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the question how to use asbestos safely. There's three questions. What is asbestos like? Why is it a problem to worry about the health effects, and how it can be used safely.

Q. Those are the three questions he answered in his article?

A. Right.

Q. Is that article published?

A. I believe it is. Yes, it was a copy of an article that had been published.

Q. You can get me a copy of that article?

A. I believe so, yes.

MR. GIANARIS: I make a request of that as well.

MS. ROSENBERG: It's in Union Carbide's exhibit list.

REQUEST NOTED:

MR. GIANARIS: Let's take a break.

THE VIDEO OPERATOR: Going off the record 12:23 p.m., end of tape number 2.

(Whereupon a lunch recess was taken from 12:23 p.m. to 1:11 p.m.)

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THE VIDEO OPERATOR: We are returning to the record at 1:11 p.m., videotape number 3.

MS. ROSENBERG: I want to note for the record we also have Plaintiff's Interrogatory Answers from the 414 Trial settings. First of all, that he has also seen. I know you have them. I just want to make sure they're here today. There they are. I know the documents you already have, but there they are.

MR. GIANARIS: Those are my Plaintiff's Answers?

MS. ROSENBERG: Yes, I believe so. I'm sure you have copies of those.

MR. GIANARIS: Don't count on that. They came from my office, but I don't know we actually have them.

Let respond to that. There has been no disclosure that this witness will give any case specific testimony. So, I'm at a loss what my Plaintiff's Interrogatories can be relevant to why he would care.

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I guess I'll ask when we start back up. Are you telling me he's going to give plaintiff specific testimony?

MS. ROSENBERG: I'm merely showing you, since you asked, what he has seen. I want you to be aware that he saw the Plaintiff's Interrogatory Responses.

MR. GIANARIS: It doesn't matter to me unless he's going to give plaintiff specific testimony.

MS. ROSENBERG: You can ask him. He does not have plaintiff specific testimony except insofar as any of his exhibits, if they connect up in any way with these plaintiffs.

MR. KAY: That's plaintiff specific testimony. You said he is going to draw a connection between these exhibits and this. That's plaintiff's specific testimony.

MS. ROSENBERG: You're free to ask him what he looked at.

MR. KAY: You have to disclose what he's going to testify about in

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advance. You're now saying that he's going to give plaintiff specific testimony connecting with these documents that we have not seen before to these plaintiffs. Let the judge decide whether it misconstrued.

MS. ROSENBERG: That's absolutely fine. He has seen these. You can ask him about them. He has looked at them.

MR. KAY: If we did this to you, do you know what kind of hell you would raise if we gave you these documents?

MS. ROSENBERG: These are your Plaintiff Interrogatories.

MR. KAY: But you have to disclose what this witness is going to testify to in advance of the deposition.

What you are doing now in the middle of a deposition is suggesting that he may be connecting some of these documents that we have seen for the first time today to specific plaintiffs. That's plaintiff specific testimony.

MS. ROSENBERG: You're completely misconstruing what I said. And I really