plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking. With respect to a particular Plaintiff, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in Plaintiff.

Dr. Morgan's testimony will be based on his training, experience, education, and review of the medical literature concerning asbestos-related disease.

Terrence Moisan, M.D.
Dr. Moisan may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of any asbestos-related disease. He may also testify regarding the existence or non-existence of any asbestos-related disease in the Plaintiff, including but not limited to, pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer. He may also testify on whether any asbestos-related disease allegedly suffered by Plaintiff was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence on a dose/response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular Plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking. With respect to a particular Plaintiff, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in Plaintiff.

Dr. Moisan's testimony will be based on his training, experience, education, and review of the medical literature concerning asbestos-related disease.

Stanley Fiel, M.D.
Dr. Fiel may testify, in general, concerning asbestos-related diseases and the effects of exposure to asbestos upon persons in occupational settings, including the epidemiology of asbestos-related diseases and the criteria for diagnosis of any asbestos-related disease. He may also testify regarding the existence or non-existence of any asbestos-related disease in the Plaintiff, including but not limited to, pleural changes, asbestosis, lung cancer, mesothelioma, laryngeal cancer, esophageal cancer and stomach cancer. He may also testify on whether any asbestos-related disease allegedly suffered by Plaintiff was medically or proximately caused by exposure to asbestos-containing gasket and packing products. He may also testify on the existence on a dose/response relationship between exposure to asbestos and asbestos-related disease.

He may also testify on increased risk of cancer issues and whether a particular Plaintiff has a reasonable fear of cancer due to exposure to asbestos. He may also testify on the health consequences of smoking. With respect to a particular Plaintiff, he may testify as to review and interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature and extent of any impairment or disability, whether the condition is progressive and whether other disease or conditions are present in Plaintiff.

Dr. Fiel's testimony will be based on his training, experience, education, and review of the medical literature concerning asbestos-related disease.

Michael Graham, M.D.
Dr. Michael Graham is a board certified pathologist who may give testimony regarding the pathological diagnosis of the medical condition of any Plaintiff and in the case of a deceased Plaintiff, may give testimony as to the cause of death. He will further testify as to whether any given Plaintiff or Plaintiff's decedent had a condition or illness caused by asbestos exposure. He may also testify on the latency period related to various asbestos-related diseases and the carcinogenic properties of different types of asbestos fibers.

John Fennessey, M.D.
Dr. John Fennessey is a practicing radiologist and a *B*-reader certified by NIOSH. His testimony will relate to his interpretation of chest films taken of the Plaintiff. It is anticipated by Dr. Fennessey will testify generally as to his interpretation of the Plaintiff's chest films, the presence of any asbestos-related condition as evidenced on the chest film, and the presence of other abnormalities or conditions unrelated to any exposure to asbestos.

Ronald G. Crystal, M.D.
Bruce Webster Professor of Internal Medicine
Cornell University Medical College
520 East 70th Street, Starr #505
New York, NY 10021
Dr. Crystal may testify regarding the different types of asbestos, asbestos-related health effects, the functioning of the respiratory system, lung defense mechanisms, and lung fiber burden. Dr. Crystal may also testify regarding risk assessment, state-of-the-art medical knowledge regarding asbestos, and other related medical and scientific subjects. Dr. Crystal may testify regarding levels of asbestos exposure below which no disease has been found. He may also quantify high levels of exposure and differentiate those from low levels of exposure, exposure in buildings, materials and ambient air. Dr. Crystal may comment regarding studies, epidemiological or animal data, articles or other materials relied upon by experts in the field. His testimony will be based upon his education, experience and the literature in his fields of expertise.

John Addison
25 Haddington Place
Edinburgh, Scotland EH7 4AF
John Addison is a mineralogist with particular expertise in asbestos mineralogy. Dr. Addison may express opinions specific to Plaintiff based upon actual analysis of tissue. He may also proffer case-specific opinions even if he has not conducted separate tissue content analysis and quantification. Dr. Addison may proffer opinions from the perspective of a mineralogist about the causation of any medical condition diagnosed by physicians in these matters. Dr. Addison may testify about the physical, chemical and aerodynamic aspects, as well as biological effects of all minerals pertinent to these matters, including asbestos. He may testify about the analytical methods utilized over time to identify and quantify mineral dusts and the role of various minerals in causing mesothelioma and that commercially available chrysotile probably does not cause or contribute to cancer.

Dr. Russell Harley
Musc-Pathology
Charleston, SC 29425
Dr. Harley is expected to provide testimony concerning the anatomic structure and functioning of the lung from a pathologic perspective, the defense mechanisms and functioning of the lung in health and otherwise, the responses of the lung to various stimuli, and the role of various components of the respiratory system in the proper functioning of the lung. Dr. Harley is expected to describe and distinguish various types of asbestos fibers; to describe the things which affect the ability of asbestos fibers to affect various structures within the respiratory system; and to describe the body's specific responses to fibers of asbestos that are inhaled, whether or not they are retained.

It is further believed That Dr. Harley will define and distinguish various conditions, such as asbestosis, pleural changes and other non-malignant changes that may be attributable in some persons to the results of long term inhalation and retention of some forms of asbestos fiber. Dr. Harley is further expected to be able to testify concerning the circumstances under which exposure to certain forms and types of asbestos may be associated with the incidence of some forms of mesothelioma in some persons, and will testify concerning the results of his own experiences, the medical and scientific literature and existing epidemiologic studies concerning associations that are alleged to exist epidemiologically between exposure to asbestos in some populations and the mortality and/or incidence of some forms of cancer.

Dr. Harley is further expected to offer testimony concerning the effects of inhaled tobacco smoke and other factors on the occurrence of disease in populations who are also alleged to be exposed to asbestos-containing products, and additionally concerning how the effects of inhaled tobacco smoke and other factors can confound the apparent results of certain epidemiologic studies.

Dr. Harley is also expected to testify that it cannot be said, to a reasonable degree of medical probability, that any hypothetical person's alleged "exposure" to products that may have contained asbestos was of importance to that individual, without reference to that specific person's individual work history, medical history, findings on physical examination and pathological examination of tissue, if any, information concerning the individual's use of protective equipment, specific types of asbestos-containing product(s) used and/or handled, resolution of questions regarding exposures to substances other than asbestos-containing products, and other known etiologies for whatever conditions are found to exist.

It is further expected that Dr. Harley's testimony will generally respond to the pathologic, scientific and epidemiologic testimony which may be offered by Plaintiff's experts, and in that sense his testimony is dependent upon the prior testimony of such experts and cannot be specifically predicted. In expressing his opinions, Dr. Harley will rely on his own training, education, experience, research and publications, as well as the published medical and scientific literature that has been available to him over his career.

Dr. Harley may testify as to the general medical aspects of the diagnosis and treatment of asbestos-related disease and the pathological effect of asbestos on the lung. He may also testify as to the relationship of asbestos exposure and the incidence of cancer.

Sheldon Rabinovitz
Sandler Occupational Associates
966 Hungerford Drive, #20
Rockville, MD 20852
The following statement of expected testimony has been prepared by counsel to comply with the expert witness disclosure requirements under Georgia law. The words and language used in this statement are the words and language of counsel who prepared the statement, and not of the witness. Dr. Rabinovitz has not prepared a report for this case.

Defendant is not aware of all of the areas of testimony or proof that Plaintiff intends to produce at trial and, therefore, Defendant cannot proffer all expected testimony until it has had the benefit of reviewing all of Plaintiff's expert's reports and opinions. To the extent that a witness expresses an opinion at trial or in discovery that has not been divulged prior to the time that this statement was served on counsel, and which creates a need for additional areas of rebuttal testimony or proof, Defendant reserves the right to supplement this statement.

Dr. Rabinovitz is a certified industrial hygienist and toxicologist. He is employed at SOMA, and is a past employee of EPA and NIOSH.

Dr. Rabinovitz is expected to testify about the principles of industrial hygiene and the factors that are important to industrial hygiene studies both currently and historically. He is expected to testify as to the manner in which experts can use current and historical industrial hygiene data and how the data should be interpreted in specific cases.

Dr. Rabinovitz has reviewed available documents, depositions and exhibits with respect to Armstrong World Industries, Inc., and is expected to testify as to the reasonableness of the industrial hygiene practices employed by AWI in the past to protect its workers. Dr. Rabinovitz is familiar with the historical state-of-the-art practices and the information available in the medical and scientific literature. Dr. Rabinovitz is expected to testify as to the reasonableness of the industrial hygiene practices employed by AWI in relation to the historical knowledge of the scientific and medical communities. Dr. Rabinovitz is expected to testify that in the past AWI acted reasonably in the manufacture and sale of its products.

Sidney Shindell, M.D., LLB
Medical College of Wisconsin
8701 Watertown Plank Road
Milwaukee, WI 53226
Dr. Shindell is a physician. He will testify generally about the evolution of asbestos disease; the pathology of asbestos-related diseases including those named as "No-Routine"; the

"state-of-the-art" of asbestos-related diseases; and will testify about other areas of pulmonary pathology including, but not limited to, emphysema, carcinomas and related matters.

Dr. Shindell will testify about his personal experience in the development of the history of asbestos-related medicine and the medical literature and his impressions of 1964 being a "watershed" as it relates to asbestos disease.

Dr. Shindell will testify regarding the differing physical, chemical and biological properties of various types of asbestos fibers, and will explain to the jury that chrysotile fibers are incapable of causing, or unlikely to have caused, Plaintiff's alleged condition.

Dr. Shindell may provide testimony in the following areas:

1. anatomy and function of the respiratory and circulatory systems and the diagnosis and treatment of disease affecting such systems.

2. the nature of asbestos and asbestosis;

3. the symptomatology, disease process and diagnosis of asbestosis and cancer associated with the respiratory system, peritoneum and peritoneal cavity;

4. the nature and extent of medical and scientific knowledge regarding any association of obstructive pulmonary disease with asbestos fiber exposure;

5. the effect of exposure to substances other than asbestos, such as tobacco, on the development and manifestation of obstructive and restrictive conditions and diseases of the respiratory system and other causes of obstructive and restrictive disease or defects of the respiratory system;

6. methods of diagnosis of various diseases, particularly means of establishing the differential diagnosis of alleged asbestos-related diseases with other non-asbestos-related diseases;

7. incidence of lung cancer among individuals with asbestosis or asbestos exposure without asbestosis, compared with non-asbestotic asbestos workers, non-asbestos exposed workers, and with the general population;

8. the import of any exhibit (including without limitation, corporate documents of Defendants) introduced as evidence, or any items prepared for use or used for demonstrative purposes by any witness;

9. cigarette smoking and its effect on the lungs and other organs;

10. the relative danger of these Defendants' asbestos-containing products;

11. the relationship of cigarette smoking to cancer of the lung and cancers of other sites with reference to epidemiological studies and physiologic effect;

12. difference between impairment and disability;

13. effect of asbestos, or asbestos exposure without asbestos, on disability and life expectancy;

14. effect of pleural plaques or other pleural manifestations of asbestos exposure on lung function or life expectancy;

15. the relative carcinogenicity of chrysotile asbestos relative to the other forms of asbestos.

Dr. Shindell is expected to testify as to the ability of various types of fibers to cause disease and the properties of fibers that are believed to be necessary in order to cause disease. He is expected to testify that chrysotile asbestos fibers are not expected to produce an increased risk to mesothelioma.

Dr. Shindell is expected to testify about certain encapsulated products (where the asbestos fibers are thoroughly blended and mixed with the encapsulating binder which prevents a significant release of fibers) in that he has reviewed information and studies regarding exposure levels experienced with certain work practices used with encapsulated products, and is familiar with the literature concerning low level exposures.

Dr. Shindell is expected to testify, based upon his review of the literature and of evidence of exposure, that exposure to certain encapsulated products was not a substantial contributing factor to Plaintiff's alleged asbestos-related disease. Dr. Shindell is expected to testify that the literature does not support a causal relationship between exposure to certain encapsulated products and the development of an asbestos-related disease.

Dr. Shindell is expected to testify generally about the pulmonary aspects of asbestos exposure, including matters such as dose/response. Dr. Shindell is expected to testify about alleged occupational exposure and whether such exposure could be considered a substantial contributing factor to Plaintiff's alleged diseases.

Dr. Shindell is expected to testify that as exposures to asbestos have diminished since the inception of the OSHA standards, the extent and number of cases of asbestosis have been and are expected to continue to diminish.

Dr. Shindell is expected to testify about the principles of epidemiology and what is involved in an epidemiologic study. He is expected to testify that studies of particular groups or occupations of people are not necessarily applicable to other groups or occupations.

Dr. Shindell is expected to testify as to the information necessary to determine the risks for a group of people or persons contracting an asbestos-related disease, and if it is scientifically possible to attribute a disease to a particular exposure. Dr. Shindell is expected to discuss epidemiological analysis of asbestos and how such analysis may be applicable to the facts of a specific individual.

Dr. Shindell is expected to testify that cigarette smoking is the chief cause of lung cancer, that almost all of the lung cancers in America occur in present or ex-smokers, and that one cannot develop lung cancer related to asbestos exposure unless there is underlying asbestosis.

Dr. Shindell is expected to testify that the earlier exposures to asbestos are, if sufficient, the principal cause of the disease and not later exposures.

Dr. Shindell is expected to testify that in at least 33% of mesotheliomas, asbestos exposure cannot be found.

James Bachman
Los Angeles, CA
Mr. Bachman may testify regarding industrial hygiene and state-of-the-art issues.

The above-designated witnesses may also give testimony about the historical "state-of-the-art," the development of medical knowledge about asbestos, and presence or absence of medical consequences related to low dose exposure to asbestos emanating from asbestos-containing products. They may offer general testimony relating to the development of asbestos-related diseases, cigarette smoking, cancer of various organs, pneumonia, chronic obstructive lung disease, the pathology of cigarettes and asbestos, the pathogenesis of cigarette-related diseases, and the pathogenesis of asbestos-related diseases. These witnesses may also testify generally about specific abnormalities that might be in the Plaintiff's medical. These witnesses may also testify about the presence or absence of health disease or health risks associated with exposure to low levels of asbestos emanating from asbestos-containing products. They may also testify specifically about diseases, such as chronic obstructive pulmonary disease, even though in some cases they may not have seen Plaintiff or reviewed medical records of the Plaintiff.

EXPERT TESTIMONY DESIGNATED BY DEPOSITION

Without limiting the above designations, Defendant also designates the following expert testimony by way of deposition:

1. Dr. Corwin Hinshaw, December 18 and 19, 1990, videotape deposition; U.S. District Court for the Southern District of Mississippi; *Lelos Wedgeworth v. Armstrong Cork, et al*, Civil Action No. J78-002(N) and other cases consolidated therewith.

2. Dr. Alton Ochsner, September 11 and 12, 1980, deposition; U.S. District Court for the Southern District of Mississippi, Southern Division; *L.T. Chapin, et al v. AC&S*, Civil Action No. 579-0272.

3. Dr. Forde A. McIver, February 26, 1980, videotape deposition; U.S. District Court, District of South Carolina, Charleston Division; *In Re: Asbestosis.*

4. Dr. Nicholas Sargent, August 1, 1986, videotape deposition; Pasadena, California.

5. Dr. James Pearle, July 31, 1986, videotape deposition; Anaheim, California

6. Willis Hazard, February 112, 1981, deposition; Toledo, Ohio.

7. Deposition of Forde A. McIver, M.D., dated September 15, 1978 (Vols. I and II); *Lollie Hendrix, Widow of Eugene Hendrix, and as Administratrix of the State of Eugene Hendrix, Deceased v. Combustion Engineering, Inc., et al*; United States District Court for the Southern District of Georgia, Augusta Division; Civil Action No. CV 177-167.

8. Deposition of Henry C. Barron, Jr., dated October 15, 1980; *Ralph G. Watson, et al v. The Celotex Corporation, et al*; United States District Court for the Southern District of Georgia, Augusta Division; Civil Action No. CV179-240.

9. Deposition of Henry C. Barron, Jr., dated October 16, 1980; *Ralph G. Watson, et al v. The Celotex Corporation, et al*; United States District Court for the Southern District of Georgia, Augusta Division; Civil Action No. CV179-240.

10. Deposition of Henry C. Barron, Jr., dated December 11, 1980; *Ralph G. Watson, et al v. The Celotex Corporation, et al*; United States District Court for the Southern District of Georgia, Augusta Division; Civil Action No. CV179-240.

11. Deposition of H. Clarence Barron, Jr., dated September 15, 1981; *In Re: Asbestosis Cases*; United States District Court for the Southern District of Georgia, Savannah Division; Civil Action Nos. CV479-267, CV479-312, CV479-326, CV479-332, CV480-97, CV479-287, CV479-313, CV479-327 and CV479-334.

12. Deposition of Andrew T. Haas, dated August 22, 1980; *In Re: Asbestos Cases*; United States District Court for the Northern District of Georgia, Atlanta Division; Civil Action Nos. CV79-1385A, CV77-633-A, CV77-111-

A, CV77-632-A and CV79-2036-A; *In Re: Asbestos Cases*; United States District Court for the Southern District of Georgia, Augusta Division; Civil Action No. CV176-166; and *In Re: Asbestos Cases*; United States District Court for the Southern District of Georgia, Savannah Division.

13. Deposition of Roy J. Steinfurther, dated August 12, 1980 (two volumes); *In Re: Asbestos Cases*; United States District Court for the Southern District of Georgia, Augusta Division; Civil Action No. CV176-166; United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action Nos. CV79-1385-A, CV77-633-A, CV77-111-A, CV77-632-A, CV79-2036-A, and United States District Court for the Southern District of Georgia, Savannah Division.

14. Trial testimony of August Pocius; *Carol Louise Tuten v. Johns-Manville Sales Corporation, et al*; Circuit Court of the Fourth Judicial Circuit, in and for Duval County, Florida; Case No. 77-13991-CA, Division K.

15. Trial testimony of Dr. Edward A. Gaensler; *John Daniel Davis v. Armstrong World Industries, et al*; Circuit Court of Monongalia County, West Virginia; Civil Action No. 86-C-763.

16. Trial testimony of Dr. W.K.C. Morgan; *John Daniel Davis v. Armstrong World Industries, et al*; Circuit Court of Monongalia County, West Virginia; Civil Action No. 86-C-763.

17. Trial testimony of Dr. Andrew Churg; *In Re: Baltimore City Personal Injury and Wrongful Death Asbestos Cases*; Circuit Court for Baltimore City, Consolidated File No. 89236704.

Jack E. Peterson, P.E.
Peterson Associates
2830 Via Viejas Oeste
Alpine, CA 91901
619-445-9668
Mr. Peterson will testify in the field of industrial hygiene and the state of knowledge as it existed from time to time relating to the health effects of asbestos exposure.

Dr. Elliott Henkes
301 North Prairie, #311
Englewood, CA 90301
310-674-0050
Dr. Henkes will testify in the field of pulmonary medicine and oncology and the state of knowledge as it existed from time to time relating to the health effects of asbestos exposure.

Dr. Robert Shephard
University of Texas Medical Branch at Tyler
11937 U.S. Highway 271
Tyler, TX
903-877-7100
Dr. Shephard is a "*B*" reader and may testify regarding the radiographs of the Plaintiffs. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiff's experts' claims and related topics.

Dr. Phillip T. Cagle
Baylor College of Medicine, Department of Pathology
One Baylor Plaza
Houston, TX 77030
713-798-4661
Dr. Cagle is a board-certified pathologist. If called to testify, either live or by deposition, Dr. Cagle may testify as to all matters pertaining to his review of Plaintiff's medical records, pathology materials, x-rays and reports and supplemental reports of Plaintiffs' experts; any communications with Plaintiff or Plaintiff's family members; the diagnostic criteria used to diagnose asbestos-related diseases; his opinions as to whether Plaintiff suffers from asbestos-related disease and the basis of such opinions.

Dr. John E. Craighead
Chairman
Department of Pathology
A249 Given Medical Building
University of Vermont College of Medicine
Burlington, VT 05401
802-425-3480
Dr. Craighead may testify regarding general and asbestos-related pulmonary pathology and epidemiology relevant thereto; cancer issues, including risk of cancer, carcinogenicity of worksites and environmental chemicals and substances and epidemiology; his examination of Plaintiff's medical records and pathology materials; the medical condition of Plaintiff and the relationship, if any, of such condition to Plaintiff's exposure, if any, to asbestos.

Dr. Patrick Connelly
2727 West Holcomb
Houston, TX 77024
713-442-0000
Dr. Connelly is a "*B*" reader and may testify regarding the radiographs of the Plaintiff. Further, he may also offer opinions and/or rebuttal testimony as necessary to Plaintiff's experts' claims and related topics.

Dr. James Crapo
4650 South 4th Street

Englewood, CO 80110
303-221-6695
Dr. Crapo may testify as to all matters pertaining to his examination of Plaintiff and/or review of Plaintiff's medical records, x-rays and reports and supplemental reports of Plaintiff's experts; any communications with Plaintiff or Plaintiff's family members; the diagnostic criteria used to diagnose asbestos-related diseases; his opinions as to whether Plaintiff suffers from asbestos-related disease and the basis of such opinions.

Dr. Scott G. Donaldson
North Texas Pulmonary Associates
375 Municipal Drive, #140
Richardson, TX 75080
972-680-0666
Dr. Donaldson is a specialist in the area of respiratory diseases. Dr. Donaldson may testify as to all matters pertaining to his examination of Plaintiff and/or review of Plaintiff's medical records, x-rays, reports and supplemental reports of Plaintiff's experts; any communications with Plaintiff or Plaintiff's family members; the diagnostic criteria used to diagnose asbestos-related diseases; his opinions as to whether Plaintiff suffers from asbestos-related disease and the basis of such opinions.

Gregory H. Foster, M.D., P.C.C.F.
North Texas Pulmonary Associates
375 Municipal Drive, #214
Richardson, TX 75080
972-680-0666
Dr. Foster is a specialist in the area of respiratory diseases. Dr. Foster may testify as to all matters pertaining to his examination of Plaintiff and/or review of Plaintiff's medical records, x-rays, reports and supplemental reports of Plaintiff's experts; any communications with Plaintiff or Plaintiff's family members; the diagnostic criteria used to diagnose asbestos-related diseases; his opinions as to whether Plaintiff suffers from asbestos-related disease and the basis of such opinions.

Michael A. Graham. M.D.
Division of Forensic and Environmental Pathology
St. Louis University School of Medicine
1402 Grand Avenue Boulevard
St. Louis, MO 63104
314-577-8298
Dr. Graham is a pulmonary pathologist. Based on his review of medical records, including pathology materials, x-rays, reports and supplemental reports of Plaintiff's experts, he may testify about the medical conditions of Plaintiff and the causes of such conditions.

Dr. H. Corwin Hinshaw
Emeritus Professor of Medicine (Retired)

University of California School of Medicine
P. O. Box 546
Belvedere, CA 94920
415-435-9512
Testimony will be by deposition given in "*In Re: Related Asbestos Cases*", No. C-83-6251-RFP in the United States District Court for the Northern District of California; "*In Re: Related Shipyard and Applicator Cases: Alameda County Asbestos Litigation*", in the Superior Court of the State of California in and for the County of Alameda; Misc. No. 959, "*In Re: Shipyard and Applicator Cases*" (Clapper & Brayton) Consolidated for Discovery, in the Superior Court of the State of California in and for the County of Solano; and "*In Re: San Francisco Asbestos Complex Litigation*", in the Superior Court of the State of California in and for the City and County of San Francisco. "*Jimmy L. Vaughan v. Johns-Manville, et al*", No. CA3-81-0070-F. Dr. Hinshaw will testify regarding historical review and state of the art of pulmonary medicine and asbestos-related conditions, general and asbestos-related pulmonary medicine and epidemiology relevant thereto.

Venessa Holland, M.D., MPH, P.A.
Environmental Pulmonary Consultants
7515 South Main, #670
Houston, TX 77030
713-799-2224
Dr. Holland is a specialist in the area of respiratory diseases. Dr. Holland may testify as to all matters pertaining to her examination of Plaintiff and/or review of Plaintiff's medical records, x-rays, reports and supplemental reports of Plaintiff's experts; any communications with Plaintiff or Plaintiff's family members; the diagnostic criteria used to diagnose asbestos-related diseases; her opinions as to the existence of asbestos-related disease and the basis of such opinions.

Gail D. Stockman, M.D., Ph.D.
Longview Pulmonary Consultants
703 East Marshall, #4002
Longview, TX 75601
903-753-0787
Dr. Stockman is a specialist in the area of respiratory diseases. Dr. Stockman may testify as to all matters pertaining to her examination of Plaintiff and/or review of Plaintiff's medical records, x-rays, reports and supplemental reports of Plaintiff's experts; any communications with Plaintiff or Plaintiff's family members; the diagnostic criteria used to diagnose asbestos-related diseases; her opinions as to whether Plaintiff suffers from asbestos-related disease and the basis of such opinions.

Dr. Hans Weill
Board Certified Pulmonary Specialist
Tulane Medical School
1700 Perdido Street

New Orleans, LA
504-588-5838
Dr. Weill may testify live or by deposition regarding the anatomy and function of the respiratory and circulatory systems; the symptomatology, disease process and diagnosis of asbestosis and cancer of the respiratory system, peritoneum and peritoneal cavity; the nature and extent of medical and scientific knowledge regarding any association of pulmonary disease with asbestos fibers and the effect of exposure to substances other than asbestos in the development and manifestation of diseases of the respiratory system.

Dr. R. Keith Wilson
Respiratory Consultants of Houston
6535 Fannin, Mail Station F-907
Fondren Building, #966
Houston, TX 77030
713-790-6250
and/or
2753 South Utica
Tulsa, OK 74114
918-579-5270
Dr. Wilson is a specialist in the area of respiratory diseases. Dr. Wilson may testify as to all matters pertaining to his examination of Plaintiff and/or review of Plaintiff's medical records, x-rays, reports and supplemental reports of Plaintiff's experts; any communications with Plaintiff or Plaintiff's family members; the diagnostic criteria used to diagnose asbestos-related diseases; his opinions as to whether Plaintiff suffers from an asbestos-related disease and the basis of such opinions.

Defendant may call as expert witnesses any and all physicians who have examined Plaintiff or have reviewed medical records of Plaintiff and who have been designated by any Co-defendant as expert witnesses in this case, including, but not limited to, the following:

Dr. Robert Hebler
Baylor Medical Center
3535 Worth, Sammons #720
Dallas, TX 75246

Dr. Robert G. Mennel
Baylor Medical Center
3535 Worth
Dallas, TX 75246

Dr. Carl Noe
Baylor Medical Center
3600 Gaston - Wadley, #360
Dallas, TX 75246

Dr. Mai
Baylor Medical Center
3600 Gaston
Dallas, TX 75246

Dr. Oscar Auerbach, Deceased, by deposition
Dr. Auerbach will not testify in person. Dr. Auerbach testifies generally about pathology, asbestos-related diseases, diseases related to cigarette smoking, and other matters of pulmonary pathology. Dr. Auerbach testifies regarding the "state-of-the-art" of cigarette smoking and its relationship to disease as well as other areas of pulmonary pathology.

3. the general substance of the expert's mental impressions and opinions, a brief summary of the basis for such opinions or if the expert is not retained by you or otherwise subject to your control, all documents reflecting the experts' impressions, opinions and the basis therefor;

RESPONSE:

The response to this request for disclosure will be supplemented once Plaintiffs have designated her expert witnesses, and provided a report from each expert, or presented each expert for deposition, as is allowed by Rule 195 of the Texas Rules of Civil Procedure.

4. For each expert employed or otherwise controlled by you, produce:

(A) all documents, tangible things, reports, models, or data compilations provided to, reviewed by, or prepared by or for each expert in anticipation of such expert's testimony; and

(B) each expert's resume and bibliography.

RESPONSE:

The response to this request for disclosure will be supplemented once Plaintiffs have designated her expert witnesses, and provided a report from each expert, or presented each expert for deposition, as is allowed by Rule 195 of the Texas Rules of Civil Procedure.

Defendant reserves by designation the right and privilege to call to testify the experts which have been designated by Plaintiffs, but without necessarily adopting or endorsing any of their opinions, and without waiving Defendant's right to challenge Plaintiff's experts on any issues, including without limitation qualifications, conclusions and opinions. Further, Defendant reserves the right to cross-examine Plaintiff's expert witnesses and reserve the right to use Plaintiff's experts' documents

in the cross-examination of Plaintiff's experts and direct examination of experts. Defendant cross-designates those experts designated by Plaintiffs, however, nothing in this cross-designation implies or requires that this Defendant has in any way adopted the testimony of Plaintiff's experts.

Defendant reserves the right to supplement these responses to requests for disclosure, after such time as Plaintiff has provided reports from such experts or has presented such experts for deposition.

Defendant designates as expert witnesses any expert designated by any other Defendant in this case.

(g) Any discoverable indemnity and insuring agreements;

RESPONSE: None.

(h) The existence, contents and a copy of any settlement agreement in this case;

RESPONSE: None in Defendant's possession.

(i) A copy of any witness statements;

RESPONSE: None in Defendant's possession.

(j) All medical records and medical bills reasonably related to the injuries or damages asserted or, in the alternative, provide the name, address and telephone number of each health care provider and execute the enclosed authorization and return it to the undersigned.

RESPONSE: Defendant does not have any medical records or bills in its possession.

(k) all medical records and bills obtained by the responding party by virtue of an authorization furnished by the requesting party.

RESPONSE: None in Defendant's possession.

Respectfully submitted,

WERNER & KERRIGAN, L.L.P.

By: _____

Philip Werner
State Bar No. 21190200
1300 Post Oak Boulevard, #2225
Houston, Texas 77056
Telephone: (713) 626-2233
Facsimile: (713) 626-9708
ATTORNEYS FOR DEFENDANT,
SUNOCO, INC. (R&M)

CERTIFICATE OF SERVICE

Pursuant to Rule 21a of the Texas Rules of Civil Procedure, I hereby certify that a true and correct copy of the foregoing has been served upon all counsel of record, by telecopy, hand delivery and/or certified mail, return receipt requested, on this the 13th day of January, 2000.

_____
Philip Werner