PLAINTIFF'S
EXHIBIT
UC-1667

CAUSE NO. 97 – 4 – 13222

JAMES PAUL JACOBS, et al.,	§	IN THE DISTRICT COURT OF
	§	
Plaintiffs,	§	
	§	
VS.	§	CALHOUN COUNTY, TEXAS
	§	
OWENS – CORNING FIBERGLAS CORPORATION, et al.,	§	
	§	
Defendants.	§	267TH JUDICIAL DISTRICT

DEFENDANT UNION CARBIDE CORPORATION d/b/a UNION CARBIDE CHEMICALS AND PLASTICS COMPANY, INC.'S RESPONSE TO PLAINTIFF, RAFAEL W. HANY'S FIRST REQUEST FOR ADMISSIONS AND SECOND REQUEST FOR PRODUCTION

Defendant, Union Carbide Corporation d/b/a Union Carbide Chemicals and Plastics Company, Inc., files this response to Plaintiff's First Request for Admissions and Second Request for Production.

Respectfully submitted,

POWERS & FROST, L.L.P.

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ATTORNEYS FOR DEFENDANT, UNION CARBIDE CORPORATION d/b/a UNION CARBIDE CHEMICALS AND PLASTICS COMPANY, INC.

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of Defendant Union Carbide Corporation d/b/a Union Carbide Chemicals and Plastics Company, Inc.'s Responses to Plaintiff's First Request for Admissions and Second Request for Production was forwarded via facsimile and via certified mail, return receipt requested to Plaintiff's counsel on the 25th day of August, 2000, and that all other counsel of record were forwarded a copy of the cover letter only via regular mail on the 25th day of August, 2000.

By: James H Powers
BH

GENERAL OBJECTIONS

Union Carbide objects to the entire set of Plaintiff's First Requests for Admissions and Second Request for Production on the following grounds, which are hereby incorporated by reference in Union Carbide's responses to individual Requests for Production and Requests for Admissions below:

GENERAL OBJECTION NO. 1:

Union Carbide states that trial preparation and factual investigation are ongoing. Union Carbide's answers to these Request for Production and Request for Admissions are based on information known to Union Carbide at this time. Union Carbide reserves the right, however to make reference at the trial or at any hearing in this action to facts and documents not identified in these responses, the existence or relevance of which is later discovered by it or its counsel. By this reservation, Union Carbide does not in any way assume a continuing responsibility to update its responses to these Request for Production and Request for Admissions, and specifically objects to each of these Request for Production and Request for Admissions to the extent that they seek to impose any such continuing obligation upon Union Carbide.

GENERAL OBJECTION NO. 2:

Union Carbide objects to plaintiffs' Request for Production and Request for Admissions in their entirety on the grounds that they are not reasonably framed in terms of the facts and subject matter of the present action, with the result that Union Carbide is called upon to speculate as to what information relevant to the present case, if any, may be deemed to fall within the scope of the Request for Production and Request for Admissions as phrased.

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GENERAL OBJECTION NO. 3:

Union Carbide also objects to all Interrogatories, Request for Production and Request for Admissions insofar as they would require the disclosure of information protected by the attorney-client privilege or work product doctrines.

GENERAL OBJECTION NO. 4:

Union Carbide objects to providing information about any asbestos-containing products which it has manufactured, sold or distributed, on the grounds that the asbestos fiber in those products was encapsulated by or embedded in other material and on the grounds that the plaintiff has made no allegation of exposure to those products. According to Union Carbide's best presently available information, these products consist of the following: a tree sprout inhibitor used primarily to inhibit growth on telephone poles; a phenolic molding compound used in electronic parts and products such as switches and radios; a thermoplastic molding material used primarily in camera cases; Prestone radiator products; acetylene cylinder liners; a scarfer machine; a heat exchanger; and, possibly, certain polyethylene and polystyrene or other products sold in very limited quantities or on an experimental basis. Union Carbide no longer manufactures any of the above products. Union Carbide acquired its Coalinga mine site in 1958. From 1960-1963, as Union Carbide developed its mining and milling operation, Union Carbide provided fiber samples to potential customers. From 1963 until June 30, 1985, Union Carbide mined and sold short fiber chrysotile asbestos initially as "Union Carbide Asbestos" and then under the trade name Calidria (some distributors marketed Calidria under other trade names). All responses to these Request for Production and Request for Admissions refer to Calidria asbestos only.

GENERAL OBJECTION NO. 5:

Union Carbide objects to this entire set of Request for Production and Request for Admissions to the extent that they call for information about Union Carbide employees or premises, or policies pertaining to Union Carbide employees or premises other than Union Carbide's Seadrift, TX location. Inasmuch as the plaintiffs do not allege that they or their decedents were ever employed by Union Carbide or worked at any job site controlled by Union Carbide other than the Seadrift, TX location, such information is irrelevant and immaterial to matters at issue in this case. Any pertinent information which the employee or premises information about other locations can be said to reflect can be requested directly without requesting the irrelevant and immaterial information or documentation about employees or premises.

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PRELIMINARY STATEMENT

These responses are based on facts known to or believed by Union Carbide Corporation d/b/a Union Carbide Chemicals and Plastics, Inc., at the time of answer. Because much of the information is sought from many years ago and is therefore difficult or impossible to reconstruct or retrieve, we reserve the right to amend these responses as, and if, new or better information becomes available or if any error is discovered. These responses are from Union Carbide Corporation d/b/a Union Carbide Chemicals and Plastics, Inc.'s records and knowledge and not those of any former subsidiary or affiliates, predecessors. This statement is incorporated by reference in each of the following responses.

DEFENDANT'S RESPONSE TO PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS AND SECOND REQUEST FOR PRODUCTION

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: See Union General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted. At times during the operation of Union Carbide facilities, Union Carbide acquired products which contained asbestos in accordance with state-of-the-art safety and operation practices for industrial facilities. Union Carbide denies that it necessarily acquired all of the types of products set forth in this Request.

REQUEST FOR PRODUCTION NO. 1:

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

RESPONSE: Not applicable. See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to

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communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement.

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: See Union General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted. At times during the operation of Union Carbide facilities, UCC acquired products which contained asbestos in accordance with state-of-the-art safety and operation practices for industrial facilities. Union Carbide denies that it necessarily acquired all of the types of products set forth in this Request.

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: See General Objections and Preliminary Statement, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible

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evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement.

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: See Union General Objection #5. Subject to its objections, Union Carbide responds as follows: This defendant is unable to either admit or deny this request for admission because the investigation for defendant's responses to discovery is still ongoing. Therefore, denied. At times during the operation of Union Carbide facilities, UCC acquired products which contained asbestos in accordance with state-of-the-art safety and operation practices for industrial facilities. Union Carbide denies that it necessarily acquired all of the types of products set forth in this Request.

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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement.

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REQUEST FOR ADMISSION NO. 4:

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

RESPONSE: This defendant is unable to either admit or deny this request for admission because the investigation for defendant's responses to discovery is still ongoing. Therefore, denied.

REQUEST FOR PRODUCTION NO. 4:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement.

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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary

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information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement.

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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement.

REQUEST FOR PRODUCTION NO. 7:

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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's

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between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement.

REQUEST FOR ADMISSION NO. 5:

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

RESPONSE: This defendant is unable to either admit or deny this request for admission because the investigation for defendant's responses to discovery is still ongoing. Therefore, denied.

REQUEST FOR PRODUCTION NO. 8:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement.

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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: This defendant is unable to either admit or deny this request for admission because the investigation for defendant's responses to discovery is still ongoing. Therefore, denied.

REQUEST FOR PRODUCTION NO. 9:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement.

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: This defendant is unable to either admit or deny this request for admission because the investigation for defendant's responses to discovery is still ongoing. Therefore, denied.

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REQUEST FOR ADMISSION NO. 8:

Admit that during the time Plaintiff worked at Defendants premises, Defendant was aware that airborne asbestos dust created a potential health hazard to those who breathed such dust.

RESPONSE: Denied. Union Carbide denies that it possessed awareness that dust of any type at sufficiently high levels could cause health hazards. Indeed, Union Carbide employed state-of-the-art practices and was recognized as an industry leader in efforts, including but limited to, safety practices in efforts to minimize or avoid dust inhalation by its or contract employees, including, but not limited to, safety practices, ventilation measures and information provision. Union Carbide's information about specific asbestos-related hazards, however, developed gradually. Union Carbide's involvement with asbestos was primarily as that of an industrial consumer. Union Carbide manufactured some products which had an asbestos content, and from 1963-1985, mined and sold a unique short-fiber chrysotile used for specialized, non-insulation purposes. Union Carbide never manufactured or sold asbestos-containing insulation. Accordingly, Union Carbide lacked any special knowledge or information of the insulation industry.

Union Carbide's knowledge concerning potential health hazards possibly associated with excessive asbestos fiber inhalation developed gradually. Sources of information as to possible health concerns of which Union Carbide is presently aware included general and scientific literature on the topic and reports or memoranda by Union Carbide employees. Upon the plaintiff s request, copies of such reports and memoranda, which Union Carbide has located, will be made available at a suitable time and place for review and duplication by the plaintiff.

Union Carbide recognizes that the excessive inhalation of asbestos fiber may be associated with the development of serious and potentially fatal disease. Union Carbide also understands that the onset and development of such disease in a person may be related to an affected by, among other factors: the particular type of fiber that is inhaled; cigarette smoking; and environmental conditions, in addition to the person's medical history and condition.

REQUEST FOR PRODUCTION NO. 10:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this

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claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement.

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: This defendant is unable to either admit or deny this request for admission because the investigation for defendant's responses to discovery is still ongoing. Therefore, denied.

REQUEST FOR PRODUCTION NO. 11:

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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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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: See General Objection #5. Subject to its objection, Union Carbide Corporation d/b/a Union Carbide Chemicals and Plastics, Inc. responds as follows: Denied. See Union Carbide Corporation d/b/a Union Carbide Chemicals and Plastics, Inc. 's response to Request Admissions No. 8.

REQUEST FOR PRODUCTION NO. 12:

If you deny the foregoing, produce all such warnings.

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 11:

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

RESPONSE: See General Objection #5. Subject to its objection, Union Carbide Corporation d/b/a Union Carbide Chemicals and Plastics, Inc. responds as follows: Denied. See Union Carbide Corporation d/b/a Union Carbide Chemicals and Plastics, Inc. 's response to Request Admissions No. 8.

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REQUEST FOR ADMISSION NO. 12:

Admit that Defendant did not continuously provide face masks to contract employees working with or around asbestos from 1945 to the present for the purpose of protecting these employees from inhaling asbestos.

RESPONSE: See General Objection #5. Union Carbide further objects to this Request on the grounds that it is overly broad and not phrased to allow a meaningful admission or denial. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks sufficient information to admit or deny insofar as the request has not defined whether, for instance, "employees working with or around asbestos" include all employees entering premises which contained state-of-the-art asbestos insulation. See Union Carbide's response to Request for Admissions No. 8.

REQUEST FOR ADMISSION NO. 13:

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

RESPONSE: See General Objection #5. Union Carbide further objects to this Request on the grounds that it is overly broad and not phrased to allow a meaningful admission or denial. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks sufficient information to admit or deny insofar as the request has not defined whether, for instance, "employees working with or around asbestos" include all employees entering premises which contained state-of-the-art asbestos insulation. See Union Carbide's response to Request for Admissions No. 8.

REQUEST FOR PRODUCTION NO. 13:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this

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claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 14:

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

RESPONSE: See General Objection #5. Union Carbide further objects to this Request on the grounds that it is overly broad and not phrased to allow a meaningful admission or denial. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks sufficient information to admit or deny insofar as the request has not defined whether, for instance, "employees working with or around asbestos" include all employees entering premises which contained state-of-the-art asbestos insulation. See Union Carbide's response to Request for Admissions No. 8.

REQUEST FOR PRODUCTION NO. 14:

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

RESPONSE See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to

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the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 15:

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

RESPONSE: See General Objection #5. Union Carbide further objects to this Request on the grounds that it is overly broad and not phrased to allow a meaningful admission or denial. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks sufficient information to admit or deny insofar as the request has not defined whether, for instance, "employees working with or around asbestos" include all employees entering premises which contained state-of-the-art asbestos insulation. See Union Carbide's response to Request for Admissions No. 8.

REQUEST FOR PRODUCTION NO. 15:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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REQUEST FOR ADMISSION NO. 16:

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

RESPONSE: See General Objection #5. Union Carbide further objects to this Request on the grounds that it is overly broad and not phrased to allow a meaningful admission or denial. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks sufficient information to admit or deny insofar as the request has not defined whether, for instance, "employees working with or around asbestos" include all employees entering premises which contained state-of-the-art asbestos insulation. See Union Carbide's response to Request for Admissions No. 8.

REQUEST FOR PRODUCTION NO. 16:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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 worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

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RESPONSE: See General Objection #5. Union Carbide further objects to this Request on the grounds that it is overly broad and not phrased to allow a meaningful admission or denial. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks sufficient information to admit or deny insofar as the request has not defined whether, for instance, "employees working with or around asbestos" include all employees entering premises which contained state-of-the-art asbestos insulation. See Union Carbide's response to Request for Admissions No. 8.

REQUEST FOR PRODUCTION NO. 17:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 18:

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

RESPONSE: See General Objection #5. Union Carbide further objects to this Request on the grounds that it is overly broad and not phrased to allow a meaningful admission or denial. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks sufficient information to admit or deny insofar as the request has not defined whether, for instance, "employees working with or around asbestos" include all employees entering premises which contained state-of-the-art asbestos insulation. See Union Carbide's response to Request for Admissions No. 8.

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REQUEST FOR PRODUCTION NO. 18:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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 worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Denied. See Union Carbide's response to Requests for Admissions Nos. 8 and 13.

REQUEST FOR PRODUCTION NO. 19:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness

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exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 20:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Denied. See Union Carbide's response to Requests for Admissions Nos. 8 and 13.

REQUEST FOR PRODUCTION NO. 20:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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REQUEST FOR PRODUCTION NO. 21:

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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 2 1:

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

RESPONSE: See General Objection #5. Union Carbide further objects to this Request on the grounds that it is overly broad and not phrased to allow a meaningful admission or denial. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks sufficient information to admit or deny insofar as the request has not defined whether, for instance, "employees working with or around asbestos" include all employees entering premises which contained state-of-the-art asbestos insulation. See Union Carbide's response to Request for Admissions No. 8.

REQUEST FOR ADMISSION NO. 22:

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

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RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 22:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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: This defendant is unable to either admit or deny this request for admission because the investigation for defendant's responses to discovery is still ongoing. Therefore, denied.

REQUEST FOR PRODUCTION NO. 23:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to

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communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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: This defendant is unable to either admit or deny this request for admission because the investigation for defendant's responses to discovery is still ongoing. Therefore, denied.

REQUEST FOR PRODUCTION NO. 24:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving

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same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 25:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

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REQUEST FOR PRODUCTION NO, 26:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 27:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's

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between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 28:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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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: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 29:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 30:

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

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RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 31:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 31:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving

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same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 32:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 32:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 33:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

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REQUEST FOR PRODUCTION NO. 33:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 34:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 34:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i)

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the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 35:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 35:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 36:

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

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RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 36:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 37

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 37:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other

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cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 38:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 38:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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REQUEST FOR ADMISSION NO. 39:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted.

REQUEST FOR PRODUCTION NO. 39:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 40:

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

RESPONSE: Union Carbide lacks direct information as to whether the Plaintiff worked on its premises and thus lacks sufficient information to admit or deny. Union Carbide's investigation remain on-going, however, and Union Carbide reserves its right to supplement its response as information becomes available.

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REQUEST FOR PRODUCTION NO. 40:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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: Union Carbide lacks direct information as to whether the Plaintiff worked on its premises and thus lacks sufficient information to admit or deny. Therefore, denied. Union Carbide's investigation remain on-going, however, and Union Carbide reserves its right to supplement its response as information becomes available.

REQUEST FOR PRODUCTION NO. 41:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's

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between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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: Union Carbide lacks direct information as to whether the Plaintiff worked on its premises and thus lacks sufficient information to admit or deny. Union Carbide's investigation remain on-going, however, and Union Carbide reserves its right to supplement its response as information becomes available.

EQUEST FOR PRODUCTION NO. 42:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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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: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted. See Union Carbide's response to Request No. 1.

REQUEST FOR PRODUCTION NO. 43:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 44:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted. See Union Carbide's response to Request No. 1.

REQUEST FOR PRODUCTION NO. 44:

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

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RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 45:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted. See Union Carbide's response to Request No. 1.

REQUEST FOR PRODUCTION NO. 45:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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REQUEST FOR ADMISSION NO. 46:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks sufficient information to admit or deny this Request. Union Carbide's investigation remain on-going and Union Carbide reserves its right to supplement this response as information becomes available.

REQUEST FOR PRODUCTION NO. 46:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 47

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks sufficient information to admit or deny this Request. Union Carbide's investigation remain on-going and Union Carbide reserves its right to supplement this response as information becomes available. Union Carbide admits that pipe covering containing asbestos may have performed a fire proofing role.

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REQUEST FOR PRODUCTION NO. 47:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 48:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks sufficient information to admit or deny this Request. Union Carbide's investigation remain on-going and Union Carbide reserves its right to supplement this response as information becomes available.

REQUEST FOR PRODUCTION NO. 48:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary

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information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 49:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Admitted. Pipe covering constitutes thermal insulation. See Union Carbide's response to Request No. 40.

REQUEST FOR PRODUCTION NO. 49:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 50:

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

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RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Defendant does not possess enough information at this time to either admit or deny. Therefore, denied. Investigation is ongoing and defendant retains the right to further supplement this response.

REQUEST FOR PRODUCTION NO. 50:

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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR PRODUCTION NO. 51:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i)

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the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 5 1:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks information as to whether or to what extent it directly supervised the health and safety procedures implemented by contractors working on Defendant's Premises. Union Carbide's investigation remain on-going. Union Carbide did, however, inform and require contractors to implement health and safety practices required by all employees on its facilities.

REQUEST FOR ADMISSION NO. 52:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Union Carbide lacks information as to whether or to what extent it directly supervised the health and safety procedures implemented by contractors working on Defendant's Premises. Union Carbide's investigation remain on-going. Union Carbide did, however, inform and require contractors to implement health and safety practices required by all employees on its facilities.

REQUEST FOR ADMISSION NO, 53:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Denied. See Union Carbide's response to Request No. 8.

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REQUEST FOR PRODUCTION NO. 52:

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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 54:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Denied. See Union Carbide's response to Request No. 8.

REQUEST FOR PRODUCTION NO. 53:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this

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claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR ADMISSION NO. 55:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Denied. See Union Carbide's response to Request No. 8.

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: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Denied. See Union Carbide's response to Request No. 8.

REQUEST FOR PRODUCTION NO. 54:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks

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information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Denied. See Union Carbide's response to Request No. 8.

REQUEST FOR PRODUCTION NO. 55:

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

RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR PRODUCTION NO. 56:

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.

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RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR PRODUCTION NO. 57:

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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR PRODUCTION NO. 58:

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

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RESPONSE: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR PRODUCTION NO. 59:

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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR PRODUCTION NO. 60:

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

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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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

REQUEST FOR PRODUCTION NO. 61:

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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other

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cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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: This defendant is unable to either admit or deny this request for admission because the investigation for defendant's responses to discovery is still ongoing. Therefore, denied.

REQUEST FOR ADMISSION NO. 59:

Admit that Defendant is liable for Plaintiffs asbestos related illness.

RESPONSE: SeeGeneral Objection #5. Subject to its objections, Union Carbide responds as follows: Denied. See Union Carbide's response to Request No. 8.

REQUEST FOR ADMISSION NO. 60:

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

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Denied. See Union Carbide's response to Request No. 8.

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REQUEST FOR ADMISSION NO. 61:

Admit that Defendant no longer uses asbestos on its Premises.

RESPONSE: See General Objection #5. Subject to its objections, Union Carbide responds as follows: Denied. See Union Carbide's response to Request No. 8.

REQUEST FOR PRODUCTION NO. 62:

If you contend that you did not own or control the facility(ies) during anytime period that Plaintiff worked (or believes he worked) at the facility(ies), please produce a 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 included 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: See General Objections, which are incorporated herein as if fully rewritten. Objection to the extent the request seeks information protected by the (a) attorney-client privilege, (b) the attorney work product doctrine, (c) any applicable privilege relating to communications between counsel for defendant and counsel for other defendants in this or other cases regarding defense of this case, (d) any applicable privilege relating to communication's between defendant's employees or counsel and defendant's insurers regarding the defense of this claim or claims of this type, (e) any privilege relating to confidential trade secrets, proprietary information or confidential communications with any government agency, (f) the expert witness exemption, (g) the witness statements exemption, (h) the party communications exemption, (i) the right of privacy, or (j) any other privilege. Objection to the extent the request seeks information not feasibly calculated to lead to the discovery of admissible evidence. Objection to the extent the request is overly broad, vague, ambiguous, unduly burdensome, unnecessarily expensive, harassing, and annoying. Subject to the foregoing objections and without waiving same, Defendant will supplement if Defendant has any documents in its possession pertaining to plaintiff's request.

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