

CAUSE NO. 12902*BH00

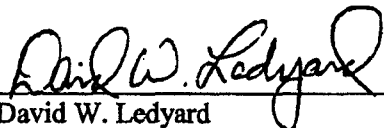
ODIS BRYANT WITHERS, ET UX	§	IN THE DISTRICT COURT OF
	§	
VS.	§	BRAZORIA COUNTY, TEXAS
	§	
GAF CORPORATION, ET AL	§	23 RD JUDICIAL DISTRICT

**CHEVRON U.S.A. INC.'S OBJECTIONS AND RESPONSES TO PLAINTIFF'S
FIRST SET OF INTERROGATORIES, REQUEST FOR PRODUCTION
AND REQUEST FOR ADMISSIONS**

TO: Plaintiff, ODIS WITHERS, by and through his attorney of Record, Mr. William K. Tapscott, Jr., BARON & BUDD, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75213

COMES NOW, CHEVRON U.S.A. INC., one of the Defendants in the above styled cause, and makes and files its Objections and Responses to Plaintiff's First Set of Interrogatories, Request for Admissions and Request for Production propounded to CHEVRON U.S.A. INC.

Respectfully submitted,

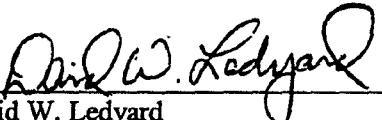


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ATTORNEYS FOR DEFENDANT,
CHEVRON U.S.A. INC.

CERTIFICATE OF SERVICE

This will verify that a true and correct copy of CHEVRON U.S.A. INC.'S Objections and Response to Plaintiff's First Set of Interrogatories, Request for Admissions and Request For Production has been furnished to counsel for plaintiff, by certified mail, return receipt requested, and to all other known counsel of record by regular U.S. Mail, on this 31st day of January, 2001.



David W. Ledyard

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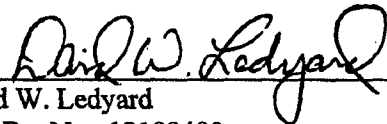
NOTICE OF FILING

This is to certify that on January 31, 2001, Defendant served the following to Plaintiff:

CHEVRON U.S.A., INC.'S RESPONSE TO PLAINTIFFS' REQUESTS FOR PRODUCTION, REQUESTS FOR ADMISSIONS AND INTERROGATORIES.

Respectfully submitted,

STRONG, PIPKIN, NELSON,
BISSELL & LEDYARD, L.L.P.

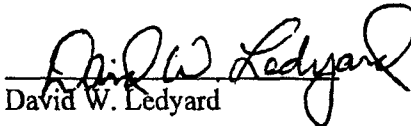


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ATTORNEYS FOR DEFENDANT,
CHEVRON U.S.A., INC.

CERTIFICATE OF SERVICE

This will verify that a true and correct copy of Chevron U.S.A., Inc.'s Notice of Filing has been furnished to counsel for plaintiff by certified mail, return receipt requested, and to all other known counsel of record by regular U.S. Mail, on this 31st day of January, 2001.


David W. Ledyard

A. OBJECTIONS TO PLAINTIFF'S DEFINITIONS

1. Defendant objects to Plaintiff's definition of the terms "Defendant", "you", "your", and "your company". To the extent the terms can be read to refer to Defendant's attorneys, any interrogatory, request for admissions or request for production utilizing any of these terms necessarily invades the work product privilege in violation of Rule 192.5 of the Texas Rules of Civil Procedure and Rule 503 of the Texas Rules of Evidence. To the extent the terms are defined to include predecessors, divisions, subsidiaries, foreign subsidiaries, foreign subsidiaries of predecessors, and/or affiliates, as well as present and former officers, directors, agents, employees and other persons acting or purporting to act on behalf of the corporate defendant, any interrogatory, request for admission or request for production utilizing these terms is so overly broad, and over burdensome as to make any request or interrogatory utilizing the term virtually impossible to answer. Further, to the extent the definition is defined to include any merged, consolidated, or acquired predecessors, divisions, subsidiaries, foreign subsidiaries, foreign subsidiaries of predecessors, and/or affiliates, any interrogatory, request for admission or request for production utilizing any of these terms is necessarily overly broad, over burdensome, and calls for material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to Plaintiff's apparent attempt to place upon Defendant the burden to seek information from former officers, directors, agents and employees over whom Defendant no longer has dominion or control. Any interrogatory, request for admission or request for production utilizing any of these terms is a "fishing expedition" in violation of Texas law as concerns discovery.
2. Defendant objects to Plaintiff's definition of the terms "document", "documents", "written materials", or "printed matter" as the definition of those terms renders any interrogatory, request for admission or request for production utilizing any of these terms overly broad, over burdensome, harassing, and reduces any such interrogatory, request for admission or request for production to a "fishing expedition" in violation of Texas law concerning discovery. Defendant further objects to the definition of these terms as calling for the production of material or information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to the definition of these terms to the extent it purports to include an obligation to locate and produce information or documentation which is no longer in the possession or control of this Defendant or from entities who are not parties to this cause of action.
3. Defendant objects to Plaintiff's definition of the words "meeting" or "meetings" as any interrogatory, request for admission or request for production utilizing those terms is overly broad, and over burdensome in that it purports to require documentation or information concerning any casual or coincidental meeting.
4. Defendant objects to Plaintiff's definition of the term "years at issue" as the definition assumes that Plaintiff worked on the premises of Defendant for the entire period reflected

in the definition, which is denied. Plaintiff only alleges premises exposure during years 1963-1971. Any interrogatory, request for admission or production utilizing this term is overly broad, burdensome and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

5. Defendant objects to the stated definition of the terms "products containing asbestos fiber", "asbestos containing products" and "asbestos products" on the grounds it is overly broad, vague and not limited to the matters made the basis of this lawsuit and therefore, seeks disclosure of information and/or the production of documentation wholly irrelevant to any material issue in this case and not reasonably calculated to lead to the discovery of admissible evidence.
6. Defendant objects to Plaintiff's definition of the terms "describe" or "description" as it is vague, ambiguous and requires Defendant to speculate on what identification rises to the level of sufficient particularity so as to enable one to "fully comprehend" or understand the place, thing or occurrence described.
7. Defendant objects to Plaintiff's definition of the term "medical advisory capacity" in that the definition renders any interrogatory, request for admission or request for production utilizing the term overly broad, over burdensome, harassing and calling for information or material which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence. The definition of the term utilizes the term "Defendant" which is, itself, defined in Plaintiff's definition No. 1. Please refer to Defendant's objection to Plaintiff's definition of the term "Defendant" which is incorporated herein the same as if fully set forth at length.
8. Defendant objects to Plaintiff's definition of the terms "medical department" and "safety department" in that the definition renders any interrogatory, request for admission or request for production utilizing the term overly broad, over burdensome, harassing and calling for information or material which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence. The definition of the term utilizes the term "Defendant" which is, itself, defined in Plaintiff's definition No. 1. Please refer to Defendant's objection to Plaintiff's definition of the term "Defendant" which is incorporated herein the same as if fully set forth at length.
9. Defendant objects to Plaintiff's definition of the terms "potential health hazards" or "health hazards" in that any interrogatory, request for admission or request for production utilizing these terms is vague and ambiguous in that issues exists and minds differ with respect to impairments or disabilities and their associations with exposures to asbestos dust and fibers, if any.

**DEFENDANT'S RESPONSES AND ANSWERS TO
PLAINTIFF'S DISCOVERY**

INTERROGATORY NO. 1:

For each person who has supplied any information used in answering these interrogatories, state the name, address, job title, length of time employed by Defendant, and a year-by-year list of all other positions, titles, or jobs held when working for Defendant.

ANSWER:

Defendant objects to this interrogatory to the extent it seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5.

Without waiving the foregoing objections, Defendant responds as follows: These responses were prepared based on information gathered by defense counsel along with assistance of in-house counsel and other legal staff.

REQUEST FOR ADMISSION NO. 1:

Admit that Defendant ordered, purchased or otherwise acquired asbestos-containing products, asbestos-containing friction products, and/or machinery requiring the use of asbestos or asbestos-containing products.

RESPONSE:

Defendant objects to this request as vague, ambiguous, subject to multiple interpretations and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on this Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Without waiving the foregoing objections, it is admitted that Defendant purchased certain asbestos-containing products at certain times and for use in certain locations.

REQUEST FOR PRODUCTION NO. 1:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad, unduly burdensome, irrelevant, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant further objects to this request as it constitutes a non-specific "fishing expedition". Defendant further objects to this request as it purports to place the burden on Defendant to prove a negative, which is impossible.

Without waiving the foregoing objections, not applicable.

REQUEST FOR ADMISSION NO. 2:

Admit that asbestos-containing products, asbestos-containing friction products, and/or machinery requiring the use of asbestos or asbestos-containing products were utilized on Defendant's Premises during the years at issue.

RESPONSE:

Defendant objects to this request as vague, ambiguous and overly broad and to the extent it is not limited in time nor scope to time periods when Plaintiff was allegedly on Defendant's premises, to the premises on which Plaintiff was allegedly present, nor the area(s) within any of Defendant's premises where Plaintiff allegedly present. Defendant objects to this request as the term "utilized" is vague, ambiguous and subject to multiple interpretations in the context of this suit. Defendant further objects to this request as vague, ambiguous, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, it is admitted that Defendant utilized certain asbestos containing products at certain locations and at certain times.

INTERROGATORY NO. 2:

If you admit the foregoing request, please list all asbestos-containing products used at Defendant's Premises and for each product state the following:

- a. What these products were used for
- b. From whom these products were purchased
- c. Where these products were installed
- d. Specific persons or contractors who install these products
- e. The first year each product was no longer purchased and installed on Defendant's premises.

ANSWER:

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Without waiving the foregoing objection, Plaintiff has not provide Defendant with sufficient information to enable Defendant to respond to this interrogatory for the years Plaintiff alleges he worked on Defendant's premises and for the locations Plaintiff alleges he worked.

REQUEST FOR PRODUCTION NO. 2:

Produce all ordering and sales documents pertaining to the purchase or acquisition of such asbestos-containing products for use at Defendant's Premises, including but not limited to invoices, price quotations, purchase orders, requisitions, bills of lading, and other purchasing and/or shipping documents of the similar nature.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly was present on Defendant's premises, nor limited to the premises at which Plaintiff allegedly was present, nor the area(s) within any of Defendant's premises where Plaintiff allegedly was present. Defendant further objects to this request as vague, ambiguous, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objection, Defendant has not located such documents.

REQUEST FOR ADMISSION NO. 3:

Admit that during the time Plaintiff was employed by Defendant, it was foreseeable that asbestos-containing products on Defendant's Premises would or could be removed, stripped, replaced or repaired at some time after installation.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for

information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because this request is vague, ambiguous and argumentative because the request assumes Plaintiff was an employee of Defendant. Further, this request is overly broad in that it is not limited to any area within Defendant's premises where Plaintiff allegedly worked and, therefore, is not relevant. Defendant further objects to this request as vague, ambiguous, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, Defendant denies this request as Plaintiff was not an employee of this Defendant.

INTERROGATORY NO. 3:

Please state whether any asbestos-containing products in place or in use at Defendant's Premises have been abated at any time.

- a. If so, list each person or company that performed such abatement services (including address and telephone number)
- b. State the dates and locations of each abatement procedure;
- c. State which asbestos-containing products were abated.

ANSWER:

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this interrogatory as vague, ambiguous, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this interrogatory as it is overly broad, unduly burdensome and irrelevant in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Further, Defendant objects to this interrogatory as the term "in use" is vague, ambiguous and subject to the multiple interpretations in the context of this suit.

REQUEST FOR PRODUCTION NO. 3:

Produce all documents that in any way pertain to abatement of asbestos-containing materials on Defendant's Premises, including but not limited to a removal plan or organized written criteria or schedule for the removal of asbestos at Defendant's Premises, and in operation and maintenance plan.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to the extent this request is not limited to premises on which Plaintiff allegedly worked nor to the areas within Defendant's premises Plaintiff allegedly worked. Further Defendant objects to the phrase "operation and maintenance plan" as vague, ambiguous and, as such, renders a response impossible without speculation as to the meaning of this phrase. Further this interrogatory is overly broad in that it seeks information for time periods other than those upon which Plaintiff's claims are based. Defendant further objects to this request as vague, ambiguous, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 4:

Admit that Plaintiff worked on premises owned by Defendant or by a predecessor-in-interest of Defendant.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to the extent this request is not limited to premises on which Plaintiff allegedly worked nor to the areas within Defendant's premises Plaintiff allegedly worked. Further Defendant objects to the word "worked" as vague, ambiguous and, as such, renders a response impossible without speculation as to the meaning of this phrase. To the extent this request is intended to encompass all areas of Defendant's premises, including those where Plaintiff did not work, this request is overly broad and irrelevant.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 4:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad, unduly burdensome, irrelevant,

harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant further objects to this request as it constitutes a non-specific "fishing expedition". Defendant further objects to this request as it purports to place the burden on Defendant to prove a negative, which is impossible.

Without waiving the foregoing objections, not applicable.

REQUEST FOR PRODUCTION NO. 5:

If you admit the foregoing request, in whole or in part, produce all documents supporting your admission that Plaintiff was on Defendant's Premises.

RESPONSE:

Defendant objects to this request as it is overly broad, unduly burdensome, irrelevant, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

Without waiving the foregoing objections, not applicable.

REQUEST FOR PRODUCTION NO 6:

Produce all records identifying contractors and/or the employees of contractors who were on your premises during the years at issue, including but not limited to sign-in-logs, gate records, visitor's logs, identification badge logs and procedures, and other documents of a similar nature.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked, nor any alleged employer of plaintiff. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objection, Defendant has been unable to locate any such records from 1963-1971.

REQUEST FOR PRODUCTION NO. 7:

Produce all records pertaining to the methods and manner of identification of individuals entering and/or leaving your facilities, during the years at issue, including but not limited to fingerprinting or other methods of identifying contractor employees at your premises, and specifically including any fingerprinting or other records identifying the Plaintiff.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objection, Defendant has been unable to locate any such records from 1963-1971.

INTERROGATORY NO. 4:

Identify the contractors who worked on your premises during the years at issue, and for each, state:

- a. The type of work performed by the contractor
- b. The dates such work was performed;
- c. Identify your employee responsible for monitoring, verifying, or instructing concerning these services to be performed by such contractors.

ANSWER:

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This interrogatory is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, Defendant has been unable to locate information to answer this interrogatory.

REQUEST FOR PRODUCTION NO. 8:

Produce the contract documents pertaining to the contractors who performed services on Defendant's Premises during the years at issue, including but not limited to invitations to bid, requests for proposals, bids, proposals, scope of work, specifications, blueprints, plans, acceptances, contracts, amendments, addenda, change orders, and other contract documents of a similar nature.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

Without waiving the foregoing objection, Defendant has been unable to locate any such records from 1963-1971.

INTERROGATORY NO. 5:

Identify each employee who was responsible for allowing contractor employees access to Defendant's Premises during the years at issue.

ANSWER:

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this interrogatory as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

Without waiving the foregoing objections, Defendant has been unable to locate any information to answer this interrogatory at this time. Discovery is continuing and if Defendant locates this information, Defendant will supplement this interrogatory.

REQUEST FOR ADMISSION NO. 5:

Admit that Plaintiff worked on Defendant's Premises where Defendant used or applied asbestos-containing products.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to the extent this request is not limited to premises on which Plaintiff allegedly worked nor to the areas within Defendant's premises Plaintiff allegedly worked. Further Defendant objects to the word "worked" as vague, ambiguous and, as such, renders a response impossible without speculation as to the meaning of this phrase. To the extent this request is intended to encompass all areas of Defendant's premises, including those where Plaintiff did not work, this request is overly broad and irrelevant. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny at this time.

REQUEST FOR PRODUCTION NO. 9:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant further objects to this request as it is vague and ambiguous. To the extent the request is intended to encompass all areas of Defendant's premises, including those where Plaintiff did not work, the request is overly broad and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, not applicable.

INTERROGATORY NO. 6:

Do you contend that Plaintiff was not exposed to asbestos while working at the Defendant's Premise(s)? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This interrogatory is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Further Defendant objects to the word "working" as vague, ambiguous and subject to multiple interpretations in the context of this suit.

Without waiving the foregoing objection, Plaintiff has not provided Defendant with sufficient information to enable Defendant to respond to this interrogatory for the years Plaintiff alleges he worked on Defendant's premises.

REQUEST FOR ADMISSION NO. 6:

Admit that Plaintiff, in the course and scope of his work as an employee of an independent contractor, worked around Defendant's employees who were using and/or applying asbestos-containing products.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant further objects because the terms "work around", "his work" and "employee of an independent contractor" are vague and ambiguous in the context of this case. Defendant further objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 10:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant further objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, not applicable.

REQUEST FOR ADMISSION NO. 7:

Admit that Plaintiff worked on and/or around Defendant's Premises in areas where asbestos-containing products were installed, used, prepared for use, replaced or repaired, stored or loaded, unloaded or transported.

RESPONSE:

Defendant objects to this request as vague, ambiguous and overly broad and subject to multiple of interpretations. This request is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant further objects because the phrase "Plaintiff worked" is vague and ambiguous in the context of this case. Defendant further objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 8:

Admit that in 1964 Defendant was aware that airborne asbestos dust created a potential health hazard to those who breathed such dust.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request in that it is vague and ambiguous in that the phrase "health hazard" as defined in Plaintiff's definitions is so overly broad that Defendant does not know which health hazard is being referred and renders a response impossible without speculation as to the meaning of this phrase. Since "health hazards" often are dependent on the quantity of exposure, this request is vague and ambiguous because the quantity of exposure had not been defined. Defendant further objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. This request is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Without waiving the foregoing objections, Defendant answers that it is impossible to know in an organization the size of this Defendant exactly what year it would have obtained this kind of information through the knowledge of its employees. Therefore, Defendant cannot admit or deny this request at this time.

REQUEST FOR PRODUCTION NO. 11:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad, unduly burdensome, irrelevant, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant further objects to this request as it constitutes a non-specific "fishing expedition". Defendant further objects to this request as it purports to place the burden on Defendant to prove a negative, which is impossible.

Without waiving the foregoing objections, not applicable.

REQUEST FOR ADMISSION NO. 9:

Admit that Defendant was aware of the presence of and/or use of asbestos-containing products on Defendant's Premises during the time period Plaintiff was working on Defendant's Premises.

RESPONSE:

Defendant objects to this insofar as it assumes Plaintiff worked on Defendant's premises. Defendant objects that Plaintiff has not sufficiently identified the periods of time or the location(s) within Plaintiff's facility where Plaintiff is alleging to have worked. Defendant further objects to this request because the phrase "was working" is vague and ambiguous. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, Defendant admits that it was aware that certain asbestos-containing products were used at certain locations during certain periods of time. Plaintiff has not provided Defendant with sufficient information to enable Defendant respond to this request for the years Plaintiff alleges to have worked on Defendant's premises. Therefore, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 12:

Produce any and all photographs or videographic depictions or films depicting the use by you or your employees of any safety precautions (such as containment areas, warning signs, etc.) taken to protect bystanders from the hazards of airborne asbestos resulting from the use of asbestos-containing products by your employees at any locations.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant objects to the word "hazards" as vague and ambiguous. Defendant further objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your," and as such the burden of discovery outweighs its benefits.

Without waiving the foregoing, Defendant has not located any relevant documents responsive to this request.

INTERROGATORY NO. 7:

Please identify any and all warnings ever given by Defendant, if any, to Plaintiffs regarding the hazards of asbestos and the dangers inherent in the inhalation of asbestos fibers.

ANSWER:

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This interrogatory is overly broad in that it is not limited to any area within Defendant's premises where Plaintiff allegedly worked and, therefore, is not relevant. Defendant further objects to the terms "hazards" and "dangers of asbestos and the dangers inherent inhalation" as vague and ambiguous and response impossible without speculation as to the meaning of this phrase.

Without waiving the foregoing objections, Defendant states that Plaintiff was not an employee of this Defendant and Plaintiff has not sufficiently established when he was on Defendant's premises. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 13:

Produce all such warnings.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises. Defendant objects the Plaintiff has not sufficiently identified the periods of time or locations in question. Defendant objects that the request is not limited to the premises where Plaintiff allegedly worked nor to the specific areas on any particular premises where Plaintiff is alleged to have worked, and therefore is not relevant. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its

benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

Without waiving the foregoing objection, Defendant has been unable to locate any such records from 1963-1971.

REQUEST FOR ADMISSION NO. 10:

Admit that Defendant did not distribute any literature or warnings of any kind to its employees during the period of time Plaintiff worked on Defendant's Premises regarding the potential health hazards to those who breathe airborne asbestos dust.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is overly broad in that it is not limited to any area within Defendant's premises where Plaintiff allegedly worked and, therefore, is not relevant. Defendant further objects because it assumes Plaintiff worked at Defendant's premises. Defendant further objects because the phrases "worked on Defendant's premises", "health hazards" are vague and ambiguous. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "utilization". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny at this time.

REQUEST FOR PRODUCTION NO. 14:

If you deny the foregoing, produce all such warnings.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff

claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked.

Without waiving the forgoing objections, not applicable.

INTERROGATORY NO. 8:

Describe Defendant's safety policy as it relates to the use of asbestos-containing materials at job-sites where Defendant's employees were performing services. In your answer, please state:

- a. when, if ever, Defendant's employees were first warned about the hazards of asbestos exposure; and
- b. what instructions, if any, were given to Defendant's employees on the identification of materials which might or did contain asbestos.

ANSWER:

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This interrogatory is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant further objects to this interrogatory as vague and ambiguous in that the terms "hazards" and "safety policy" are not defined and so overly broad that Defendant does not know which "hazards" or "safety policy" are being referred and renders a response impossible without speculation as to the meaning of this phrase. In addition, Defendant objects to this interrogatory as it implies that Plaintiff was an employee of this Defendant and assumes Plaintiff worked on Defendant's premises. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this interrogatory.

REQUEST FOR PRODUCTION NO. 15:

Produce all such safety policies.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises. This request is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Plaintiff has not sufficiently identified the periods of time or locations in question. Defendant further objects to this request as vague and ambiguous in that the term "safety policy" is not defined and so overly broad that Defendant does not know which "safety policy" is being referred and renders a response impossible without speculation as to the meaning of this phrase. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

Without waiving the foregoing objections, Defendant has not located information responsive to this request for the years 1963-1971.

REQUEST FOR ADMISSION NO. 11:

Admit that Defendant consciously decided not to warn its employees of the dangers of asbestos.

RESPONSE:

Defendant objects to this request as argumentative, overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Further Defendant objects to this request as it is argumentative. In addition, Defendant objects to the term “dangers” as vague and ambiguous.

Without waiving these objectives, Defendant denies this request.

INTERROGATORY NO. 9:

Do you contend that Defendant specifically warned Plaintiff about the hazards of asbestos and asbestos-containing products? If the answer is anything other than “no”, identify each and every fact which supports this contention.

ANSWER:

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This interrogatory is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant’s premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant’s premises where Plaintiff allegedly worked. Defendant further objects to this interrogatory as vague and ambiguous in that the term “hazards” is not defined and so overly broad that Defendant does not know which “hazards” are being referred and renders a response impossible without speculation as to the meaning of this phrase. Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”.

INTERROGATORY NO. 10:

Describe all safety precautions taken by you or your employees (such as containment areas, warning signs, ventilation systems, evacuating the premises, etc.) for the protection of bystanders (including but not limited to Plaintiffs) from the hazards resulting from the use of asbestos-containing products by your employees at any locations.

ANSWER:

Defendant objects to this interrogatory as it is overly broad and overly burdensome, as it constitutes a non-specific “fishing expedition”. This interrogatory calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This interrogatory is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant’s premises, nor limited to the premises at which Plaintiff allegedly worked,

nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. To the extent this interrogatory seeks information unrelated to the subject matter of this lawsuit, the information sought is irrelevant. Defendant further objects to this interrogatory as vague and ambiguous in that the terms "hazards" and "safety precautions" are not defined and so overly broad that Defendant does not know which "hazards" or "safety precautions" are being referred and renders a response impossible without speculation as to the meaning of this phrase. In addition, Defendant objects to this interrogatory as harassing and virtually impossible to answer given Plaintiffs' definition of the term "you", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

INTERROGATORY NO. 11:

Have you ever provided safety equipment to persons working on Defendant's Premises? If so, please list the safety equipment provided and indicate:

- a. when the equipment was first provided**
- b. to whom the equipment was provided**
- c. under what circumstances the equipment was provided**
- d. Further, identify the person with the most knowledge of your "safety equipment" policies.**

ANSWER:

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This interrogatory is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. To the extent this interrogatory seeks information unrelated to the subject matter of this lawsuit, the information sought is irrelevant. Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the terms "You" and "Defendant". Further, Defendant objects as the term "working" is vague, ambiguous and subject to the multiple interpretations in the context of this suit.

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR ADMISSION NO. 12:

Admit that Defendant did not continuously provide face masks to contract employees working with or around asbestos from 1964-1987 for the purpose of protecting these employees from inhaling asbestos.

RESPONSE:

Defendant objects to this request as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant further objects to this request insofar as it assumes Defendant had a duty to provide equipment to Plaintiff who worked at Defendant's premises as an expert in the field of asbestos insulation, and its qualities and characteristics. Defendant further objects to this request as overly broad in that it is not limited to the facility on which Plaintiff claims to have worked nor to the areas on the facility on which Plaintiff claims to have worked nor to the contractor or contractors for whom Plaintiff claims to have worked during the periods of time he allegedly worked at any Defendant's facility. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

INTERROGATORY NO. 12:

State in detail what tests have been conducted with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using, working with or around, or installing asbestos-containing products in any of your facilities. Please state where and when these tests were conducted, by whom these tests were conducted, and the results of any such test.

ANSWER:

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This interrogatory is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on

Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant further objects to this interrogatory as overly broad, vague and ambiguous in that the terms "tests", "working" and "using" are not defined and so overly broad and Defendant does not know which "tests" is being referred and renders a response impossible without speculation as to the meaning of this phrase.

Without waiving the foregoing objections, Defendant responds that it does not have detailed knowledge of all tests conducted at the facilities over the years.

INTERROGATORY NO. 13:

Do you contend that Defendant, Defendant's representatives, insurance carriers and/or agents performed any measurements and/or studies prior to 1970 to determine the quantity of asbestos fibers in the air at Defendant's facility? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

Defendant objects to each interrogatory to the extent that it is not limited to the premises on which Plaintiff allegedly worked and that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. For instance, this objection refers to, but is not limited to Plaintiff's use of such general terms as "studies." To the extent this interrogatory seeks information unrelated to the subject matter of this lawsuit, the information sought is irrelevant. TRCP 192.3(a). Defendant objects to this interrogatory because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Further, Defendant objects to this interrogatory to the extent it seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

INTERROGATORY NO. 14:

Please state each time any regulatory agency or other governing body has inspected the Defendant's premises to determine if health and safety regulations governing exposure to asbestos were being followed. Include in your response the date and results of each inspection, and state whether a written report was generated.

ANSWER:

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This interrogatory is overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant further objects to the phrases "regulatory agency" and "governing body" as vague and ambiguous in that they are not defined and so overly broad that Defendant does not know which "regulations" is being referred and renders a response impossible without speculation as to the meaning of these phrases.

REQUEST FOR ADMISSION NO. 13:

Admit that you did not erect containment barriers to prevent emission of asbestos dust at the work-sites where your employees were using asbestos-containing materials, including the work-sites where Plaintiff worked.

RESPONSE:

Defendant objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request as written.

REQUEST FOR PRODUCTION NO. 16:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome as it constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, not applicable.

REQUEST FOR ADMISSION NO. 14:

Admit that you did not utilize engineering controls such as isolation or enclosure at the work-sites where your employees were using asbestos-containing materials, including the work-sites where Plaintiff worked.

RESPONSE:

Defendant objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request to the extent that the term "utilize" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request as written.

REQUEST FOR PRODUCTION NO. 17:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome as it constitutes a non-specific “fishing expedition”. Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request to the extent that the term “utilize” is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the terms “you” and “your”, and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, not applicable.

REQUEST FOR ADMISSION NO. 15:

Admit that you did not utilize ventilation or exhaust systems to divert dust at the work-sites where your employees were using asbestos-containing materials, including the work-sites where Plaintiff worked.

RESPONSE:

Defendant objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request to the extent that the term “utilize” is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does

not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing, after reasonable inquiry, Defendant is unable to admit or deny this request as written.

REQUEST FOR PRODUCTION NO. 18:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome as it constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request to the extent that the term "utilize" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "you", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, not applicable.

REQUEST FOR ADMISSION NO. 16:

Admit that you did not utilize dust collection engineering controls to trap airborne asbestos dust at the work-sites where your employees were using asbestos-containing materials, including the work-sites where Plaintiff worked.

RESPONSE:

Defendant objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request to the extent that the term “utilize” is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the terms “you” and “your”, and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing, after reasonable inquiry, Defendant is unable to admit or deny this request as written.

REQUEST FOR PRODUCTION NO. 19:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome as it constitutes a non-specific “fishing expedition”. Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request to the extent that the term “utilize” is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “you”, and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, not applicable.

REQUEST FOR ADMISSION NO. 17:

Admit that you did not require your employees to handle, mix, apply, remove, cut or score asbestos-containing products in a wet state to prevent emission of airborne asbestos fibers at the work-sites where your employees were using asbestos-containing materials, including the work-sites where Plaintiff worked.

RESPONSE:

Defendant objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "you", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing, after reasonable inquiry, Defendant is unable to admit or deny this request as written.

REQUEST FOR PRODUCTION NO. 20:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome as it constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of

the terms “you” and “your”, and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, not applicable.

REQUEST FOR ADMISSION NO. 18:

Admit that you did not evacuate the premises prior to the utilization of asbestos-containing materials at the work-sites where your employees were using asbestos-containing materials, including the work-sites where Plaintiff was present.

RESPONSE:

Defendant objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term “utilization”. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the terms “you” and “your”, and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing, after reasonable inquiry, Defendant is unable to admit or deny this request as written.

REQUEST FOR PRODUCTION NO. 21:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome as it constitutes a non-specific “fishing expedition”. Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information

which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Further Plaintiff does not identify the work sites where he alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "utilization". In addition, this request is harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving said objection, not applicable.

INTERROGATORY NO. 15:

Have you ever warned workers on Defendant's Premises of the hazards of asbestos and asbestos-containing products? If so, describe in detail the methods of such warnings, who you warned and when. Please include in your response a description of any written warnings relating to the hazards of asbestos in place at Defendant's Premises and state when the written warnings were installed, how many were installed, and whether they have been removed.

ANSWER:

Defendant objects to this interrogatory to the extent that it is not limited to the premises on which Plaintiff allegedly worked, is overly broad, vague, ambiguous, and unduly burdensome. Defendant objects to this interrogatory because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Further, Defendant objects to this interrogatory the extent that many of the terms used therein are vague, ambiguous, and overly broad, which renders particular questions unintelligible, and renders a response impossible without speculation as to the meaning of the term. For instance, this objection refers to, but is not limited to Plaintiff's use of such terms as "in place" and/or "hazards" relating to asbestos. Plaintiff fails to reference any specific use, exposure condition (i.e. concentration) or type of health injury in their requests TRCP 192.3(a). Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant".

Without waiving the foregoing objection, Defendant has been unable to locate any information responsive to this request from 1963-1971.

INTERROGATORY NO. 16:

Have you ever had a policy requiring workers on Defendant's premises to use respirators? If so, please:

- a. state when this policy was implemented;
- b. describe this policy in detail;
- c. state to whom it applied (i.e. Defendant employees and contractor employees);
- d. and describe what types and brand names of respirators were required by you.

RESPONSE:

Defendant objects to this interrogatory to the extent that it is not limited to the premises where Plaintiff allegedly worked, is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this interrogatory because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Defendant further objects to this interrogatory to the extent that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. For instance, this objection refers to, but is not limited to Plaintiff's use of such general terms as "policy." To the extent this interrogatory seeks information unrelated to the subject matter of this lawsuit, the information sought is irrelevant. TRCP 192.3(a). Defendant further objects to this interrogatory as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly was present on Defendant's premises, nor limited to the premises at which Plaintiff allegedly was present, nor the area(s) within any of Defendant's premises where Plaintiff allegedly was present. Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant".

Without waiving the foregoing objections, Defendant has been unable to locate any information from 1963-1971; however, see attached bates numbers CCCB 00001 through CCCB 00016.

REQUEST FOR ADMISSION NO. 19:

Admit that you did not post warning, caution or hazard signs prior to the utilization of asbestos-containing materials by your employees at the work-sites where your employees were using asbestos-containing materials, including the work-sites where Plaintiff was present.

RESPONSE:

Defendant objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have

worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "utilization" and "hazards". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing, after reasonable inquiry, Defendant is unable to admit or deny this request as written.

REQUEST FOR PRODUCTION NO. 22:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome as it constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "utilization". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits. TRCP 192.4.

Without waving the foregoing objections, not applicable.

REQUEST FOR ADMISSION NO. 20:

Admit that you did not issue any warnings to others at the work-sites where your employees were using asbestos-containing materials, including the work-sites where Plaintiff was present.

RESPONSE:

Defendant objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "using". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing, after reasonable inquiry, Defendant is unable to admit or deny this request as written.

REQUEST FOR PRODUCTION NO. 23:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome as it constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "using". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits. TRCP 192.4.

Without waiving the foregoing objections, not applicable.

REQUEST FOR PRODUCTION NO. 24:

Produce all documents reflecting payments made to contractors during the years at issue, including Plaintiffs employer, including but not limited to invoices, bills, check requests,

requisitions, canceled checks, or other documents of a similar nature reflecting payment for services rendered by Plaintiffs employer.

RESPONSE:

Defendant objects to this request as it is overly broad in that it is not limited to the facilities at which Plaintiff claims to have been present nor to Plaintiff's employer. As such, this request is overly broad and overly burdensome and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR ADMISSION NO. 21:

Admit that the use of asbestos-containing materials on Defendant's Premises created a substantial risk of injury.

RESPONSE:

Defendant objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have been present nor to the specific areas within the premises upon which Plaintiff claims to have been present. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the terms "use" and "substantial risk of injury. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, Denied.

REQUEST FOR ADMISSION NO. 22:

Admit that during the years at issue, Defendant had the to power to control Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request as vague, ambiguous, overly broad to the extent it is not limited in time or scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "power to control" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 25:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request as vague, ambiguous, overly broad to the extent it is not limited in time or scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase “power to control” is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors’ day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific “fishing expedition”.

REQUEST FOR ADMISSION NO. 23:

Admit that, during the years at issue, Defendant had the power to manage the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request as vague, ambiguous, overly broad to the extent it is not limited in time or scope to time periods when Plaintiff allegedly worked on Defendant’s premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant’s premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase “power to manage the use or condition of Defendant’s premises” is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Independent contractors were retained by Defendant to perform various activities on the premises because

independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 26:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request as vague, ambiguous, overly broad to the extent it is not limited in time or scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "power to manage the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 24:

Admit that during the years at issue, Defendant had the power to direct the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "power to direct the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 27:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request for production to the extent that the phrase "power to direct the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 25:

Admit that, during the years at issue, Defendant had the power to superintend the use or conditions of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "power

to superintend the use or conditions of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonably inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 28:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "power to superintend the use or conditions of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various

fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 26:

Admit that, during the years at issue, Defendant had the power to restrict the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "power to restrict the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant

anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny.

REQUEST FOR PRODUCTION NO. 29:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "power to regulate the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 27:

Admit that, during the years at issue, Defendant had the power to regulate the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "power to regulate the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 30:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as vague, ambiguous and overly broad and subject to multiple of interpretations. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "power to regulate the use or condition of Defendant's premises is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request call for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 28:

Admit that, during the years at issue, Defendant had the power to govern the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase “power to govern the use or condition of Defendant’s premises” is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors’ day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 31:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant’s premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant’s premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase “power to govern the use or condition of Defendant’s premises” is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various

activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 29:

Admit that, during the years at issue, Defendant had the power to oversee the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "power to oversee the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. This request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant

anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 32:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "power to oversee the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 30:

Admit that, during the years at issue, Defendant had the power to administer the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "power to administer the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 33:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "power to administer the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 31:

Admit that during the years at issue, Defendant controlled Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase “controlled Defendant’s premises” is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors’ day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 34:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant’s premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant’s premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase “controlled Defendant’s premises” is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on

the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 32:

Admit that, during the years at issue, Defendant managed the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "managed the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most,

if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 35:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "managed the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 33:

Admit that, during the years at issue, Defendant directed the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "directed the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 36:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "directed the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 34:

Admit that, during the years at issue, Defendant superintended the use or conditions of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "superintended the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 37:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "superintended the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various

activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 35:

Admit that, during the years at issue, Defendant restricted the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request for admission to the extent that the phrase "restricted the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most,

if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 38:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "restricted the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 36:

Admit that, during the years at issue, Defendant regulated the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "regulated the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 39:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that

it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "regulated the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 37:

Admit that, during the years at issue, Defendant governed the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "governed the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to

answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 40:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "governed the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given

Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 38:

Admit that, during the years at issue, Defendant oversaw the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "oversaw the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 41:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "oversaw the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 39:

Admit that, during the years at issue, Defendant administered the use or condition of Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on

Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for admission to the extent that the phrase "administered the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 42:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request for production to the extent that the phrase "administered the use or condition of Defendant's premises" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request

calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 40:

Admit that Defendant retained some control over the manner in which Plaintiffs work was performed.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked and worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work was performed, thereby making the phrase "plaintiff's work" vague, ambiguous and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant objects to this request for admission to the extent that the phrase "retained some control" is vague, ambiguous and overly broad, which renders this particular request unintelligible and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits,

TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific “fishing expedition.” Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and the control of the contractors’ day to day activities regarding safety would come from the contractor employer present.

Without waiving the foregoing objections, denied.

REQUEST FOR PRODUCTION NO. 43:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant’s premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant’s premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked and worked on Defendant’s premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work was performed, thereby making the phrase “plaintiff’s work” vague, ambiguous and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant objects to this request for admission to the extent that the phrase “retained some control” is vague, ambiguous and overly broad, which renders this particular request unintelligible and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring, nor the area(s) within any of Defendant’s premises where Plaintiff allegedly worked. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to

their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and the control of the contractors' day to day activities regarding safety would come from the contractor employer, present. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

INTERROGATORY NO. 17:

Do you contend that at no time during the years at issue, Defendant did not have the right to advise or, if necessary, control the activities of employees of contractors, working on the premises on Defendant's Premises, who were engaged in activities which could be potentially hazardous to either themselves or to the employees of Defendant? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

Defendant objects to this interrogatory in that this interrogatory calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this interrogatory as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant objects to the word "hazardous" as vague and ambiguous.

Defendant objects to this interrogatory to the extent that many of the terms used therein are vague, ambiguous, and overly broad, which renders particular questions unintelligible, and renders a response impossible without speculation as to the meaning of the term. For instance, this objection refers to, but is not limited to Plaintiff's use of such terms as "hazardous". Plaintiff fails to reference any specific use, exposure condition (i.e. concentration) or type of health injury in their requests TRCP 192.3(a). Defendant further objects to this interrogatory to the extent that the term "advise" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. Defendant further objects to this interrogatory to the extent that the term "control" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. Defendant further objects to this interrogatory to the extent that Plaintiff does not specify what activities were allegedly engaged in, thereby making the phrase "engaged in activities" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation

as to the meaning of the phrase. Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

Without waiving the foregoing objections, Defendant respond as follows: Independent contractors were retained by Defendant to perform various activities on their premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of the work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen. Defendant anticipated that most, if not all, advice and control of contractors' day to day activities regarding safety would come from the contractors' employer.

REQUEST FOR ADMISSION NO. 41:

Admit that Defendant retained some control over the manner in which Plaintiffs employer performed the work requested by the Defendant.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work was performed, thereby making the phrase "Plaintiff's employer" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant further objects to this request for admission to the extent that the phrase "retained some control" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition." Independent contractors

were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work was left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen, and Defendant anticipated that most, if not all, advice and the control of the contractors' day to day activities regarding safety would come from the contractor employer present.

Without waiving the foregoing objections, denied.

REQUEST FOR PRODUCTION NO. 44:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited, in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for production to the extent that Plaintiff does not specify what work was performed, thereby making the phrase "Plaintiff's employer" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant further objects to this request to the extent that the phrase "retained some control" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work were left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen. Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of

the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 42:

Admit that Plaintiff was not entirely free to do the work on Defendant's Premises in his own way.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work he allegedly performed on Defendant's premises, thereby making the phrase "entirely free to do the work on Defendant's premises in his own way" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work were left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen. Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, denied.

REQUEST FOR PRODUCTION NO. 45:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work he allegedly performed on Defendant's premises, thereby making the phrase "entirely free to do the work on Defendant's premises in his own way" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and the control over the details of their work were left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen. Defendant anticipated that most, if not all, advice and control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 43:

Admit that Plaintiff's employer was not entirely free to do the work requested by Defendant on Defendant's Premises in its own way.

RESPONSE:

Defendant objects to this request as vague, ambiguous and overly broad and subject to multiple interpretations. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant further objects to this request for admission to the extent

that Plaintiff does not specify what work was performed, thereby making the phrase “plaintiff’s work” vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant’s premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify his employer or what work Defendant requested his employer perform, thereby making the phrases “do the work requested” and “entirely free do the work on Defendant’s premises in his own way” vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrases. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff’s definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and control over the details of their work were left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen. Defendant anticipated that most, if not all, advice and the control of the contractors’ day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, denied.

REQUEST FOR PRODUCTION NO. 46:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work was performed, thereby making the phrase “plaintiff’s work” vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant’s premises, nor limited to the premises at which Plaintiff

allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify his employer or what work Defendant requested his employer perform, thereby making the phrases "do the work requested" and "entirely free do the work on Defendant's premises in his own way" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrases. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and control over the details of their work were left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen. Defendant anticipated that most, if not all, advice and the control of the contractors' day to day activities regarding safety would come from the contractor employer. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 44:

Admit that asbestos-containing gaskets were installed at Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, it is admitted that asbestos-containing gaskets were installed at certain locations and at certain times.

REQUEST FOR PRODUCTION NO. 47:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 45:

Admit that asbestos-containing pipe covering was installed at Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, it is admitted that asbestos containing pipe covering was installed at certain locations and at certain times.

REQUEST FOR PRODUCTION NO. 48:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 46:

Admit that asbestos-containing boilers were installed at Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, it is admitted that asbestos containing boilers were installed at certain locations and at certain times.

REQUEST FOR PRODUCTION NO. 49:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within

any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 47:

Admit that asbestos-containing fireproofing was installed at Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, it is admitted that asbestos containing fire proofing was installed at certain locations and at certain times.

REQUEST FOR PRODUCTION NO. 50:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 48:

Admit that asbestos-containing joint compound was installed at Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing, it is admitted that asbestos containing joint compound was installed at certain locations and at certain times.

REQUEST FOR PRODUCTION NO. 51:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 49:

Admit that asbestos-containing insulation was installed at Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing, it is admitted that asbestos containing insulation was installed at certain locations and at certain times.

REQUEST FOR PRODUCTION NO. 52:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 50:

Admit that such installation was done under your direction, supervision, and/or control.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on

Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as vague, ambiguous, and subject to multiple interpretations. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises at which Plaintiff allegedly worked, nor the area(s) within any Defendant's premises where Plaintiff allegedly worked. Defendant further objects to this request for admission to the extent that the terms "such installation" and "your direction, supervision and/or control" are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny.

REQUEST FOR PRODUCTION NO. 53:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial, including but not limited to all documents identifying the entities or individuals who directed, supervised, and/or controlled such installation activities.

RESPONSE:

Defendant objects to this request as vague, ambiguous, and subject to multiple interpretations. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant further objects to this request for admission to the extent that the terms "such installation" and "direction, supervision and/or control" are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

INTERROGATORY NO. 18:

Please state the first year you learned that persons could suffer physical injury through the inhalation of asbestos fibers and how Defendant became aware of the existence of asbestos hazards.

ANSWER:

Defendant objects to this interrogatory in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this interrogatory as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant objects to the term "hazards" as vague and ambiguous.

Defendant objects to this interrogatory as overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Further, Defendant objects to this interrogatory the extent that many of the terms used therein are vague, ambiguous, and overly broad, which renders particular questions unintelligible, and renders a response impossible without speculation as to the meaning of the term. For instance, this objection refers to, but is not limited to Plaintiff's use of such terms as "inhalation", "hazards", and/or "injury" and/or "physical injury" relating to asbestos. Plaintiff fails to reference any specific use, exposure condition (i.e. concentration) or type of health injury in their requests TRCP 192.3(a).

Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant". Defendant further objects to this interrogatory as vague and ambiguous in that the "physical injury" Plaintiff is inquiring about is not defined and is subject to multiple interpretations.

REQUEST FOR PRODUCTION NO. 54:

Produce all documents that indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that

it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, this request includes terms used therein which are vague, ambiguous, and overly broad, which renders particular questions unintelligible, and renders a response impossible without speculation as to the meaning of the terms. Plaintiff fails to reference any specific use, exposure condition (i.e. concentration) or type of health injury in their requests. Defendant objects to the term "hazardous" as vague and ambiguous. This request constitutes an impermissible fishing expedition in violation of Texas law. Defendant further objects that documents responsive to this request are already in Plaintiff's counsel's possession or are in the public domain to which Plaintiff has equal access.

REQUEST FOR ADMISSION NO. 51:

Admit that you supervised the health and safety procedures implemented by contractors working on Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify which contractor was his employer or what work was performed by that contractor, thereby making the phrases "health and safety practices" and "implemented by contractors" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrases. Defendant further objects to this request for admission to the extent that the term "supervised" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, this

request is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were retained. The contractors were independent and control over the details of their work were left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen. Defendant anticipated that most, if not all, advice and the control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, denied.

REQUEST FOR ADMISSION NO. 52:

Admit that you supervised the health and safety practices implemented by Plaintiffs employer.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify his employer or what work was performed by his employer, thereby making the phrase phrases "health and safety practices" and "implemented by Plaintiff's employer" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant further objects to this request for admission to the extent that the phrase "you supervised" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. Independent contractors were retained by Defendant to perform various activities on the premises because independent contractors were experts in the various fields in which they were

retained. The contractors were independent and control over the details of their work were left to their expertise. Further, each independent contractor agrees to take all reasonable precautions to protect the workmen. Defendant anticipated that most, if not all, advice and the control of the contractors' day to day activities regarding safety would come from the contractor employer.

Without waiving the foregoing objections, denied.

REQUEST FOR ADMISSION NO. 53:

Admit that you did not protect the Plaintiff from exposure to asbestos on Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to request for admission to the extent that the term "protect" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. Further, this request is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 55:

Produce all documents supporting the legal theories and factual bases of your defenses set forth in your response to Plaintiffs Request for Disclosure under Texas Rules of Civil Procedure 194.2, subparagraph (c).

RESPONSE:

Defendant objects to this request as it is overly broad, unduly burdensome and harassing. Defendant further objects to this request as it constitutes a non-specific "fishing expedition" which is impermissible under Texas law.

Without waiving the foregoing objections, Defendant does not yet have enough information to finalize its possible defenses, and is unable to respond at this time. Discovery is continuing.

INTERROGATORY NO. 19:

Do you contend that Plaintiff's exposure to asbestos at Defendant's Premises was not a substantial contributing factor in causing his asbestos-related injury? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER:

Defendant objects to this interrogatory insofar as it assumes Plaintiff worked on Defendant's premises and that he was exposed to asbestos, which is denied. Defendant further objects to this interrogatory as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. In addition, this interrogatory is harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects to this interrogatory as it is overly broad, unduly burdensome and harassing. Defendant objects to the phrase "substantial contributing factor" as vague and ambiguous and renders a response impossible without speculation as to the meaning of the term.

Without waiving the foregoing objections, yes.

REQUEST FOR ADMISSION NO. 54:

Admit that Plaintiff's exposure to asbestos at Defendant's Premises was a substantial contributing factor in causing his asbestos-related injury.

RESPONSE:

Defendant objects to this request in that the phrases "Plaintiff's exposure" and "substantial contributing factor" and "asbestos-related injury" are vague, indefinite and ambiguous. Defendant further objects to this request as overly broad in that it is

not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as it is overly broad, unduly burdensome and harassing. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, denied.

REQUEST FOR PRODUCTION NO. 56:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that the phrases "Plaintiff's exposure" and "substantial contributing factor" and "asbestos-related injury" are vague, indefinite and ambiguous. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 55:

Admit that Defendant did not exercise reasonable care to reduce or eliminate the risk of asbestos-related injury.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises and was known to be subjected to the risk of asbestos related injury which is denied. Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. It is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have been present, nor to the specific areas where Plaintiff claims to have been present. Defendant further objects to this request for admission to the extent that the phrase "reasonable care to reduce or eliminate the risk of asbestos-related injury" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, denied.

REQUEST FOR ADMISSION NO. 56:

Admit that Defendant did not reduce or eliminate the unreasonable risk of harm posed by the use of asbestos-containing products at Defendant's Premises.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises and was subjected to an unreasonable risk of harm posed by the use of asbestos products, which is denied. Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. It is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have been present, nor to the specific areas where Plaintiff claims to have been present. Defendant further objects to this request for admission to the extent that the phrase "reduce or eliminate the unreasonable risk of harm posed by the use of asbestos-containing products" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this

request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, denied.

REQUEST FOR PRODUCTION NO. 57:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request in that this request calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly worked on Defendant's premises, nor limited to the premises at which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. It is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have been present, nor to the specific areas where Plaintiff claims to have been present. Defendant further objects to this request for admission to the extent that the terms "unreasonable risk of harm" and "use" are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 57:

Admit that Defendant's failure to reduce or eliminate the risk of harm to Plaintiff was a substantial factor in bringing about Plaintiffs asbestos-related injury.

RESPONSE:

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises that he was exposed to asbestos and that Plaintiff has an asbestos related injury, which is denied. Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. Defendant further objects to this request for admission to the extent that the phrase "reduce or eliminate the risk of harm to Plaintiff was a substantial factor in bringing about Plaintiffs asbestos-related injury" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, denied.

REQUEST FOR PRODUCTION NO. 58:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE:

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises, that he was exposed to asbestos, that plaintiff has an asbestos related injury, and that Defendant failed to reduce or eliminate the risk of harm, all of which is subject to question. Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR PRODUCTION NO. 59:

If you contend that while at the premises on which you or your employees were working with asbestos-containing materials, Plaintiff was not exposed to sufficient quantities of asbestos dust to produce the disease(s) complained of, produce all documents supporting your contention.

RESPONSE:

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises, which is subject to question. Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. Plaintiff has not identified any specific work site or time periods in which he worked on Defendant's premises and; therefore, Defendant is unable to respond at this time. Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises, that he was exposed to asbestos, that plaintiff has an asbestos related injury, and that Defendant failed to reduce or eliminate the risk of harm, all of which is subject to question. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "you or your", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition". Discovery is continuing.

REQUEST FOR PRODUCTION NO. 60:

If you contend that Plaintiff is suffering from an asbestos disease as a result of exposures other than asbestos dust at the premises on which you or your employees were working with asbestos-containing materials, produce all documents supporting your contention.

RESPONSE:

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises, which is subject to question. Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. At this time, Defendant does not contend that Mr. Withers has an asbestos-related injury and discovery is continuing as to what asbestos exposures he may have had on other premises. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "you", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Discovery is continuing.

Without waiving the foregoing objections, see Plaintiff's testimony, work history, medical records and expert testimony.

REQUEST FOR PRODUCTION NO. 61:

If you contend that Plaintiff does not suffer from the asbestos-related disease(s) complained of, produce all documents supporting your contention.

RESPONSE:

Defendant objects to this request as overly broad, unduly burdensome, harassing, and calls for medical literature already in possession of Plaintiff's attorney.

Without waiving the foregoing objections, defendant has not yet have enough information to finalize contentions. Discovery is continuing.

REQUEST FOR PRODUCTION NO. 62:

If you contend that Plaintiff was not exposed to asbestos dust at the premises on which you or your employees were working with asbestos-containing materials, produce all documents supporting your contention.

RESPONSE:

Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. Plaintiff has not identified any specific work site or time periods in which he worked on Defendant's premises and; therefore, Defendant are unable to respond at this time. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition". Discovery is continuing.

REQUEST FOR PRODUCTION NO. 63:

Produce all documents used, referred to or relied upon in answering any Interrogatories.

RESPONSE:

Defendant further objects to this request as it is overly broad, unduly burdensome and constitutes a non-specific "fishing expedition".

REQUEST FOR PRODUCTION NO. 64:

Produce any and all documents and other tangible things which refer to the document retention (and/or destruction) policy of Defendant, including the following:

- a. Any document retention and/or destruction policies for Defendant that pertain to documents and records, including but not limited to supplements, addenda, memoranda, operating bulletins, revisions, or any other superseding instructions that referred to the stopping, suspending or resuming of such retention or destruction policies.
- b. Any record retention and/or destruction, dumping, or purging policies for Defendant that pertain to documents and records created, maintained or stored by electronic and/or magnetic means, including but not limited to records that have been microfilmed, microfiched, imaged, scanned, or stored on tapes, disks, diskettes, CD-ROM, databases, etc. or on or within any computer hardware, backup system, download system, file dumping or other system of information management, whether on-site or off-site, including but not limited to supplements, addenda, memoranda, operating bulletins, revisions, or any other superseding instructions that referred to the stopping, suspending or resuming of such retention or destruction policies.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous. It is not limited by time or location and constitutes a “fishing expedition”. It calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 65:

Produce any and all documentation, including but not limited to lists, inventories, indices, databases or print-outs thereof, archives, storage inventories, logs, or other search aids that refer or relate to the existence, extent, type, organization, filing system, method of access or retrieval, and/or location of Defendant’s documents (maintained or stored on-site or off-site) described in the preceding paragraphs.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous. It is not limited by time or location and constitutes a “fishing expedition”.

It calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

INTERROGATORY NO. 20:

Does Defendant have in its possession any books, pamphlets, memoranda, or written materials of any kind or character that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings? If so, identify the individuals who received, maintained, reviewed, or disseminated the information contained in such written materials.

ANSWER:

Defendant objects to this interrogatory as it is overly broad, burdensome, vague and ambiguous. It is not limited by time or location and constitutes a "fishing expedition". It calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to the term "hazardous" as vague and ambiguous. In addition, this interrogatory is harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 66:

Produce the written materials referred to in the interrogatory above.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous. Further, Defendant objects to this request as the term "hazardous" is vague, ambiguous and subject to the multiple interpretations in the context of this suit. It is not limited by time or location and constitutes a "fishing expedition". It calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant" is ambiguous.

REQUEST-FOR ADMISSION NO. 58:

Admit that Plaintiff filed suit against Defendant within two (2) years of the date of discovering his asbestos-related condition or the existence of any asbestos-related causes of action.

RESPONSE:

Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects as argumentative and in that this request assumes Plaintiff has an asbestos related illness. Defendant further objects to this request as calling for a legal conclusion.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 59:

Admit that Defendant is liable for Plaintiffs asbestos related illness.

RESPONSE:

Defendant further objects to this request as it calls for a legal conclusion, is argumentative, and assumes Plaintiff has or had an asbestos -related illness. Defendant further objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, denied.

REQUEST FOR ADMISSION NO. 60:

Admit that asbestos is still in use and/or in place on Defendant's Premises.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a time period of the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery

of admissible evidence. Defendant further objects because the phrase "in use and/or in place" is vague and ambiguous. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny.

REQUEST FOR ADMISSION NO. 61:

Admit that Defendant no longer uses asbestos on its Premises.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos" is vague and ambiguous. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 62:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1972.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-

containing materials” is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff’s allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff’s alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 63:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1973.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term “asbestos-containing materials” is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff’s allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff’s alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 64:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1974.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-containing materials" is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff's allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 65:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1975.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-containing materials" is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff's allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 66:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1976.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-containing materials" is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff's allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 67:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1977.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-containing materials" is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff's allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the

years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 68:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1978.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-containing materials" is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff's allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 69:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1979.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-

containing materials” is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff’s allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff’s alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 70:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1980.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term “asbestos-containing materials” is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff’s allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff’s alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 71:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1981.

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-containing materials" is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff's allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 72:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1982.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-containing materials" is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff's allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 73:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1983.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-containing materials" is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff's allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 74:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1984.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-containing materials" is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff's allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the

years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 75:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1985.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-containing materials" is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff's allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 76:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1986.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-

containing materials” is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff’s allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff’s alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 77:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1987.

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term “asbestos-containing materials” is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff’s allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff’s alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR ADMISSION NO. 78:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1988,

RESPONSE:

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify a the time period or specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Further, Defendant objects to this request to the extent it is overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because the term "asbestos-containing materials" is vague and ambiguous. This request is overly broad in that Plaintiff has not provided any discovery responses and it is impossible to know Plaintiff's allegations. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, after reasonable inquiry, Defendant is unable to admit or deny this request.

REQUEST FOR PRODUCTION NO. 67:

Produce all documents that reflect, indicate or in anyway relate to communications between you and any manufacturer of asbestos-containing products concerning or related to the asbestos contained in such products.

RESPONSE:

Defendant objects to this requests for production to the extent that it is overly broad, vague, irrelevant, unduly burdensome, and not limited to the facilities where Plaintiff allegedly worked. TRCP 192.3(a). Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Further, Defendant objects to this requests for production to the extent it seeks information, the subject of which is protected from disclosure by the attorney/client privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971; however, see attached bates numbers CCCB 00017- CCCB 00025.

REQUEST FOR PRODUCTION NO. 68:

Produce all documents disseminated or published by any trade association that contain information relating to the hazards of asbestos and all documents which refer to such documents.

RESPONSE:

Defendant objects to this request for production to the extent it is overly broad, vague, unduly burdensome, and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based, and it is not limited to the facilities where Plaintiff allegedly worked. Further, Defendant objects to this request to the extent that many of the terms used therein are vague, ambiguous, and overly broad, which renders particular questions unintelligible, and renders a response impossible without speculation as to the meaning of the term. For instance, this objection refers to, but is not limited to Plaintiff's use of such terms as "hazards" & "trade association". Plaintiff fails to reference any specific use, exposure condition (i.e. concentration) or type of health injury in their requests TRCP 192.3(a).

Defendant objects to the production of documents which are protected by the attorney/client or other privilege. Defendant further objects as this request constitutes an impermissible "fishing expedition".

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR PRODUCTION NO. 69:

Produce all documents, that relate to any inspections by any regulatory agency for the purpose of ascertaining whether health or safety regulations were being followed or adhered to at any of your plants. This request specifically seeks any and all such documentation referring to dust hazards, including but not limited to asbestos in your plants.

RESPONSE:

Defendant objects to this request for production to the extent it is overly broad, vague, unduly burdensome, and calls for information or material which is neither relevant nor

reasonably calculated to lead to the discovery of admissible evidence. Further, Defendant objects to this request to the extent that it is not limited to the premises where Plaintiff allegedly worked. TRCP 192.3(a). Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based, and it is not limited to the facilities where Plaintiff worked. Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Defendant also objects to this request in that it is not limited to health and safety regulations dealing with asbestos. In addition, Defendant objects to this request to the extent that it seeks information which is a matter of public record or otherwise available to Plaintiff without imposing a burden on Defendant. Defendant objects to the extent this request seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5. Defendant objects to the term "hazards" as vague and ambiguous. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "your".

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR PRODUCTION NO. 70:

Produce all safety meeting minutes or other documents, that refer to the dangers of asbestos safety measures to be used in the vicinity of asbestos at Defendant's Premises.

RESPONSE:

Defendant objects to this request for production to the extent it is overly broad, vague, unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Further, Defendant objects to the extent that it is not limited to the premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant objects to the extent this request seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5.

Without waiving the foregoing objections, Defendant states that it is in the process of searching for documents responsive to this request. To the extent documents responsive to this request exist, these will be made available to Plaintiff's counsel at a time and date convenient to all parties at the offices of Defendant's counsel in Beaumont, Texas.

REQUEST FOR PRODUCTION NO. 71:

Produce all contracts, or other documents that relate to abatement of asbestos at Defendant's Premises.

RESPONSE:

Defendant objects to this request for production as overly broad, vague, irrelevant, unduly burdensome, and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Further, Defendant objects to the extent that it is not limited to the premises where Plaintiff allegedly worked. TRCP 192.3(a). I Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".n addition, Defendant objects to this request to the extent it seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5.

Without waiving the foregoing objections, Defendant states that it is in the process of searching for documents responsive to this request. To the extent documents responsive to this request exist, these will be made available to Plaintiff's counsel at a time and date convenient to all parties at the offices of Defendant's counsel in Beaumont, Texas.

REQUEST FOR PRODUCTION NO. 72:

Produce all contracts, or other documents that relate to the installation of asbestos products at Defendant's Premises.

RESPONSE:

Defendant objects to this request for production as overly broad, vague, irrelevant, unduly burdensome, and calls for information or material which is neither relevant nor

reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Further, Defendant objects to the extent that it is not limited to the premises where Plaintiff allegedly worked. TRCP 192.3(a). Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". In addition, Defendant objects to this request to the extent it seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5.

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR PRODUCTION NO. 73:

Produce all documents that in any way reflect a removal plan or organized written criteria or schedule for the removal of asbestos at Defendant's Premises.

RESPONSE:

Defendant objects to this request for production as overly broad, vague, irrelevant, unduly burdensome, and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Further, Defendant objects to the extent that it is not limited to the premises where Plaintiff allegedly worked. TRCP 192.3(a). In addition, Defendant objects to this request to the extent it seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5.

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR PRODUCTION NO. 74:

Produce all documents related to the medical condition of Plaintiff at anytime during his work at Defendant's Premises. This request specifically includes any and all x-rays, x-ray reports, medical notes and/or medical records of any kind, annual physical forms, and employment records relating to Plaintiffs health.

RESPONSE:

Defendant objects to this request for production to the extent it seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5.

Without waiving the foregoing objections, none.

REQUEST FOR PRODUCTION NO. 75:

Produce Plaintiffs entire personnel file from Defendant's Premises.

RESPONSE:

Defendant has no personnel file on Plaintiff.

REQUEST FOR PRODUCTION NO. 76:

Produce all documents that reflect the layout of Defendant's Premises, including the location and dimensions of all buildings and the location and placement of asbestos-containing products.

RESPONSE:

Defendant objects to this request for production as overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. TRCP 192.3(a). Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Further, Defendant objects to this request to the extent that it seeks confidential and/or proprietary information and/or trade secrets. In addition, this request seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5.

Without waiving the foregoing objections, see bate numbers CCCB 00026 through CCCB 00033.

REQUEST FOR PRODUCTION NO. 77:

Produce all documents containing any warnings concerning the possibility of injury resulting from the use of asbestos-containing products or exposure to asbestos.

RESPONSE:

Defendant objects to this request for production as overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Further, Defendant objects to this request to the extent that many of the terms used therein are vague, ambiguous, and overly broad, which renders particular questions unintelligible, and renders a response impossible without speculation as to the meaning of the term. For instance, this objection refers to, but is not limited to Plaintiff's use of such terms as "exposure" and/or "injury" or "possibility of injury" relating to asbestos. Plaintiff fails to reference any specific use, exposure condition (i.e. concentration) or type of health injury in their requests TRCP 192.3(a).

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR PRODUCTION NO. 78:

Produce all photographs of asbestos products in place or asbestos-containing products being fabricated or utilized at Defendant's Premises.

RESPONSE:

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant further objects to this requests for production to the extent that it seeks confidential and/or proprietary information and/or trade secrets. Further, Defendant objects to this request to the extent that it is not limited to the facilities Plaintiff allegedly worked. TRCP 192.3(a).

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR PRODUCTION NO. 79:

Produce all photographs of warning signs or warning statements which are or have been in place at Defendant's Premises in the vicinity of asbestos-containing products.

RESPONSE:

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant objects to this request for production to the extent that it seeks confidential and/or proprietary information and/or trade secrets. Further, Defendant objects to this request to the extent that it is not limited to the facilities Plaintiff allegedly worked. TRCP 192.3(a).

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR PRODUCTION NO. 80:

Produce all documents relating to any individuals claimed injury as a result of exposure to asbestos at Defendant's Premises, including, but not limited to, workers compensation claims.

RESPONSE:

Defendant objects to this request for production as overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Further, Defendant objects to the extent that it is not limited to the facilities at which Plaintiff allegedly worked. TRCP 192.3(a). Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". In addition, Defendant objects to this request to the extent it seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5.

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR PRODUCTION NO. 81:

Produce all documents, including but not limited to, corporate minutes, which mention the hazards or potential hazards of asbestos.

RESPONSE:

Defendant objects to this request for production as overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Further, Defendant objects to the extent that it is not limited to the facilities Plaintiff allegedly worked or was present nor to the time period when Plaintiff allegedly worked there. In addition, Defendant objects to this request to the extent that many of the terms used therein are vague, ambiguous, and overly broad, which renders particular questions unintelligible, and renders a response impossible without speculation as to the meaning of the term. For instance, this objection refers to, but is not limited to Plaintiff's use of such terms as "hazards", and/or "potential hazards" relating to asbestos. Plaintiff fails to reference any specific use, exposure condition (i.e. concentration) or type of health injury in their requests. TRCP 192.3(a). In addition, Defendant objects to this request to the extent it seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5.

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR PRODUCTION NO. 82:

Produce all documents, including invoices, shipping receipts, bills of lading and purchase orders, related to the purchase of asbestos-containing products for use at Defendant's Premises.

RESPONSE:

Defendant objects to this request for production as overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it is not limited in scope to the time periods when Plaintiff allegedly worked

on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Further, Defendant objects to this request to the extent that it is not limited to the facilities Plaintiff allegedly worked. TRCP 192.3(a).

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR PRODUCTION NO. 83:

Produce all documents relating to inspections by labor inspectors, insurance company inspectors or anyone from your company or hired by your company, that included the taking or measuring of "dust counts".

RESPONSE:

Defendant objects to this request for production as overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Further, Defendant objects to the extent that it is not limited to the facilities Plaintiff allegedly worked. TRCP 192.3(a). Defendant further objects to this request as it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "your". In addition, Defendant objects to this request to the extent it seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5.

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR PRODUCTION NO. 84:

In the event that Defendant performed or had performed any dust level counts or measurements of any of its plants or industrial facilities with respect to asbestos dust, produce any documents, memoranda, or other writings that in any way reflect the results of such studies or counts and actions taken as a result of such counts or studies.

RESPONSE:

Defendant objects to this request for production as overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Further, Defendant objects to the extent that it is not limited to the facilities Plaintiff allegedly worked. TRCP 192.3(a). Defendant further objects to this request as it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". In addition, Defendant objects to this request to the extent it seeks information the subject of which is protected from disclosure by the attorney work product privilege, the attorney/client privilege, the investigative privilege, the party communication privilege, or any other applicable privilege or immunity from discovery provided by TRCP 192.5.

Without waiving the foregoing objections, Defendant has been unable to locate any information responsive to this request from 1963-1971.

REQUEST FOR PRODUCTION NO. 85:

Produce all reports, writings (whether published or unpublished) and/or other documentation written, created and/or edited by any of your experts that in any way pertain to asbestos and the hazards and/or diseases that may result therefrom.

RESPONSE:

Defendant objects to this request for production as overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "your". Further, Defendant objects to this request to the extent that many of the terms used therein are vague, ambiguous, and overly broad, which renders particular questions unintelligible, and renders a response impossible without speculation as to the meaning of the term. For instance, this objection refers to, but is not limited to Plaintiff's use of such terms as "hazards" and/or "diseases" relating to asbestos. Plaintiff fails to reference any specific use, exposure condition (i.e. concentration) or type of health injury in their requests TRCP 192.3(a).

REQUEST FOR PRODUCTION NO. 86:

Produce all documents which will be used at the time of trial, including all potential exhibits and those documents which may be used to cross-examine other witnesses or in rebuttal, and which you contend are relevant to any of Defendant's enumerated defenses in Defendant's most recently filed Answer.

RESPONSE:

Defendant objects to this request for production to the extent that it is overly broad and burdensome and seeks information, the subject of which is protected from disclosure by the attorney work product privilege. Defendant will identify witnesses and trial exhibits at such time as the court may require.

REQUEST FOR PRODUCTION NO. 87:

Produce documents between Defendant and any of its worker's compensation carriers regarding the hazards of asbestos and asbestos-containing products.

RESPONSE:

Defendant objects to this request for production as overly broad, vague, unduly burdensome, and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based, and it is not limited to the facilities where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "your". Further, Defendant objects to this request to the extent that many of the terms used therein are vague, ambiguous, and overly broad, which renders particular questions unintelligible, and renders a response impossible without speculation as to the meaning of the term. For instance, this objection refers to, but is not limited to Plaintiff's use of such terms as "hazards" relating to asbestos. Plaintiff fails to reference any specific use, exposure condition (i.e. concentration) or type of health injury in their requests TRCP 192.3(a).

REQUEST FOR PRODUCTION NO. 88:

Produce a copy of all regulations, orders, rules and/or policies which have been used relating to the safety of the Defendant's Premises.

RESPONSE:

Defendant objects to this request for production as overly broad, vague, unduly burdensome, and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Further, Defendant objects to this request to the extent that it is not limited to the facilities Plaintiff allegedly worked. TRCP 192.3(a). Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Defendant also objects to this request in that it is not limited to health and safety regulations dealing with asbestos. Defendant objects to the production of documents which are protected by the attorney/client self audit/self critical analysis, or other privilege.

REQUEST FOR PRODUCTION NO. 89:

Produce all documents which contain complaints by employees of the Defendant's Premises regarding safety conditions and work place conditions at the Defendant's Premises.

RESPONSE:

Defendant objects to this request for production as overly broad, vague, unduly burdensome, and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Further, Defendant objects to this request to the extent that it is not limited to the facilities Plaintiff allegedly worked. TRCP 192.3(a). Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Defendant also objects to this request in that it is not limited to health and safety regulations dealing with asbestos. Defendant objects to the production of documents which are protected by the attorney/client self audit/self critical analysis, or other privilege.

REQUEST FOR PRODUCTION NO. 90:

Produce all documents which contain complaints by Union representatives of Defendant's Premises regarding safety conditions and work place conditions at the Defendant's Premises.

RESPONSE:

Defendant objects to this request for production as overly broad, vague, unduly burdensome, and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Further, Defendant objects to this request to the extent that it is not limited to the facilities Plaintiff allegedly worked. TRCP 192.3(a). Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Defendant also objects to this request in that it is not limited to health and safety regulations dealing with asbestos. Defendant objects to the production of documents which are protected by the attorney/client self audit/self critical analysis, or other privilege.

REQUEST FOR PRODUCTION NO. 91:

Produce all documents, organizational charts or rosters which identify the members of the management at the Defendant's Premises and their areas of responsibility during the time period of Plaintiffs work at Defendant's Premises.

RESPONSE:

Defendant objects to this request for production as overly broad, vague, unduly burdensome, and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. TRCP 192.3(a). Defendant further objects to this request as it is not limited in scope to when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Plaintiff has not formally indicated the time period he claims to have been present at Defendant's facilities.

To the extent documents responsive to this request exist, they will be made available to Plaintiff's counsel at a time and date convenient to all parties at the offices of Defendant's counsel in Beaumont, Texas.

REQUEST FOR PRODUCTION NO. 92:

Produce all documents which evidence Defendant's, net worth, including but not limited to all "10-K" forms filed for the last five (5) years.

RESPONSE:

Defendant objects to this request as overly broad, vague, and unduly burdensome with which to comply. Defendant objects to this request for production to the extent that it is not limited to the facilities Plaintiff allegedly worked. TRCP 192.3(a).

Without waiving the foregoing objections, Defendant will produce responsive documents to this request for inspection and copying at the offices of this Defendant's counsel at a mutually convenient time.

REQUEST FOR PRODUCTION NO. 93:

Produce all documents which evidence Defendant's purchase, acquisition, sale, or transfer of ownership of Defendant's Premises.

RESPONSE:

Defendant objects to this request for production as overly broad, vague, unduly burdensome, and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence TRCP 192.3(a). Defendant further objects to this request as it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 94:

Produce all indemnity agreements, assignments of liability, subrogation agreements and other similar documents relating to Defendant's Premises and liabilities arising from said ownership.

RESPONSE:

Defendant objects to this request for production as overly broad, vague, unduly burdensome, and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence TRCP 192.3(a). Defendant further objects to this request as it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this

request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

Without waiving the foregoing objections, Defendant has not located any documents responsive to this request to date regarding the claims made the basis of this suit.

REQUEST FOR PRODUCTION NO. 95:

Produce all contracts pertaining to work done by contractors at Defendant's facility.

RESPONSE:

Defendant objects to this request for production as overly broad, vague, unduly burdensome, and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence TRCP 192.3(a). Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Defendant also objects to this request in that it is not limited to contractors dealing with asbestos. Defendant further objects to this request as it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant objects to the production of documents which are protected by the attorney/client self audit/self critical analysis, or other privilege.

REQUEST FOR PRODUCTION NO. 96:

Please produce any printed material produced or published by Defendant containing any warnings concerning the possibility of injury resulting from the use of asbestos-containing products or exposure to asbestos?

RESPONSE:

Defendant objects to this request as overly broad, vague, irrelevant and unduly burdensome. Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based, and it is not limited to the facilities where Plaintiff worked. Defendant objects to the production of documents which are protected by the attorney/client or other privilege. Further, Defendant objects to this request to the extent that many of the terms used therein are vague, ambiguous, and overly broad, which renders particular questions unintelligible, and renders a response impossible

without speculation as to the meaning of the term. For instance, this objection refers to, but is not limited to Plaintiff's use of such terms as "warnings" or "possibility of injury" relating to asbestos. Plaintiff fails to reference any specific use, exposure condition (i.e. concentration) or type of health injury in their requests TRCP 192.3(a).

REQUEST FOR PRODUCTION NO. 97:

Produce all documents and other tangible things relating to the Plaintiff.

RESPONSE:

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant further objects to this request as it constitutes an impermissible "fishing expedition".

1A

REQUEST FOR PRODUCTION NO. 98:

If you content that you did not own or control the facility(ies) during any time period that Plaintiff worked (or believes he worked) at the facility(ies), please produce all documentation that supports your contention, including but not limited to documentation pertaining to the purchase, sale, acquisition, merger, or divestment of corporations, subsidiaries, divisions, or other corporate entities or assets that include the purchase, sale, acquisition, merger, or divestment of the facility(ies); such documentation to include, by way of example and not limitation, purchase or sale agreements, minutes, resolutions, annual reports, 10K reports or other state or federal agency filings, or deposition, trial testimony or affidavits of your corporate representatives who are the most knowledgeable individuals with respect to such matters.

RESPONSE:

Defendant objects to the request as overly broad, irrelevant and the terms "own or control" as vague and ambiguous. Defendant further objects because this request is not limited to a relevant time period. Defendant further objects because the request is outside the scope of TRCP 192.3 and not calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the

areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant further objects to this request as it constitutes an impermissible "fishing expedition".

PRESSURE-DEMAND HOSELINE UNIT
WITH EGRESS EMERGENCY AIR SUPPLY

This apparatus is to be worn when entering confined spaces which contain toxic or oxygen deficient atmospheres.

INSTRUCTIONS:

1. Inventory the equipment.
 - 1 high pressure regulator (to be set at 350 psi).
 - 1 50' ft. high pressure supply hose.
 - 1 harness with 5 minute cylinder and breathing air regulator attached.
 - 1 breathing air mask with a flexible tube attached (the mask should always be cleaned after use and stored in a plastic baggie).
2. Attach the high pressure regulator to a 220 cu. ft. breathing air cylinder and connect the 50' high pressure hose to it (there are many 220 cu. ft. breathing air cylinders throughout the plant being used for low pressure, demand, hose-line masks. These cylinders should be used, but not the low pressure regulators, hoses or masks).
3. After you have checked the emergency egress cylinder for proper pressure, don the harness.
4. Be sure that the pressure-demand regulator (on the left side of your chest) is in the "off" position, then couple-up to the 50' supply hose (a rush of air will occur while you are making-up the coupling).
5. Put on the mask as follows:
 - a. Adjust the head straps to a full outward position.
 - b. Hold the head harness out of the way with one hand or back over the lens.
 - c. Place the facepiece on the face with chin properly located in the chin pocket.
 - d. Pull the head harness over the head and tighten the neck straps by pulling on the two appropriate tabs.
 - e. Stroke the head harness down to the back using one or both hands.
 - f. Tighten the two temple straps.
 - g. Tighten the top strap only if necessary.
 - h. Check the seal by closing the end of the tube with your thumb and slowly inhaling.
6. Connect the flexible breathing tube to the pressure-demand regulator and only then switch the "on-off" lever to the "on" position (this lever should remain in the "on" position during use but should be switched "off" just prior to removing the mask).

Con't Page 2

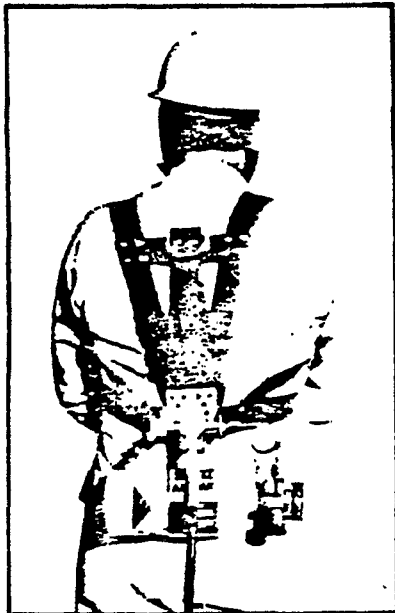
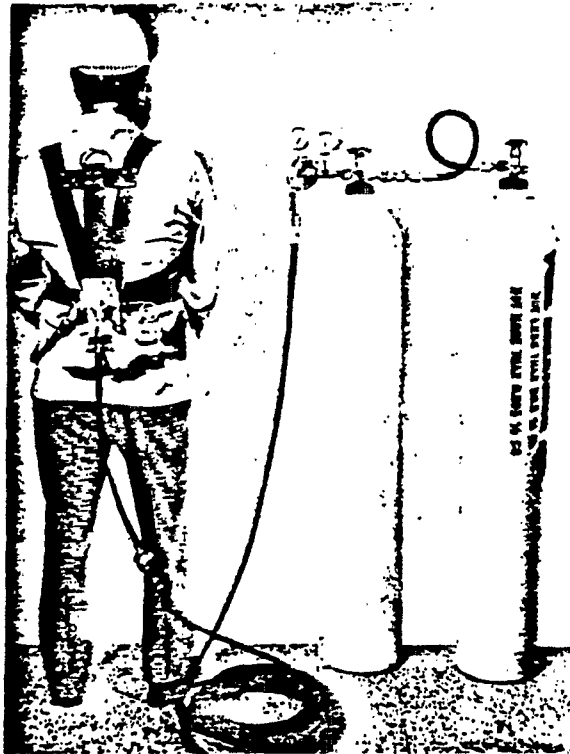
7. At any time your air supply fails or, you must uncouple from the supply hose, then and only then reach behind your back with the right hand and open the valve on the "Egress Emergency" cylinder. This will provide three to five minutes of breathing air and allow you to escape through the nearest exit.

Always clean and properly store the equipment before returning it to the tool room or stores.

INSTRUCTION FOR CLEANING AND STORAGE:

1. The facepiece and hoses should be washed with warm soapy water and air dried after use.
2. The facepiece should always be in a special plastic baggie when not in use (these may be obtained from stores).
3. Place all the equipment in its container neatly, being sure it is not distorted or packed into the container.
4. Return units #1,2,3,and 4 to the Brown & Root tool room and units #5,6, 7 and 8 to stores.
5. The tool room or stores personnel should not allow these units to be returned unless they are in good clean condition with no parts missing.

If there are any questions about the equipment or if repairs are needed contact the Safety Supervisor.



CEDAR BAYOU CHEMICAL PLANT
POLICIES & PROCEDURES MANUAL
RESPIRATORY PROTECTION

I. GENERAL

- A. This procedure shall serve as a guide for the proper selection, use and care of respiratory protective equipment in the Cedar Bayou Plant.
- B. Respiratory protective equipment shall be used whenever processes, environment, or chemicals are encountered in a manner capable of harming the body through inhalation.

II. EMPLOYEE RESPONSIBILITY

- A. Employees shall use the protective equipment provided in accordance with instructions and training received.
- B. Employees shall report any malfunction of the equipment to their supervisor.
- C. Employees who are performing routine tasks shall not borrow emergency respiratory protective equipment which is permanently assigned to a specific location without special permission of the supervisor in charge of the area in which the emergency equipment is kept.

III. SELECTION OF RESPIRATORY PROTECTIVE EQUIPMENT

A. General

- 1. Supervisors shall become familiar with the various types of respiratory protective equipment and their limitations, as the conditions encountered may range from nuisance odors or irritation to those which are immediately dangerous to life.

B. Nature of the hazard

The following is a general guide.

1. Oxygen-deficient atmospheres

Only self-contained breathing apparatus or supplied-air masks shall be used in any atmosphere that is deficient in oxygen.

2. Immediately hazardous atmospheres

Only self-contained breathing apparatus, or supplied air masks shall be used in atmospheres where gases or vapors are present in concentrations that would rapidly endanger a person.

3. Not immediately hazardous atmospheres

Mechanical filter respirators shall be worn as protection against particulate matter, such as fibers, dust or fumes.

C. Work requirements and conditions

The selection of appropriate respiratory protective equipment can only be made after it has been determined what work must be performed, what length of time it will require and under what conditions. For example, emergency repairs requiring a short period of time in an oxygen-deficient atmosphere and with normal access would permit the use of either a self-contained breathing apparatus or a supplied-air mask. However, lengthy tasks or confined areas may permit the use of a supplied-air mask only. Additionally, some contaminants may be absorbed through or irritate the skin upon contact. Consideration must be given to providing the wearer total protection if conditions warrant.

IV. USE OF RESPIRATORY PROTECTIVE EQUIPMENT

A. Restrictions

1. In areas where the user, with failure of the respiratory protective equipment, could be overcome by a toxic or oxygen-deficient atmosphere:

- a. The user shall have a lifeline attached.
 - b. At least one additional person shall be present as an observer.
 - c. Communications, either visual, or voice, shall be maintained, between user and observer and between observer and the control room by radio.
 - d. Planning shall be such that at least one individual will be unaffected by any likely incident and have the proper rescue equipment to be able to assist in case of emergency.
2. Respiratory protective equipment shall not be worn when conditions prevent a good face seal such as a growth of beard, absence of dentures, temple pieces on glasses, etc. Also, to assure proper protection, the facepiece fit shall be checked by the user each time he puts on the equipment.

B. Training

1. For the safe use of any respiratory protective equipment, it is essential that the user be properly instructed in its selection, use and maintenance.
2. Users shall receive fitting instruction which include:
 - a. Demonstrations and practice in how the respiratory protective equipment should be worn.
 - b. How to adjust the equipment.
 - c. How to determine if it fits properly.
 - d. Wearing it in normal air and in a test atmosphere for familiarity purposes.
3. Employees shall be made aware of the capabilities and limitations of respiratory protective equipment that they will be required to use, including how to determine when equipment is expended.
4. After initial training in the use of respiratory protective equipment, supervisors shall periodically evaluate their personnel's ability to use that equipment and arrange for refresher training if required.

C. Types of respiratory protective equipment

1. Dust, fume, fiber and mist respirators (3M paper filter, Dustfoe 77)
 - a. Mechanical filter respirators offer protection against airborne particulate matter including dust, mists, metal fumes, fibers and smoke.
 - b. Mechanical filter respirators do not provide protection against gases, vapors or oxygen-deficiency.
2. Canister respirator (MSA chin type)
 - a. The canister respirator is a standard MSA facepiece with a canister attached at the chin so that intake air passes through it.
 - b. It provides contact protection for the face and respiratory protection against vapors, dust and mist.
 - c. Masks and organic vapor canisters are provided for emergencies and authorized short term exposures to organic vapors (such as cleaning up spills of aromatics that may contain benzene, or Dimethylformamide).
 - d. Canister masks should never be used to enter a confined space, or an oxygen deficient atmosphere, or where the atmosphere is believed to contain a heavy concentration of vapors.
3. 5-Minute mask (Seigler)
 - a. The 5-minute escape mask consist of a clear hood supplied with breathing air from a tube-coil attached to it.
 - b. The 5-minute escape mask will provide protection in any atmosphere regardless of the degree of contamination or oxygen deficiency. Other protection may be required for skin, depending on circumstances.
 - c. The 5-minute escape mask should never be used to enter a confined space which contains an oxygen deficient or contaminated atmosphere. It should be taken into possible hazardous areas as an escape device only.
4. Air line respirator (Portable breathing air hose line carts)

- a. The air line respirator consists of a mask supplied with breathing air from a large breathing air cylinder (never from plant air).
 - b. The air line respirator will provide protection in any atmosphere regardless of the degree of contamination or oxygen deficiency. Other protection may be required for the skin, depending on circumstances.
 - c. Whenever an air line respirator is to be used in a confined space, an Egress emergency air supply unit must be obtained from stores and used. Then a rope shall be attached to the user and a standby man or men shall be present in a safe location with suitable rescue equipment. A confined space is never to be entered using an air line respirator until these conditions are met.
 - d. Care must be exercised to prevent damage to the hose and regulator while in use, and the assembly shall be stored in such a way that damage will be avoided.
5. Cylinder typed self-contained breathing apparatus (Scott Air Pac)
- a. This self-contained breathing apparatus utilizes compressed breathing air and will provide protection in any atmosphere regardless of contamination or oxygen deficiency. Other protection may be required for the skin, depending on circumstances.
 - b. When anticipating the use of this apparatus, consideration shall be given to the service life of the cylinders. Although this equipment should provide breathing air for approximately 30 minutes, extreme exertion or emotional strain will reduce the rated time.
 - c. Users of this equipment shall immediately begin exiting the hazardous atmosphere when the low pressure alarm sounds.
 - d. Whenever compressed air apparatus is used in a confined space a lifeline shall be attached to the person using the apparatus and a standby man or men shall be present in a safe location with suitable rescue equipment.

6. Oxygen resuscitator

- a. This apparatus utilizes compressed breathing oxygen to enrich the blood of a breathing or non-breathing victim.
- b. Non-breathing victims should be aspirated immediately upon discovery - never hesitate - the resuscitator may be substituted for alternate methods when it arrives.
- c. Breathing victims who have been exposed to toxic substances or are experiencing a respiratory problem due to physical conditions (such as heart attack) the resuscitator may be used as a demand inhalator.
- d. Operation
 1. Turn the knob on the oxygen cylinder counterclockwise and note cylinder pressure (when not in use cylinder pressure should be checked periodically and replaced with a full one when necessary).
 2. Verify that there is no obstruction in the patients throat or mouth.
 3. With one hand under the patients chin, tilt the head back and place the mask over the victims nose and mouth. (Hold the mask in place with the thumb, forefinger, and middle finger while using the rest of the fingers to tilt the victims head back).
 4. Using the other hand to hold the demand valve and mask in place, depress the manual control button until the victims chest rises, then release the button. Repeat, pressing and releasing the manual control button at a rate of 12 times per minute.

V. MAINTENANCE AND CARE OF RESPIRATORY PROTECTION EQUIPMENT

A. Inspection for defects

1. All respiratory protective equipment shall be inspected routinely before and after each use by the user.
2. Breathing air cylinder shall be maintained at a minimum of 1800 pounds pressure except while being depleted during use. The regulator and any

warning device shall be tested during inspections to determine if they function properly.

3. Inspection of equipment shall include a check of the tightness of connections and the condition of the facepieces, headbands, valves connecting tubes, hoses and regulators. Rubber or elastomer parts shall be inspected for pliability and signs of deterioration.
4. Equipment that is not routinely used but is kept ready for emergency use shall be inspected after each use and at least monthly to assure that it is in satisfactory working condition. Respiratory Protective Equipment Monthly Inspection Report, shall be completed by each department, and a copy shall be forwarded to the safety supervisor. Accident Prevention personnel shall also make random inspections.

B. Cleaning of respiratory protective equipment

1. Masks used by more than one person shall be cleaned and disinfected after each use by the user. Cleaning and disinfecting shall consist of scrubbing in warm soapy water, rinse, spray with disinfectant, rinse again and dry.
2. Respiratory protective equipment shall be stored so that the facepiece and exhalation valve will rest in a normal position and function will not be impaired by the elastomer becoming set in an abnormal position.
3. Respiratory protective equipment shall always be stored in plastic "baggies" which are provided expressly for this purpose.

- VI. To insure an effective respiratory protective program, the safety supervisor will monitor and evaluate various operations to assure that respiratory protective equipment is properly selected, used cleaned and maintained. Anyone desiring assistance with this procedure should contact the safety supervisor.

I received Respiratory equipment training at the Cedar Bayou Chemical Plant on _____.

This training included demonstration and explanation of all types of respiratory equipment used in the plant.

1. Mechanical filter respirator
2. 5-Mintue escape mask
3. Air line respirator
4. Cylinder type self-contained breathing appartus
5. Oxygen resuscitator

I then was required to prove I could don #3 and #4 and accomplish a perfect seal of the facepiece in a test atmosphere.

<u>UNIT</u>	<u>NAME</u>	<u>JOB CLASSIFICATION</u>

*
DEFINITION OF TERMS

1. DUSTS - Solid particles generated by handling, crushing, grinding, rapid impact, detonation, and decrepitation of organic or inorganic materials, such as rock, ore, metal, coal, wood, and grain. Dust may enter the air from various sources. It may be dispersed when a dusty material is handled, such as when lead oxide is dumped into a mixer or a product is dusted with talc. When solid materials are reduced to small sizes in processes such as grinding, crushing, blasting, shaking, and drilling, the mechanical action of the grinding or shaking device supplies a source of energy to disperse the dust formed.
2. FUMES - Solid particles generated by condensation from the gaseous state, generally after volatilization from molten metals. this physical change is often accompanied by a chemical reaction, such as oxidation.
3. SMOKE - Carbon or soot particles less than 0.1 m in size which result from the incomplete combustion of carbonaceous materials such as coal or oil. Smoke generally contains droplets as well as dry particles.
4. MISTS - Suspended liquid droplets generated by condensation from the gaseous to the liquid state or by breaking up a liquid into a dispersed state, such as by splashing, foaming, or atomizing. Mist is formed when a finely divided liquid is suspended in the atmosphere. Examples are the oil mist produced during cutting and grinding operations, acid mists from electroplating, acid or alkali mists from pickling operations, paint spray mist from spraying operations and the condensation of water vapor to form a fog or rain.
5. GASES - Normally formless fluids which occupy the space or enclosure and which can be changed to the liquid or solid state only by the combined effect of increased pressure and decreased temperature. Examples are welding gases, internal combustion engine exhaust gases, and air.
6. VAPORS - The gaseous form of substances which are normally in the solid or liquid state (at room temperature and pressure). Evaporation is the process by which a liquid is changed into the vapor state and mixed with the surrounding atmosphere. Solvents with low boiling points will volatilize readily.

* Fundamentals of Industrial Hygiene, Edited by Julian B. Olishifski, P.E., and Frank E. McElroy, P.E., Copyright 1971-National Safety Council.

be given full consideration. In oxygen-deficient atmospheres with no toxic materials, inward leakage is normally not a problem unless the leakage exceeds a few percent. It is essential that, in highly toxic atmospheres, inward leakage, if any, be minute. See 6.3.2.1 and 7.3 for use of respirators in immediately dangerous atmospheres.

6.3.2.1 Respirators Recommended for Immediately Dangerous Atmospheres. The U. S. Bureau of Mines and responsible industrial hygiene and safety organizations recommend the following respirators, listed in decreasing order

with regard to the protection they offer the wearer, for use in atmospheres immediately dangerous to life or health. These atmospheres include those which are oxygen deficient or where high concentrations of gases or vapors exist:

(1) pressure-demand open-circuit or pressure-type closed-circuit self-contained breathing apparatus

(2) combination pressure-demand air-line respirator with auxiliary self-contained air supply

(3) combination constant-flow air-line respirator with auxiliary self-contained air supply

Table 5

Color Code for Gas-Mask Canisters (ANSI K13.1-1967)

Atmospheric Contaminants to be Protected Against	Colors Assigned*
Acid gases	White
Hydrocyanic acid gas	White with $\frac{1}{2}$ -inch green stripe completely around the canister near the bottom
Chlorine gas	White with $\frac{1}{2}$ -inch yellow stripe completely around the canister near the bottom
Organic vapors	Black
Ammonia gas	Green
Acid gases and ammonia gas	Green with $\frac{1}{2}$ -inch white stripe completely around the canister near the bottom
Carbon monoxide	Blue
Acid gases and organic vapors	Yellow
Hydrocyanic acid gas and chloropicrin vapor	Yellow with $\frac{1}{2}$ -inch blue stripe completely around the canister near the bottom
Acid gases, organic vapors, and ammonia gases	Brown
Radioactive materials, excepting tritium and noble gases	Purple (Magenta)
Particulates (dusts, fumes, mists, fogs, or smokes) in combination with any of the above gases or vapors	Canister color for contaminant, as designated above, with $\frac{1}{2}$ -inch gray stripe completely around the canister near the top
All of the above atmospheric contaminants	Red with $\frac{1}{2}$ -inch gray stripe completely around the canister near the top

* Gray shall not be assigned as the main color for a canister designed to remove acids or vapors.

NOTE: Orange shall be used as a complete body, or stripe color to represent gases not included in this table. The user will need to refer to the canister label to determine the degree of protection the canister will afford.

piration shall be of high purity. Oxygen shall meet the requirements of the United States Pharmacopoeia for medical or breathing oxygen. Breathing air shall meet at least the requirements of the specification for Grade D breathing air as described in Compressed Gas Association Commodity Specification G-7.1-1966.

Compressed oxygen shall not be used in supplied-air respirators or in open-circuit self-contained breathing apparatus that have previously used compressed air. Compressed air might contain low concentrations of oil. When high-pressure oxygen passes through an oil- or grease-coated orifice, an explosion or fire may occur.

Breathing air may be supplied to respirators from cylinders or air compressors. Cylinders shall be tested and maintained in accordance with applicable Department of Transportation or Interstate Commerce Commission Specifications for shipping containers. Compressors shall be constructed and situated so as to avoid entry of contaminated air into the system and suitable in-line air purifying sorbent beds and filters installed to further assure breathing air quality. A receiver of sufficient capacity to enable the respirator wearer to escape from a contaminated atmosphere in event of compressor failure, and alarms to indicate compressor failure and overheating shall be installed in the system (see 6.3.2). Air-line couplings shall be incompatible with outlets for other gas systems to prevent inadvertent servicing of air-line respirators with nonrespirable gases or oxygen.

Breathing-gas containers shall be marked in accordance with American National Standard Method of Marking Portable Compressed Gas Containers to Identify the Material Contained, Z48.1-1954; Federal Specification BB-A-1034a, June 21, 1968, Air, Compressed for Breathing Purposes; or Interim Federal Specification GG-B-00675b, April 27, 1965, Breathing Apparatus, Self-Contained. Further details on sources of compressed air and its safe use will be found in Compressed Gas Association Pamphlet G-7-1968.

6. Selection of Respirators

6.1 Approved or Accepted Respirators. Whenever possible, approved or accepted respirators shall be used. Respirator approval and acceptance tests and listings and selection of other than approved or accepted respirators are discussed in the Appendix.

6.2 General Considerations. The multiplicity of hazards that may exist in a given operation requires careful and intelligent respirator selection. This selection is made even more complex by the many types of respirators available. Each type has its limitations, areas of application, and operational and maintenance requirements.

The selection of a proper respirator for any given situation requires consideration of the following factors: 1) nature of the hazard (see Section 4); 2) extent of the hazard; 3) work requirements and conditions; and 4) characteristics and limitations of available respirators (see Section 5).

Table 6 is a quick reference guide for the selection of respiratory protection appropriate to the type and degree of hazard. The Table provides minimal guidance, however, and shall be used along with other information, such as that given in this standard and in directions provided by respirator manufacturers.

When there is doubt about the concentration of oxygen or hazardous material present in the atmosphere, only those respirators listed as suitable for respiratory protection against oxygen deficiency shall be used. Any erring in the selection of respirators shall be on the safe side.

6.3 Nature of the Hazard. The chemical and physical properties, toxicity, and concentration of the hazardous material shall be considered in respirator selection (see Section 4 for classifications and discussion of respiratory hazards).

6.3.1 Oxygen-Deficient Atmospheres. Only respirators that provide an independent, respirable atmosphere shall be used in oxygen-deficient atmospheres. Normally, a self-contained breathing apparatus, hose mask with blower, or air-line respirator with auxiliary self-contained air supply is used for this purpose. Air-line respirators without auxiliary air supply shall be used only with the precautions outlined in 6.3.2.

An attendant shall be standing by at the entrance to the oxygen-deficient atmosphere at all times with proper communications and rescue equipment in case of an emergency. See 7.3 for use of respirators in oxygen-deficient atmospheres.

6.3.2 Immediately Dangerous Atmospheres. If it is probable that atmospheres immediately dangerous to life or health may occur, then both the normally expected *inward leakage* (see 6.3.3) and the *reliability* of the respirator shall

(4) demand-flow open-circuit or closed-circuit self-contained breathing apparatus (where there may be a negative pressure in the breathing system at any time)

(5) combination demand-flow air-line respirator with auxiliary self-contained air supply

(6) hose mask with blower

When self-contained breathing apparatus or hose masks with blowers are used in atmospheres immediately dangerous to life or health, standby men must be present with suitable rescue equipment.

6.3.2.2 Other Respirators Which May Be Used under Certain Conditions in Atmospheres Immediately Dangerous to Life or Health. Air-line respirators are not approved or recommended for use in immediately dangerous atmospheres because no respiratory protection is provided if the air supply fails. However, if

routine protection or operational designs preclude use of the recommended types of respirators which workers should wear, the following air-line respirators may be considered, provided an adequate flow of respirable air is maintained. These are listed in decreasing order with regard to the protection they provide for the wearer.

(1) pressure-demand air-line respirator with full facepiece

(2) continuous-flow air-line respirator with full facepiece, helmet, hood, or suit

(3) demand-flow air-line respirator with full facepiece

(4) pressure-demand air-line respirator with half-mask facepiece (only for atmospheres that do not cause eye irritation or injury)

(5) continuous-flow air-line respirator with half-mask facepiece (only for atmospheres that do not cause eye irritation or injury)

Table 6
Guide for Selection of Respirators

Hazard	Respirator (See Note 1.)
Oxygen Deficiency	Self-contained breathing apparatus. Hose mask with blower. <u>Combination air-line respirator with auxiliary self-contained air supply or an air-storage receiver with alarm.</u>
Gas and Vapor Contaminants Immediately dangerous to life or health. (See Note 2.)	Self-contained breathing apparatus. Hose mask with blower. Air-purifying, full facepiece respirator with chemical canister (gas mask). Self-rescue mouthpiece respirator (for escape only). <u>Combination air-line respirator with auxiliary self-contained air supply or an air-storage receiver with alarm.</u>
Not immediately dangerous to life or health.	Air-line respirator. Hose mask without blower. Air-purifying, half-mask or mouthpiece respirator with chemical cartridge.
Particulate Contaminants Immediately dangerous to life or health. (See Note 2.)	Self-contained breathing apparatus. Hose mask with blower. Air-purifying, full facepiece respirator with appropriate filter. Self-rescue mouthpiece respirator (for escape only). <u>Combination air-line respirator with auxiliary self-contained air supply or an air-storage receiver with alarm.</u>
Not immediately dangerous to life or health.	Air-purifying, half-mask or mouthpiece respirator with filter pad or cartridge. Air-line respirator. Air-line abrasive-blasting respirator. Hose mask without blower.
Combination gas, vapor, and particulate contaminants Immediately dangerous to life or health. (See Note 2.)	Self-contained breathing apparatus. Hose mask with blower. Air-purifying, full facepiece respirator with chemical canister and appropriate filter (gas mask with filter). Self-rescue mouthpiece respirator (for escape only). <u>Combination air-line respirator with auxiliary self-contained air supply or an air-storage receiver with alarm.</u>
Not immediately dangerous to life or health.	Air-line respirator. Hose mask without blower. Air-purifying, half-mask or mouthpiece respirator with chemical cartridge and appropriate filter.

NOTE 1: For details on descriptions, capabilities, and limitations of respirators, refer to Tables 3 and 4.

NOTE 2: For details on use of respirators in hazardous atmospheres, see 6.3.2 and 7.3.

(6) demand-flow air-line respirator with half-mask facepiece (only for atmospheres that do not cause eye irritation or injury)

Pressure-demand or continuous-flow air-line respirators with full facepiece provide the wearer with a degree of respiratory protection equal to that afforded by a positive pressure self-contained breathing apparatus as long as an adequate flow of respirable air is maintained. Also, a demand-flow air-line respirator with full facepiece would be equivalent to a demand-flow open-circuit or closed-circuit self-contained breathing apparatus as long as an adequate supply of respirable air is maintained.

Persons using air-line respirators in atmospheres immediately hazardous to life or health shall be equipped with safety harnesses and safety lines for lifting or removing persons from hazardous atmospheres or other and equivalent provisions for the rescue of persons from hazardous atmospheres shall be used. A standby man or men with suitable self-contained breathing apparatus shall be at the nearest fresh air base for emergency rescue.

Before a person is permitted to wear an air-line respirator in a hazardous atmosphere, an industrial hygiene, health physics, or safety engineering department representative or a qualified industrial hygienist, health physicist, or safety engineer shall be responsible for compliance with the following:

(1) Air-line hose from a compressor or cylinder air supply shall be protected from damage, including cutting, kinking, crushing, or burning. In some cases an armored hose shall be used. Hose couplings shall be protected against disconnection. Trailing air-line hose shall be arranged to minimize tripping and to permit ready escape.

(2) The cylinder containing the air supply for an air-line respirator shall be tested for oxygen concentration and carbon monoxide content and shall be respirable. All air shall meet the minimum specification for Type I, Grade D gaseous air of the Compressed Gas Association *Commodity Specification for Air*, G-7.1-1966. The air supply in the cylinder shall be adequate for completion of the work and escape. *Oxygen must never be used with air-line respirators.*

(3) The compressor for supplying air shall be equipped with necessary safety and standby devices. A breathing air-type compressor shall be used. An air-storage receiver shall also be

provided to furnish the wearer with an adequate supply of escape air if the compressor fails to operate. A compressor shutoff alarm and necessary aerosol and vapor and gas filters shall also be incorporated into the system.

If an oil-lubricated compressor is used, it shall have a high-temperature or carbon monoxide alarm, or both. If only a high-temperature alarm is used, the air from the compressor shall be frequently tested for carbon monoxide to insure that it meets the specifications in 6.3.2.2 (2).

(4) The wearer shall be properly trained in the use of the air-line respirator and shall be well-informed of the hazard. A standard operating procedure shall be prepared for each situation for which air-line respirators are employed in atmospheres immediately hazardous to life or health, and air-line respirator users shall be thoroughly familiar with this procedure.

(5) Continuous-flow air-line respirators are designed for maximum comfort with a minimum airflow that will adequately protect the wearer in a non-hazardous atmosphere. However, they are capable of providing adequate airflow to protect the wearer in a hazardous atmosphere. This adequate airflow is obtained when the airflow control valve is fully open.

The recommended minimum airflows for use of air-line respirators in hazardous atmospheres are five cubic feet per minute to tight fitting facepieces and seven cubic feet per minute to loose fitting hoods or helmets. Persons wearing supplied-air suits shall follow the manufacturer's instructions concerning minimum airflow.

For further information on furnishing compressed air to air-line respirators, refer to Compressed Gas Association Pamphlet G-7-1968. See 7.3 concerning safe procedures during use of respirators in atmospheres immediately dangerous to life or health.

6.3.3 Not Immediately Dangerous Atmospheres. If immediately dangerous atmospheres are not present or will not occur, then the consequences of respirator failure are lessened and emphasis can be placed on other factors such as long term protection, convenience, cost, comfort, and wearer acceptance. These factors should be weighed one against another since they are not always compatible. However, long term protection should be given priority over all other factors.



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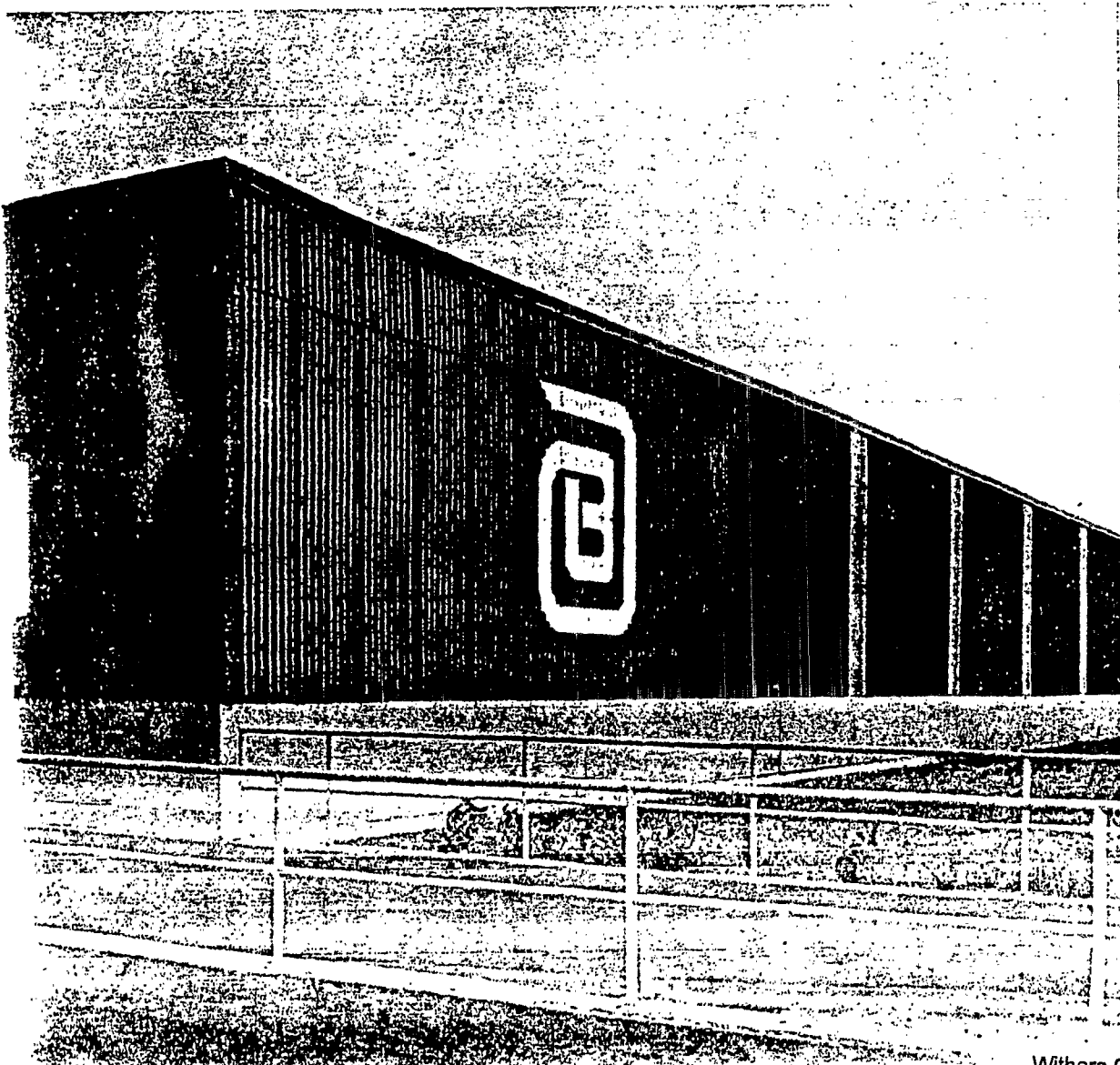
ATLAS INTERNATIONAL BUILDING PRODUCTS

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Corrugated "400"

Asbestos-Cement
Roofing and Siding

Transite Siding



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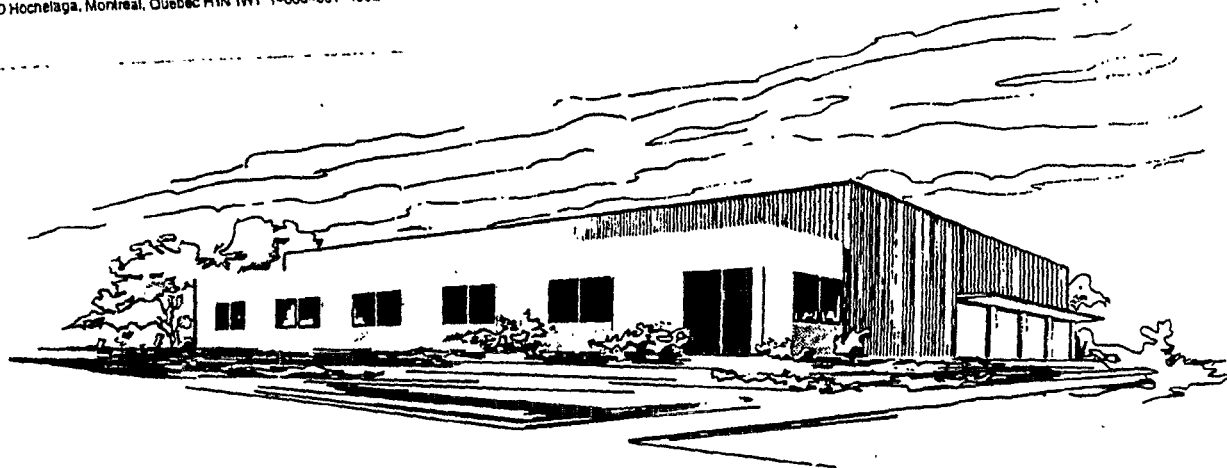
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GENERAL DESCRIPTION

AIBP Corrugated "400" is an economical, low maintenance roofing and siding product intended for use on industrial, commercial and institutional buildings. It is composed of non-combustible Portland Cement and Asbestos Fiber which are formed under high pressure into a dense, strong corrugated sheet. The product will not burn, smoke, yield toxic gasses or contribute to combustion when exposed to flame or high temperatures. Because of its base materials and dense formation, Corrugated "400" has excellent durability, weathering qualities, resistance to alkalis and chemical fumes, and will not rot, corrode or be affected by insects or vermin.

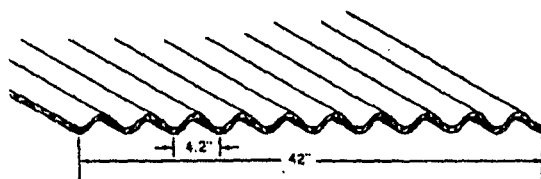


Fig. 1. Corrugated "400" Sheet

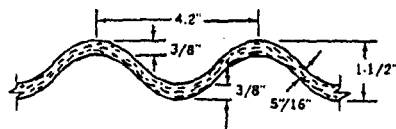


Fig. 2. Corrugation Dimensions

Special erection and application techniques are sometimes required for unusual application conditions. Special application details are needed whenever Corrugated "400" is to be applied over furnaces, boilers, refractories, and other high-temperature installations.

CORRUGATED SHEETS

Corrugated "400" is normally supplied in lengths of 1 to 12 feet, graduated in increments of 6 inches (see Table 1). However, custom cut sheets are available to meet the particular length requirements of the job. Corrugated "400" sheet corrugations have a 4.2-inch pitch and depth of 1½ inches. They are approximately ¾-inch thick at crests and vales and 5/16-inch thick at flanks. Sheets are furnished 42 inches (ten corrugations) wide (see Table 2).

To determine the number of sheets required per course, divide the length in feet by 3.15.

Corrugated "400" meets Federal Specification SS-B-755A-Type A and ASTM Specification C221, Type B.

COLOR CORRUGATED "400"

Pebble-Textured, Plasti-Clad Coated Corrugated "400" is a colorful, factory finished product which gives increased weathering and chemical resistant qualities. The Plasti-Clad finish also resists water penetration and dirt accumulation. The Plasti-Clad treatment is a double coated, baked acrylic finish integrally bonded to the asbestos-cement substrate.

The wide range of Plasti-Clad colors provides an opportunity to design color and good appearance into industrial as well as commercial buildings. Six standard colors are available as shown on back cover. Additional colors are also available on special order. Asbestos-cement accessories are available in either natural cement gray or matching Plasti-Clad colors.

ARCHITECTURAL SPECIFICATIONS

Side Walls and roofs shall be corrugated "400" as manufactured by International Building Products. All sheets shall be 42" in width and of suitable length so that all end laps shall fall over purlin or grit. Corrugation pitch shall be 4.2" and thickness of corrugation shall be a nominal $\frac{3}{8}$ " at crests and vales and a nominal $\frac{5}{16}$ " at flanks. Overall sheet depth shall be $1\frac{1}{2}$ ". Unrated weight shall be approximately 4 lbs. per sq. ft. Surface shall be smooth, asbestos-cement gray; or textured and prefinished color shall be _____ . Installation shall be in accordance with manufacturer's instructions.

ESTIMATING AND ENGINEERING SERVICE

Franchised applicators, highly skilled in all the uses of IBP Corrugated "400", are always ready to serve your needs whether it be a cost estimate of standard application or a custom-engineered installation. Contact us for the name of the approved applicator in your area.

ACCESSORY SOURCES

Fasteners and Side-Lap Sealant
Construction Fasteners, Inc., Box 6326
Wyomissing, PA 19610 215-376-5751

Atlas Bolt and Screw Southwest Inc.
3126 National Circle Dr.
Garland, TX 75041 214-271-5491

Rubber Closure Strips
Rubatex (Main Office), Railroad Avenue,
Bedford, VA 24523 703-586-2611

PRODUCT DESCRIPTION

TABLE 1. SHEET SIZES AVAILABLE FROM STOCK

Length of Sheet (Ft.)	Sq. Ft. Per Sheet	Approx. Wt. Per Sheet (Lbs.)	Length of Sheet (Ft.)	Sq. Ft. Per Sheet	Approx. Wt. Per Sheet (Lbs.)
1	3.50	14	7	24.50	98
1½	5.25	21	7½	26.25	105
2	7.00	28	8	28.00	112
2½	8.75	35	8½	29.75	119
3	10.50	42	9	31.50	126
3½	12.25	49	9½	33.25	133
4	14.00	56	10	35.00	140
4½	15.75	63	10½	36.75	147
5	17.50	70	11	38.50	154
5½	19.25	77	11½	40.25	161
6	21.00	84	12	42.00	168
6½	22.75	91			

TABLE 2. PRODUCT INFORMATION

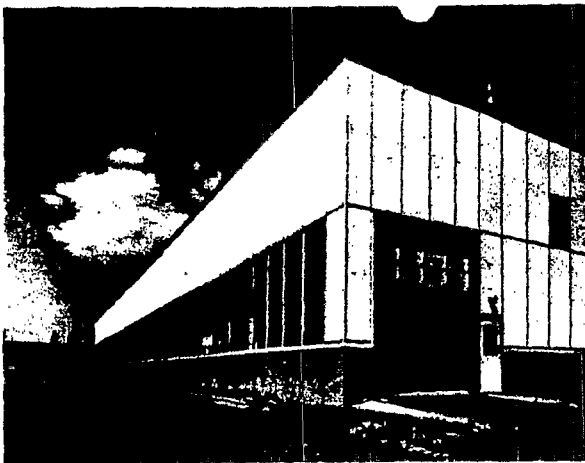
Pitch	4.2" center to center
Width	42"
Length	1' to 12' (see Table 1)
Weight	approximately 4 lbs. per sq. ft.
Color	Plasti-Clad Colors or natural cement-gray
Thickness	approximately $\frac{3}{8}$ " at crest and vales; $\frac{5}{16}$ " at flanks
Depth of corrugation	1½"

TABLE 3. APPLICATION SPECIFICATIONS

Minimum roof slope	3" rise to 12"
*Recommended maximum purlin	4'6"
*Recommended maximum girt	5'9"
Minimum side lap	1 corrugation
Minimum end lap	6"
Maximum rake overhang	2 corrugations
Maximum eave overhang	9"
Weight sheets per net square	500 lbs.
Weight fasteners per net square	8 lbs.

TABLE 4. PHYSICAL CHARACTERISTICS

Section Modulus	0.904 in. ³ /ft. of width
Moment of inertia	0.678 in. ⁴ /ft. of width
Modulus of Rupture (dry)	4150 psi
Modulus of Rupture (saturated)	3120 psi
Modulus of Elasticity (dry)	2 x 10 ⁶
Modulus of Elasticity (saturated)	1.6 x 10 ⁶
Compressive Strength (parallel to corrugations)	9200 lbs./sq. in. avg.
Tensile Strength	2000 psi
Rockwell Hardness	Approximately 57, F scale, 1/16" ball, 60 Kg. load
Density	110 lbs./cu. ft. at 15% moisture
*If greater spacing is needed, please call plant for special materials availability.	



APPLICATION INSTRUCTIONS

IBP

ASBESTOS CEMENT FLAT SHEETS

A. DESCRIPTION

General

Mineral Fiber Flat Sheets are made essentially by combining asbestos fibers and portland cement with water and forming this mixture, under pressure, into dense sheets which are then cured. The asbestos fibers impart strength and flexibility to the product. Flat Sheets possess many properties that make them highly suitable as a finish material. The sheets are very durable and virtually maintenance free. They have high compressive strength and will not burn. They cannot be harmed by termites, other insects or bacteria.

The flat sheets are available unfinished, preprimed and in a variety of prefinished colors. Batten strips of the same material are available in standard widths of 3 in. and 4 in., in thicknesses of $\frac{1}{8}$ in. and $\frac{1}{4}$ in. and in lengths of 8 ft. Sheets are available in two types, "F" and "U", IBP Pliaflex and Permaboard respectively.

Type F (Flexible)

Pliaflex sheets are suitable for exterior and interior use, where a board having the higher strength and density, smoother surface, greater flexibility and lower moisture absorption is desired. They are identified by a yellow marking on each end.

Type U (Utility)

Permaboard sheets are suitable for exterior and interior use and have sufficient strength for general utility and construction purposes where maximum flexibility is not required. They are identified by a blue marking on each end.

Specifications

Flat sheets are manufactured to meet or exceed the requirements of currently applicable Federal Specification SS-B-755, "Building Board, Asbestos-Cement; Flat" and ASTM C 220, "Flat Asbestos-Cement Sheets."

B. ACCESSORY MATERIALS

1. Fasteners

a. Nails shall be nonstaining and noncorrodible when used in areas of high humidity or on exterior applications. Colored nails are available for prefinished colored sheets. Other types include galvanized, stainless steel or aluminum. Nail head diameter shall be $\frac{3}{4}$ " for ceilings and $\frac{1}{2}$ " for side walls and of sufficient length to penetrate the wood framing a minimum 1".

b. Wood screws shall be oval or truss head and of sufficient length to penetrate wood $\frac{1}{4}$ ". Screws for metal studs shall be oval or truss head type S for 25 ga. or type S-12 for 20 ga. or heavier. On exterior construction screws shall be treated to prevent corrosion and staining.

c. Adhesive — MC, 3M CTA-11 or 12. (refer to Curtainwall System bulletin no. 8-8012 for adhesive application)

2. Underlayment

Use a No. 15 or heavier asphalt saturated felt or breather type aluminum foil on exterior work over wood sheathing, open frame construction or as required by local codes.

3. Caulking Compound

Shall be nonshrinking butyl type conforming to Interim Federal Specification TT-S-001657.

PHYSICAL PROPERTIES - I B P FLAT SHEETS

Property	Type U	Type F Normal Cure	Type F Autoclaved
Density lbs./cu. ft.	90	95	95
Modulus of Elasticity, psi	1.7×10^4	2.2×10^4	2.0×10^4
Compressive Strength, psi	12,000	12,000	12,000
Tensile Strength, psi	2,000	2,000	2,000
Thermal Expansion in/in./°F	5×10^{-6}	5×10^{-6}	5×10^{-6}
Thermal Conductivity "k"	4	4	4
Moisture Extension in/in.			
Shrinkage 50% RH to dry	.0020	.0018	.0009
Expansion 50% RH to 90% RH	.0005	.0005	.0003
Expansion dry to saturated	.0028	.0025	.0013
Water Absorption, % dry weight	30 max.	25 max.	25 max.
Modulus of Rupture psi	3,700	5,000	5,000

Flexural Strength (lbs./6" width)	Thickness (in.)			
Type U	1/8"	3/16"	1/4"	3/8"
Type F	20	50	90	190
	20	50	90	190

FLAT SHEET DATA

	size	thickness	lbs./sq. ft.	minimum bending radius	
				longitudinal	transverse
PLIAFLEX	4' x 8', 10', 12'	1/8"	1.2	2' - 4"	3' - 0"
		3/16"	1.8	3' - 8"	5' - 3"
		1/4"	2.4	5' - 3"	8' - 11"
		3/8"	3.8	8' - 8"	10' - 3"
		1/2"	4.8		
PERMABOARD	4' x 8', 10', 12'	3/16"	1.8	5' - 3"	7' - 0"
		1/4"	2.4	7' - 0"	10' - 5"
		3/8"	3.8	10' - 5"	13' - 0"
		1/2"	4.8		

4. Trim

Shall be wood, mineral fiber or metal of varying shapes as specified for the particular application.

C. STORAGE AND HANDLING

Keep sheets clean and dry. Pile evenly on a solid, flat surface raised at least 4" above the ground and completely covered. Prefinished sheets should be stacked face to face with the provided slip sheets between.

Pick sheets up by reaching in along the long sides as far as possible, not by the corners. Handle prefinished sheets carefully to prevent marring the colored surface.

D. INSTALLATION

1. Framing Wood

- Align 2x4 floor and ceiling plates to assure plumb wall. Secure with suitable fasteners. Double top plate shall be installed for load-bearing partitions. Plates shall be caulked to seal all voids behind plates.
- Install 2x4 studs, cut to length between plates and spaced (16", 24") o.c. Double studs shall be located adjacent to door and window frames, partitions, intersections and corners. Studs shall be firmly nailed to top and bottom plates.

2. Metal Studs, 25 Ga. Interior or 20 Ga. Curtainwall Stud

- Align floor and ceiling tracks to assure plumb wall. Secure track with suitable fasteners at a maximum of 24" o.c. Caulk at perimeter where track or studs abut exterior walls, columns, ceilings or other construction. Position studs in track at (16", 24") o.c. by rotating into place for a friction fit. Secure studs located adjacent to door and window frames, partition intersections and corners by self-drilling pan head screws through both flanges of studs and tracks.

3. Sheathing or Backerboard

On exterior walls 1/2", 4x8 gypsum sheathing, plywood or wood sheathing should be used as a backing for A/C Panels. Gypsum board on interior walls.

- Metal Studs — install 4x8 gypsum sheathing and plywood vertically with 1" type S or S-12 screws spaced 12" o.c. Sheathing edges shall be brought in contact without forcing.
- Wood Studs — install same as 3a using 1 1/2" wood screws 12" o.c. or 1 1/2", 3/4" head 11 ga. galvanized roofing nails spaced 4" o.c. around the perimeter, 8" o.c. at intermediate studs.

NOTE: When wood is used as a sheathing material, a No. 15 or heavier asphalt saturated felt or a breather type aluminum foil should be applied prior to the A/C Sheet.

E. APPLICATION A/C PANELS, PLAIN, PRIMED OR PREFINISHED

1. Adhesive Batten Application Method

- Laminate the panels to the gypsum sheathing with MC Adhesive or (special, cold-weather adhesive No. M6358, Uniroyal) (3M CTA 12) (No. 4599 St. Claire Co.). During cold weather MC and 3M CTA 12 Adhesive must be stored at 70°F. for a minimum of 24 hours before use, and maintained at that temperature during use. When temperature at the construction site falls below 40°F., one of the special, cold-weather adhesives must be used.
- Apply adhesive to the unfinished side of the panel in 1/4" diameter beads spaced 12" o.c. and one bead around the perimeter of the sheet 2" from the edge.

- A minimum 1/4" space must be left between the top or edges of panels and structural concrete in order to allow for structural movement and prevent wicking. Make provisions to support bottom of panels until adhesive has sufficient shear strength. Also allow 1/4" spacing between panels to allow for possible expansion.
- Caulk all joints before applying battens.

- Apply No. 1910 Snap-On Batten and No. 2066 Aluminum Snap-On Corner Battens over the panel joints and in the field of the panel 24" o.c. If intermediate battens are not desirable, use prefinished truss head screws spaced a maximum of 16" o.c. to intermediate framing members.

The galvanized steel retainer for aluminum battens is aligned over the vertical panel joint and screwed through the gypsum sheathing into the screw studs with type S-12 screws of proper length spaced 9" o.c. maximum. The aluminum batten is then snapped onto the retainer.

2. Mechanical Fasteners (Nails, Screws)

- Underlayment — Shall be lapped 6" at head and side.
- Corners — Use 8" wide strip of 45 lb. felt under panel.
- Cutting — Panels may be cut by scoring deeply with a carbide tipped scoring tool and then breaking along the scored line over the edge of a board. Use a wood rasp to dress rough edges. A tungsten carbide tipped masonry blade on a power saw is another method.
- Apply panels over sheathing using felt or aluminum breathing type foil where required. Nail into wood framing 16" o.c. with 1 1/4" aluminum, galvanized or stainless steel nails spaced 8" o.c. along the perimeter and 16" o.c. on intermediate studs. When colored nails are used, place a "Lixie" cap on claw hammer. Flat sheets 1/4" or more in thickness should be pre-drilled for nailing. Nailing should be 1/4" from edge of sheet.
- Screw application shall be oval or truss head type and penetrate the wood at least 3/4". Use metal Type S or S-12 for 20 ga. metal studs. On exterior construction use corrosion treated screws.

Attach 12" o.c. around the perimeter and 16" o.c. in the field. Where prefinished panels are used, touch up screw heads only to match panel color.

3. Utility Construction

- Where no backing is used for panels, their thickness should be at least 1/4" for studs 16" o.c.
- Underlayment must be used on exterior walls.
- Framing must be complete with blocking where necessary to give complete support for nail or screw attachment.

NOTICE

The asbestos fibers in this asbestos cement product are embedded and permanently bonded in Portland Cement and will not create dust during normal handling and usage.

In fabricating or installing operations avoid creating dust by scoring and snapping whenever possible. Certain methods of cutting, drilling or sanding may produce dust. It is then recommended either that equipment with approved dust collectors be used or that operators and nearby personnel be provided with approved respirator.

In accordance with government regulations the following notice is provided:



WARNING

CONTAINS ASBESTOS FIBERS WHICH IN BREASTMILK MATTER
BREATHING ASBESTOS CAN BE HAZAROUS TO YOUR HEALTH
AVOID CREATING AND BREATHING DUST
FOLLOW RECOMMENDED WORK PRACTICES SUPPLIED BY THE MANUFACTURER
FALLING TO DO SO MAY RELEASE ASBESTOS FIBERS
SMOKING GREATLY INCREASES RISK OF SERIOUS BODILY HARM
DO NOT USE AGGRESSIVE BADE LAW



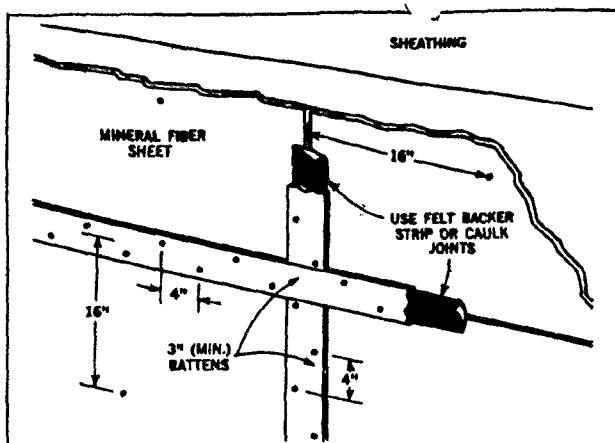


Figure 1 - BATTENED JOINTS. Either caulk at sheet joints or use a felt backer strip over sheet joints behind battens. Stagger nails through battens on 4 in. centers, straddling the sheet joints.

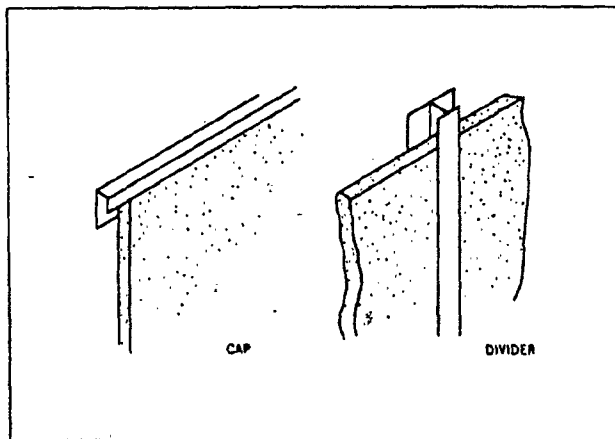


Figure 2 - MOULDINGS - To prevent "drumming", add face nailing or adhesive to these mouldings.

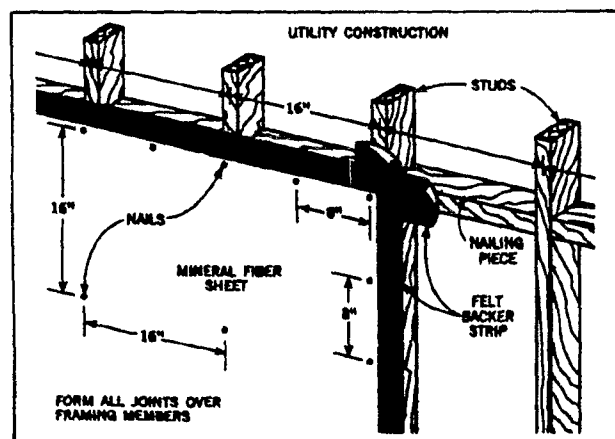


Figure 3 - DIRECTLY TO STUDS - Use 1/4 in. Mineral Fiber Flat Sheets with maximum stud spacing of 16 in. on center; use 3/8 in. sheets for studs 24 in. on center. Use a No. 30 Asphalt Saturated Felt underlayment on all except utility construction.

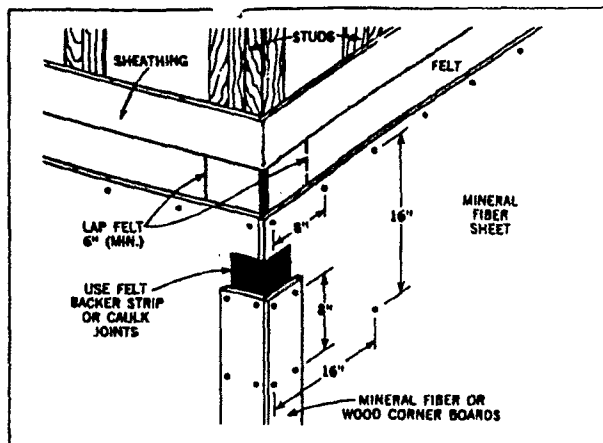


Figure 4 - EXTERIOR CORNER BOARDS - Either caulk at sheet joints or use a felt backer strip over sheet joints behind corner boards.

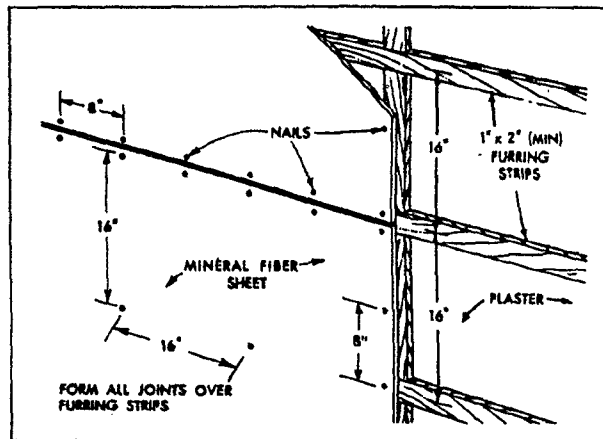


Figure 5 - INTERIOR WALLS, OVER PLASTER - Install 1 in. x 3 in. furring strips on 16 in. centers and apply Flat Sheets. Form all joints over furring strips.

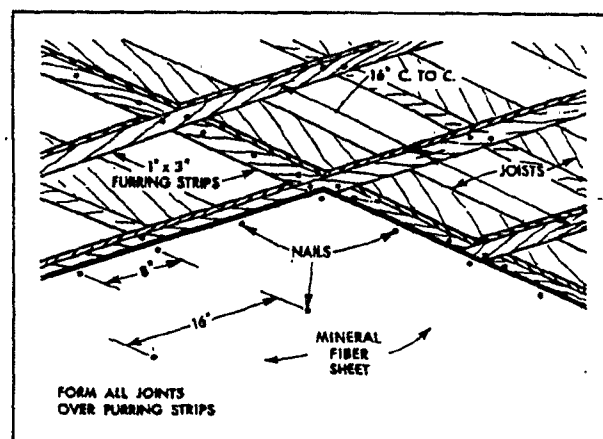


Figure 6 - CEILINGS - Install 1 in. x 3 in. furring strips on 16 in. centers over joists, at right angles. Secure with two nails at each member. Form joints over furring strips.

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FLAT SHEET BUILDING PANELS

U.L. APPROVED

Underwriters Laboratories, Inc. has approved mineral fiber flat sheets as a non-combustible building material (walls, partitions, ceilings, soffits, canopies, etc.) U.L. tests show IBP Mineral Fiber Flat Sheets are fireproof and have a Class "A" rating.

- "0" Flame Spread
- "0" Fuel Contributed
- "0" Smoke Development

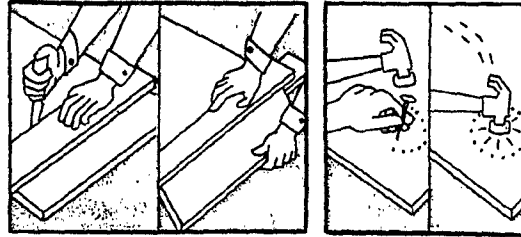
MINERAL FIBER BOARD IS:

- made of asbestos and Portland cement
- light yet tough and durable
- easily handled and flexible
- rot, rodent, and termite proof
- unaffected by moisture and temperature extremes
- suitable for, but does not require, painting
- economical
- environmentally safe.

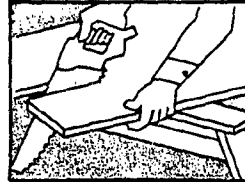
PLIA-F-LEX is the trademark for premium grade flat sheets made with select mineral fibers. These fibers, acting like reinforcing bars in concrete, impart tensile strength and flexibility to the product. The "F" in this product's name, in fact, stands for flexibility and indicates compliance with Federal Specification SS-B-755-A Type F and ASTM C220 Type F. Plia-F-Lex will safely bend around a radius almost half the limiting radius for bending utility board (Permaboard). Plia-F-Lex is recommended not only for curved surfaces but as a substrate for exposed aggregate or spray-on textured coatings.

PERMABOARD is the trademark for the standard utility type rigid board. It covers large, flat areas quickly and economically. It is widely used for board and batten application on homes and as a permanent siding for industrial and farm buildings, and can be painted if desired. Permaboard complies with Federal Specification SS-B-755-A Type U and ASTM C220 Type U. Although predrilling is preferred, nails can be driven through all flat sheets up to 1/4" thickness without predrilling.

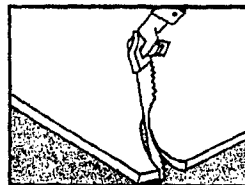
FABRICATION



SCORE & SNAP

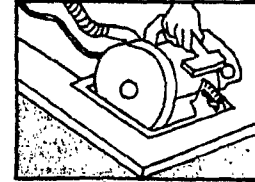


HAND SAW

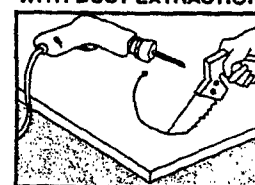


CURVED CUTS

SMALL HOLES



POWER SAW WITH DUST EXTRACTION*



LARGE HOLES

	Size	Thickness	Weight per Sheet
Pliaflex	4' x 8'***	1/8"	40 lbs.
		3/16"	60 lbs.
		1/4"	80 lbs.
		3/8"	120 lbs.
Permaboard	4' x 8'***	3/16"	60 lbs.
		1/4"	80 lbs.
		3/8"	120 lbs.
		1/2"	160 lbs.

***4' x 4' and other sizes available on special order

NOTICE

The asbestos fibers in this asbestos cement product are embedded and permanently bonded in Portland Cement and will not create dust during normal handling and usage.

In fabricating or installing operations avoid creating dust by scoring and snapping whenever possible. Certain methods of cutting, drilling, or sanding may produce dust. It is then recommended either that equipment with approved dust collectors be used or that operators and nearby personnel be provided with approved respirator.

In accordance with government regulations, the following notice is provided:



WARNING

Contains asbestos fibers locked in (cement) matrix
Breathing asbestos can be hazardous to your health

Avoid creating and breathing dust

Follow recommended work practices guide supplied by the manufacturer

Failure to do so may release excessive asbestos fibers

Smoking greatly increases risk of serious bodily harm

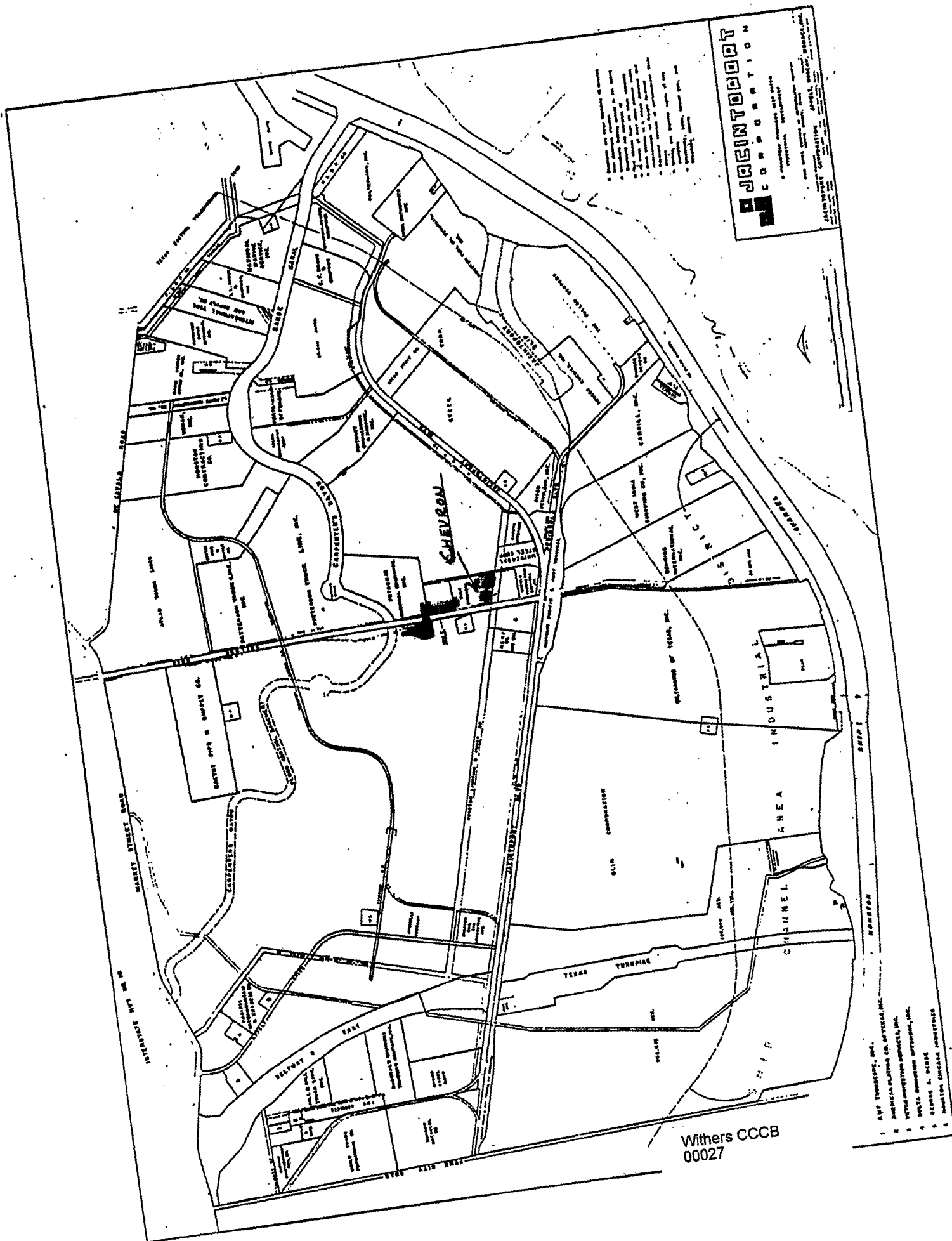
Do not use abrasive disc saw

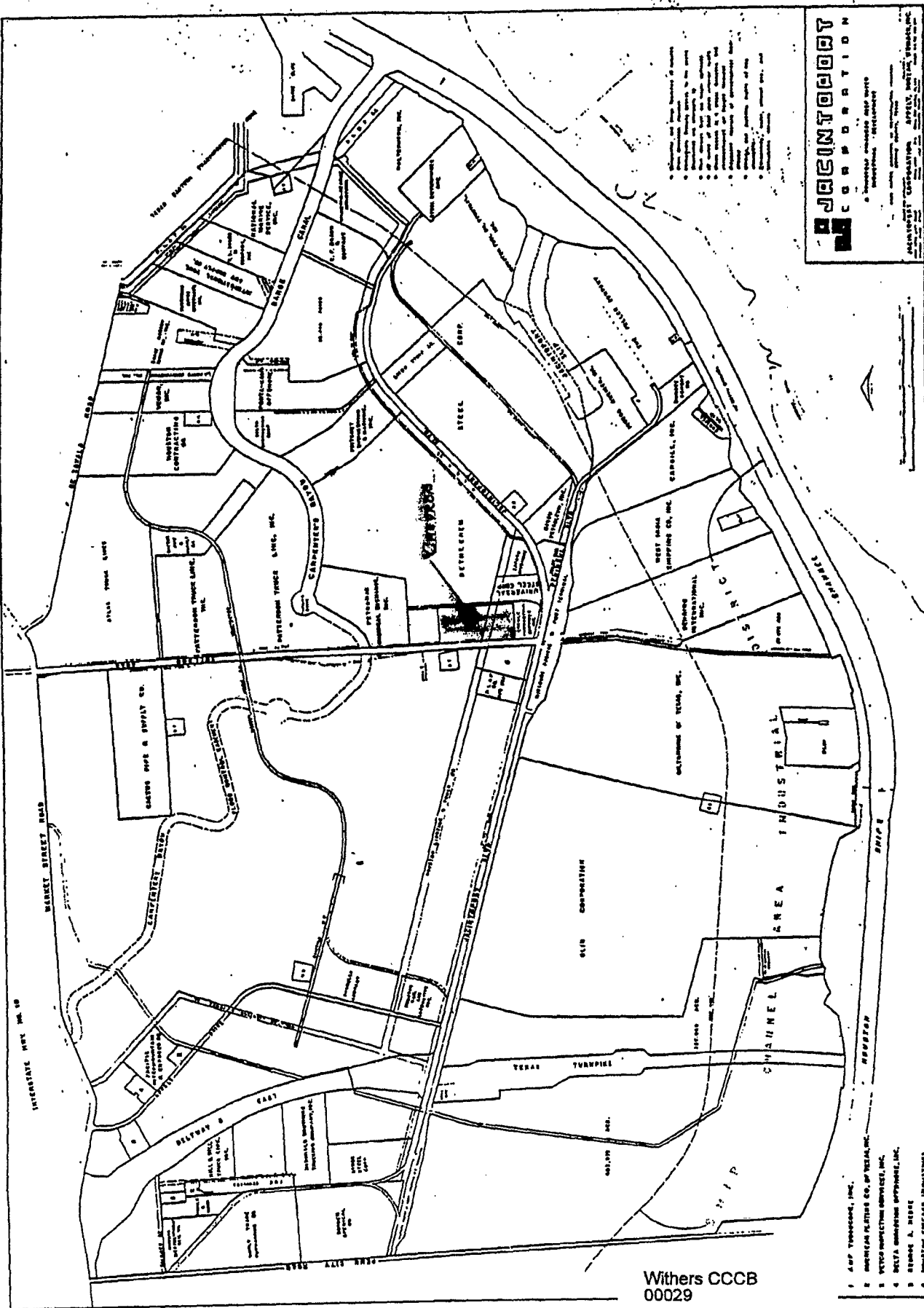


ATLAS INTERNATIONAL BUILDING PRODUCTS

5600 Hochelaga, Montréal, Québec H1N 1W1 1-800-361-4962

Withers CCCB
00025



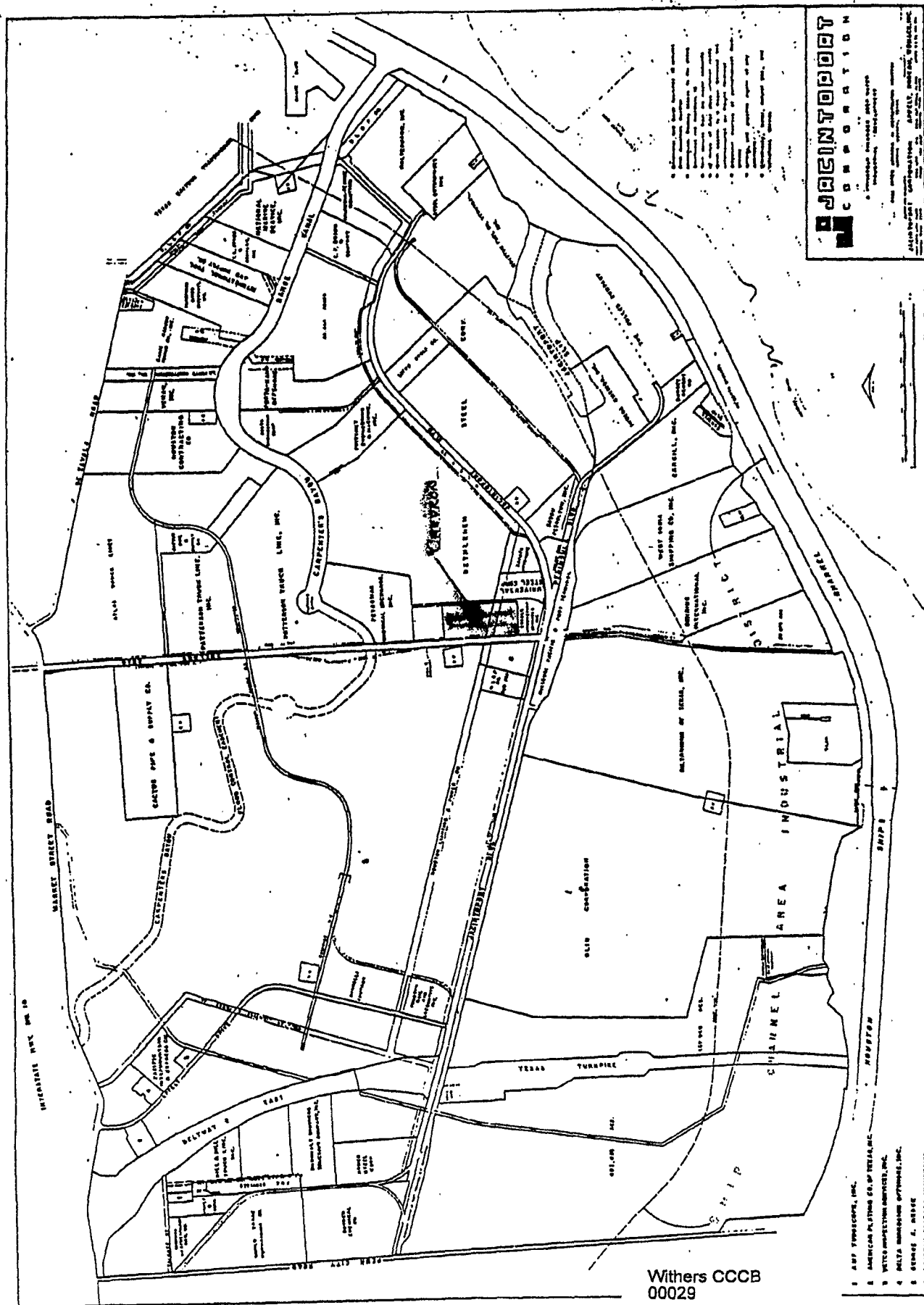


JACINTO
CORPORATION

A TEXAS LIMITED LIABILITY COMPANY
INCORPORATED IN TEXAS
JACINTO CORPORATION
1000 WEST 10TH STREET
AUSTIN, TEXAS 78701
TEL. (512) 476-1111

Withers CCCB
00029

- 1. AUSTIN TURNPIKE, INC.
- 2. AMERICAN PLATING CO. OF TEXAS, INC.
- 3. VECO SHIPYARD SERVICES, INC.
- 4. DELTA SHIPYARD SERVICES, INC.
- 5. GEORGE A. WEBER
- 6. INDUSTRIAL SHIPYARD SERVICES



Withers CCCB
00029

1. AMT TOWNSHIP, INC.
2. AMERICAN POLYMER CO. OF TEXAS, INC.
3. WYLLIE INDUSTRIES, INC.
4. DELTA MANUFACTURING COMPANY, INC.
5. GEORGE A. BAKER
6. HOUSTON ENCLAVE INDUSTRIES

PRESSURE-DEMAND HOSELINE UNIT
WITH EGRESS EMERGENCY AIR SUPPLY

This apparatus is to be worn when entering confined spaces which contain toxic or oxygen deficient atmospheres.

INSTRUCTIONS:

1. Inventory the equipment.
 - 1 high pressure regulator (to be set at 350 psi).
 - 1 50' ft. high pressure supply hose.
 - 1 harness with 5 minute cylinder and breathing air regulator attached.
 - 1 breathing air mask with a flexible tube attached (the mask should always be cleaned after use and stored in a plastic baggie).
2. Attach the high pressure regulator to a 220 cu. ft. breathing air cylinder and connect the 50' high pressure hose to it (there are many 220 cu. ft. breathing air cylinders throughout the plant being used for low pressure, demand, hoseless masks. These cylinders should be used, but not the low pressure regulators, hoseless or masks).
3. After you have checked the emergency egress cylinder for proper pressure, don the harness.
4. Be sure that the pressure-demand regulator (on the left side of your chest) is in the "off" position, then couple-up to the 50' supply hose (a rush of air will occur while you are making-up the coupling).
5. Put on the mask as follows:
 - a. Adjust the head straps to a full outward position.
 - b. Hold the head harness out of the way with one hand or back over the lens.
 - c. Place the facepiece on the face with chin properly located in the chin pocket.
 - d. Pull the head harness over the head and tighten the neck straps by pulling on the two appropriate tabs.
 - e. Stroke the head harness down to the back using one or both hands.
 - f. Tighten the two temple straps.
 - g. Tighten the top strap only if necessary.
 - h. Check the seal by closing the end of the tube with your thumb and slowly inhaling.
6. Connect the flexible breathing tube to the pressure-demand regulator and only then switch the "on-off" lever to the "on" position (this lever should remain in the "on" position during use but should be switched "off" just prior to removing the mask).

Con't Page 2

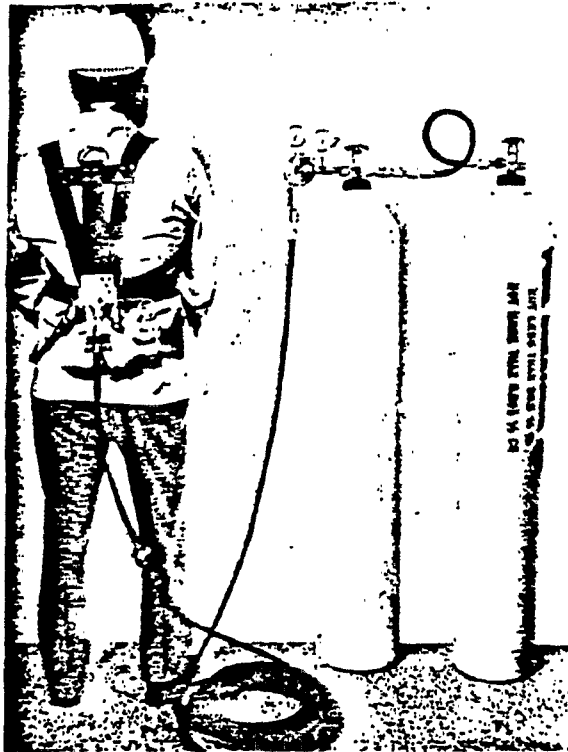
7. At any time your air supply fails or, you must uncouple from the supply hose, then and only then reach behind your back with the right hand and open the valve on the "Egress Emergency" cylinder. This will provide three to five minutes of breathing air and allow you to escape through the nearest exit.

Always clean and properly store the equipment before returning it to the tool room or stores.

INSTRUCTION FOR CLEANING AND STORAGE:

1. The facepiece and hoses should be washed with warm soapy water and air dried after use.
2. The facepiece should always be in a special plastic baggie when not in use (these may be obtained from stores).
3. Place all the equipment in its container neatly, being sure it is not distorted or packed into the container.
4. Return units #1,2,3, and 4 to the Brown & Root tool room and units #5,6, 7 and 8 to stores.
5. The tool room or stores personnel should not allow these units to be returned unless they are in good clean condition with no parts missing.

If there are any questions about the equipment or if repairs are needed contact the Safety Supervisor.



CEDAR BAYOU CHEMICAL PLANT
POLICIES & PROCEDURES MANUAL
RESPIRATORY PROTECTION

I. GENERAL

- A. This procedure shall serve as a guide for the proper selection, use and care of respiratory protective equipment in the Cedar Bayou Plant.
- B. Respiratory protective equipment shall be used whenever processes, environment, or chemicals are encountered in a manner capable of harming the body through inhalation.

II. EMPLOYEE RESPONSIBILITY

- A. Employees shall use the protective equipment provided in accordance with instructions and training received.
- B. Employees shall report any malfunction of the equipment to their supervisor.
- C. Employees who are performing routine tasks shall not borrow emergency respiratory protective equipment which is permanently assigned to a specific location without special permission of the supervisor in charge of the area in which the emergency equipment is kept.

III. SELECTION OF RESPIRATORY PROTECTIVE EQUIPMENT

A. General

- 1. Supervisors shall become familiar with the various types of respiratory protective equipment and their limitations, as the conditions encountered may range from nuisance odors or irritation to those which are immediately dangerous to life.

B. Nature of the hazard

The following is a general guide.

1. Oxygen-deficient atmospheres

Only self-contained breathing apparatus or supplied-air masks shall be used in any atmosphere that is deficient in oxygen.

2. Immediately hazardous atmospheres

Only self-contained breathing apparatus, or supplied air masks shall be used in atmospheres where gases or vapors are present in concentrations that would rapidly endanger a person.

3. Not immediately hazardous atmospheres

Mechanical filter respirators shall be worn as protection against particulate matter, such as fibers, dust or fumes.

C. Work requirements and conditions

The selection of appropriate respiratory protective equipment can only be made after it has been determined what work must be performed, what length of time it will require and under what conditions. For example, emergency repairs requiring a short period of time in an oxygen-deficient atmosphere and with normal access would permit the use of either a self-contained breathing apparatus or a supplied-air mask. However, lengthy tasks or confined areas may permit the use of a supplied-air mask only. Additionally, some contaminants may be absorbed through or irritate the skin upon contact. Consideration must be given to providing the wearer total protection if conditions warrant.

IV. USE OF RESPIRATORY PROTECTIVE EQUIPMENT

A. Restrictions

1. In areas where the user, with failure of the respiratory protective equipment, could be overcome by a toxic or oxygen-deficient atmosphere:

- a. The user shall have a lifeline attached.
 - b. At least one additional person shall be present as an observer.
 - c. Communications, either visual, or voice, shall be maintained, between user and observer and between observer and the control room by radio.
 - d. Planning shall be such that at least one individual will be unaffected by any likely incident and have the proper rescue equipment to be able to assist in case of emergency.
2. Respiratory protective equipment shall not be worn when conditions prevent a good face seal such as a growth of beard, absence of dentures, temple pieces on glasses, etc. Also, to assure proper protection, the facepiece fit shall be checked by the user each time he puts on the equipment.
- B. Training
1. For the safe use of any respiratory protective equipment, it is essential that the user be properly instructed in its selection, use and maintenance.
 2. Users shall receive fitting instruction which include:
 - a. Demonstrations and practice in how the respiratory protective equipment should be worn.
 - b. How to adjust the equipment.
 - c. How to determine if it fits properly.
 - d. Wearing it in normal air and in a test atmosphere for familiarity purposes.
 3. Employees shall be made aware of the capabilities and limitations of respiratory protective equipment that they will be required to use, including how to determine when equipment is expended.
 4. After initial training in the use of respiratory protective equipment, supervisors shall periodically evaluate their personnel's ability to use that equipment and arrange for refresher training if required.

C. Types of respiratory protective equipment

1. Dust, fume, fiber and mist respirators (3M paper filter, Dustfoe 77)
 - a. Mechanical filter respirators offer protection against airborne particulate matter including dust, mists, metal fumes, fibers and smoke.
 - b. Mechanical filter respirators do not provide protection against gases, vapors or oxygen-deficiency.
2. Canister respirator (MSA chin type)
 - a. The canister respirator is a standard MSA facepiece with a canister attached at the chin so that intake air passes through it.
 - b. It provides contact protection for the face and respiratory protection against vapors, dust and mist.
 - c. Masks and organic vapor canisters are provided for emergencies and authorized short term exposures to organic vapors (such as cleaning up spills of aromatics that may contain benzene, or Dimethylformamide).
 - d. Canister masks should never be used to enter a confined space, or an oxygen deficient atmosphere, or where the atmosphere is believed to contain a heavy concentration of vapors.
3. 5-Minute mask (Seigler)
 - a. The 5-minute escape mask consist of a clear hood supplied with breathing air from a tube-coil attached to it.
 - b. The 5-minute escape mask will provide protection in any atmosphere regardless of the degree of contamination or oxygen deficiency. Other protection may be required for skin, depending on circumstances.
 - c. The 5-minute escape mask should never be used to enter a confined space which contains an oxygen deficient or contaminated atmosphere. It should be taken into possible hazardous areas as an escape device only.
4. Air line respirator (Portable breathing air hose line carts)

- a. The air line respirator consists of a mask supplied with breathing air from a large breathing air cylinder (never from plant air).
 - b. The air line respirator will provide protection in any atmosphere regardless of the degree of contamination or oxygen deficiency. Other protection may be required for the skin, depending on circumstances.
 - c. Whenever an air line respirator is to be used in a confined space, an Egress emergency air supply unit must be obtained from stores and used. Then a rope shall be attached to the user and a standby man or men shall be present in a safe location with suitable rescue equipment. A confined space is never to be entered using an air line respirator until these conditions are met.
 - d. Care must be exercised to prevent damage to the hose and regulator while in use, and the assembly shall be stored in such a way that damage will be avoided.
5. Cylinder typed self-contained breathing apparatus (Scott Air Pac)
- a. This self-contained breathing apparatus utilizes compressed breathing air and will provide protection in any atmosphere regardless of contamination or oxygen deficiency. Other protection may be required for the skin, depending on circumstances.
 - b. When anticipating the use of this apparatus, consideration shall be given to the service life of the cylinders. Although this equipment should provide breathing air for approximately 30 minutes, extreme exertion or emotional strain will reduce the rated time.
 - c. Users of this equipment shall immediately begin exiting the hazardous atmosphere when the low pressure alarm sounds.
 - d. Whenever compressed air apparatus is used in a confined space a lifeline shall be attached to the person using the apparatus and a standby man or men shall be present in a safe location with suitable rescue equipment.

6. Oxygen resuscitator

- a. This apparatus utilizes compressed breathing oxygen to enrich the blood of a breathing or non-breathing victim.
- b. Non-breathing victims should be aspirated immediately upon discovery - never hesitate - the resuscitator may be substituted for alternate methods when it arrives.
- c. Breathing victims who have been exposed to toxic substances or are experiencing a respiratory problem due to physical conditions (such as heart attack) the resuscitator may be used as a demand inhalator.
- d. Operation
 1. Turn the knob on the oxygen cylinder counterclockwise and note cylinder pressure (when not in use cylinder pressure should be checked periodically and replaced with a full one when necessary).
 2. Verify that there is no obstruction in the patients throat or mouth.
 3. With one hand under the patients chin, tilt the head back and place the mask over the victims nose and mouth. (Hold the mask in place with the thumb, forefinger, and middle finger while using the rest of the fingers to tilt the victims head back).
 4. Using the other hand to hold the demand valve and mask in place, depress the manual control button until the victims chest rises, then release the button. Repeat, pressing and releasing the manual control button at a rate of 12 times per minute.

V. MAINTENANCE AND CARE OF RESPIRATORY PROTECTION EQUIPMENT

A. Inspection for defects

1. All respiratory protective equipment shall be inspected routinely before and after each use by the user.
2. Breathing air cylinder shall be maintained at a minimum of 1800 pounds pressure except while being depleted during use. The regulator and any

warning device shall be tested during inspections to determine if they function properly.

3. Inspection of equipment shall include a check of the tightness of connections and the condition of the facepieces, headbands, valves connecting tubes, hoses and regulators. Rubber or elastometer parts shall be inspected for pliability and signs of deterioration.
4. Equipment that is not routinely used but is kept ready for emergency use shall be inspected after each use and at least monthly to assure that it is in satisfactory working condition. Respiratory Protective Equipment Monthly Inspection Report, shall be completed by each department, and a copy shall be forwarded to the safety supervisor. Accident Prevention personnel shall also make random inspections.

B. Cleaning of respiratory protective equipment

1. Masks used by more than one person shall be cleaned and disinfected after each use by the user. Cleaning and disinfecting shall consist of scrubbing in warm soapy water, rinse, spray with disinfectant, rinse again and dry.
2. Respiratory protective equipment shall be stored so that the facepiece and exhalation valve will rest in a normal position and function will not be impaired by the elastometer becoming set in an abnormal position.
3. Respiratory protective equipment shall always be stored in plastic "baggies" which are provided expressly for this purpose.

VI. To insure an effective respiratory protective program, the safety supervisor will monitor and evaluate various operations to assure that respiratory protective equipment is properly selected, used cleaned and maintained. Anyone desiring assistance with this procedure should contact the safety supervisor.

I received Respiratory equipment training at the Cedar Bayou Chemical Plant on _____.

This training included demonstration and explanation of all types of respiratory equipment used in the plant.

1. Mechanical filter respirator
2. 5-Mintue escape mask
3. Air line respirator
4. Cylinder type self-contained breathing appartus
5. Oxygen resuscitator

I then was required to prove I could don #3 and #4 and accomplish a perfect seal of the facepiece in a test atmosphere.

<u>UNIT</u>	<u>NAME</u>	<u>JOB CLASSIFICATION</u>

* DEFINITION OF TERMS

1. DUSTS - Solid particles generated by handling, crushing, grinding, rapid impact, detonation, and decrepitation of organic or inorganic materials, such as rock, ore, metal, coal, wood, and grain. Dust may enter the air from various sources. It may be dispersed when a dusty material is handled, such as when lead oxide is dumped into a mixer or a product is dusted with talc. When solid materials are reduced to small sizes in processes such as grinding, crushing, blasting, shaking, and drilling, the mechanical action of the grinding or shaking device supplies a source of energy to disperse the dust formed.
2. FUMES - Solid particles generated by condensation from the gaseous state, generally after volatilization from molten metals. this physical change is often accompanied by a chemical reaction, such as oxidation.
3. SMOKE - Carbon or soot particles less than 0.1 m in size which result from the incomplete combustion of carbonaceous materials such as coal or oil. Smoke generally contains droplets as well as dry particles.
4. MISTS - Suspended liquid droplets generated by condensation from the gaseous to the liquid state or by breaking up a liquid into a dispersed state, such as by splashing, foaming, or atomizing. Mist is formed when a finely divided liquid is suspended in the atmosphere. Examples are the oil mist produced during cutting and grinding operations, acid mists from electroplating, acid or alkali mists from pickling operations, paint spray mist from spraying operations and the condensation of water vapor to form a fog or rain.
5. GASES - Normally formless fluids which occupy the space or enclosure and which can be changed to the liquid or solid state only by the combined effect of increased pressure and decreased temperature. Examples are welding gases, internal combustion engine exhaust gases, and air.
6. VAPORS - The gaseous form of substances which are normally in the solid or liquid state (at room temperature and pressure). Evaporation is the process by which a liquid is changed into the vapor state and mixed with the surrounding atmosphere. Solvents with low boiling points will volatilize readily.

* Fundamentals of Industrial Hygiene, Edited by Julian B. Olishifski, P.E., and Frank E. McElroy, P.E., Copyright 1971-National Safety Council.

be given full consideration. In oxygen-deficient atmospheres with no toxic materials, inward leakage is normally not a problem unless the leakage exceeds a few percent. It is essential that, in highly toxic atmospheres, inward leakage, if any, be minute. See 6.3.2.1 and 7.3 for use of respirators in immediately dangerous atmospheres.

6.3.2.1 *Respirators Recommended for Immediately Dangerous Atmospheres.* The U. S. Bureau of Mines and responsible industrial hygiene and safety organizations recommend the following respirators, listed in decreasing order

with regard to the protection they offer the wearer, for use in atmospheres immediately dangerous to life or health. These atmospheres include those which are oxygen deficient or where high concentrations of gases or vapors exist:

(1) pressure-demand open-circuit or pressure-type closed-circuit self-contained breathing apparatus

(2) combination pressure-demand air-line respirator with auxiliary self-contained air supply

(3) combination constant-flow air-line respirator with auxiliary self-contained air supply

Table 5

Color Code for Gas-Mask Canisters (ANSI K13.1-1967)

Atmospheric Contaminants to be Protected Against	Colors Assigned*
Acid gases	White
Hydrocyanic acid gas	White with ½-inch <i>green</i> stripe completely around the canister near the bottom
Chlorine gas	White with ½-inch <i>yellow</i> stripe completely around the canister near the bottom
Organic vapors	Black
Ammonia gas	Green
Acid gases and ammonia gas	Green with ½-inch <i>white</i> stripe completely around the canister near the bottom
Carbon monoxide	Blue
Acid gases and organic vapors	Yellow
Hydrocyanic acid gas and chloropicrin vapor	Yellow with ½-inch <i>blue</i> stripe completely around the canister near the bottom
Acid gases, organic vapors, and ammonia gases	Brown
Radioactive materials, excepting tritium and noble gases	Purple (Magenta)
Particulates (dusts, fumes, mists, fogs, or smokes) in combination with any of the above gases or vapors	Canister color for contaminant, as designated above, with ½-inch <i>gray</i> stripe completely around the canister near the top
All of the above atmospheric contaminants	Red with ½-inch <i>gray</i> stripe completely around the canister near the top

* Gray shall not be assigned as the main color for a canister designed to remove acids or vapors.

NOTE: Orange shall be used as a complete body, or stripe color to represent gases not included in this table. The user will need to refer to the canister label to determine the degree of protection the canister will afford.

piration shall be of high purity. Oxygen shall meet the requirements of the United States Pharmacopoeia for medical or breathing oxygen. Breathing air shall meet at least the requirements of the specification for Grade D breathing air as described in Compressed Gas Association Commodity Specification G-7.1-1966.

Compressed oxygen shall not be used in supplied-air respirators or in open-circuit self-contained breathing apparatus that have previously used compressed air. Compressed air might contain low concentrations of oil. When high-pressure oxygen passes through an oil- or grease-coated orifice, an explosion or fire may occur.

Breathing air may be supplied to respirators from cylinders or air compressors. Cylinders shall be tested and maintained in accordance with applicable Department of Transportation or Interstate Commerce Commission Specifications for shipping containers. Compressors shall be constructed and situated so as to avoid entry of contaminated air into the system and suitable in-line air purifying sorbent beds and filters installed to further assure breathing air quality. A receiver of sufficient capacity to enable the respirator wearer to escape from a contaminated atmosphere in event of compressor failure, and alarms to indicate compressor failure and overheating shall be installed in the system (see 6.3.2). Air-line couplings shall be incompatible with outlets for other gas systems to prevent inadvertent servicing of air-line respirators with nonrespirable gases or oxygen.

Breathing-gas containers shall be marked in accordance with American National Standard Method of Marking Portable Compressed Gas Containers to Identify the Material Contained, Z48.1-1954; Federal Specification BB-A-1034a, June 21, 1968, Air, Compressed for Breathing Purposes; or Interim Federal Specification GG-B-00675b, April 27, 1965, Breathing Apparatus, Self-Contained. Further details on sources of compressed air and its safe use will be found in Compressed Gas Association Pamphlet G-7-1968.

6. Selection of Respirators

6.1 Approved or Accepted Respirators. Whenever possible, approved or accepted respirators shall be used. Respirator approval and acceptance tests and listings and selection of other than approved or accepted respirators are discussed in the Appendix.

6.2 General Considerations. The multiplicity of hazards that may exist in a given operation requires careful and intelligent respirator selection. This selection is made even more complex by the many types of respirators available. Each type has its limitations, areas of application, and operational and maintenance requirements.

The selection of a proper respirator for any given situation requires consideration of the following factors: 1) nature of the hazard (see Section 4); 2) extent of the hazard; 3) work requirements and conditions; and 4) characteristics and limitations of available respirators (see Section 5).

Table 6 is a quick reference guide for the selection of respiratory protection appropriate to the type and degree of hazard. The Table provides minimal guidance, however, and shall be used along with other information, such as that given in this standard and in directions provided by respirator manufacturers.

When there is doubt about the concentration of oxygen or hazardous material present in the atmosphere, only those respirators listed as suitable for respiratory protection against oxygen deficiency shall be used. Any erring in the selection of respirators shall be on the safe side.

6.3 Nature of the Hazard. The chemical and physical properties, toxicity, and concentration of the hazardous material shall be considered in respirator selection (see Section 4 for classifications and discussion of respiratory hazards).

6.3.1 Oxygen-Deficient Atmospheres. Only respirators that provide an independent, respirable atmosphere shall be used in oxygen-deficient atmospheres. Normally, a self-contained breathing apparatus, hose mask with blower, or air-line respirator with auxiliary self-contained air supply is used for this purpose. Air-line respirators without auxiliary air supply shall be used only with the precautions outlined in 6.3.2.

An attendant shall be standing by at the entrance to the oxygen-deficient atmosphere at all times with proper communications and rescue equipment in case of an emergency. See 7.3 for use of respirators in oxygen-deficient atmospheres.

6.3.2 Immediately Dangerous Atmospheres. If it is probable that atmospheres immediately dangerous to life or health may occur, then both the normally expected *inward leakage* (see 6.3.3) and the *reliability* of the respirator shall

(4) demand-flow open-circuit or closed-circuit self-contained breathing apparatus (where there may be a negative pressure in the breathing system at any time)

(5) combination demand-flow air-line respirator with auxiliary self-contained air supply

(6) hose mask with blower

When self-contained breathing apparatus or hose masks with blowers are used in atmospheres immediately dangerous to life or health, standby men must be present with suitable rescue equipment.

6.3.2.2 Other Respirators Which May Be Used under Certain Conditions in Atmospheres Immediately Dangerous to Life or Health. Air-line respirators are not approved or recommended for use in immediately dangerous atmospheres because no respiratory protection is provided if the air supply fails. However, if

routine protection or operational designs preclude use of the recommended types of respirators which workers should wear, the following air-line respirators may be considered, provided an adequate flow of respirable air is maintained. These are listed in decreasing order with regard to the protection they provide for the wearer.

(1) pressure-demand air-line respirator with full facepiece

(2) continuous-flow air-line respirator with full facepiece, helmet, hood, or suit

(3) demand-flow air-line respirator with full facepiece

(4) pressure-demand air-line respirator with half-mask facepiece (only for atmospheres that do not cause eye irritation or injury)

(5) continuous-flow air-line respirator with half-mask facepiece (only for atmospheres that do not cause eye irritation or injury)

Table 6
Guide for Selection of Respirators

Hazard	Respirator (See Note 1.)
Oxygen Deficiency	Self-contained breathing apparatus. Hose mask with blower. <u>Combination air-line respirator with auxiliary self-contained air supply or an air-storage receiver with alarm.</u>
Gas and Vapor Contaminants Immediately dangerous to life or health. (See Note 2.)	Self-contained breathing apparatus. Hose mask with blower. Air-purifying, full facepiece respirator with chemical canister (gas mask). Self-rescue mouthpiece respirator (for escape only). <u>Combination air-line respirator with auxiliary self-contained air supply or an air-storage receiver with alarm.</u>
Not immediately dangerous to life or health.	Air-line respirator. Hose mask without blower. Air-purifying, half-mask or mouthpiece respirator with chemical cartridge.
Particulate Contaminants Immediately dangerous to life or health. (See Note 2.)	Self-contained breathing apparatus. Hose mask with blower. Air-purifying, full facepiece respirator with appropriate filter. Self-rescue mouthpiece respirator (for escape only). <u>Combination air-line respirator with auxiliary self-contained air supply or an air-storage receiver with alarm.</u>
Not immediately dangerous to life or health.	Air-purifying, half-mask or mouthpiece respirator with filter pad or cartridge. Air-line respirator. Air-line abrasive-blasting respirator. Hose mask without blower.
Combination gas, vapor, and particulate contaminants Immediately dangerous to life or health. (See Note 2.)	Self-contained breathing apparatus. Hose mask with blower. Air-purifying, full facepiece respirator with chemical canister and appropriate filter (gas mask with filter). Self-rescue mouthpiece respirator (for escape only). <u>Combination air-line respirator with auxiliary self-contained air supply or an air-storage receiver with alarm.</u>
Not immediately dangerous to life or health.	Air-line respirator. Hose mask without blower. Air-purifying, half-mask or mouthpiece respirator with chemical cartridge and appropriate filter.

NOTE 1: For details on descriptions, capabilities, and limitations of respirators, refer to Tables 3 and 4.

NOTE 2: For details on use of respirators in hazardous atmospheres, see 6.3.2 and 7.3.

(6) demand-flow air-line respirator with half-mask facepiece (only for atmospheres that do not cause eye irritation or injury)

Pressure-demand or continuous-flow air-line respirators with full facepiece provide the wearer with a degree of respiratory protection equal to that afforded by a positive pressure self-contained breathing apparatus as long as an adequate flow of respirable air is maintained. Also, a demand-flow air-line respirator with full facepiece would be equivalent to a demand-flow open-circuit or closed-circuit self-contained breathing apparatus as long as an adequate supply of respirable air is maintained.

Persons using air-line respirators in atmospheres immediately hazardous to life or health shall be equipped with safety harnesses and safety lines for lifting or removing persons from hazardous atmospheres or other and equivalent provisions for the rescue of persons from hazardous atmospheres shall be used. A standby man or men with suitable self-contained breathing apparatus shall be at the nearest fresh air base for emergency rescue.

Before a person is permitted to wear an air-line respirator in a hazardous atmosphere, an industrial hygiene, health physics, or safety engineering department representative or a qualified industrial hygienist, health physicist, or safety engineer shall be responsible for compliance with the following:

(1) Air-line hose from a compressor or cylinder air supply shall be protected from damage, including cutting, kinking, crushing, or burning. In some cases an armored hose shall be used. Hose couplings shall be protected against disconnection. Trailing air-line hose shall be arranged to minimize tripping and to permit ready escape.

(2) The cylinder containing the air supply for an air-line respirator shall be tested for oxygen concentration and carbon monoxide content and shall be respirable. All air shall meet the minimum specification for Type I, Grade D gaseous air of the Compressed Gas Association *Commodity Specification for Air*, G-7.1-1966. The air supply in the cylinder shall be adequate for completion of the work and escape. *Oxygen must never be used with air-line respirators.*

(3) The compressor for supplying air shall be equipped with necessary safety and standby devices. A breathing air-type compressor shall be used. An air-storage receiver shall also be

provided to furnish the wearer with an adequate supply of escape air if the compressor fails to operate. A compressor shutoff alarm and necessary aerosol and vapor and gas filters shall also be incorporated into the system.

If an oil-lubricated compressor is used, it shall have a high-temperature or carbon monoxide alarm, or both. If only a high-temperature alarm is used, the air from the compressor shall be frequently tested for carbon monoxide to insure that it meets the specifications in 6.3.2.2 (2).

(4) The wearer shall be properly trained in the use of the air-line respirator and shall be well-informed of the hazard. A standard operating procedure shall be prepared for each situation for which air-line respirators are employed in atmospheres immediately hazardous to life or health, and air-line respirator users shall be thoroughly familiar with this procedure.

(5) Continuous-flow air-line respirators are designed for maximum comfort with a minimum airflow that will adequately protect the wearer in a non-hazardous atmosphere. However, they are capable of providing adequate airflow to protect the wearer in a hazardous atmosphere. This adequate airflow is obtained when the air-flow control valve is fully open.

The recommended minimum airflows for use of air-line respirators in hazardous atmospheres are five cubic feet per minute to tight fitting facepieces and seven cubic feet per minute to loose fitting hoods or helmets. Persons wearing supplied-air suits shall follow the manufacturer's instructions concerning minimum airflow.

For further information on furnishing compressed air to air-line respirators, refer to Compressed Gas Association Pamphlet G-7-1968. See 7.3 concerning safe procedures during use of respirators in atmospheres immediately dangerous to life or health.

6.3.3 Not Immediately Dangerous Atmospheres. If immediately dangerous atmospheres are not present or will not occur, then the consequences of respirator failure are lessened and emphasis can be placed on other factors such as long term protection, convenience, cost, comfort, and wearer acceptance. These factors should be weighed one against another since they are not always compatible. However, long term protection should be given priority over all other factors.



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AIBP

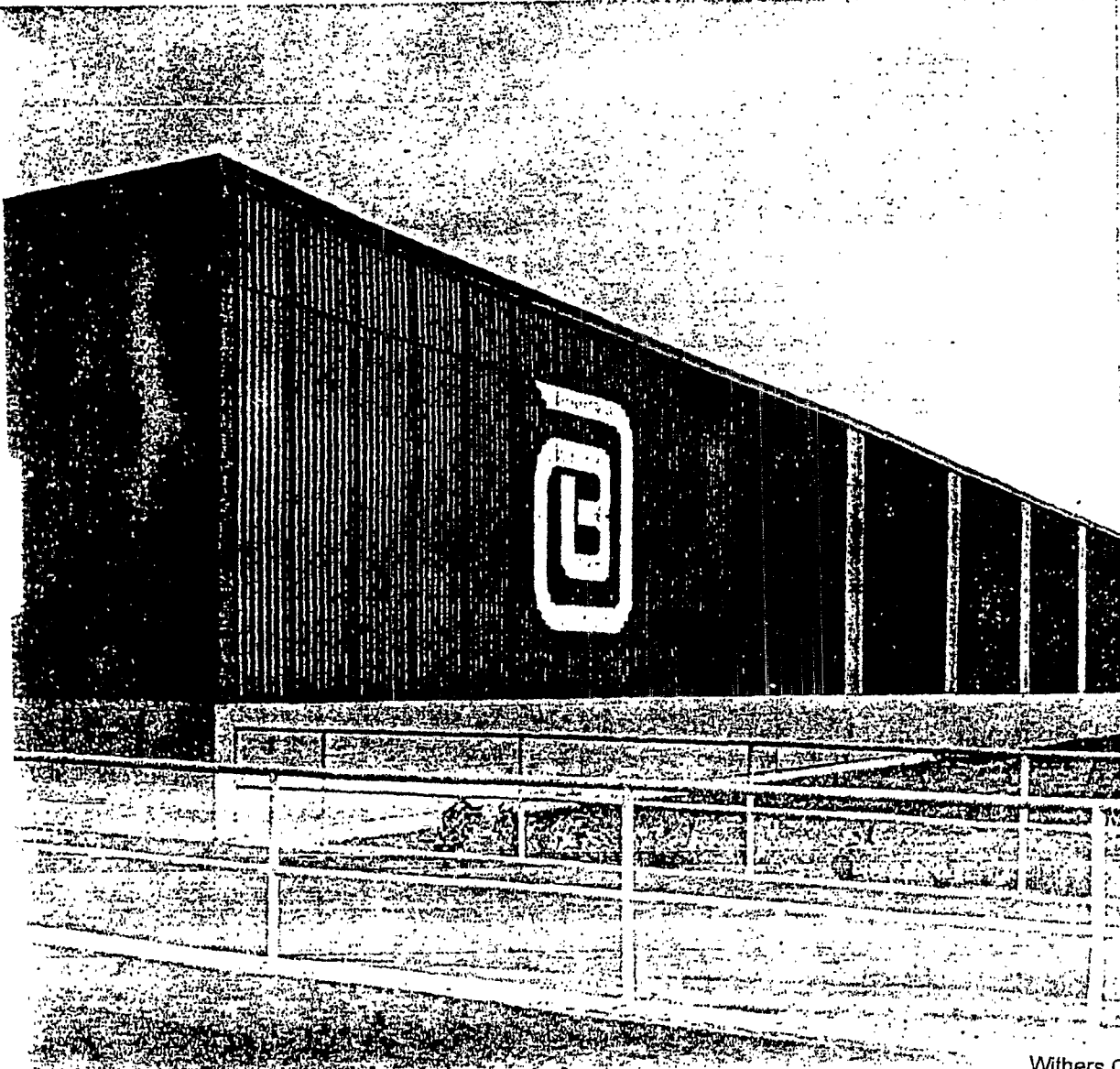
ATLAS INTERNATIONAL BUILDING PRODUCTS

5600 Hochelaga, Montréal, Québec H1N 1W1 1-800-361-4962

Corrugated "400"

Asbestos-Cement
Roofing and Siding

Transite Siding



5600 Hochelaga, Montréal, Québec H1N 1W1 1-800-361-4962



AIBP

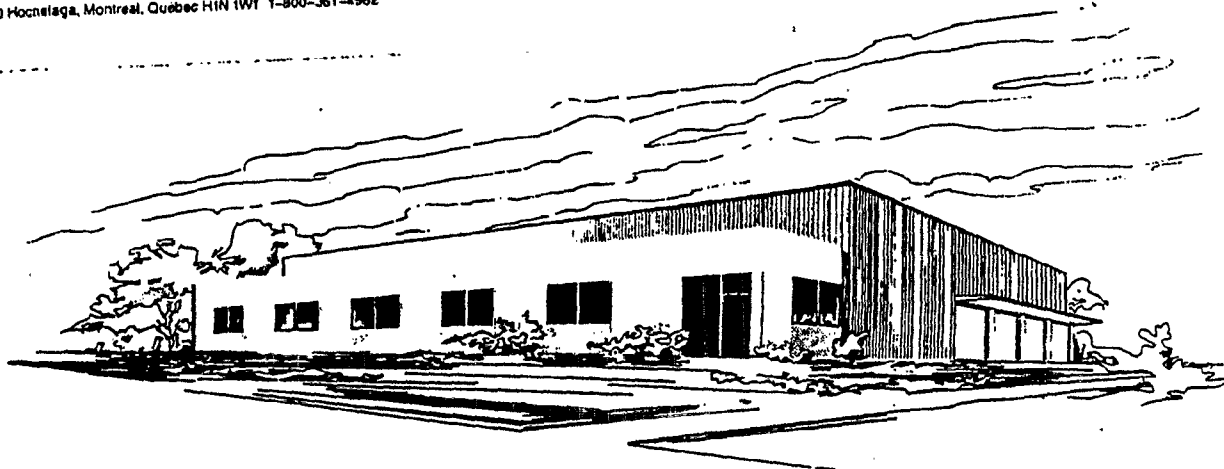
ATLAS INTERNATIONAL BUILDING PRODUCTS



AIBP

ASBESTOS-IMPERMEABLE INSULATING BOARD PRODUCTS

5600 Hochelaga, Montreal, Quebec H1N 1W1 1-800-361-4982



GENERAL DESCRIPTION

AIBP Corrugated "400" is an economical, low maintenance roofing and siding product intended for use on industrial, commercial and institutional buildings. It is composed of non-combustible Portland Cement and Asbestos Fiber which are formed under high pressure into a dense, strong corrugated sheet. The product will not burn, smoke, yield toxic gases or contribute to combustion when exposed to flame or high temperatures. Because of its base materials and dense formation, Corrugated "400" has excellent durability, weathering qualities, resistance to alkalis and chemical fumes, and will not rot, corrode or be affected by insects or vermin.

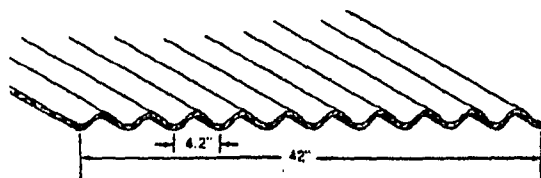


Fig. 1. Corrugated "400" Sheet

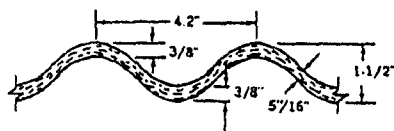


Fig. 2. Corrugation Dimensions

Special erection and application techniques are sometimes required for unusual application conditions. Special application details are needed whenever Corrugated "400" is to be applied over furnaces, boilers, refractories, and other high-temperature installations.

CORRUGATED SHEETS

Corrugated "400" is normally supplied in lengths of 1 to 12 feet, graduated in increments of 6 inches (see Table 1). However, custom cut sheets are available to meet the particular length requirements of the job. Corrugated "400" sheet corrugations have a 4.2-inch pitch and depth of 1 1/2 inches. They are approximately 3/8-inch thick at crests and vales and 5/16-inch thick at flanks. Sheets are furnished 42 inches (ten corrugations) wide (see Table 2).

To determine the number of sheets required per course, divide the length in feet by 3.15.

Corrugated "400" meets Federal Specification SS-B-755A-Type A and ASTM Specification C221, Type B.

COLORS CORRUGATED "400"

Pebble-Textured, Plasti-Clad Coated Corrugated "400" is a colorful, factory finished product which gives increased weathering and chemical resistant qualities. The Plasti-Clad finish also resists water penetration and dirt accumulation. The Plasti-Clad treatment is a double coated, baked acrylic finish integrally bonded to the asbestos-cement substrate.

The wide range of Plasti-Clad colors provides an opportunity to design color and good appearance into industrial as well as commercial buildings. Six standard colors are available as shown on back cover. Additional colors are also available on special order. Asbestos-cement accessories are available in either natural cement gray or matching Plasti-Clad colors.

ARCHITECTURAL SPECIFICATIONS

Side Walls and roofs shall be corrugated "400" as manufactured by International Building Products. All sheets shall be 42" in width and of suitable length so that all end laps shall fall over purlin or grit. Corrugation pitch shall be 4.2" and thickness of corrugation shall be a nominal $\frac{3}{8}$ " at crests and vales and a nominal $\frac{5}{16}$ " at flanks. Overall sheet depth shall be $1\frac{1}{2}$ ". Unrated weight shall be approximately 4 lbs. per sq. ft. Surface shall be smooth, asbestos-cement gray; or textured and prefinished color shall be _____.

Installation shall be in accordance with manufacturer's instructions.

ESTIMATING AND ENGINEERING SERVICE

Franchised applicators, highly skilled in all the uses of IBP Corrugated "400", are always ready to serve your needs whether it be a cost estimate of standard application or a custom-engineered installation. Contact us for the name of the approved applicator in your area.

ACCESSORY SOURCES

Fasteners and Side-Lap Sealant
Construction Fasteners, Inc., Box 6326
Wyomissing, PA 19610 215-376-5751

Atlas Bolt and Screw Southwest Inc.
3126 National Circle Dr.
Garland, TX 75041 214-271-5491

Rubber Closure Strips
Rubatex (Main Office), Railroad Avenue,
Bedford, VA 24523 703-586-2611

PRODUCT DESCRIPTION

TABLE 1. SHEET SIZES AVAILABLE FROM STOCK

Length of Sheet (Ft.)	Sq. Ft. Per Sheet	Approx. Wt. Per Sheet (Lbs.)	Length of Sheet (Ft.)	Sq. Ft. Per Sheet	Approx. Wt. Per Sheet (Lbs.)
1	3.50	14	7	24.50	98
1½	5.25	21	7½	26.25	105
2	7.00	28	8	28.00	112
2½	8.75	35	8½	29.75	119
3	10.50	42	9	31.50	126
3½	12.25	49	9½	33.25	133
4	14.00	56	10	35.00	140
4½	15.75	63	10½	36.75	147
5	17.50	70	11	38.50	154
5½	19.25	77	11½	40.25	161
6	21.00	84	12	42.00	168
6½	22.75	91			

TABLE 2. PRODUCT INFORMATION

Pitch	4.2" center to center
Width	42"
Length	1' to 12' (see Table 1)
Weight	approximately 4 lbs. per sq. ft.
Color	Plasti-Clad Colors or natural cement-gray
Thickness	approximately $\frac{3}{8}$ " at crest and vales; $\frac{5}{16}$ " at flanks
Depth of corrugation	$1\frac{1}{2}$ "

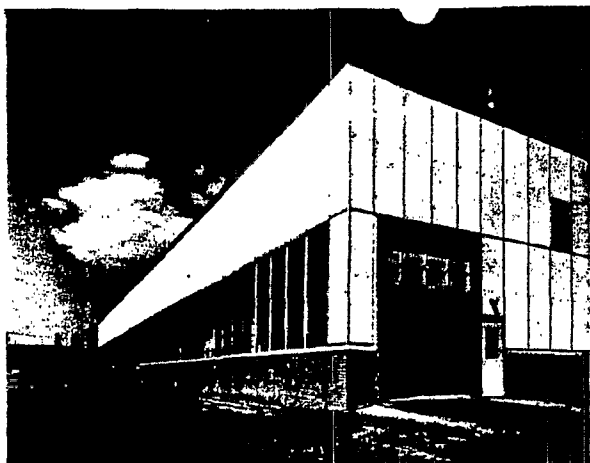
TABLE 3. APPLICATION SPECIFICATIONS

Minimum roof slope	3" rise to 12"
*Recommended maximum purlin	4"6"
*Recommended maximum girt	5"8"
Minimum side lap	1 corrugation
Minimum end lap	6"
Maximum rake overhang	2 corrugations
Maximum eave overhang	9"
Weight sheets per net square	500 lbs.
Weight fasteners per net square	8 lbs.

TABLE 4. PHYSICAL CHARACTERISTICS

Section Modulus	0.904 in. ³ /ft. of width
Moment of Inertia	0.678 in. ⁴ /ft. of width
Modulus of Rupture (dry)	4150 psi
Modulus of Rupture (saturated)	3120 psi
Modulus of Elasticity (dry)	2×10^6
Modulus of Elasticity (saturated)	1.6×10^6
Compressive Strength	
(parallel to corrugations)	9200 lbs./sq. in. avg.
Tensile Strength	2000 psi
Rockwell Hardness	Approximately 57, F scale, 1/16" ball, 60 Kg. load
Density	110 lbs./cu. ft. at 15% moisture

*If greater spacing is needed, please call plant for special materials availability.



APPLICATION INSTRUCTIONS



ASBESTOS CEMENT FLAT SHEETS

A. DESCRIPTION

General

Mineral Fiber Flat Sheets are made essentially by combining asbestos fibers and portland cement with water and forming this mixture, under pressure, into dense sheets which are then cured. The asbestos fibers impart strength and flexibility to the product. Flat Sheets possess many properties that make them highly suitable as a finish material. The sheets are very durable and virtually maintenance free. They have high compressive strength and will not burn. They cannot be harmed by termites, other insects or bacteria.

The flat sheets are available unfinished, preprimed and in a variety of prefinished colors. Batten strips of the same material are available in standard widths of 3 in. and 4 in., in thicknesses of $\frac{1}{8}$ in. and $\frac{1}{4}$ in. and in lengths of 8 ft. Sheets are available in two types, "F" and "U". IBP Pliaflex and Permaboard respectively.

Type F (Flexible)

Pliaflex sheets are suitable for exterior and interior use, where a board having the higher strength and density, smoother surface, greater flexibility and lower moisture absorption is desired. They are identified by a yellow marking on each end.

Type U (Utility)

Permaboard sheets are suitable for exterior and interior use and have sufficient strength for general utility and construction purposes where maximum flexibility is not required. They are identified by a blue marking on each end.

Specifications

Flat sheets are manufactured to meet or exceed the requirements of currently applicable Federal Specification SS-B-755, "Building Board, Asbestos-Cement; Flat" and ASTM C 220, "Flat Asbestos-Cement Sheets."

B. ACCESSORY MATERIALS

1. Fasteners

- Nails shall be nonstaining and noncorrodible when used in areas of high humidity or on exterior applications. Colored nails are available for prefinished colored sheets. Other types include galvanized, stainless steel or aluminum. Nail head diameter shall be $\frac{3}{8}$ " for ceilings and $\frac{1}{2}$ " for side walls and of sufficient length to penetrate the wood framing a minimum 1".

- Wood screws shall be oval or truss head and of sufficient length to penetrate wood $\frac{1}{4}$ ". Screws for metal studs shall be oval or truss head type S for 25 ga. or type S-12 for 20 ga. or heavier. On exterior construction screws shall be treated to prevent corrosion and staining.

- Adhesive — MC, 3M CTA-11 or 12. (refer to Curtainwall System bulletin no. 8-8012 for adhesive application)

2. Underlayment

Use a No. 15 or heavier asphalt saturated felt or breather type aluminum foil on exterior work over wood sheathing, open frame construction or as required by local codes.

3. Caulking Compound

Shall be nonshrinking butyl type conforming to interim Federal Specification TT-S-001657.

PHYSICAL PROPERTIES - I B P FLAT SHEETS

Property	Type U	Type F Normal Cure	Type F Autoclaved
Density lbs./cu. ft.	90	95	95
Modulus of Elasticity, psi	1.7×10^4	2.2×10^4	2.0×10^4
Compressive Strength, psi	12,000	12,000	12,000
Tensile Strength, psi	2,000	2,000	2,000
Thermal Expansion in/in/°F	5×10^{-6}	5×10^{-6}	5×10^{-6}
Thermal Conductivity "k"	4	4	4
Moisture Extension in/in			
Shrinkage 50% RH to dry	.0020	.0018	.0009
Expansion 50% RH to 90% RH	.0005	.0005	.0003
Expansion dry to saturated	.0028	.0025	.0013
Water Absorption, % dry weight	30 max.	25 max.	25 max.
Modulus of Rupture psi	3,700	5,000	5,000

Flexural Strength (lbs./6" width)	Thickness (in.)				
	1/8"	3/16"	1/4"	3/8"	1/2"
Type U	—	35	65	145	280
Type F	20	50	90	190	360

FLAT SHEET DATA

	size	thickness	lbs./sq. ft.	minimum bending radius	
				longitudinal	transverse
PLIAFLEX	4' x 8', 10', 12'	1/8"	1.2	2' - 4"	3' - 0"
		3/16"	1.8	3' - 6"	5' - 3"
		1/4"	2.4	6' - 3"	8' - 11"
		3/8"	3.8	8' - 6"	10' - 3"
		1/2"	4.8		
PERMABOARD	4' x 8', 10', 12'	3/16"	1.8	5' - 3"	7' - 0"
		1/4"	2.4	7' - 0"	10' - 5"
		3/8"	3.8	10' - 5"	13' - 0"
		1/2"	4.8		

4. Trim

Shall be wood, mineral fiber or metal of varying shapes as specified for the particular application.

C. STORAGE AND HANDLING

Keep sheets clean and dry. Pile evenly on a solid, flat surface raised at least 4" above the ground and completely covered. Prefinished sheets should be stacked face to face with the provided slip sheets between.

Pick sheets up by reaching in along the long sides as far as possible, not by the corners. Handle prefinished sheets carefully to prevent marring the colored surface.

D. INSTALLATION

1. Framing Wood

- Align 2x4 floor and ceiling plates to assure plumb wall. Secure with suitable fasteners. Double top plate shall be installed for load-bearing partitions. Plates shall be caulked to seal all voids behind plates.
- Install 2x4 studs, cut to length between plates and spaced (16", 24") o.c. Double studs shall be located adjacent to door and window frames, partitions, intersections and corners. Studs shall be firmly nailed to top and bottom plates.

2. Metal Studs, 25 Ga. Interior or 20 Ga. Curtainwall Stud

- Align floor and ceiling tracks to assure plumb wall. Secure track with suitable fasteners at a maximum of 24" o.c. Caulk at perimeter where track or studs abut exterior walls, columns, ceilings or other construction. Position studs in track at (16", 24") o.c. by rotating into place for a friction fit. Secure studs located adjacent to door and window frames, partition intersections and corners by self-drilling pan head screws through both flanges of studs and tracks.

3. Sheathing or Backerboard

On exterior walls $\frac{1}{2}$ ", 4x8 gypsum sheathing, plywood or wood sheathing should be used as a backing for A/C Panels. Gypsum board on interior walls.

- Metal Studs — install 4x8 gypsum sheathing and plywood vertically with 1" type S or S-12 screws spaced 12" o.c. Sheathing edges shall be brought in contact without forcing.
- Wood Studs — install same as 3a using $1\frac{1}{4}$ " wood screws 12" o.c. or $1\frac{1}{4}$ ", $\frac{3}{4}$ " head 11 ga. galvanized roofing nails spaced 4" o.c. around the perimeter, 8" o.c. at intermediate studs.

NOTE: When wood is used as a sheathing material, a No. 15 or heavier asphalt saturated felt or a breather type aluminum foil should be applied prior to the A/C Sheet.

E. APPLICATION A/C PANELS, PLAIN, PRIMED OR PREFINISHED

1. Adhesive Batten Application Method

- Laminate the panels to the gypsum sheathing with MC Adhesive or (special, cold-weather adhesive No. M6358, Uniroyal) (3M CTA 12) (No. 4599 St. Claire Co.). During cold weather MC and 3M CTA 12 Adhesive must be stored at 70°F. for a minimum of 24 hours before use, and maintained at that temperature during use. When temperature at the construction site falls below 40°F., one of the special, cold-weather adhesives must be used.
- Apply adhesive to the unfinished side of the panel in $\frac{1}{4}$ " diameter beads spaced 12" o.c. and one bead around the perimeter of the sheet 2" from the edge.

- A minimum $\frac{1}{4}$ " space must be left between the top or edges of panels and structural concrete in order to allow for structural movement and prevent wicking. Make provisions to support bottom of panels until adhesive has sufficient shear strength. Also allow $\frac{1}{4}$ " spacing between panels to allow for possible expansion.
- Caulk all joints before applying battens.

- Apply No. 1910 Snap-On Batten and No. 2066 Aluminum Snap-On Corner Battens over the panel joints and in the field of the panel 24" o.c. If intermediate battens are not desirable, use prefinished truss head screws spaced a maximum of 16" o.c. to intermediate framing members.

The galvanized steel retainer for aluminum battens is aligned over the vertical panel joint and screwed through the gypsum sheathing into the screw studs with type S-12 screws of proper length spaced 9" o.c. maximum. The aluminum batten is then snapped onto the retainer.

2. Mechanical Fasteners (Nails, Screws)

- Underlayment — Shall be lapped 6" at head and side.
- Corners — Use 8" wide strip of 45 lb. felt under panel.
- Cutting — Panels may be cut by scoring deeply with a carbide tipped scoring tool and then breaking along the scored line over the edge of a board. Use a wood rasp to dress rough edges. A tungsten carbide tipped masonry blade on a power saw is another method.
- Apply panels over sheathing using felt or aluminum breathing type foil where required. Nail into wood framing 16" o.c. with $1\frac{1}{4}$ " aluminum, galvanized or stainless steel nails spaced 8" o.c. along the perimeter and 16" o.c. on intermediate studs. When colored nails are used, place a "Lixie" cap on claw hammer. Flat sheets $\frac{1}{4}$ " or more in thickness should be pre-drilled for nailing. Nailing should be $\frac{1}{4}$ " from edge of sheet.
- Screw application shall be oval or truss head type and penetrate the wood at least $\frac{1}{4}$ ". Use metal Type S or S-12 for 20 ga. metal studs. On exterior construction use corrosion treated screws.

Attach 12" o.c. around the perimeter and 16" o.c. in the field. Where prefinished panels are used, touch up screw heads only to match panel color.

3. Utility Construction

- Where no backing is used for panels, their thickness should be at least $\frac{1}{4}$ " for studs 16" o.c.
- Underlayment must be used on exterior walls.
- Framing must be complete with blocking where necessary to give complete support for nail or screw attachment.

NOTICE

The asbestos fibers in this asbestos cement product are embedded and permanently bonded in Portland Cement and will not create dust during normal handling and usage.

In fabricating or installing operations avoid creating dust by scoring and snapping whenever possible. Certain methods of cutting, drilling or sanding may produce dust. It is then recommended either that equipment with approved dust collectors be used or that operators and nearby personnel be provided with approved respirator.

In accordance with government regulations the following notice is provided:



WARNING

CONTAINS ASBESTOS FIBERS WHICH IN EXHAUST, DUST, OR
SNEATHING ASBESTOS CAN BE HAZAROUS TO YOUR HEALTH
AVOID CREATING ASBESTOS DUST
FOLLOW RECOMMENDED WORK PRACTICES (DO NOT) RE-USE THE MANUFACTURER
FALLING TO DO SO MAY INCREASE EXPOSURE TO ASBESTOS FIBERS
BREATHING GREATLY INCREASES RISK OF SERIOUS DISEASE
DO NOT USE ASBESTOS DUST



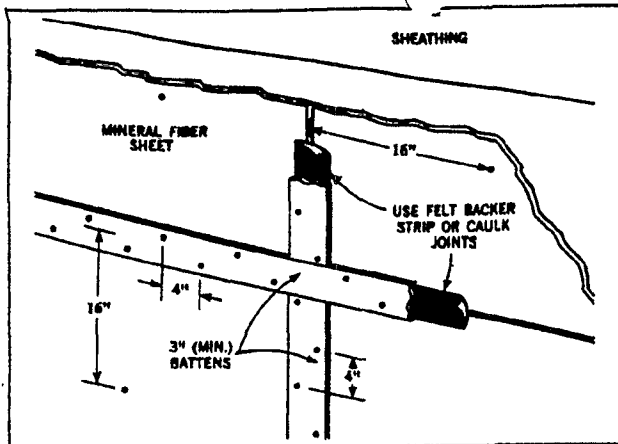


Figure 1 - BATTENED JOINTS - Either caulk at sheet joints or use a felt backer strip over sheet joints behind battens. Stagger nails through battens on 4 in. centers, straddling the sheet joints.

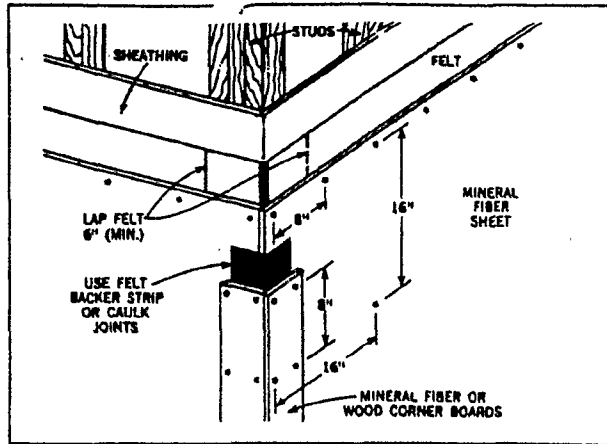


Figure 4 - EXTERIOR CORNER BOARDS - Either caulk at sheet joints or use a felt backer strip over sheet joints behind corner boards.

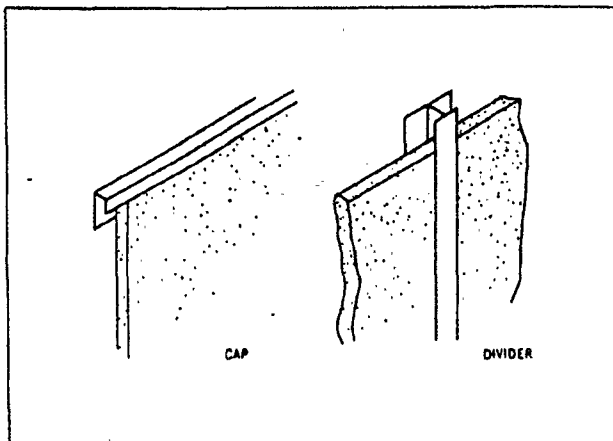


Figure 2 - MOULDINGS - To prevent "drumming", add face nailing or adhesive to these mouldings.

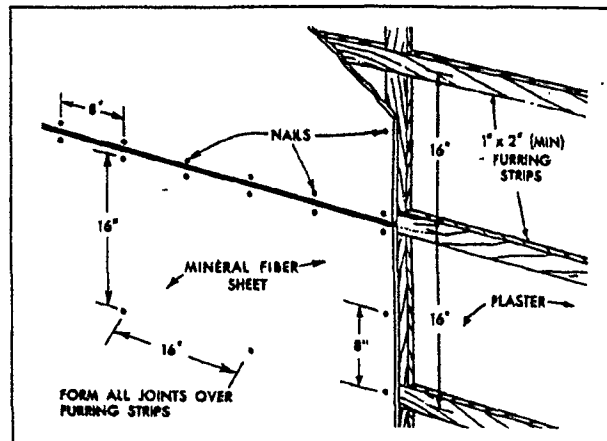


Figure 5 - INTERIOR WALLS, OVER PLASTER - Install 1 in. x 3 in. furring strips on 16 in. centers and apply Flat Sheets. Form all joints over furring strips.

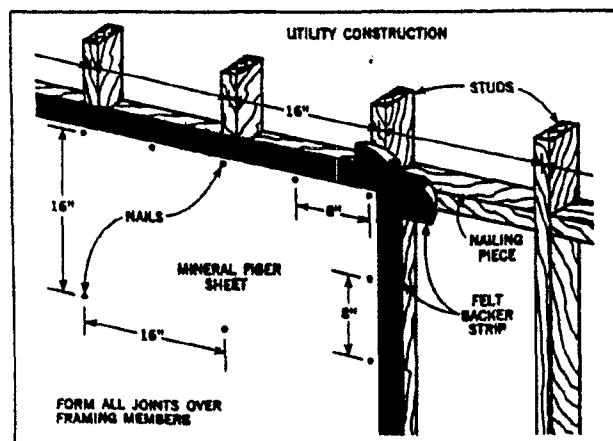


Figure 3 - DIRECTLY TO STUDS - Use 3/4 in. Mineral Fiber Flat Sheets with maximum stud spacing of 16 in. on center; use 3/4 in. sheets for studs 24 in. on center. Use a No. 30 Asphalt Saturated Felt underlayment on all except utility construction.

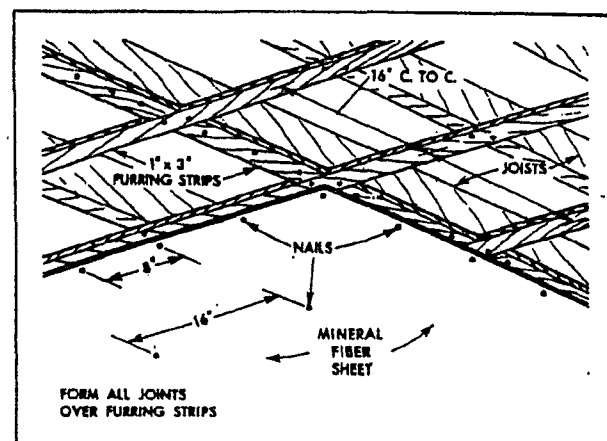


Figure 6 - CEILINGS - Install 1 in. x 3 in. furring strips on 16 in. centers over joists, at right angles. Secure with two nails at each member. Form joints over furring strips.

Withers CCCB
00024



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TOLL FREE 1-800-535-7986

IBP 2003

FLAT SHEET BUILDING PANELS

U.L. APPROVED

Underwriters Laboratories, Inc. has approved mineral fiber flat sheets as a non-combustible building material (walls, partitions, ceilings, soffits, canopies, etc.) U.L. tests show IBP Mineral Fiber Flat Sheets are fireproof and have a Class "A" rating.

- "0" Flame Spread
- "0" Fuel Contributed
- "0" Smoke Development

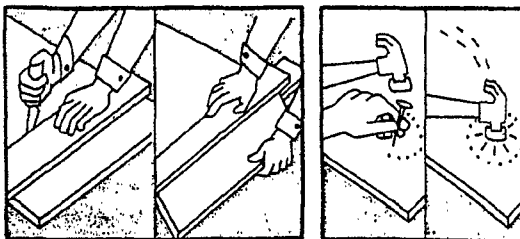
MINERAL FIBER BOARD IS:

- made of asbestos and Portland cement
- light yet tough and durable
- easily handled and flexible
- rot, rodent, and termite proof
- unaffected by moisture and temperature extremes
- suitable for, but does not require, painting
- economical
- environmentally safe.

PLIA-F-LEX is the trademark for premium grade flat sheets made with select mineral fibers. These fibers, acting like reinforcing bars in concrete, impart tensile strength and flexibility to the product. The "F" in this product's name, in fact, stands for flexibility and indicates compliance with Federal Specification SS-B-755-A Type F and ASTM C220 Type F. Plia-F-Lex will safely bend around a radius almost half the limiting radius for bending utility board (Permaboard). Plia-F-Lex is recommended not only for curved surfaces but as a substrate for exposed aggregate or spray-on textured coatings.

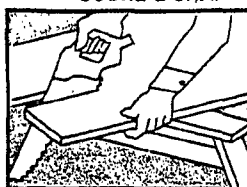
PERMABOARD is the trademark for the standard utility type rigid board. It covers large, flat areas quickly and economically. It is widely used for board and batten application on homes and as a permanent siding for industrial and farm buildings, and can be painted if desired. Permaboard complies with Federal Specification SS-B-755-A Type U and ASTM C220 Type U. Although predrilling is preferred, nails can be driven through all flat sheets up to 1/4" thickness without predrilling.

FABRICATION

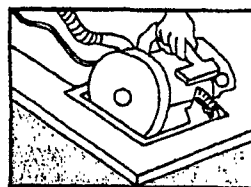


SCORE & SNAP

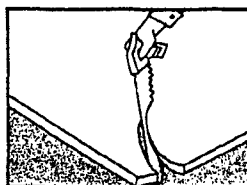
SMALL HOLES



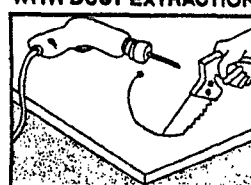
HAND SAW



POWER SAW
WITH DUST EXTRACTION*



CURVED CUTS



LARGE HOLES

	Size	Thickness	Weight per Sheet
Pliaflex	4' x 8' **	1/8"	40 lbs.
		3/16"	60 lbs.
		1/4"	80 lbs.
		3/8"	120 lbs.
Permaboard	4' x 8' **	3/16"	60 lbs.
		1/4"	80 lbs.
		3/8"	120 lbs.
		1/2"	180 lbs.

**4' x 4' and other sizes available on special order

NOTICE

The asbestos fibers in this asbestos cement product are embedded and permanently bonded in Portland Cement and will not create dust during normal handling and usage.

In fabricating or installing operations avoid creating dust by scoring and snapping whenever possible. Certain methods of cutting, drilling, or sanding may produce dust. It is then recommended either that equipment with approved dust collectors be used or that operators and nearby personnel be provided with approved respirator.

In accordance with government regulations, the following notice is provided:



WARNING

Contains asbestos fibers locked in (cement) matrix
Breathing asbestos can be hazardous to your health

Avoid creating and breathing dust

Follow recommended work practices guide supplied by the manufacturer

Failure to do so may release excessive asbestos fibers

Smoking greatly increases risk of serious bodily harm

Do not use abrasive disc saw

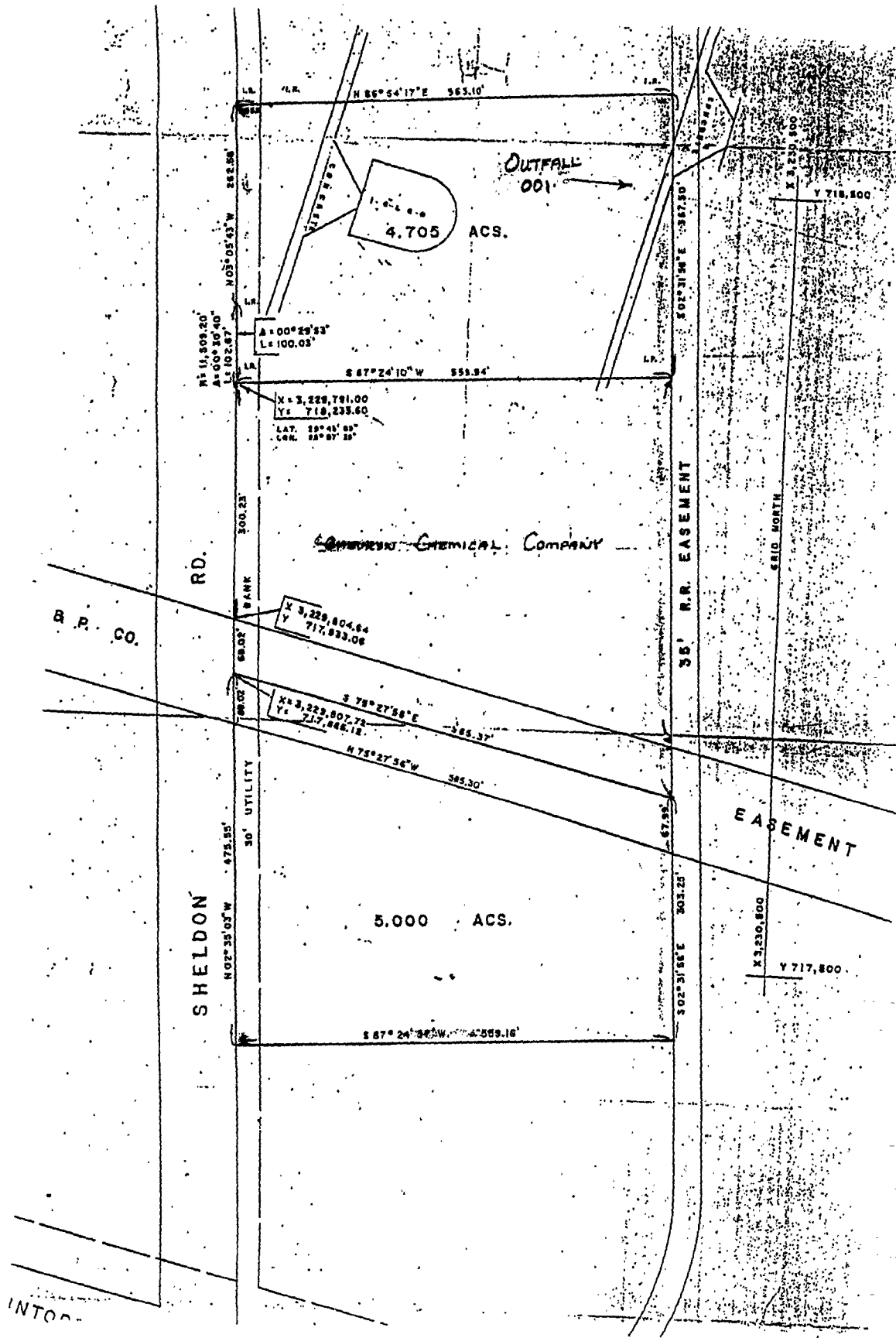


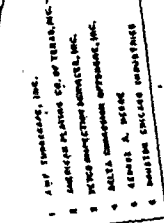
AIBP

ATLAS INTERNATIONAL BUILDING PRODUCTS

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Withers CCCB
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