PLAINTIFF'S
EXHIBIT
UC-1661

CAUSE NO. 90G2055

WELDON R. MOAKE and JANICE I. MOAKE; KEVIN R. MOAKE; DANA R. ASHLEY; and, MACK K, MOAKE	§	IN THE DISTRICT COURT OF
Plaintiffs,	§	
VS.	§	BRAZORIA COUNTY, TEXAS
OWENS – CORNING FIBERGLAS CORPORATION, ET AL.	§	
Defendants.	§	239TH JUDICIAL DISTRICT

PREMISES DEFENDANT UNION CARBIDE CHEMICAL & PLASTICS CO., INC.'S RESPONSES TO PLAINTIFFS' REQUEST FOR DISCLOSURE

COMES NOW, Defendant, Union Carbide Chemical & Plastics Co., Inc.'s, and files these Responses to Plaintiff's Request for Disclosure.

Respectfully submitted,

POWERS & FROST, L.L.P.

By: _____

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**COUNSEL FOR DEFENDANT,
UNION CARBIDE CHEMICAL & PLASTICS
CO., INC.**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing instrument has been forwarded to counsel of record for Plaintiffs, herein, Ms. Stephanie Finch, Baron & Budd P.C., 3102 Oak Lawn Ave., Ste. 1100, Dallas, Texas 75219-4281, via Certified Mail, Return Receipt Requested, and to all other counsel of record via first class U.S. mail this the 11 day of September, 2000.

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PREMISES DEFENDANT UNION CARBIDE CHEMICAL & PLASTICS CO., INC.'S RESPONSES TO REQUEST FOR DISCLOSURE

(a) The correct names of parties to this lawsuit;

Defendant is unaware at this time that any parties to this lawsuit have been incorrectly named.

(b) the name, address, and telephone number of any potential parties;

Defendant is unaware at this time of any potential parties who have not been named in Plaintiffs' Petition.

(c) the legal theories and, in general, the factual bases of the responding party's defenses (the responding party need not marshal all evidence that may be offered at trial;

Defendant's defenses are outlined in its Answer to Plaintiffs' Petition and any amendments filed thereto. Without waiving any defense stated therein, Defendant contends the following generally:

Defendant will dispute that Plaintiff(s)'s alleged injuries are asbestos related. Defendant contends that each Plaintiff contributed to cause his or her own alleged injury and/or death by smoking and/or other actions and lifestyle choices. Defendant also contends that the acts or omissions of others contributed to cause each Plaintiff's alleged injuries and/or death.

No product manufactured, sold or distributed by Defendant caused any alleged injury to Plaintiff(s). Each Plaintiff was either not exposed to Defendant's products, or any alleged exposure did not contribute to cause any Plaintiff's alleged injury. Defendant will present a "state of the art" defense to demonstrate that Defendant was charged with no greater knowledge than that of the medical and scientific community. Defendant will deny that it breached any duty to warn and will deny that its products were defective.

(d) the name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case;

Defendant does not know each person with knowledge of relevant facts. Defendant states that each Plaintiff, all witnesses named or designated by each Plaintiff, all Defendants, all witnesses named or designated by other Defendants, co-workers of each Plaintiff, family members of each Plaintiff, medical personnel who have treated or examined each Plaintiff and medical personnel who have

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reviewed records, x-rays and/or pathology of Plaintiff may all have knowledge of relevant facts. Defendant additionally incorporates herein Defendant's witness lists, exhibit lists and designation of deposition testimony, on file or to be filed in this case.

(e) for any testifying expert:

(1) the expert's name, address and telephone number;
(2) the subject matter on which the expert will testify;
(3) the general substance of the expert's mental impressions and opinions and a brief summary of the basis for them, or if the expert is not retained by, employed by, or otherwise subject to the control of the Responding party, documents reflecting such information;
(4) if the expert is retained by, employed by, or otherwise subject to the control of the responding party:
(A) all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony; and
(B) the expert's current resume and bibliography;

Defendant incorporates herein Defendant's witness lists, exhibit lists and designations of deposition testimony, on file or to be filed in this case. Defendant does not have information regarding testifying experts to each Plaintiff or of other Defendants.

(f) any discoverable indemnity and insuring agreements;

It is impossible to answer this request with specificity because a number of factors determine which carrier or carriers may be required to respond to any particular claim. Documents which may expand upon the response are available for inspection. An index is available.

(g) any discoverable witness statements;

Defendant is not aware of any discoverable witness statements other than any depositions which have been or will be taken in this case.

(h) in a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, all medical records and bills obtained by the responding party by virtue of an authorization furnished by the requesting party.

These documents, to the extent Defendant possesses them, will be made available to Plaintiff for review and copying at a mutually agreed upon time.

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