PLAINTIFF'S EXHIBIT

UC-1991

SUPREME COURT: ALL COUNTIES
WITHIN THE CITY OF NEW YORK

	:	NYCAL
In re: NEW YORK CITY ASBESTOS LITIGATION	:	DEFENDANT UNION CARBIDE CORPORATION'S RESPONSE TO PLAINTIFF'S FIRST STANDARD SET OF LIABILITY INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS
This Document Applies To All Cases	:	

Defendant Union Carbide Corporation ("Union Carbide") responds as follows to plaintiff's First Standard Set of Liability Interrogatories and Requests for Production of Documents:

GENERAL OBJECTIONS

Union Carbide objects to the entire First Standard Set of Liability Interrogatories and Requests for Production of Documents on the following grounds, which are hereby incorporated by reference in Union Carbide's responses to individual interrogatories and requests below:

1. Union Carbide states that trial preparation and factual investigation are ongoing. Union Carbide's answers to these interrogatories and requests 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 interrogatories and requests, and specifically objects to each of these interrogatories and requests to the extent that they seek to impose any such continuing obligation upon Union Carbide.

2. Union Carbide objects to plaintiff's interrogatories and requests 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 interrogatories and requests as phrased.

3. Union Carbide also objects to all interrogatories and requests insofar as they would require the disclosure of information protected by the attorney-client privilege or the attorney work product doctrine.

4. Union Carbide objects to any request to provide information about any asbestos-containing product which it has manufactured, sold or distributed, on the grounds that the asbestos fiber in those products was encapsulated by or

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embedded in other material and on the grounds that the plaintiff has not alleged exposure to those products. See Union Carbide's response to interrogatory no. 9 for a list and description of those products. From 1963 until June 30, 1985, Union Carbide mined and sold short fiber chrysotile asbestos under the trade name Calidria (some distributors sold Calidria under other trade names). Calidria was marketed in both pellet and fibrous form to manufacturers or producers for use in their products or production processes as a filler, reinforcer, opacifier, thixotrope (thickener) and the like. Calidria asbestos was not suited and could not be marketed for use as heat or frost insulation due to its quality and composition, in particular, the short length of its fiber. All response to these interrogatories and requests refer only to Calidria asbestos.

5. Union Carbide objects to this entire set of interrogatories and requests to the extent that it calls for information about Union Carbide employees or premises, or policies pertaining to Union Carbide employees or premises. 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, such information is irrelevant and immaterial to matters at issue in this case.

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I. General Liability Interrogatories

1. State the full name, address, telephone number and position of the corporate officer answering these interrogatories.

ANSWER: See general objection 1. Union Carbide also objects to this interrogatory on the grounds that it is vague and ambiguous. Subject to its objections, Union Carbide responds as follows:

The responses to these interrogatories were prepared by counsel for Union Carbide Corporation based on information either contained in business records or provided by present and former Union Carbide employees. In particular, John L. Myers, former Product and Production Manager for asbestos (Calidria) has provided much information. Sales and other business records used to respond to these interrogatories are under the control of either counsel for Union Carbide or Ms. Michele Gomez, Custodian of Records, Kelley Drye & Warren, Six Stamford Forum, Stamford, Connecticut 06901.

2. Have any documents and records of the defendant been used or referred to, in connection with the preparation of or answers to these interrogatories? If so, for each document referred to, state the following:

a. the number of the question and its subpart;

b. the identity and title of the document;

c. the name and location of the file in which the document was found;

d. the name and location of the file in which the document is presently located;

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e. the originator of the document.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and harassing. Subject to its objections, Union Carbide responds as follows: Yes. See Union Carbide's response to interrogatory no. 1. Specific documents will be referred to in the following respective interrogatory responses when germane to the response.

3. State the names of each person who was spoken to or who provided information to assist in answering these interrogatories and for each person state the following:

a. The number of each question and its subpart for which such personnel provided information;

b. for each question identified in a., state the name, title and position description of the personnel supplying information;

c. the present location and address of the personnel supplying information;

d. the contents of the information provided.

ANSWER: See general objection 1 and Union Carbide's response to interrogatory no. 1.

4. Please state in which state or states of the United States or what foreign countries your business is incorporated and where its principal place of business is located.

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ANSWER: Union Carbide Corporation is incorporated in the State of New York. Its principal place of business is located at 39 Old Ridgebury Road, Danbury, CT 06817.

5. Please state whether:

a. Your company is authorized to do business in:

(1) New York
(2) New Jersey
(3) Connecticut

b. your company does business in:

(1) New York
(2) New Jersey
(3) Connecticut

ANSWER: a-b Yes.

6. State the full and complete legal name under which your company or any predecessor is now doing business and has done business at all times from the date when it began mining, processing, manufacturing and/or selling asbestos products or thermal insulation products and materials up until the present time.

ANSWER: See general objection 4. Subject to its objections, Union Carbide responds as follows:

Union Carbide Corporation is the full and complete legal name under which Union Carbide is now doing business and has done business at all times from the date when it began mining, processing, manufacturing and/or selling Calidria asbestos.

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The following divisions or subsidiaries of Union Carbide operated the Calidria business during the course of its existence:

Corporate Divisions of Calidria (1963-1985)

(1963-1965) Nuclear Division

(1965-1967) Mining and Metals Division

(1967-1970) Chemicals and Plastic Division

(1970-3/1984) Mining and Metals Division

(4/1984-6/1985) UMETCO, a wholly owned subsidiary of union Carbide, formerly the Mining and Metals Division.

7. Have you ever acquired, by way of a consolidation, merger, purchase of assets, or otherwise, any company which manufactured or sold any asbestos-containing products? If so, as to each such acquisition:

a. State the name and state of incorporation of the company which was acquired;

b. State the reasons for the acquisition;

c. State the date of the acquisition;

d. State the terms of the acquisition, including but not limited to the consideration paid (e.g., amount of stock, cash, etc.) if any;

e. Identify all of the company's assets which were acquired (e.g., plants, machinery, stock in trade, trademarks, patents, goodwill, etc.);

f. Identify all of the company's liabilities which were assumed by you in the acquisition;

g. Identify each of the company's asbestos-containing product lines;

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h. Identify each asbestos-containing product line of the acquired company which you continued to manufacture after the acquisition;

i. State the number of employees of the acquired company which were retained by you after the acquisition;

j. State the names of the directors, officers, and major stockholders of your company and the acquired company at the time of the acquisition and the names of the directors, officers, and major stockholders of your company and, if it continued to exist, of the acquired company, after the acquisition;

k. State the total number of shares of the acquired company which you held before and after the acquisition;

l. Identify and produce a copy of the agreement between you and the acquired company, the pertinent minutes of your Board of Directors and all other related documents.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, harassing and complex. Union Carbide further objects to this interrogatory on the grounds that it seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows: In 1976 Union Carbide acquired another company which prior to its acquisition by Union Carbide had manufactured a line of mastic sealants, coatings and adhesives, some of which contained small quantities of asbestos. The asbestos fiber in those products was encapsulated by binder ingredients in the production process. The company sold the division which

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produced these products and ceased producing all asbestos containing products (except for TRE-HOLD, a tree sprout inhibitor (see Union Carbide's response to interrogatory no. 9)) prior to Union Carbide's acquisition of the company.

8. State the names and positions of all corporate officers or officials having the responsibility for creating, directing or setting the policy of your firm with regard to the mining, manufacturing, processing, sale and/or packaging of asbestos products since 1930.

ANSWER: See general objection 1. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, vague and ambiguous. Union Carbide further objects to this interrogatory on the grounds that the phrase "creating, directing or setting the policy" is uncertain. Moreover, Union Carbide objects to this interrogatory on the grounds that it is overly broad as to time. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's response to interrogatory no. 1. John L. Myers has been involved in various aspects of Union Carbide Corporation's Calidria asbestos business since 1966, and has familiarity with many facets of the business and of the Calidria product. From 1970-1981, Mr. Myers held the Metals Division position of Marketing Manager - [for] asbestos. From 1981 until June 30, 1985, he served in the Metals Division as Product and Production Manager - [for] asbestos. John L. Myers is no longer employed by Union Carbide.

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9. [Have you or any of your predecessors or subsidiaries ever mined, processed, refined, sold or distributed asbestos or asbestos containing products.] If so, for each such product, complete an "Asbestos Product Information Sheet, Attachment #1.

ANSWER: See general objection 4. Subject to its objection, Union Carbide responds as follows:

Prior to late 1979, Union Carbide or one of its subsidiaries produced a tree sprout inhibitor called TRE-HOLD, which was used primarily to inhibit growth on telephone poles. TRE-HOLD contained a small quantity of asbestos bound in an asphalt carrier; the asbestos in TRE-HOLD was fully encapsulated.

Prior to 1976, Union Carbide manufactured a product called Bakelite,which is a phenolic molding compound. Bakelite was marketed by Union Carbide through distributors for use in electronic parts and products such as switches, switch boxes, radios, and plug in receptacles. The asbestos fiber in the Bakelite material was fully encapsulated.

Prior to August 1977, Union Carbide manufactured UDEL Polysulfone P6050, which was an asbestos-containing, high temperature, high rigidity thermoplastic molding material, used primarily in camera cases. The asbestos in UDEL Polysulfone P6050 was fully encapsulated.

Union Carbide formerly manufactured automotive radiator products under the names Prestone Antifreeze, Prestone Sealer Stop Leak and Prestone Heavy Duty Sealer. Asbestos

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ceased to be used as an additive in the antifreeze in 1971 and in the sealers in 1972. The fiber in these products was embedded within a liquid substance.

Until 1985, Union Carbide produced acetylene cylinder liners which contained asbestos fiber. The asbestos in the acetylene cylinder liners was encapsulated within liner materials and the liner materials were contained within a metal cylinder, and the asbestos was thus not respirable.

Union Carbide also manufactured a steel "scarfer" machine (used to remove blemishes and imperfections from steel), with parts which contained some asbestos. In the late 1950's or early 1960's, Union Carbide may also have experimented with certain asbestos-containing polyethylene and polystyrene products which would have only been sold in limited quantities on an experimental basis.

Union Carbide no longer manufactures or sells any of the above products. Union Carbide has never manufactured or distributed an asbestos-containing cement, pipe insulation/covering, cloth, or the like.

[From 1963 through June 30, 1985 Union Carbide mined and sold raw chrysotile asbestos under the trade name Calidria (some distributors sold Calidria under other trade names). Calidria was sold, both directly by Union Carbide and through distributors in both pelletized and fibrous form in varying grades of purity of content.] Calidria was not sold to the

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general public or to "end users". It was sold to manufacturers who generally purchased it for use in their products or production processes as a filler, reinforcer, opacifier, thixotrope (thickener) and the like. Calidria asbestos was not suitable for use as standard heat or frost insulation or, for instance, piping, due to its quality and composition, in particular, due to the short length of its fiber.

10. If your company ever manufactured or sold any of the following types of asbestos products, please identify each product and describe how it is cut, shaped, mixed and applied on the job:

a. asbestos cement mixes;

b. asbestos pipe covering;

c. asbestos bricks or blocks;

d. asbestos sheeting, boards or maritime;

e. asbestos insulation used to protect against extremes of heat as well as cold;

f. asbestos insulation in loose form which may be blown into homes or buildings;

g. asbestos applied in spray form;

h. asbestos tape, cloth, yarn, thread or tape;

i. asbestos felt or blanket;

j. asbestos paper;

k. asbestos gaskets;

giving particular reference as to whether or not the materials have to be sawed or cut on the job, blown into confined areas, or mixed with water into a cement or paste.

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ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and is not reasonably limited by either time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's response to interrogatory no. 9.

11. Please state if there is any way known to you that the products listed in questions 9 and 10 can be used, applied or installed without the worker involved inhaling any asbestos dust or fibers.

ANSWER: See general objection 4. Subject to its objection, Union Carbide responds as follows:

Calidria consisted of raw asbestos fiber used by manufacturers and producers who incorporated Calidria in the contents of their products or the substance of their production processes. Calidria was not sold by Union Carbide, or according to information available to Union Carbide, by Calidria distributors, to consumers or other end-users. Union carbide contends that with proper procedures and/or equipment, those companies could have handled Calidria in such a way as to eliminate potential health hazards to their workers.

12. Is it possible to distinguish the asbestos products listed by you in Answers 9 and 10 from those manufactured or distributed by a competitor?

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a. If so, please describe how you contend your product can be distinguished and identify each of your products by trade and generic name.

b. If there are products which, in your opinion, cannot be distinguished from products of a similar kind manufactured by a competitor, please state the name of each such similar product, who manufactured it, as well as the trade name of the product manufactured by your competitor.

ANSWER: See general objection 4. Subject to its objection, Union Carbide responds as follows:

Except for purity of content (especially lack of talc containment), shorter fiber length and thickness, pelletized form, and chemical treatment, Calidria asbestos fibers are the same as chrysotile asbestos fibers available from any source.

13. For each asbestos product listed by you in Answer 9 and 10, state whether the product could be used interchangeably with products of other manufacturers, distributors, or sellers, and if so, please identify such product and manufacturer.

ANSWER: See general objection 4. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's responses to interrogatories 9 and 12.

14. For each asbestos product listed by you in Answer 9 and 10, state the names and addresses of each New York customer who purchased the product and each New York job site to which the products were delivered by year, and complete a Worksite/Purchase Sales Information Sheet (Attachment II) for each purchaser or worksite.

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ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and harassing, vague and ambiguous. Union Carbide further objects to this interrogatory on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide possesses copies of invoices of Calidria sales made by Union Carbide to Calidria customers. Union Carbide also maintains a computer data base of such sales. Union Carbide sold its Calidria business in 1985 and Union Carbide, at present, can make no representation as to the completeness of its records. The aforementioned, however, constitute the most complete records of Calidria sales currently available to Union Carbide. Union Carbide lacks a record of sales made by Calidria distributors, who accounted for approximately 25% of all Calidria sales.

Upon plaintiff's request, Union Carbide will make its sales records available to the plaintiff for review and duplication at a suitable time and place.

15. For each asbestos product you manufactured or sold, state the total dollar, linear feet and/or number of pounds of the product:

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a. Sold in New York State;

b. Sold in the United States.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this interrogatory on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows: See Union Carbide's response to interrogatory no. 14.

[16. Identify for the period from 1935 to 1980, each distributor, dealer, wholesaler and contractor who sold, distributed or used your asbestos-containing products in New York City and within a 75 mile radius of New York City.] For each such distributor, dealer, wholesaler and contractor, state:

a. The name, last known address and person who you did business with;

b. The years of your relationship with the distributor, dealer, wholesaler and contractor;

c. Whether there was a written agreement. If so, identify it (or them) by date, title, signatories and present location;

d. Whether the relationship was exclusive, i.e., whether the distributor was not allowed to carry competing brands of some or all of the relevant products. If exclusive as to any particular product, identify that product;

e. The annual volume in pounds and linear feet and dollar amount of each type of asbestos product sold;

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f. The names and ultimate recipients of the asbestos products sold to or through each dealer, distributor, wholesaler, sales agent and contractor.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and harassing and on the grounds that it seeks information that is irrelevant and immaterial to the matters at issue in this case and is not reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this interrogatory on the grounds that it is overly broad as to time. Subject to its objections, Union Carbide responds as follows: [Approximately three-quarters of Calidria sales were made directly by Union Carbide. Distributors accounted for the remaining approximate 25% of all Calidria sales.] Union Carbide, however, no longer mines or sells Calidria and thus no longer maintains Calidria distributors. The following is a list of former Calidria distributors which Union Carbide has been able to identify:

[Presently Known Former Calidria Distributors (1963-1987)

1) Allied Resin Corporation
2) American Industrial Chemical Corporation
3) Bouffard Associates
4) A.T. Callas Company
5) D. & F. Distributing, Inc.

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6) Harrisons & Crosfield (Canada)

7) Harrisons & Crosfield (Pacific)

8) Leverage Chemicals, Inc.

9) Technical Petroleum Company

10) Technical Products, Inc.

11) Montello, Inc.

12) Harwick Chemical Corp.

13) Platex, Inc.

14) Union Carbide International

15) Western Chemical & Manufacturing Company

16) Mc Kesson Chemicals, Inc.

17) Apperson Chemicals, Inc.

18) Amsco Division - Union Oil Company of Calif.

19) Hamblet & Hayes Co.

20) Marco Chemical Division - W. R. Grace & Company

21) Wonder State Industries

22) The Permult Co., Inc.

23) Van Waters and Rogers

24) Western Chemical and Manufacturing Co.]

17. Identify each of your sales personnel responsible from 1935 to 1980 for sales of asbestos products in New York City and within a 75 mile radius of New York City. For each such person, state the years of such employment, his job title, the last known addresses and whether he is still your employee?

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly

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broad, unduly burdensome and is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this interrogatory on the grounds that it is overly broad as to time. Moreover, Union Carbide objects to this interrogatory on the grounds that it constitutes an impermissible invasion of privacy of past and present employees. Subject to its objections, Union Carbide responds as follows:

Gordon L. Dickson was Union Carbide's primary sales representative for the Eastern Region of the United States. However, other individuals may have had sales contacts in this region. Sales personnel may be indicated on Calidria sales records, which Union Carbide will make available to the plaintiff. See Union Carbide's response to interrogatory no. 14.

18. Did you at any time manufacture asbestos-containing products which were sold to another manufacturer for resale by that company under its own name? If so:

a. Identify each manufacturer to whom such sales were made and the date of such sales;

b. Identify the product or products involved in each such agreement;

c. If such sales were made pursuant to an agreement, identify the dates that each such agreement was in effect and produce a copy of the agreement.

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ANSWER: See general objection 4. Subject to its objection, Union Carbide responds as follows: See Union Carbide's responses to interrogatories 11 and 12.

Union Carbide sold its asbestos under the name "Calidria". Union Carbide, however, packaged Calidria asbestos for the Montello Corporation for sale under the tradenames of Visbestos, Super Visbestos, Telvis, Imcobest and Univis. Union Carbide also packaged Calidria for the ARCO company for sale under the name Arcovis, and for the International Mines and Chemical Company for sale under the name Surelift. Calidria was also sold domestically in limited quantities under the names Visquick and Oilbestos by distributors which Union Carbide is presently unable to identify.

19. Did you ever purchase any asbestos or any asbestos-containing products of any other manufacturer for distribution or sale under your name or trademark? If so:

a. Identify each manufacturer from whom products were purchased;

b. Identify the name of each product purchased;

c. Identify the dates of each such purchase and distribution.

d. Produce a copy of each purchase agreement.

ANSWER: See general objections 4 and 6. Subject to its objections, Union Carbide responds as follows: Not applicable; see Union Carbide's responses to interrogatories 11 and 12.

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20. Did you ever enter into distribution or licensing agreements with any manufacturer of asbestos-containing products? If so:

a. Identify each manufacturers with whom such agreement was entered into;

b. State the dates, products and geographical areas involved;

c. Produce a copy of each such agreement.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows: See Union Carbide's responses to interrogatories 11 and 12.

21. For the period 1928 to the present, state the address of each miner, manufacturer or processor of asbestos or asbestos fibers used in your products and for each such miner, manufacturer or processor state:

a. The date, amounts and delivery point for each shipment of asbestos you received;

b. The products in which the asbestos was used.

ANSWER: See general objection 4. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria asbestos mine and mill were located in or near King City, California.

22. [With respect to each asbestos product (including loose asbestos fiber) you manufactured, refined, processed, sold or delivered, state whether you claim any caution,

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warning, caveat or other statement about health involved in using the product and/or dust generated by the product was ever given to purchasers of the product or directed to the users of the product.] If so, state separately for each product:

a. The precise wording of each caution or set of instructions;

b. For each asbestos product, the exact date you claim each caution was first used on that product;

c. The inclusive dates you contend any alleged warning was affixed to each of your asbestos-containing products;

d. Whether the wording of the alleged warning has been altered since its first appearance, and if so, when and how amended;

e. Specifically what prompted you to first affix such caution, warning, caveat, statement or explanation, and what prompted the amendments, (i.e., if medical reports were relied upon, if so, identify such reports);

f. The name, title and present address of the author of each such warning and/or instructions;

g. Whether the warning and instructions were physically attached to the product itself when sold and/or delivered by you, and if so, the method of attachment;

h. Whether you have a copy of the warning and/or instructions in your possession at the present time, and if so, where it is located;

i. Whether any studies, evaluations or analyses of any potential hazards of your asbestos product were conducted by you prior to your use of each warning and/or instructions. If so, identify the study by date, author, title and file number and state its present location.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead

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to the discovery of admissible evidence. Subject to its objection, Union Carbide responds as follows:

a.-d. [Union Carbide had used two cautionary statements on its Calidria packaging: The first cautionary statement was used from June 22, 1968 through May 1972, and read as follows: "Warning: Breathing dust may be harmful. Do not breathe dust." The second cautionary statement was prescribed by OSHA in 1972 and was first printed on Calidria packaging in June of that year and was used by Union Carbide until the sale of the Calidria mine and mill in 1985; this second cautionary statement read as follows: "Caution. Contains asbestos dust may cause serious bodily harm."

Warning labels were added to Calidria packages in 1968 and toxicological information first appeared in sales literature in that year. Material Safety Data Sheets were mailed to Calidria customers beginning in 1972. AIA/NA information pamphlets were made available to customers starting in 1972 and were mailed to customers beginning in 1977 at the latest. In addition to the customer literature, Union Carbide disseminated to its Calidria sales personnel toxicology reports that contained toxicological and general health information about asbestos.

The health and safety literature made available and disseminated by Union Carbide to its Calidria customers warned of possible serious adverse health effects associated with the

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excessive inhalation of asbestos fiber, advised customers on ways to control or avoid such hazards, including the use of respirators as a way to avoid hazards. In addition to the dissemination of health and safety information, Union Carbide took active steps to help insure that Calidria was handled and used in a clean and safe manner and environment: Union Carbide employed shrink-wrap, tight-fitting packaging to prevent leakage, spillage, or dust emission during the shipment of Calidria; Union Carbide also developed pelletized forms of Calidria which would reduce dust emission; and starting in 1972, Union Carbide offered to take dust counts of the premises of Calidria customers in order to help them maintain a safe working environment, a service which many Calidria customers utilized.] Calidria was not sold to the general public or other "end-users", but rather was marketed only to manufacturers who used Calidria in their products or production processes).

See also Union Carbide's response to interrogatory no. 33.

e.-f. [Union Carbide consulted various experts in the medical and industrial hygiene professions concerning precautions that should be followed by persons involved in the use of Union Carbide's Calidria asbestos. During the early days of Union Carbide's involvement in the Calidria business, industrial hygienists at Union Carbide issued asbestos toxicology reports which were distributed to sales and other

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appropriate personnel. The advice of the expert was incorporated on Calidria warning labels and in the safety literature that Union Carbide made available and disseminated to its Calidria customers.

g. Calidria asbestos was mostly transported in plastic or Kraft type paper bags, although some Calidria had been shipped in bulk in railroad hopper cars. Each bag contained the following information: Union Carbide's corporate name and address the net weight of material supplied, the applicable grade of asbestos, the lot number identification, and, starting in 1968 a cautionary statement. At the request of some customers, a limited amount of Calidria asbestos was sold in plain Kraft bags, which contained only the cautionary statement. Unless the customer requested otherwise, between approximately the mid-1970's and June 1985 all Kraft bags containing Calidria asbestos were individually shrink wrapped (encased by a tight fitting plastic film); and entire pallet containing a number of such bags was also completely covered with the tight fitting plastic film.

h. Upon plaintiff's request, Union Carbide will make copies of its packages, including warning labels, available to the plaintiff for review and duplication at a suitable time and place.

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i. Two studies of Calidria asbestos were made by the Chemical Hygiene Fellowship of Mellon Institute on behalf of Union Carbide:

1. The first study was entitled "The Fibrogenic Potential of Asbestos Products - Via Intraperitoneal Injection in Guinea Pigs, Rats and Rabbits and by the Intratracheal Route in the Rat". Although Union Carbide cannot represent that it knows the names of the persons who conducted the study, the following individuals did sign the study: Edwin R. Kinkhead, B.S., Research Assistant, Urbano C. Pozzani, M.S., Senior Fellow and Charles P. Carpenter, Ph.D., Assistant Administrative Fellow. Also, the following persons received an acknowledgment in the study: Charles C. Hahn, B.S., Junior Fellow and John M. King, Ph.D., DVM, Fellow. The study was completed on July 8, 1966. The purpose of the study was to evaluate the degree of fibro-

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genicity of asbestos mined at Union Carbide's King City, California facility as compared with other forms of asbestos. A copy of the study's report will be supplied if requested.

2. The second study was entitled "Calidria Asbestos Resin Grade RG244, Tracheal Insufflation of Rat Lungs with Interpretation of Pathology After 20, 60, 90, and 180 Days". Although Union Carbide cannot represent that it knows the names of the persons who conducted the study, Charles P. Carpenter, Ph.D., Administrative Fellow, was the editor of the study's report. In addition, the following individuals were named as contributors to the study: D.L. Geary, Jr., E.R. Kinkhead, R.C. Myers and D.J. Nachreiner. The study was completed on September 3, 1971. The purpose of the study was to evaluate the degree of fibrogenicity of Union

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Carbide's RG 244 as compared with other forms of asbestos. A copy of the study's report will be supplied if requested.

In addition to the above two tests, and in addition to chemical analyses of Calidria which Union Carbide may have undertaken, in the mid-1960's Union Carbide cooperated with the Pneumoconiosis Research Unit of the Llandough Hospital in the United Kingdom to conduct a "trace element analysis" of asbestos and provided samples of Calidria asbestos for such analysis. Union Carbide may also have conducted "patch tests" to determine the impact, if any of Calidria on skin and other soft tissue. Union Carbide is currently endeavoring to locate reports of these tests.

See Union Carbide's responses to interrogatories 22(e-f) and 24.

23. State whether any of your distributors, dealers, contractors and/or customers were provided with any warnings, cautions, caveats or instructions regarding the use of your asbestos-containing products. If so, please state:

a. By whom and when these instructions were first made;

b. Whether the instructions were written or oral; if written, attach a copy; if oral, state the contents thereof;

c. Whether your company carried out follow-up inspections to ascertain whether such instructions were adhered to and if so, please state when, where and by whom such inspections were made and the results of each such inspection.

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ANSWER: See general objection 4. Subject to its objections, Union Carbide responds as follows: Yes; see Union Carbide's responses to interrogatories 22 and 33.

24. State the first time any officers of your Company discussed putting a warning or caution on any asbestos containing product, and as to that first discussion, state:

a. the names of the persons who were involved in the discussions and the date and place of the discussions;

b. the identity and location of all documents memorializing the discussion;

c. the alleged substance of the discussion;

d. what action if any, the Company took as a result of the discussion.

ANSWER: See general objections 1 and 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad as to time. Union Carbide further objects to this interrogatory on the grounds that it is harassing in that it seeks to impose a duty on Union Carbide to undertake extensive polling of past and present employees. Subject to its objections, Union Carbide responds as follows:

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,

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which Union carbide has located, will be made available at a suitable time and place for review and duplication by the plaintiff. See also Union Carbide's response to interrogatory no. 22.

25. Do you know of any facts or documents to support a claim that you provided any warnings, instructions or information as to the dangers of asbestos inhalation to any insulator, construction worker, building trades worker or other user of your asbestos products in the New York area prior to 1972? If so, for each such alleged warning:

a. Describe in detail each such warning, instruction or information given;

b. State the exact date of each such warning;

c. State whether such warning, instruction or information was oral or written;

d. If oral, identify the substance of the warning instruction or information given and the date and name of the person to whom given;

e. If written, or printed attach a copy of each warning, instruction and information, identify it by date given, title and reference number and state the manner and location whereby it was transmitted to users of the product.

ANSWER: See general objection 4. Subject to its objections, Union Carbide responds as follows: See Union Carbide's responses to interrogatories 22 and 33.

26. Do you claim that you ever recommended to purchasers or users of the asbestos-containing products you manufactured, processed, mined, distributed, or sold, that respirators, protective masks and/or protective safeguards be worn while working with, installing or removing your asbestos-containing product? If so, state separately for each product:

a. The date or dates when each such recommendation was made;

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b. Who made the recommendation;

c. When and precisely to whom the recommendations were made;

d. If oral, the manner and substance of the recommendation;

e. If written, identify the document by title, date, file designation and author of each such recommendation and the location and present custodian of each such recommendation.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, vague and ambiguous. Subject to its objections, Union Carbide responds as follows:

Specifically, Union Carbide included information about protective gear in its health and safety literature. Union Carbide advised its customers of the availability of those respirators approved by the Bureau of Mines, Department of Interior and the National Institute of Occupational Safety and Health (NIOSH) and as otherwise specified by the regulations of OSHA pursuant to 29 CFR 1910.1001. See Union Carbide's responses to interrogatories 22 and 33.

27. Did you at any time recommend that your own employees use respirators, protective masks or other precautionary safeguards when working with asbestos-containing materials? If so, state:

a. When and precisely to whom such recommendations were made;

b. Whether you ever supplied respirators, face masks to your employees, and if so, the date when first supplied and whether you are supplying them now;

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c. From what specific source you have obtained such respirators and face masks (state address of company and dates obtained).

ANSWER: See general objection 5.

28. Have you stopped producing, distributing and/or selling or has asbestos been eliminated from any of the asbestos products listed in Answer 9 or 10? If so, state for each product:

a. The reason and date you stopped producing the product, or eliminated asbestos;

b. The names and titles of each person who recommended and who authorized or directed the action;

c. Whether any studies were conducted before you directed that production and sale of the product be stopped, or asbestos eliminated from the product, and if so, identify each study by date, author, title and subject matter and attach a copy.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Yes. Union Carbide sold its Calidria business in 1985 (see Union Carbide's response to interrogatory no. 22(a)).

29. Have any officers or employees of defendant ever discussed or evaluated whether sales of your asbestos products would be damaged if the public learned of the health hazards associated with asbestos exposure? If so, state the dates and names of participants of each such meeting and identify all documents relating to such meetings.

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ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is unduly burdensome and harassing and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this interrogatory on the grounds that it is harassing in that it seeks to impose a duty on Union Carbide to undertake extensive polling of past and present employees.

30. At the time of the development of, and sale of each of your asbestos products, did you attempt to determine whether the product complied with any allegedly applicable safety standards, orders or rules, regulations or design requirements promulgated by any professional society, association, or government body?

a. If you did not, please state the reasons for not conducting such an analysis and identify the name of the person deciding not to conduct the analysis;

b. If you did, identify the safety standards, safety orders, rules, regulations, which you claim you considered by naming the title, number, page and date of the regulation, and identifying the place where a copy of said regulation can be obtained.

ANSWER: See general objections 4 and 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, vague and ambiguous and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

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Calidria consisted of raw asbestos sold to manufacturers and producers for use in their products or production processes. With the exception of the threshold limit values recommended by the American Conference of Governmental Industrial Hygienists respecting exposure to asbestos fibers to which Union Carbide adhered to from 1963 Until 1972, Union Carbide has no records of any applicable safety standards, etc., which were in effect at the time of its development in 1963. See, however, Union Carbide's responses to interrogatories 22 and 24.

31. For each asbestos-containing product, identify and produce all promotional and/or advertising material used by you with regard to the sale and/or promotion and distribution of such products.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this interrogatory on the grounds that it is not limited by time to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide no longer mines or sells Calidria and no longer maintains records of advertisements for Calidria which it may have placed prior to 1966. The following is the most

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complete list and record of Calidria advertisements that Union Carbide is presently able to assemble:

Journal	Page(s)	Date(s)	Photographs or Diagrams
"Chemical 26"	Unknown	7/66	Yes
"Chemical 26"	17	9/66	Yes
(Technical Association of the Pulp and Paper Industry)			
"TAPPI"	44A-45A	2/66	Yes
"TAPPI"	141A	3/66	Yes
"TAPPI"	39A	10/66	No
"TAPPI"	41A	10/66	Yes
"TAPPI"	139A	11/66	No
"TAPPI"	141A	11/66	Yes
"TAPPI"	155A	12/66	No
"TAPPI"	157A	12/66	Yes
"TAPPI"	149A	1/66	No
"TAPPI"	151A	1/67	Yes
"TAPPI"	153A	1/67	Yes
"TAPPI"	131A	2/67	Yes
"TAPPI"	133A	2/67	Yes
"Pulp & Paper"	Unknown	5/2/66	Yes
"Pulp & Paper"	Unknown	5/2/66	Yes
"Pulp & Paper"	15	6/20/66	Yes
"Pulp & Paper"	9	11/21/66	Yes
"Pulp & Paper"	11	11/21/66	Yes
"Pulp & Paper"	55	12/5/66	No
"Pulp & Paper"	57	12/5/66	Yes
"Pulp & Paper"	45	12/19/66	Yes
"Pulp & Paper"	79	1/30/67	No
"Pulp & Paper"	81	1/30/67	Yes
"Pulp & Paper"	83	1/30/67	Yes
"Pulp & Paper"	65	2/20/67	Yes
"Paper Trade Journal"	4-5	3/7/66	Yes
"Paper Trade Journal"	37	1/9/67	Yes
"Paper Trade Journal"	35	2/6/67	No
"Paper Trade Journal"	37	2/6/67	Yes
"Paper Trade Journal"	83	2/20/67	No
"Paper Trade Journal"	85	2/20/67	Yes
"Oil & Gas & Petro-Chemical Equipment"	Unknown	10/66	Yes/1/
"Petroleum Equipment & Services"	Unknown	10/66	Yes/1/
"Drilling DCW"	Unknown	11/66	Yes/1/
"Petroleum Engineer"	Unknown	10/66	Yes/1/
"Rubber Red Block"	Unknown	1974 & 1975	Yes/2/

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1/ This ad placed by Montello, Inc., a Union Carbide Distributor.
2/ This ad placed by Harwick Chemical, a Union Carbide Distributor.

See also Union Carbide's response to interrogatory no. 33.

32. Identify and produce pictures and descriptions of each product.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, vague and ambiguous. Union Carbide further objects to this interrogatory on the grounds that the "each product" is uncertain. Moreover, Union Carbide objects to this interrogatory on the grounds that it seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Calidria consisted of raw chrysotile asbestos in a unique short-fiber formulation which Union Carbide mined at or near King City, California. Calidria's chemical formula is $Mg_6(OH)_8Si_4O_{10}$. Union Carbide produced four grades of Calidria asbestos: standard, super standard, high purity, and resin grade; the different grades reflect varying degrees of purity of content. Each grade was sold in both pelletized and fibrous

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form. In appearance, Calidria is grey pelletized or white powdery, or grey or white in flaky fibrous form. The following is a representative listing and description of the various brands of Calidria mined and marketed by Union Carbide:

PRODUCT SYMBOL	PRODUCT CODE	DESCRIPTION
HPO	651001	High Purity, Open Fiber
HPO-C	651101	High Purity, Open Fiber
HPP	651601	High Purity, Pellets
HPP-JAP	651701	High Purity, Pellets, 4-Ply bags
R-G 110	652101	Resin-Grade, Open Fiber 15% +325
R-G 110-D	652201	Resin-Grade, Open Fiber, 15% +325
R-G 144	652501	Resin-Grade, Open Fiber
A-14	652801	Resin-Grade, Open Fiber
R-G 244	653001	Resin-Grade, Open Fiber
R-G 444-0	653301	Resin-Grade, Open Fiber, 10% Stearic
A-28	653601	Resin-Grade, Open Fiber, Silica Treated
SG-100	654001	Standard Grade, Pellets
SG-102	654201	Standard Grade, Pellets, 100-lb. bags
SG-130	654501	Standard Grade, Open Fiber, 30% +325
SG-144	654801	Standard Grade, Open Fiber, 45% +325
SG-200	655001	Super Standard Grade, Pellets
SG-210	655301	Super Standard Grade, Open Fiber, 15% +325
SG-444-0	655501	Standard Grade, Open Fiber, 5% Stearic, Hydrophobic
T-135-0	656001	High Purity, Open Fiber, Titanated, 35%, Anatase
T-135-P	656301	High Purity, Pellets, Titanated, 35%, Anatase
CG-100	656601	Coatings Grade, Pellets
CG-135-0	656801	Coatings Grade, Open Fiber, Titanated 35%, Rutile
CG-135-P	656901	Coatings Grade, Pellets, Titanated, 35%, Rutile
Super-Visbestos	657301	Super Standard Grade, Cracked Pellets
Visbestos	657601	Standard Grade, Open Fiber, 5% Stearic, Hydrophobic

33. Were any brochures, writings, or other materials made available to distributors, dealers, contractors, ultimate users, or the general public concerning the design, manufacture, use, quality and/or properties of the asbestos products

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referred to in Answer 9 and 10? If so, for each such brochure or other material:

a. State the purpose of each brochure and given the name, present address, telephone number of the person responsible for the preparation and acceptance of the material for distribution on behalf of the company;

b. Identify the brochure or material by author, date and present location and custodian, and attach copies of each.

ANSWER: See general objection 4. Subject to its objections, Union Carbide responds as follows:

Starting September 1, 1972 Union Carbide distributed Material Safety Data Sheets setting forth precautions and instructions for the proper and safe use of Calidria. In addition, listed below are brochures and documents which have been made available by Union Carbide to Union Carbide's Calidria customers, many of which contained information on potential hazards associated with excessive asbestos exposure and information as to how to control or avoid such hazards. Since Union Carbide sold the Calidria business in 1985, the material listed below has not been in use by Union Carbide. Except where the dates are stated herein, the time of publication and the author of each item is presently unknown.

I. GENERAL

A. "Calidria" Booklet, John Crane

B. Asbestos Fibers, R. Byrne

C. Business Reply Card, John Crane

D. Rubber Booklet, John Crane

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E. Grinding Asbestos Pellets, R. Byrne

F. FDA Status - Asbestos in Paper.

G. New Additives Induce Thixotropy - Reprint of John Myers Speech.

H. New Idria Chrysotile an Unusual Ore Yields. New Products, R. Woolery

I. Cationic Asbestos for Waste Water Treatment, John Myers

J. Asbestos Products for Oil Pollution Control, John Myers

K. Zeta Potentials of Some Minerals.

L. US Patent Office - Waste and Water Treatments, R. Woolery

M. Mineralogy of the Coalinga Asbestos Deposit, Mumpton and Thompson

N. Bulk Handling Demonstration

O. Electron Micrograph Illustrations.

P. Asbestos Magazine Reprinting - John Myers - Pellets.

Q. Rubber World Reprint.

R. Suggested Primer Sealer for Masonry and Weathered Roofing, 3JG-123B.

S. Suggested Exterior White Hi-Build Flexible Coating, 3JG-124B.

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T. Suggested Exterior White Insulating Roof Coating, 3JG-121B.

U. Suggested Weather-Barrier Roof Coating and Lagging Compound, E-1297.

II. RESIN GRADE PRODUCTS

A. General.

1. "Calidria" RG-144 & RG-244, John Myers
2. Use of Cowles Dissolver, R. E. Byrne
3. "Calidria" RG Products for Vinyl Plastisol Sealant Applications.
4. "Calidria" Asbestos for a High Build Dip Coating Plastisol NF-12.
5. "Calidria" RG-144 & RG-244 Asbestos in PVC Plastisols.
6. Rubber Research Elastomerics.
7. Plasticizer Viscosity Control with "Calidria" Asbestos RG-244 & RG-144.

B. RG-110 (Price Schedule).

1. Viscosity Control Agent for Asphaltic Compounds.
2. Polyester Premixes Comparative Cost & Performance Data.

C. RG144 (Price Schedule).

1. RG-144 Brochure, John Crane
2. RG-144 Performance Data, John Crane

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3. RG-144 Product Characteristics.

4. RG Asbestos Improves Thixotrophic Properties of Highway Markers.

5. PVP Reprint.

6. Asbestos Beefs Up Plastics & Adhesives to Extend Their Use.

D. RG-244 (Price Schedule).

1. RG-244 Brochure, John Crane

2. RG-244 Comparative Performance Characteristics, John Crane

3. RG-244 Product Characteristics & Specifications.

4. Ultrasonic Dispersion of RG-244, B. L. Ingalls

5. RG-244 as a Thixotrope for Polyester Resins, B. L. Ingalls

6. Polyester Putty & Patching Compounds.

7. "Epoxy Coal Tar Coatings."

8. "Chlorinated Rubber Roofing Compound", B. L. Ingalls

9. High Build Vinyl Maintenance Paints.

10. Zinc-Rich Primers.

11. Vinyl Coal Tar Formulation Suggestions.

12. Formulating Plastisol Sealants with Silane Adhesion Promoters.

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13. RG-244 Health Brochure.

E. RG-600 Brochures.

1. Cost Effectiveness Optimization of Reinforced Polyolefins; 10/4/76 (Ancker & Leung).

2. RG-600 Inquiry Form, John Crane

3. Coupled Chrysotile Asbestos Reinforced Thermoplastics (Ancker).

4. RG-600 Request Form, John Crane

5. RG-600 Patent Literature - 3,939,278; December 23, 1975.

6. RG-600 Health Brochure.

7. Reinforced Polyolefins for Large Structural Foam Parts; 2/8-11/77, Michno

8. Structural Foam is Launched into an Era of Great Diversification; August 1976.

III. STANDARD GRADE PRODUCTS

A. General.

1. "Calidria" Asbestos Standard Grade Products, Typical Properties, John Myers

B. SG-100 (Price Schedule).

1. SG-100 "Calidria" Asbestos for Use in Vinyl and Asphalt Floor Coverings.

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2. SG-100 Saves Up to One-Half (12) the Amount of Asbestos.

3. Flintkote Report.

C. SG-130 (Price Schedule).

D. SG-200SG200X (Price Schedule).

E. 1. SG-200SG-200X Product Characteristics.

F. 2. TJC Brochure.

3. UCAR Latex 153 for Water-Based Caulks and Sealants.

4. Typical Product Characteristics and Specifications SG-210.

5. Suggested Interior Texturing or Exterior Spackling Formulation (17-CHR-41).

IV. HIGH PURITY

A. General.

1. Effects of Chrysotile Asbestos Additions to Cellulosic Paper - RGW.

2. "Calidria" High Purity Asbestos for Porosity Control, Pinhole Reduction, and Improvement in Two-Sidedness.

3. Properties of Asbestos Suitable for Use in Cellulosic Paper, Naumann.

4. How High Purity Asbestos is Used for Pitch Control in Papermaking, Woolery.

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5. Paper Trade Journal - Asbestos Product Aids Retention, Boosts Opacity and Disperses Pitch, Ingalls.

6. "Calidria" Asbestos for Paper Coatings.

B. High Purity Open (Price Schedule for HOP & HPP).

1. Typical Product Characteristics for HPO, John Myers.

2. The Trial of Calidria HOP in New Rochelle Water Pollution Control Plant.

3. Addition Rates for HOP in Primary Waste Treatment, John Myers.

4. Suggested Dark Green Acrylic Tennis Court Topcoat E-1400.

C. High Purity Pellets.

1. Typical Product Characteristics for HPP, John Myers.

V. TITANATED PRODUCTS

A. T-135 (Price Schedule).

1. T-135 Opacifying Agent.

2. "Calidria" Asbestos T-135 for Viscosity Control & Pigmentation.

3. T-135-0 for Spray Acoustic & Texture Compounds.

4. Chemical 26 Reprint - Checking Opacity.

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VI. COATING GRADES

A. CG-135 (Price Schedule).

VII. DRILLING

A. Oil and Gas Journal Reprint.

In addition, the following material, some of which is listed above in the form of brochures, articles or addresses, has been prepared:

1. "Calidria Asbestos RG-244 - An Economical Effective Thickener and Thixotrope for Polyester Resins, Plastisols, Epoxies, Phenolic Adhesives Organosols" 9/70.
2. "CALIDRIA Asbestos, Resin-Grade 144, An Effective Low Cost Thickening Agent and Thixotrope for Epoxy Resin Systems" - 7/71, John Crane.
3. "CALIDRIA Asbestos Resin-Grade - 144 and Resin-Grade 224", John Myers.
4. "CALIDRIA Asbestos, Low Cost Highly Effective Reinforcer and Filler for Rubber, Two Grades: High-Purity and T-135" - 10/70, John Crane.
5. "CALIDRIA Asbestos, a Unique and Versatile Fiber With Proven Applica-

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tions as an Extender, Thickener, Reinforcer, Opacifier" 574.

6. "New Additives Induce Thixotropy, Provide Sag and Viscosity Control," presented by John L. Myers to Western Coatings Technology Society Meetings in Denver, Los Angeles, San Francisco, Portland, Seattle, and Vancouver, in May 1969.

7. "Asbestos," by Robert E. Byrne, Jr., Area Manager, CALIDRIA Asbestos Marketing and Technology, Mining and Metals Division, Union Carbide Corporation, published March, 1972 in Modern Plastics Encyclopedia, McGraw-Hill, Inc.

8. "Calidria Asbestos Pellets" by John L. Myers, Former Product and Production Manager for Union Carbide's Calidria Operation, published October 1971 in Asbestos, reprinted by Union Carbide.

VIII. HEALTH AND SAFETY

A. General.

1. "Material Safety Data" for CALIDRIA Asbestos published September 1, 1972

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and revised September 1, 1976 by Union Carbide Corporation.

2. "Chrysotile Asbestos in Plastics," presented May 14, 1974 at the 32nd annual technical conference of the Society of Plastics Engineers at San Francisco, by John L. Myers, Marketing Manager, Asbestos, Union Carbide.

3. "Handling Asbestos - Chrysotile Asbestos in Plastics," June 16, 1975, by John L. Myers, Marketing Manager Asbestos Union Carbide.

4. "Grinding CALIDRIA Asbestos Pellets," by Robert E. Byrne, Jr., Area Manager, CALIDRIA Asbestos, Marketing and Technology, Mining and Metals Division, Union Carbide Corporation.

5. Brochure "'Calidria' Asbestos Pellets Health and OSHA Information" Published November 1, 1977 by Metals Division, Union Carbide Corporation, Niagara Falls, New York.

6. "Consumer Safety in Plastics System Containing Bound Asbestos Fibers presented on November 9, 1977 at the

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NATEC Meeting of the Society of Plastics Engineers at Denver by Dr. H.B. Rhodes, Manager Marketing Services-Asbestos, Union Carbide.

7. "What You Should Know About Asbestos and Health," published by the Asbestos Information Association, disseminated by Union Carbide.

B. RG-244.

1. Brochure "'CALIDRIA' Asbestos RG-244 - Health and OSHA Information," published February 1, 1975 and revised October 1, 1977 by Marketing and Technology Department, Mining and Metals Division, Union Carbide Corporation, Niagara Falls, New York.

2. "'CALIDRIA' Asbestos RG-244 - Typical Chemical Analysis," date of publication unknown.

IX. OTHER AIA MATERIAL

A. In addition to the above, Union Carbide made the following documents and brochures, which were prepared and published by the Asbestos Information Association, available to Calidria customers:

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1. Testimony by George W. Wright, M.D. before U.S. Dept. of Labor, Occupational Safety & Health Hearing on Proposed Occupational Asbestos Standard, March 14-17, 1972.
2. Testimony by J. Corbett McDonald, M.C. - same as above.
3. OSHA Regulations - 6/7/72.
4. EPA Regulations - 4/6/73.
5. NY Times Article and Rebuttals (Article - 1/21/73, Rebuttals - 2/25/73).
6. AIA Response to the Wall Street Journal - 6/15/72.
7. "Airborne Asbestos" National Research Council, 1971.
8. "Airborne Asbestos" - Summary.
9. "Airborne Asbestos" - References.
10. Asbestos Bulletin (Asbestos Information Committee, London - 9/72).
11. CIBA GEIGY - UK 2/72.
12. QAMA Folder
13. WHO Report - 10/72
14. Target Health Hazard Fact Sheet (SILICA)

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15. "Asbestos Has Its Defenders" - The Journal of Commerce, 4/20/73

16. "The Familiar Aroma of Panic" - Editorial, Plastics Technology 3/73

17. Dust Counting - S. G. Bayer, R. D. Zummalde, T. A. Brown - Feb. 1969 U.S. Dept. of Health, Education and Welfare

18. Dust Monitoring Equipment & Costs - 2/19/73

19. AIA - "Protecting The Asbestos Worker"

20. AIA - "Asbestos and Health"

21. AIA - "The Asbestos Information Association/North America"

22. AIA - "Asbestos and Health Questions and Answers"

23. AIA - "What Asbestos Is: How and Where It Is Used"

24. The Northern Miner - "Asbestos Completely Exonerated etc." - 4/19/73

25. Partnership for Prevention - "The Insulation Industry Hygiene Research Program" - 4/70

26. Asbestos - Reprint from National Safety News - 10/73

27. AIA Answer to TIME magazine - 2/1/74

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28. AIA/"What Every Employee Should Know About Asbestos" -2/74

29. AIA Response to "Consumers Research" - 1/28/74

30. "Asbestos Health Question Perplexes Experts," C&EN - 12/10/73

31. Disputes on the Safety of Asbestos - New Scientist 3/7/74

32. JLM Speech (SPE Paper)

33. RG-244 Health Booklet

34. Asbestos in the Atmosphere - AIA/NA

35. Asbestos in Water - AIA/NA

36. Asbestos & Silica Dust in the Drywall Industry. Part 1 - Nov/Dec. 1975, Dr. Rhodes.

37. Asbestos & Silica Dust in the Drywall Industry. Part 2 - Jan./Feb. 1976, Dr. Rhodes.

38. Detection of Chrysotile Asbestos in Airborne Dust from Thermosetting Resin Grinding. 1975, Faulring.

39. AIA/NA Molding & Fabrication of Asbestos-Containing Plastic Products, Work Practices

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40. Instructions for Sampling of Airborne Asbestos Fibers

41. Procedure for Pump Calibration used for Monitoring of Asbestos Dust Emissions

B. The following information pamphlets were mailed to Calidria customers beginning in 1977:

1. "Calidria Asbestos SG-130 and SG-210" sales brochure (1968).

2. "Safe Use of Calidria RG244" (February 1973).

3. "Calidria Asbestos RG-600 Health and OSHA Information" (February 1, 1975).

4. Calidria Asbestos RG 244 Health and OSHA Information" (October 1, 1977).

5. Calidria Asbestos Pellets Health and OSHA Information" (November 1, 1977).

6. Letter to Calidria Customers with health and safety enclosures (October 24, 1977).

7. Letter to Calidria distributors with health and safety enclosures September 10, 1979).

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8. Letter to Calidria customers with health and safety enclosures (August 20, 1979).

9. Letter to Calidria Customers with health and safety enclosures (October 1, 1980).

10. Letter to Calidria Customers with health and safety enclosures (November 23, 1981).

11. Letter to Calidria Customers with health and safety enclosures (December 9, 1981).

See also Union Carbide's response to interrogatory no. 22.

34. Have you at any time since 1930 bought from, sold to, delivered or supplied any asbestos products to any other defendant in this action or to any other manufacturer listed in Attachment 3? If so:

a. Identify the products involved by name and description;

b. List the dates, quantity and price of each sale and the names of the persons who placed or accepted the order;

c. Were any warnings regarding the health hazards of the product given or received and if so identify the warning by description, date, to whom it was given and by whom received, and if oral state the substance and if written identify the document and state its present location.

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ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and harassing and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this interrogatory on the grounds that it is not limited by time or geographical area to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

According to Union Carbide's records, Calidria sales were made by Union Carbide to the following companies: Celotex, GAF, Flintkote, Fibreboard. Union Carbide possesses copies of invoices of Calidria sales made by Union Carbide to Calidria customers. Union Carbide also maintains a computer data base of such sales. Union Carbide sold its Calidria business in 1985, and Union Carbide, at present, can make no representation as to the completeness of its records. The aforementioned, however, constitute the most complete records of Calidria sales currently available to Union Carbide. Union Carbide lacks, however, a record of sales made by Calidria distributors, who accounted for approximately 25% of all Calidria sales.

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Upon plaintiff's request, Union Carbide will make its sales records available to the plaintiff for review and duplication at a suitable time and place.

35. With respect to any product manufactured by you which does not contain asbestos, have you ever included a warning with the product indicating that it may in some way be harmful to human beings? If so, for each such nonasbestos containing product state:

a. The name of the product, its intended use or purpose, and the chemical composition or ingredients of the product;

b. The manner in which it is thought that the product may cause harm to human beings;

c. The size, color and contents of each warning;

d. The date warning was first given to the public;

e. The names, addresses and titles of the people responsible for or participating in the decision to provide the warning; and

f. Identify every document which relates to the making of the decision to provide a warning.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and harassing and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this interrogatory on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the

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action or reasonably calculated to lead to the discovery of admissible evidence.

36. Were any of the asbestos-containing products sold by you to private persons or companies (i.e., non-military or non-government sales) the same products you sold to the government pursuant to military or federal specifications? If so please state:

a. Your name or designation for the product;

b. The military or federal specification you claim is applicable;

c. The person or company to whom sold and the date and amount sold.

ANSWER: See general objection 4. Subject to its objections, Union Carbide responds as follows: See Union Carbide's response to interrogatory no. 34. Union Carbide sales records indicate no sales to Calidria to the "United States Army", "United States Navy", "United States Marine Corps", or to the "United States Air Force". If the plaintiff provides Union Carbide with the names of particular military installations, agencies, or divisions, Union Carbide will check to see if sales were made to those military organizations, however, Union Carbide possesses no indication that such sales were ever made. Union Carbide sold Calidria only from 1963 until June 30, 1985, when Union Carbide sold its Calidria mine and business.

37. Do you claim that you did anything prior to 1972 to notify users of asbestos-containing products of the possible dangers of inhalation of asbestos dust and fibers? If so, explain in detail what you did, to whom and give the dates.

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ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and harassing, vague and ambiguous. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's responses to interrogatories 22 and 23.

38. Had you at any time prior to 1973 performed, participated in, or financed any tests, studies, investigations or analyses to determine the asbestos level produced when your asbestos products were used, installed or removed from a prior installation?

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is vague and ambiguous. Union Carbide further objects to this interrogatory on the grounds that the phrase "asbestos level" is uncertain. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's responses to interrogatories 45 and 48.

39. Had you at any time prior to 1973 performed, participated or financed any tests, studies, investigations or analyses to determine the effects of your product on workers using or working with any of your asbestos products?

ANSWER: See general objections 4 and 5. Subject to its objections, Union Carbide responds as follows:

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See Union Carbide's responses to interrogatories 40, 45 and 48.

40. Had you, at any time prior to 1973 performed, participated in or financed any tests, studies, investigations or analyses which had the purpose to prevent, minimize, or eliminate inhalation of asbestos dust or fibers by those using or exposed to your asbestos products?

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, vague and ambiguous. Union Carbide further objects to this interrogatory on the grounds that it is unintelligible. Subject to its objections, Union Carbide responds as follows:

Calidria consisted of raw asbestos fiber which was sold to manufacturers and/or Producers who used Calidria in their products or production processes. See Union Carbide's response to interrogatory no. 32.

Warning labels were added to Calidria packages in 1968 and toxicological information first appeared in sales literature in that year. Material Safety Data Sheets were mailed to Calidria customers beginning in 1972. AIA/NA information pamphlets were made available to customers starting in 1972 and were mailed to customers beginning in 1977 at the latest. In addition to the customer literature, Union Carbide disseminated to its Calidria sales personnel toxicology reports that contained toxicological and general health information about asbestos.

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The health and safety literature made available and disseminated by Union Carbide to its Calidria customers warned of possible serious adverse health effects associated with the excessive inhalation of asbestos fiber, advised customers on ways to control or avoid such hazards, including the use of respirators as a way to avoid the hazards. In addition to the dissemination of health and safety information, Union Carbide took active steps to help insure that Calidria was handled and used in a clean and safe manner and environment: Union Carbide employed shrink-wrap, tight-fitting packaging to prevent leakage, spillage, or dust emission during the shipment of Calidria; Union Carbide also developed pelletized forms of Calidria which would reduce dust emission; and starting in 1972, Union Carbide offered to take dust counts of the premises of Calidria customers in order to help them maintain a safe working environment, a service which many Calidria customers utilized (Calidria was not sold to the general public or other "end-users", but rather was marketed only to manufacturers who used Calidria in their products or production processes). See also Union Carbide's responses to interrogatories 45 and 48.

41. Had you at any time prior to 1973 performed, funded or participated in any investigation, study, test or analysis concerning asbestos-related diseases, asbestosis, pulmonary diseases or cancer.

ANSWER: See Union Carbide's response to interrogatory no. 45.

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42. Had you, at any time prior to 1973 performed, participated in or financed any tests, studies, investigations or analyses to determine the effects of inhalation of asbestos dust or fibers on any one using or being exposed to asbestos products manufactured by your company?

ANSWER: See Union Carbide's response to interrogatory no. 45.

43. Have you ever performed, participated in or financed any studies to determine whether any type of respirator and/or protective mask would either eliminate or reduce asbestos inhalation to safe levels?

ANSWER: See general objections 4 and 5. Subject to its objections, Union Carbide responds as follows: See Union Carbide's responses to interrogatories 26 and 40.

44. Have you ever undertaken or financed any tests or studies to determine whether any type of ventilator or ventilating system would eliminate or decrease the number of airborne asbestos fibers in confined spaces?

ANSWER: See general objections 4 and 5. Subject to its objections, Union Carbide responds as follows: See Union Carbide's responses to interrogatories 26 and 40.

45. For each study identified in response to Questions 38-44, state:

a. The subject matter, title, date and names of the persons who conducted and/or authored the study;

b. The reason for the study;

c. The date the study was completed;

d. If the results were disseminated, where and to whom and if published the name and identity of the publication;

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e. The results of each study, and the data and assumptions relied on;

f. If in writing, identify it by date, title, identification number, present location and custodian and attach a copy.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and harassing. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's response? to interrogatory 22 (i).

46. State whether you took any action as a result of any of the studies listed in answer to interrogatories 38, 39, 40, 41, 42, 43 and 44. If so:

a. Describe the date and action taken;

b. Identify who authorized or directed the action;

c. Why was the action taken;

d. Identify all documents discussing the study, the action considered and the action taken by date, title, subject, author and present custodian and location and produce the documents;

e. If you have not taken any action state in detail, why not;

f. If you have not given any consideration to taking such actions, state in detail the reasons why.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, vague and ambiguous. Union Carbide further objects to this interrogatory on the grounds that the term "action" is

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uncertain. Moreover, Union Carbide objects to this interrogatory on the grounds that it is not limited by subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's responses to interrogatories 24 and 22(a-d). Union Carbide consulted various experts in the medical and industrial hygiene professions concerning precautions that should be followed by persons involved in the use of Union Carbide's Calidria asbestos. During the early days of Union Carbide's involvement in the Calidria's business, industrial health officials at Union Carbide issued asbestos toxicology reports which were distributed to sales and other appropriate personnel. The advice of the experts was incorporated on Calidria warning labels and in the safety literature that Union Carbide made available and disseminated to its Calidria customers.

47. From the year 1920 to date, have you supported by gift, grant, direct cash or property payment any kind of medical research concerning asbestos? If so, state:

a. The date or dates of such support;

b. The dollar amount paid or contributed;

c. The identity of the persons and/or organizations carrying out the research study;

d. The title, name or other identification of each such study;

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e. Identify and produce all documents relating to each such study.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it is overly broad and is not limited by time to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's response to interrogatory no. 45. Union Carbide began to mine asbestos in 1963.

48. Have you, at any time prior to 1975, conducted, financed, or had conducted for you any asbestos inspection or made any dust count in any facility where your asbestos products were used? If so, state the date, place and people involved in each such inspection or test and identify all records.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this interrogatory on the grounds that it is not limited by time to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide offered to test and monitor levels of airborne asbestos dust at its customers' facilities. Many customers availed themselves of this service. Results of the

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dust counts were made available to customers. See Union Carbide's response to interrogatory no. 22 (a-d).

49. Had you, at any time prior to 1975, conducted, financed, or had conducted for you any asbestos inspection or made any dust count in any of your own plants which are or were engaged in the manufacture of asbestos products. If so, state the date, place and people involved in each such inspection or test, the results of the tests and identify all records.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this interrogatory on the grounds that it is not limited by time to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence.

50. Does your company recognize that workers in the following trades were foreseeable users of your asbestos products? If so, when did you come to such a recognition?

a. Pipe Laggers;

b. Pipe Fitters;

c. Welders;

d. Burners;

e. Sheetmetal Workers;

f. Tapers;

g. Chippers;

h. Plasterers;

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i. Riggers;

j. Grinders;

k. Inspectors;

l. Shipwrights;

m. Painters;

n. Boilermakers;

o. Insulators;

p. Custodians;

q. Planners;

r. Testers;

s. Teachers.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, vague and ambiguous. Union Carbide further objects to this interrogatory on the grounds that it seeks information that is not relevant to the subject matter of the action and on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this interrogatory as improper to the extent that, without providing foundation, it calls upon Union Carbide to render an opinion on matters about which Union Carbide has no direct information inasmuch as Calidria was used in other companies' products, or production processes, the manufacturing and marketing of the functioning of which Union Carbide did not

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control. Subject to its objections, Union Carbide responds as follows:

Calidria consisted of raw asbestos which was sold by Union Carbide and, to the best of Union Carbide's information, by Calidria distributors to manufacturers or producers who incorporated it in their products or production processes. Calidria was not sold to consumers or other "end-users". Accordingly, only workers at such facilities who handled Calidria would have come into direct contact with Calidria. The following is a representative list of different brands of Calidria asbestos and the applications for which they were marketed:

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Calidria Product	Applications
SG-100	Vinyl-Asbestos Floor Tile
SG-130	Masonry Coatings
SG-200	Rubber Floor Tile
Super Visbestos	Drilling Muds
SG-210	Mastics Asphaltic Coatings
HPP	Rubber Sheet Goods Mineral Board (Japan) Paper (Japan)
HPO	Asphaltic Coatings, Adhesives
RG-110	Asphaltic Spray Coatings Aluminized Coatings Mastics, Caulks and Sealants
RG-144	Adhesives (Epoxy, Casim, Phenolics) Coatings Vinyl Plastisols (High Build, Dip Coatings) Mastics, Caulks and Sealants (Vinyl, Butyl, Polysulfide, Bituminous)
RG-244	Polyester Resins (Laminating, Gel Coats, Putties) Caulks and Sealants (Vinyl, Butyl, Acrylic, Polyurethane) Coatings (Epoxy, Urethane, Asphaltic)

In addition to the different markets in which the Calidria products listed above were respectively sold, other brands of Calidria may have been sold within the same markets. Calidria products sold in the same markets were distinguished on the basis of grade (purity of content), form (fibrous or

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pelletized) or chemical treatment, or a combination of the above.

51. Does your company recognize that the types of workers listed in Question 50 would be exposed to asbestos in the course of working on jobs where other trades would be using asbestos products?

ANSWER: See Union Carbide's response to interrogatory no. 50.

52. Does your company recognize that it was foreseeable that people working in the same area where your asbestos products were being used or installed would inhale and/or ingest asbestos fibers emitted from your products?

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, vague and ambiguous. Union Carbide further objects to this interrogatory on the grounds that it seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's responses to interrogatories 11, 22 (a-d), and 33.

53. Does your company recognize that it was foreseeable that trademen listed in Question 50 would inhale and/or ingest asbestos fibers released from your asbestos products?

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ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, vague and ambiguous. Union Carbide further objects to this interrogatory on the grounds that it seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's response to interrogatory no. 50. See also Union Carbide's responses to interrogatories 11, 22 (a-d), 26, and 33.

54. Do you contend that any respirators or other breathing devices would prevent inhalation of the asbestos dust and fibers released from your product? If so, state:

a. When the respirator was sold;

b. Give the detailed description of such respirator or other breathing device;

c. The first date you reached the conclusion;

d. The basis of your claim that use of the respirator will prevent the inhalation of such dust and fibers;

e. Identify any relevant tests performed by date, title, author and number.

ANSWER: See general objections 4 and 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad. Union Carbide further objects to this interrogatory on the grounds that it calls for information that is not relevant to this case and that it is not reasonably

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calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows: See Union Carbide's responses to interrogatories 11, 22 (a-d), and 33.

55. From the year 1930 to the present, identify:

a. The name of each physician in your employ and/or the employ of your subdivision or contract unit;

b. The current and/or last known address for each such individual;

c. The dates of employment of each such individual;

d. The job duties and/or responsibilities for each such individual identified;

e. The duration of each such individual's employment, the office address or duty assignment location held by each such individual, and the dates associated with each such assignment.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and oppressive and would require the retrieval and statement of extensive information that is not relevant to the subject matter of the action. Union Carbide further objects to this interrogatory on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this interrogatory on the grounds that it constitutes an impermissible invasion of

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Privacy of past and present employees. Subject to its objections, Union Carbide responds as follows: See Union Carbide's response to interrogatory no. 56.

56. Have you, at any time since 1930, maintained any office or department dealing with medical research? If so, state:

a. The name and location of such department; and

b. The name, address and title of each person who has been in charge of the department.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad as to time. Subject to its objections, Union Carbide responds as follows:

The medical directors at Union Carbide have included the following individuals for the years respectively indicated below:

(1) Girard Cranch [1938-1945]

(2) Thomas Nale [1945-1963]

(3) John J. Welsh [1963-1978]

(4) Thomas A. Lincoln [1978-1985]

(5) T. Guy Fortney [1985-present]

The present duties of Union Carbide's medical director include coordination of all of Union Carbide's medical programs, including employee physical examination programs; recommendations with respect to medical policies, standards and procedures; and administration of medical services at Union

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Carbide's corporate headquarters, a corporate epidemiology program, a medical program for employees traveling overseas and an alcoholism prevention and treatment program. The medical director reports to the corporate Vice President in charge of Union Carbide's Community and Employee Health, Safety and Environmental Protection Department.

In addition, Dr. Hilton Lewinsohn currently serves as Medical Director, Chemicals & Plastics Group. Dr. Lewinsohn is a recognized expert in asbestos-related medical matters and pathologies.

57. From the year 1930 to the present, state:

a. The address of each medical library maintained by you or your subdivisions and/or contract units;

b. When each such library came into existence;

c. The custodian of each such library facility records, such as individual's dates of employment and last known address or current address.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this interrogatory on the grounds that it is overly broad as to time. Moreover, Union Carbide objects to this interrogatory on the grounds that it constitutes an impermissible invasion of privacy of past and

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present employees. Subject to its objections, Union Carbide responds as follows:

During the early 1960's, Union Carbide established and maintained a medical library. In December, 1981, the medical library merged into the general corporate library, located in Union Carbide's World Headquarters: Union Carbide Corporation; 39 Old Ridgebury Road; Danbury, Connecticut 06817. The chief librarian of the corporate library is Mr. Roger Miller. In 1983, Union Carbide's medical department organized its own library, located also in Union Carbide's World Headquarters, but apart from the corporate library. The medical library is presently overseen by Mr. Marvin Huffman.

In addition, some medical-related material may presently be located at one of Union Carbide's "satellite" libraries; the following is a list of satellite libraries:

Union Carbide Corporation
Parma Technical Center
Technical Information Service
P.O. Box 6116
Cleveland, Ohio 44101

Chemical Hygiene Fellowship
Carnegie-Mellon Institute of Research
4400 Fifth Avenue
Pittsburgh, Penna. 23513

Union Carbide Corporation
Chemical & Plastics
Library, Bldg. 770
P.O. Box 8361
South Charleston, W. Va. 25303

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Union Carbide Corporation
CTS Info. Center Office
Spine Bldg. 02, Sect. 15-16
Tarrytown Technical Center
Tarrytown, N.Y. 10591

Union Carbide Corporation
Chemical & Plastics, Bldg. 740
South Charleston Tech. Center
P.O. Box 8361
South Charleston, W. Va. 25303

Union Carbide Corporation
Tarrytown Technical Center
Library and Tech. Info. Serv.
Tarrytown, N.Y. 10591

Union Carbide Canada Ltd.
Plastics and Chemicals
Technical Center Library
P.O. Box 700, Pt. Aux Trembles
Quebec, H1B 5K8, Canada

Union Carbide Canada Ltd.
Reference Library
123 Eglinton Avenue, E.
Toronto, Ontario M4P1J3
Canada

Union Carbide Corporation
Chemical & Plastics
Library
Tech. Info. Service
Bldg. 200
Bound Brook, N.J. 08805

Union Carbide Corporation
Chemical & Plastics, Bldg. 200
South Charleston, Tech. Center
P.O. Box 8361
South Charleston, W. Va. 25303

Union Carbide Corporation
Law Department
Library
39 Old Ridgebury Road
Danbury, Connecticut 06817

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Union Carbide Corporation
Linde Division
Technical Library
P.O. Box 44
Tonawada, N.Y. 14150

Union Carbide Corporation
Linde Division
Technical Library
P.O. Box 24166 (1500 Polco St.)
Indianapolis, Indiana 46224

58. For each facility identified in response to the two preceding Interrogatories, state the name or title of each medical journal or periodical subscribed to and the inclusive dates of each such subscription.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and oppressive and is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

The following is a sample subscription list, containing some possibly pertinent periodicals which the library subscribed to in 1976. If information for other years or other particular information is specifically requested, Union Carbide will attempt to locate such information and provide it to the plaintiff.

Sample Subscription List

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A. I. Ch. E. Journal

A.I.M.E. Society of Mining Engineers Transactions

Academy of Sciences of the U.S.S.R. - Earth Sciences Section

Acta Metallurgica

Air Pollution Control Association Journal

Aluminum and Supplement in English

American Association of Petroleum Geologists Bulletin

American Ceramic Society Bulletin

American Ceramic Society Journal

American Chemical Society Journal

American Journal of Science

American Mineralogist

Analyst

Analytica Chimica Acta

Analytical Chemistry

Applied Spectroscopy

Archiv fur das Eisenhuttenwesen

Australasian Institute of Mining and Metallurgy Proceedings

Australian Institute of Metals Journal Australian Mining

Automotive Engineer

British Ceramic Society Transactions

Canadian Chemical Processing

Canadian Journal of Chemical Engineering

Canadian Journal of Earth Sciences

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Canadian Metallurgical Quarterly

Canadian Mineralogist

Canadian Mining and Metallurgical Bulletin

Canadian Mining Journal

Cast Metals Research Journal

Chemical Engineering

Chemical Engineering Progress

Chemical Engineering Science

Chemical Geology

Chemical Instrumentation

Chemical Reviews

Chem Tech

Chemistry and Industry

Clays and Clay Minerals

Contributions to Mineralogy and Petrology

Economic Geology

Electrochemical Society Journal

Energy Pipeline and Systems

Engineering

Engineering and Mining Journal

Environmental Science and Technology

Foundry

Foundry Trade Journal

Fuel

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Geochemistry International

Geochimica et Cosmochimica Acta

Giessereiforschung

Harvard Business Review

High Temperature

Indian Institute of Metals Transactions

Industrial and Engineering Chemistry, Fundamentals

Industrial and Engineering Chemistry, Process Design and Development

Industrial and Engineering Chemistry, Product Research and Development

Industrial Heating

Industrial Laboratory

Industrial Minerals

Inorganic Chemistry

Inorganic Materials

Institute of Metals Journal

Institution of Mining and Metallurgy A. Mining Industry

Institution of Mining and Metallurgy B. Applied Earth Science

Institution of Mining and Metallurgy C. Mineral Processing & Extractive Metallurgy

Instrumentation Technology

Intermet Bulletin

International Chemical Engineering

International Journal of Mineral Processing

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International Journal of Powder Metallurgy

International Metallurgical Reviews

Iron and Steel International

Iron and Steel Engineer

Iron and Steel Institute Journal

Iron and Steel Institute of Japan Transactions

Ironmaking and Steelmaking (formerly ISI Journal)

Journal du Four Electrique

Journal of Analytical Chemistry, USSR

Journal of Applied Chemistry and Biotechnology

Journal of Applied Chemistry, USSR

Journal of Chemical Thermodynamics

Journal of Colloid and Interface Science

Journal of Geochemical Exploration

Journal of Geology

Journal of High Temperature Science

Journal of Inorganic and Nuclear Chemistry

Journal of Materials Science

Jo rnal of Metals

Journal of Petrology

Journal of Physical Chemistry

Journal of Scientific Instruments

Journal of Scientific Instruments

Journal of Steel Castings Res.

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Journal of the Less Common Metals

Journal of Thermal Analysis International

Light Metal Age

Materials Engineering

Materials Research Bulletin

Metal Bulletin, London

Metal Progress

Metal Science Journal

Metallography, An International Journal

Metallurgia and Metal Forming

Metallurgical Transactions

Metallurgist

Metallurgist and Materials Technology

Metals and Materials

Metals Technology (London)

Mineralium Deposita

Microscope

Mineralogical Magazine

Mineralogical Record

Minerals Processing

Minerals Science and Engineer

Mines Magazine

Mining Congress Journal

Mining Engineering

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Mining Magazine

Modern Castings

NIM - National Institute for Metallurgy

Nature

New Scientist

Norsk Geologisk Tidsskrift Oil and Gas Journal

Oxidation of Metals

Physics of Metals and Metallography

Platinum Metals Review

Powder Metallurgy

Powder Metallurgy, International

Processing

Refractories

Remote Sensing of Environment

Research Management

Review of Scientific Instruments

Rocks and Minerals

Russian Castings Production

Russian Chemical Reviews

Russian Journal of Inorganic Chemistry

Russian Journal of Physical Chemistry

Russian Metallurgy (Metally)

Scandinavian Journal of Metallurgy

Science

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Scientific American

Separation Science

Simulation

Skillings' Mining Review

South African Institute of Mining and Metallurgy

Spectrochimica Acta

Stahl und Eisen

Steel in the USSR

Talanta

TAPPI

Thermochimica Acta

Thirty-three Magazine of Metals Producing

Tsvetnye metally (in English)

Vacuum

Water and Wastes Engineering Welding Engineer

World Mining

X-Ray Spectrometry

Zeitschrift fur metallkunde

59. Other than the medical library facilities referenced in the answers to the immediately preceding three Interrogatories, state the identity of each medical library, from 1930 to date, in which you held a membership, or funded by way of contribution, gift, grant, or any other direct cash or property payments.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and oppressive and is not limited by time or subject matter to

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information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Through its membership in organizations listed in its response to interrogatory no. 60. Union Carbide may have supported and may have received information from library facilities of those organizations.

60. State the names and addresses of all professional, trade, industrial, safety, hygiene, or health associations and research foundations or organization you have been a member of since 1930 indicating for each association:

a. The inclusive dates of your membership;

b. The names of your employees who attended meetings and the dates and designations of such meetings;

c. The positions held by any of your employees;

d. The location of all minutes, digests, reports and documents received or concerning such association.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and oppressive and is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this interrogatory on the grounds that it is harassing in that it seeks to impose a duty on Union Carbide to

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undertake extensive polling of past and present employees. Subject to its objections, Union Carbide responds as follows:

Union Carbide was a member of the Industrial Health Foundation and Asbestos Information Association/North America. Union Carbide may also have cooperated with work undertaken by the Pneumoconiosis Research Council of the United Kingdom, and the Insulation Industry Hygiene Research Program.

Union Carbide responds that it presently can find no documents relating to the IHF. With respect to AIA documents, see Union Carbide's response to interrogatory no. 33. In addition, Union Carbide has in its possession a copy of at least one edition of the newsletter published by the Insulation Industry Hygiene Research Program.

61. When did you first learn that there were health hazards associated with the use and/or fabrication of asbestos containing products? State the date, source, nature and extent of such information.

ANSWER: 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 and 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.

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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.

See also Union Carbide's response to interrogatory no. 22(i) for a list of experimental tests conducted or sponsored by Union Carbide.

62. Have you knowledge of any deaths or cases of lung disease or lung impairment prior to 1975 among your employees engaged in the manufacture or use of asbestos products which are attributable to, or were alleged to be caused by, the inhalation of asbestos dust or fibers? If so, please give the name and address of each such employee, identify all medical records possessed in relation to the employee, and state whether reports of occupational disease were furnished to any bureau, branch or governmental body of the relevant state; attach copies of the latter.

ANSWER: See general objection 4 and 5. Union Carbide also objects to this interrogatory on the grounds that it is unduly burdensome, oppressive and harassing. Union Carbide further objects to this interrogatory on the grounds that it constitutes an impermissible invasion of privacy of past and present employees.

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63. If any of your employees or officers have testified at trial or by deposition in any litigation or before any Congressional Committee or administrative agency concerning asbestos exposure, pulmonary or asbestos-related diseases or industrial hygiene relating to asbestos use, state:

a. The name, address and title of each person who testified;

b. The date, location and forum of such testimony;

c. Whether the defendant has a copy of such testimony;

d. Whether the defendant will voluntarily produce a copy of such testimony.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide has presently identified the following deposition testimony offered by Union Carbide employees:

1) John L. Myers

A) Lester Rice v. Union Carbide Corporation, U.S.D.C., District of South Carolina, Civil Action No. 81-977-9, April 9, 1982.

B) Simon DeWard v. Johns-Manville. et al., Superior Court for the County of Los Angeles,

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Civil Action No. C-298717 (and related cases), August 30, 1984.

C) Bobby R. Sanford v. Johns-Manville Sales Corp. et al., Southern District of Texas, Galveston Division, No. G-82-325, September 4, 1986.

2) Carl U. Derndehl, M.D.

Henry Garry v. Union Carbide Corporation, U.S.D.C., Eastern District of Arkansas, Western Division, Civil No. LR-C-83-921, February 11, 1985.

According to the best of Union Carbide's present information, the following testimony before governmental bodies was provided by individuals formerly associated with Union Carbide in the capacities noted below, and not necessarily on Union Carbide's behalf; their testimony may or may not have pertained to Union Carbide or Union Carbide products:

1. James W. Rawlings, Former Vice President, Metals Division.

   3/16/72, Washington, D.C., before U.S. Department of Labor-OSHA hearings on a "Proposed Standard for Occupational Exposure to Asbestos."

2. John L. Myers, Product and Production Manager, Asbestos.

   (i) 9/17/75 and 1/21-22/76, Washington, D.C., before the OSHA Advisory Committee on

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"Proposed Standards for Occupational Exposure to Asbestos in the Construction Industry."

(ii) 4/27/79, Fresno, California, California Occupational Safety and Health (CAL-OSHA) Standards Board regarding proposed changes in asbestos standards.

(iii) 8/30/79, San Diego, California, before the California Occupational Safety and Health (CAL-OSHA) Standards Board, regarding proposed changes in asbestos standards.

(iv) 5/29/80, Fresno, California, before the California Occupational Safety and Health (CAL-OSHA) Standards Board, regarding proposed changes in asbestos standards.

3. Harrison B. Rhodes, former Technology Manager - Asbestos.

(i) 8/15/77, before the Consumer Product Safety Commission on "A Proposed Ban on Wall Patching Compounds Containing Asbestos."

(ii) 3/14/77, New Brunswick, N.J., before the New Jersey Department of Environmental Protection on "A Proposed Regulation Regarding Control and Prohibition of Spray-On Asbestos Surface Coatings."

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(iii) 7/19/78, Washington, D.C., U.S. Department of Labor-OSHA, hearing on proposed rulemaking: "Identification, Classification and Regulation of Toxic Substances Posing a Potential Occupational Carcinogenic Risk."

(iv) 11/8/78, Sacramento, California, before the California Occupational Safety and Health (CAL-OSHA) Standards Board, regarding proposed changes in asbestos standards.

(v) 8/30/79 and 9/25/80, San Diego, California Occupational Safety and Health (CAL-OSHA) Standards Board, regarding proposed changes in asbestos standards.

(vi) 2/19/81 and 8/14/81, Toronto, Ontario, Canada, Royal Commission on Matters of Health and Safety Arising from the Use of Asbestos in Ontario.

See also Union Carbide's responses to interrogatories 33 and 58 for articles prepared by Union Carbide employees or officers.

64. Have you or any employee or agent of yours ever communicated with an agency or department of the United States concerning specifications and/or standard for any asbestos product or thermal insulation product? If so state separately for each product or set of specifications:

a. Identify each such product and its military or federal specification or standard;

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b. The intended purpose or use for the product so specified;

c. The date, time and place of each communication including:

(1) The name of each of your agents or employees who participated in each communication;

(2) The names, titles, and agencies of each individual with whom such communication was had;

(3) The subject of the communication;

(4) Whether any notes, minutes or memoranda in any form were recorded of such communication or of any meetings between you and the agency;

(5) Whether any documents were submitted to the agency;

(6) If (4) or (5) is answered in the affirmative state the name, and location of the custodian of such records.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and seeks information that is not limited by time to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this interrogatory on the grounds that it is harassing in that it seeks to impose a duty on Union Carbide to undertake extensive polling of past and present employees. Subject to its objections, Union Carbide responds as follows: Union Carbide did not manufacture or sell any thermal insulation product. Calidria was sold to manufacturers or

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producers who in turn used it in their products or production processes. See Union Carbide's response to interrogatory no. 50.

65. Does your company recognize that:

a. Asbestos causes asbestosis;

b. Asbestos exposure leads to an individual contracting asbestosis;

c. There is a correlation between exposure to asbestos and the occurrence of asbestosis;

d. Asbestos causes lung cancer;

e. There is a correlation between asbestos exposure and the occurrence of lung cancer;

f. Asbestos contributes to the development of gastro-intestinal cancer;

g. That a portion of inhaled asbestos fibers remain in the lungs after being inhaled into the human body and are not destroyed;

h. The symptoms of asbestosis and other asbestos-induced lung diseases or cancers may not manifest themselves until many years after the asbestos was inhaled into the body;

i. Prolonged use of the asbestos material can cause or contribute to various occupational diseases, including asbestosis, mesothelioma, cancer and other lung and respiratory diseases;

j. The use of asbestos insulating products listed in Answer (10) are dangerous and harmful to human health;

k. There is a connection between the inhalation of asbestos dust and fibers and the disease mesothelioma?

If your answer to any part of this question is Yes", explain when you came to this knowledge and what, if anything, you have done about it to notify the public or users of your products. If your answer is that your products are not harmful

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then explain what facts and tests were made upon which you base such conclusion.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and harassing and complex. Union Carbide further objects to this interrogatory to the extent that it seeks without foundation to require Union Carbide to render an expert medical opinion. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's response to interrogatory no. 61. 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 and affected by, among other factors, the particular type of fiber that is inhaled, cigarette smoking, environmental conditions and the person's medical history and condition.

66. Have any workmen's compensation claims based on asbestosis, mesothelioma, lung cancer, other cancers, asbestos-induced diseases, or lung diseases been filed against you? If so, for each claim state:

a. The date, place filed, reference numbers and outcome of each claim;

b. Whether you advised your workers' compensation carrier of the claims;

c. The location and custodian of all records of claims and correspondence with your compensation carrier.

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ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is unduly burdensome and oppressive and harassing.

67. Have you as part of your business ever employed any steam plant operators, boiler repair workers, insulator or had a division or unit which installed insulation materials on a contract by contract basis (e.g., a "contract unit")? If so, state:

a. The location where such persons or unit was based;

b. The names of the operators or managers of the contract units;

c. Whether there existed rules, regulations and/or work practices which were to be followed by such employees;

d. Were such employees ever required to wear respirators. If so, please state:

(1) Whether the requirement was by written regulation or oral direction;

(2) The names of the people in your firm originating such a requirement and/or in charge of enforcing it;

(3) The date the requirement was imposed for the first time.

e. Have such former employees ever filed workmen's compensation claims due to lung or coronary illness. If so, for each such claim, state the date, jurisdiction and docket number and outcome of the claims.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive, and harassing.

68. State the total number of employees of yours or your contract unit receiving benefits under any Occupational

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Disease or Workers Compensation statute for asbestosis, mesothelioma, bronchogenic carcinoma and/or cancer of the stomach, colon or rectum for each year, from the date that you first manufactured, distributed or sold any asbestos-containing products until the present time.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and oppressive and harassing.

69. State by year the total dollar amount paid out by you, your contract unit and/or your insurance carrier as a result of claims under any Occupational Disease or Workers' Compensation statute for asbestosis, mesothelioma, bronchogenic carcinoma and/or cancer of the stomach, colon or rectum.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, oppressive and harassing.

70. Identify any action, other than workers' compensation claims, brought against you by claimants injured as a result of exposure to asbestos and asbestos-containing products prior to 1970, stating the court in which the action was brought, the date of filing, case style, and case number.

ANSWER: See general objections 4 and 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad and is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this interrogatory on the grounds that it is unduly burdensome and oppressive and would require the retrieval and statement of

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extensive detailed information that is not relevant to the subject matter of this case. Subject to its objections, Union Carbide responds as follows:

Since 1970, Union Carbide has been named in numerous asbestos-related lawsuits.

71. State separately for each calendar year for the period 1928 to the present:

a. The total amount of asbestos mined by your company;

b. The total pound volume of asbestos fibre purchased by your company;

c. The total pound volume of asbestos used by your company in its manufacturing processes;

d. The total pound volume of asbestos sold by your company;

e. The total pound volume of asbestos acquired by your company in any manner other than mining or purchase, and identify the manner of acquisition for each year;

f. The total dollar value of asbestos mined by your company;

g. The total dollar value of asbestos purchased by your company;

h. The total dollar value of asbestos used by your company in its manufacturing process;

i. The total dollar value of asbestos sold by your company;

j. The total dollar value of all asbestos-containing products sold by you;

k. The total number of pounds or linear feet of each asbestos product sold by you and the dollar value of such sales;

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l. The percentage of sales by dollar value and by linear foot and weight of your asbestos as compared to all asbestos sold in the United States;

m. The percentage of sales by dollar value and by linear foot and weight of your asbestos-containing material as compared to all asbestos-containing materials sold in the United States.

ANSWER: See general objection 4. Union Carbide objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and harassing and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this interrogatory on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence.

72. Did you in any way finance, assist or participate in:

a. The Metropolitan Life Insurance Company studies of asbestos conducted from 1929-1950;

b. The Trudeau Foundation Saranac Lake studies from 1929-1960;

c. The Quebec Asbestos Mining Association Study of Asbestos and Health between 1940 and 1970?

If so, state what role or action you took and identify all documents relevant to such activities by name, date, title, file number and present location.

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ANSWER: See general objection 1. Subject to its objections, Union Carbide responds as follows: Information presently available indicates that Union Carbide did not finance, assist or participate in any of the studies listed in this interrogatory.

73. Has your firm ever been cited or admonished by any government agency (federal, state or local) for dust levels in excess of any threshold limit value (TLV) or other predetermined number? If so, please state:

a. The date the government agency and the dust and TLV or number involved;

b. The means of identifying any document related to such an occurrence;

c. Any action taken by the agency involved.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

74. State whether from 1930 to date you promulgated any rules, written or oral for the handling of asbestos or asbestos products by your own employees? If so, state:

a. When such rules were promulgated;

b. The substance of the rules, if oral, and the name, address and title of the person who disseminated them;

c. If in writing, either attach a copy of the rules or identify the written rules by date, title, identification number, present location and the name and address of the custodian thereof;

d. Whether any such material was provided to any users of your asbestos products and, if so, when and to whom.

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ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad and unduly burdensome and harassing. Union Carbide further objects to this interrogatory on the grounds that it is overly broad as to time.

75. Have any of your employees been reassigned to other duties because of pulmonary or coronary health problems? If so, please state for each such reassignment:

a. The date and reason for reassignment;

b. The jobs prior to and after reassignment;

c. The age and health problem of the person reassigned.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and harassing, vague and ambiguous and is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this interrogatory on the grounds that it constitutes an impermissible invasion of privacy of past and present employees.

76. Prior to 1972, have your employees ever been subject to periodic medical examinations? If so, please state:

a. Whether the examinations were performed by your firm, its agents or employees or by outside personnel either private or governmental;

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b. Whether the examinations were performed as a result of an internal corporate decision or to comply with some governmental rule;

c. Whether any person was rejected for employment as a result of such examination. If so, state the date and reason for such rejection;

d. Whether any employee was reassigned, terminated or pensioned as the result of such examination and the date and reason for each such occurrence.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is unduly burdensome and oppressive and harassing. Union Carbide further objects to this interrogatory on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence.

77. Have you ever removed or had removed any asbestos insulation or other asbestos containing material from any building, plant or facility which you owned, operated, leased or maintained? If so, identify the building or facility, state the date the asbestos material was removed and who removed the asbestos, and identify all documents relating to or referring to the removal.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, vague and ambiguous.

78. Was the monitoring of dust levels required by any government regulation or rule of any government, agency, or insurance company? If so, state the substance of the rule, the source imposing it and the date it was first imposed.

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ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is vague and ambiguous in that Union Carbide cannot determine to what locations or industries such rules or regulations would be applicable or to what time frame plaintiff is referring. Union Carbide further objects to this interrogatory on the ground that the government rules and regulations are in the Public domain and equally accessible to plaintiff. Subject to its objections, Union Carbide responds as follows:

From 1963 to 1972, Union Carbide complied with threshold limit values recommended by the American Conference of Governmental Industrial Hygienists respecting exposure to asbestos fibers at its mine and mill. Beginning in 1972, when governmental regulations were promulgated, and until June 30, 1985, when Union Carbide sold its mine and mill, Union Carbide adhered to standards set forth by OSHA.

79. Do you agree that the possibility of exposure to asbestos dust and fibers extends not only to workers actually handling the asbestos products but also to:

a. Other workers in the area where the asbestos products are being used;

b. Members of the families of workers.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it is overly broad, vague and ambiguous. Union Carbide further objects to this interrogatory on the grounds that it seeks information that is not relevant to the

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subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this interrogatory to the extent that it seeks without foundation to require Union Carbide to render an expert medical opinion.

80. Does your company have a record or document "retention" policy, plan or program? If so, please describe such plan. If the plan is different for separate categories of records, please describe the plan for each category. Please include in the descriptions the following:

a. The name and title of the custodian of the records;

b. The length of time for which records are retained;

c. The titles and names of the personnel responsible for determining the policy or plan from 1935 to the present;

d. The titles and names of the personnel responsible for the removal and destruction of any records, pursuant to any such plans from 1935 to the present.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad and is not limited by time and subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

In general, Union Carbide maintains all records for at least three years. Sales records, dust count reports, customer

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call reports and other documents pertaining to Union Carbide s former Calidria business, still in Union Carbide's possession will, however, be maintained for indefinite periods.

Sales and other business records are under the control of either counsel for Union Carbide or Ms. Michele Gomez, Kelley Drye & Warren, Six Stamford Forum, Stamford, Ct. 06901.

81. Have you destroyed any documents, records or writings pertaining to:

a. Health hazards of asbestos;

b. Workmen's compensation claims arising out of asbestos, lung cancer, mesothelioma, cor pulmonale, pneumoconiosis, or pulmonary fibrosis;

c. Placing warning labels on your products;

d. Hazardous conditions in your plants or factories;

e. Funding of studies about health hazards of asbestos;

f. Lawsuits arising out of injuries alleged to having been caused by asbestos.

If so, list every such document destroyed by author, date and subject matter.

ANSWER: See Union Carbide's response to interrogatory no. 80. Union Carbide at present has no information about documents destroyed, or any information indicating whether or not documents were destroyed prior to Union Carbide's involvement in asbestos-related litigation, pursuant to Union Carbide's normal document retention policy.

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82. Have you ever had a division or subsidiary engaged in the business of abating, removing or encapsulating asbestos materials? If so, state:

a. The name of the unit of all personnel involved;

b. The location where such persons or units were based;

c. The dates such person or units functioned;

d. The sites where such abatement, repair, encapsulation or removal occurred.

ANSWER: See general objection 5.

83. Identify and produce all Minutes of each meeting of the Board of Directors or of any committee of the Board at which meeting the hazards of asbestos exposure, and/or the possible application of warning labels on asbestos-containing products were discussed.

ANSWER: See general objection 4. Union Carbide also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this interrogatory on the grounds that it is not limited by time to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows: See Union Carbide's response to interrogatory no. 22.

Union Carbide consulted various experts in the medical and industrial hygiene professions concerning precautions that should be followed by persons involved in the use of Union

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Carbide's Calidria asbestos. During the early days of Union Carbide's involvement in the Calidria's business, industrial health officials at Union Carbide issued asbestos toxicology reports which were distributed to sales and other appropriate personnel. The advice of the experts was incorporated on Calidria warning labels and in the safety literature that Union Carbide made available and disseminated to its Calidria customers.

84. If there is any person whom the defendant expects to call as an expert witness at trial, please provide a copy of the witness' curriculum vitae, or summary of the witness' qualifications if there is no vitae, and please state for each such expert witness:

a. The person's identity, giving name, profession or occupation and address;

b. The subject matter on which each such expert is to testify;

c. The substance of all facts and opinions regarding which each such expert is to testify;

d. A summary of the grounds for each opinion of each such expert;

e. Whether the facts and opinions listed in (c) above are contained in a written report, memorandum or transcript and if they are, produce the same pursuant to the Rule 34 Notice of Production of Documents attached hereto;

f. If the opinion of any expert listed above is based in whole or in part on any code or regulation, governmental or otherwise, identify said code or regulation and specifically set forth the section relied upon;

g. Whether each such expert intends to base his or her testimony on any book, treatise, article, study, or any other document, and, if so, identify all such documents; and

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h. Whether the witness has testified at trial or by deposition in other asbestos-related personal injury or wrongful death cases, and if so, state for each such case:

(1) the name and docket number;

(2) the court in which each such case was pending; and

(3) the party for whom the witness testified.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it improperly and prematurely seeks discovery of expert witnesses in contravention of the attorney client privilege and the attorney work product doctrine and statutory procedures for the designation and discovery of experts. Subject to its objections, Union Carbide responds as follows: Union Carbide has not yet determined which expert witnesses, if any, it will call at a trial of this case.

85. Identify the name and address of each nonexpert witness whom you intend to call at trial, and specifically set forth the nature and substance of the matters to which each such person will testify and summarize the facts to which such person will testify.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it improperly and prematurely seeks discovery of trial witnesses in contravention of the attorney-client privilege and the attorney work product doctrine and statutory procedures for the discovery of the identity of trial witnesses. Subject to its objections, Union Carbide responds

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as follows: Union Carbide has not determined which witnesses, if any, Union Carbide will call at a trial of this case.

86. Identify and produce each exhibit that you intend to rely upon at trial.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it improperly and prematurely seeks discovery of trial exhibits in contravention of the attorney-client privilege and the attorney work product doctrine and statutory procedures for the discovery of trial exhibits. Subject to its objections, Union Carbide responds as follows: Union Carbide has not yet determined which exhibits, if any, Union Carbide will rely upon at a trial of this case.

87. Identify all persons, other than your attorneys, who provided you with any information used in answering these interrogatories, and state the particular information each person supplied.

ANSWER: See general objection 1. Union Carbide also objects to this interrogatory on the grounds that it is unduly burdensome and harassing, vague and ambiguous. Subject to its objections, Union Carbide responds as follows: The responses to these interrogatories were prepared by counsel for Union Carbide Corporation based on information either contained in business records or provided by present and former Union Carbide employees. In particular, John L. Myers, former Product and Production Manager for asbestos (Calidria) has

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provided much information. Sales and other business records used to respond to these interrogatories are under the control of Ms. Michele Gomez, Custodian of Records, Kelley Drye & Warren, Six Stamford Forum, Stamford, CN 06901.

88. At any time prior to 1972, did you learn of any recommended levels of asbestos proposed by The American Conference of Governmental and Industrial Hygienists (ACGIH)? If so, state:

a. The exact date you first learned of any ACGIH recommended levels;

b. How you first learned of it;

c. Which of your employees or agents first learned of it;

d. The steps or action you took to advise your sales personnel of the recommendation;

e. The steps or action you took to advise your customers, dealers, distributors and contractors of the ACGIH recommendation;

f. Any comment you filed or submitted to ACGIH;

g. Identify all documents related to ACGIH.

ANSWER: See general objection 5. Union Carbide also objects to this interrogatory on the grounds that it is unduly burdensome and harassing, vague and ambiguous. Union Carbide further objects to this interrogatory on the grounds that the phrase "recommended levels of asbestos" is uncertain. Moreover, Union Carbide objects to this interrogatory on the grounds that it is harassing in that it seeks to impose a duty on Union Carbide to undertake extensive polling of past and

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present employees. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's response to interrogatory no. 78.

89. Do you contend that there is a minimum safe threshold level of exposure to asbestos below which there is no risk in developing mesothelioma or lung cancer? If so, specify the minimum safe threshold level of exposure for each disease, the date you claim the threshold was arrived at, and the precise basis for your contention.

ANSWER: Union Carbide objects to this interrogatory on the grounds that it seeks without foundation to require Union Carbide to render an expert medical opinion. Subject to its objection, Union Carbide responds as follows:

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 and 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.

See also Union Carbide's response to interrogatory no. 61.

90. Do you contend that there is any difference between chrysotile fiber, amosite fiber, crocidolite fiber, and/or tremolite fiber in the development of (a) mesothelioma; and (b) lung cancer? If so, explain in detail your contention as to the distinction between or among fiber types in the development of each disease and the medical authority you rely on.

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ANSWER: Union Carbide objects to this interrogatory on the grounds that it seeks without foundation to require Union Carbide to render an expert medical opinion. Subject to its objections, Union Carbide responds as follows: See Union Carbide's response to interrogatory no. 89.

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REQUEST FOR PRODUCTION OF DOCUMENTS

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, the plaintiff requests that each defendant produce for inspection and copying, the documents and things identified below. The documents and things identified herein shall be produced for inspection and copying at such time as the answers to the interrogatories herein are filed.

You are hereby requested to produce the following documents and things:

1. All documents identified in your answers to these interrogatories.

ANSWER: Union Carbide objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this request on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the ground that it seeks production of documents protected by the attorney-client privilege and attorney work product doctrine. Subject to its objections, Union Carbide responds as follows:

As stated, Union Carbide does not possess all documents referred to in these interrogatories. Union Carbide will, however, make available those documents which it is able to locate. See Union Carbide's response to the respective interrogatories.

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2. All records of sales and deliveries of your asbestos-containing products to any company or worksite in New York City or within 75 miles of New York City.

ANSWER: See general objection 4. Union Carbide objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this request on the grounds that it is not limited by time to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows: See Union Carbide's response to interrogatory no. 34. Upon plaintiff's request, Union Carbide will make its sales records available to plaintiffs for review and duplication at a suitable time and place.

3. All computer printouts and analysis of sales and delivery of your asbestos-containing products to any companies or worksites in the States of (a) New York; (b) New Jersey and (c) Connecticut.

ANSWER: See Union Carbide's response to request no. 2.

4. All records showing the amount and dollar value each asbestos-containing product you manufactured and sold.

ANSWER: See general objection 4. Union Carbide also objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing, vague and

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ambiguous. Union Carbide further objects to this request on the grounds that the phrase "the amount and dollar value" is uncertain. Moreover, Union Carbide objects to this request on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows: See Union Carbide's response to request no. 2.

5. All documents showing your share of the market, by volume and by dollars of sales, for each asbestos-containing product, for each type of asbestos-containing products (e.g., pipe covering, cement, acoustical material, etc.) and for all asbestos-containing products you sold and manufactured.

ANSWER: See general objection 4. Union Carbide also objects to this request on the grounds that it is vague and ambiguous and unintelligible. Union Carbide further objects to this request on the grounds that it is not limited by time to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows: See Union Carbide's responses to interrogatory no. 50 and request no. 2.

6. All research reports prepared by or for you or which you received concerning the following aspects of any asbestos-containing products you manufactured or sold:

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a. The health hazards of the product;

b. The amount of asbestos released by the product when used;

c. The capability of the product to comply with industry standards, state or federal regulations or other limits;

d. Efforts to reduce or eliminate asbestos from the products;

e. The aerodynamic nature of the products; (f) The friability or durability of the product;

f. The friability of the product to resist deterioration or water damage.

ANSWER: Union Carbide objects to this request on the grounds that it is overly broad, unduly burdensome, harassing, vague, ambiguous and complex. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's responses to interrogatories 22(a-d), 33, 45 and 61. Upon plaintiffs request, Union Carbide will make documents referred to therein and related documents available to the plaintiff for review and duplication at a suitable time and place. In addition, Union Carbide has in its possession numerous published articles and other documents relating to the potential dangers of asbestos. Upon request, Union Carbide will also make these documents available to the plaintiff for review and duplication at a suitable time and place.

7. Organizational Charts for the years 1940, 1945, 1950, 1955, 1960, 1965, 1970, 1975 and the present.

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ANSWER: See general objection 4. Union Carbide also objects to this request on the grounds that it is overly broad, unduly burdensome, vague and ambiguous. Union Carbide further objects to this request on the grounds that the phrase "Organizational Charts" is uncertain. Moreover, Union Carbide objects to this request on the grounds that it is not limited by subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows: The following divisions or subsidiaries of Union Carbide operated the Calidria business during the course of its existence:

Corporate Divisions of Calidria (1963-1985)

(1963-1965) Nuclear Division

(1965-1967) Mining and Metals Division

(1967-1970) Chemicals and Plastic Division

(1970-1985) Mining and Metals Division (on April 1, 1984 became UMETCO, a wholly owned subsidiary of Union Carbide).

8. All rules, regulations, manuals, standards, procedures and instructions to salesmen and other documents dealing with:

a. Sales of asbestos-containing products;

b. Health hazards of asbestos products you were selling; and

c. Communication with customers re: health hazards of asbestos.

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ANSWER: See general objection 4. Union Carbide also objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing, vague and ambiguous. Union Carbide further objects to this request on the grounds that it seeks information that is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the grounds that the term "salesmen" is uncertain. Union Carbide understands this request to refer to Union Carbide salesmen. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's response to request no. 6.

9. All licensing, sales, dealer, distributor and contractor agreements with any firm located in New York, New Jersey or Connecticut or which involved the sale of asbestos-containing materials in those states.

ANSWER: See general objection 4. Union Carbide also objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this request on the grounds that it seeks information that is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

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Approximately three-quarters of Calidria sales were made directly by Union Carbide. Distributors accounted for the remaining approximate 25% of all Calidria sales. Union Carbide, however, no longer mines or sells Calidria and thus no longer maintains Calidria distributors. The following is a list of former Calidria distributors which Union Carbide has been able to identify:

Presently Known Former Calidria Distributors (1963-1985)

1) Allied Resin Corporation
2) American Industrial Chemical Corporation
3) Bouffard Associates
4) A.T. Callas Company
5) D. & F. Distributing, Inc.
6) Harrisons & Crosfield (Canada)
7) Harrisons & Crosfield (Pacific)
8) Leverage Chemicals, Inc.
9) Technical Petroleum Company
10) Technical Products, Inc.
11) Montello, Inc.
12) Harwick Chemical Corp.
13) Platex, Inc.
14) Union Carbide International
15) Western Chemical & Manufacturing Company
16) Mc Kesson Chemicals, Inc.
17) Apperson Chemicals, Inc.

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18) Amsco Division - Union Oil Company of Calif.

19) Hamblet & Hayes Co.

20) Marco Chemical Division - W. R. Grace & Company

21) Wonder State Industries

22) The Permult Co., Inc.

23) Van Waters and Rogers

10. Photographs of each of your asbestos-containing products and other packages in which they were shipped.

ANSWER: See general objection 4. Subject to its objection, Union Carbide responds as follows:

Upon plaintiff's request, Union Carbide will make available any existing photographs of Calidria or its packaging for review and duplication at a suitable time and place.

11. All documents in your possession relating in any way to meetings, correspondence, statements or other communications to or from any manufacturer or supplier of asbestos, asbestos-containing products and/or asbestos-containing materials or from their agents or representatives or trade associations concerning the health and exposure to asbestos.

ANSWER: See general objections 4 and 5. Union Carbide also objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this request on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible

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evidence. Moreover, Union Carbide objects to this request on the ground that it seeks production of documents protected by the attorney-client privilege and attorney work product doctrine. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's response to request no. 6. Union Carbide has in its possession a copy of at least one edition of the newsletter published by the Insulation Industry Hygiene Research Program. In addition, Union Carbide possesses files which may contain miscellaneous correspondence to or from the AIA or other organizations. Upon the plaintiff's request, Union Carbide will make such relevant, non-privileged files available for review and duplication at a suitable time and place.

12. All documents in your possession or which you have ever become aware of, relating in any way to meetings, correspondence or other communications of or from any trade association, labor union, employer or governmental agency, of or from any of their agents or representatives, relating to the subjects of occupational health and exposure to asbestos, asbestos-containing products and/or asbestos-containing materials.

ANSWER: See general objection 4. Union Carbide also objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this request on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably

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calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the grounds that it is harassing in that it seeks to impose a duty on Union Carbide to produce documents not within its custody or control. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's responses to requests 6, 8 and 11.

13. All documents prepared by or on behalf of the defendant, prior to this litigation, in any way relating to the documents requested in item Nos. 11 and 12 above, of this request for production.

ANSWER: See general objection 4. Union Carbide also objects to this request on the grounds that it is unduly burdensome and harassing, vague and ambiguous, compound and complex. Union Carbide further objects to this request on the grounds that it seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the ground that it seeks production of documents protected by the attorney client privilege and attorney work product doctrine. Subject to its objections, Union Carbide responds as follows: See Union Carbide's responses to interrogatories 6 and 11.

14. All documents relating in any way to the exposure or possible exposure to asbestos, asbestos-containing products and/or asbestos-containing materials by workers at:

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a. Shipyards;

b. Insulating trades;

c. Boiler trades;

d. Construction trades;

e. Plants manufacturing or using asbestos;

f. Brake lining or friction material;

g. Seamen;

h. Railroads;

i. Nonoccupational and/or neighborhood exposures.

ANSWER: Union Carbide objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this request on the grounds that it is unintelligible. Moreover, Union Carbide objects to this request on the grounds that it seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence, especially insofar as it calls for information about locations or trades which did not use Union Carbide's Calidria asbestos. Subject to its objections, Union Carbide responds as follows:

(a) - (d), (f) - (i) See Union Carbide's responses to requests 6 and 11.

(e) See Union Carbide's response to interrogatory no. 22 (a) - (d).

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Upon plaintiffs' request, Union Carbide will make copies of dust counts taken at facilities of Calidria customers available to the plaintiff for review and duplication at a suitable time and place. See also Union Carbide's responses to interrogatories 6 and 11.

15. All documents relating in any way to the health effects of asbestos, asbestos-containing products and/or asbestos-containing materials manufactured, distributed, sold and/or supplied by any person or entity or by any of the named defendants herein.

ANSWER: See general objection 4. Union Carbide also objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this request on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's responses to requests 6, 8 and 11.

16. All documents prepared, reviewed, issued or commented on by you relating in any way to warnings, potential health hazards, instructions or precautions regarding the use or handling of, or exposure to, asbestos, asbestos-containing products, and/or asbestos-containing materials.

ANSWER: See general objection 4. Union Carbide also objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide

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further objects to this request on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the ground that it seeks production of documents protected by the attorney-client privilege and attorney work product doctrine. Union Carbide objects to any request to provide information about any asbestos-containing product which it has manufactured, sold or distributed, on the ground that the asbestos fibers in these products were encapsulated by other materials. From 1963 until June 30, 1985, Union Carbide mined, milled and marketed short fiber chrysotile asbestos ("Calidria"). This response refers to Calidria asbestos only. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's response to interrogatories 22 (a)-(d) and 26. Upon the plaintiff's request, Union Carbide will make copies of its former Calidria warning labels and Calidria packages containing such warning labels, as well as any background material, still in Union Carbide's possession available to the plaintiff for review and duplication at a suitable time and place.

See also Union Carbide's responses to requests 6 and 11.

17. All statements, recorded interviews, films, videotapes, reports, questionnaires, forms or other documents

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made, submitted, compiled, prepared or filled out by, on behalf of, or under the direction of defendant relating in any way to exposure or alleged exposure to asbestos, asbestos-containing products and/or asbestos-containing materials or any other issues relating to these lawsuits, except that information prepared by, for, or at the request of defendant's counsel must be identified (including the date made), but need not be produced without an order by the Court, provided that written or recorded communication between plaintiff and counsel, made after an attorney-client relationship has been established need not be produced or identified.

ANSWER: See general objections 4 and 5. Union Carbide also objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing, compound and complex. Union Carbide further objects to this request on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the grounds that it seeks production of documents protected by the attorney client privilege and the attorney work product doctrine.

18. All documents relating to defendant's first knowledge, notice or awareness about the alleged adverse effects of exposure to asbestos, asbestos-containing products and/or asbestos-containing materials.

ANSWER: Union Carbide objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this request on the grounds that it is not limited by time or subject matter

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to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the ground that it seeks production of documents protected by the attorney-client privilege or the attorney work product doctrine. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's responses to interrogatory no. 24 and requests 6 and 11.

19. All records relating to comments, complaints, suggestions, or proposals made by your employees, by your customers, dealers, distributors or contractors or by yourself regarding the health effects of asbestos exposure.

ANSWER: See general objections 4 and 5. Union Carbide also objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing. Union Carbide further objects to this request on the grounds that it is vague and ambiguous and unintelligible and is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the ground that it seeks production of documents protected by the attorney-client privilege and attorney work product doctrine. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's responses to requests 6 and 11.

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20. All written, recorded, filmed, transcribed or videotaped statements of all parties and non-party declarants pertaining to the subject of these lawsuits, except that information prepared by, for, or at the request of plaintiff's counsel must be identified (including the date made), but need not be produced without an order by the Court, provided that written or recorded communication between plaintiff and counsel, made after an attorney-client relationship has been established need not be produced or identified.

ANSWER: Union Carbide objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing, vague and ambiguous, compound and complex. Union Carbide further objects to this request on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the ground that it seeks production of documents protected by the attorney-client privilege and attorney work product doctrine.

21. All photographs of people working with, using or being exposed to your asbestos-containing materials.

ANSWER: See general objections 4 and 5. Union Carbide also objects to this request on the grounds that it is vague and ambiguous. Union Carbide further objects to this request on the grounds that it is uncertain as to time. Subject to its objections Union Carbide responds as follows:

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See Union Carbide's response to interrogatory no. 37. Marketing brochures referred to therein may contain such photographs. Upon Plaintiff's request, Union Carbide will make those brochures available to the plaintiff for review and duplication at a suitable time and place. See also Union Carbide's response to request no. 6.

22. Copies of all reports, correspondence and records which relate to the subject matter of these cases from any expert who is expected to testify at trial, either with respect to issues such as state-of-the-art, standards, threshold limits, government or military specifications, industrial hygiene, ship or railroad design or construction, warnings, friability of defendants' products, health hazards involving defendants' products, general medical issues relating to asbestos disease and their causes or and with respect to any individual plaintiff's case.

ANSWER: Union Carbide objects to this request on the grounds that it improperly and prematurely seeks discovery of expert witnesses and reports in contravention of the attorney-client privilege and the attorney work product doctrine and statutory procedures for the designation and discovery of the same. Subject to its objections, Union Carbide reports as follows:

Union Carbide has not yet determined which expert witnesses, if any, it will call at a trial of this case.

23. All documents submitted to any federal, state or local government or agency in connection with that body's efforts to establish standards, specifications or levels of ambient or occupational exposure to asbestos or asbestos from your products.

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ANSWER: See general objections 4 and 5. Union Carbide also objects to this request on the grounds that it is overly broad, unduly burdensome and oppressive, vague and ambiguous. Union Carbide further objects to this request on the grounds that it is uncertain as to time. In addition, Union Carbide objects to this request on the grounds that it seeks information that is protected by the attorney-client privilege and the attorney work product doctrine. Union Carbide further objects to this request on the grounds that the phrase "that body's efforts" is uncertain. Moreover, Union Carbide objects to this request on the ground that it is unclear whether plaintiff is requesting correspondence and/or communication between Union Carbide and any federal, state or local government or agency or between other entities and any federal, state or local government or agency. Subject to its objections, Union Carbide responds as follows: See Union Carbide's response to interrogatory no. 63.

24. Any asbestos and/or asbestos-containing products of the type manufactured by defendant and which the defendant has in his possession, custody or control.

ANSWER: See general objection 4. Union Carbide also objects to this request on the grounds that it is vague and ambiguous specifically with regard to the phrase "Any asbestos and/or asbestos containing products of the type manufactured by

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defendant." Subject to its objections, Union Carbide responds as follows:

Union Carbide no longer mines or mills Calidria asbestos. Upon plaintiff's request, Union Carbide will provide the plaintiff with information to enable plaintiff's to contact the corporation which purchased Union Carbide's Calidria mine and business.

25. All boxes, containers or wrappers that defendant used to package or ship its asbestos or asbestos-containing products.

ANSWER: Union Carbide objects to this request on the grounds that it is overly broad, unduly burdensome and oppressive. Union Carbide objects to any request to provide information about any asbestos-containing product which it has manufactured, sold or distributed, on the ground that the asbestos fibers in these products were encapsulated by other materials. From 1963 until June 30, 1985, Union Carbide mined, milled and marketed short fiber chrysotile asbestos ("Calidria"). This response refers to Calidria asbestos only. Subject to its objections, Union Carbide responds as follows:

Upon plaintiff's request, Union Carbide will make available samples of its Calidria packaging for viewing and duplication at a suitable time and place.

26. All labels, tags, or warnings which defendant alleges it placed on the boxes, containers or wrappers which contained defendants' asbestos or asbestos-containing products.

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ANSWER: See general objection 4. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's responses to interrogatory no. 22(a)-(d) and request no. 16.

27. Any customer, contractor, dealer or distributor complaint relating to defendants' asbestos products and any incident or accident reports defendant received relating to the health hazards of its asbestos products.

ANSWER: See general objections 4 and 5. Union Carbide also objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive and harassing, vague and ambiguous. Union Carbide further objects to this request on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the ground that it seeks production of documents protected by the attorney-client privilege and attorney work product doctrine. Subject to its objections, Union Carbide responds as follows: See Union Carbide's response to request no. 6.

28. Any written statements obtained by the defendant which relate to facts, circumstances, incidents, injuries or damages which form the basis of the complaint of each plaintiff including but not limited to statements made to any police or law officers, insurance company representatives, state or federal agents, or representative of plaintiff's employers or of other companies.

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ANSWER: Union Carbide objects to this request on the grounds that it is overly broad, unduly burdensome and oppressive, vague and ambiguous. Union Carbide further objects to this request on the grounds that it is not limited by time and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the ground that it seeks production of documents protected by the attorney-client privilege and attorney work product doctrine.

29. All records and documents including tax returns, compensation claims, disability claims, social security claims, hospital and medical records, x-rays, pathology material, photographs, statements, reports and other documents relating to the claim of each plaintiff other than documents provided to you by the particular plaintiff's counsel.

ANSWER: Union Carbide objects to this request on the grounds that it is overly broad, unduly burdensome and oppressive, vague and ambiguous. Union Carbide further objects to this request on the grounds that it is not limited by time and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the ground that it seeks production of documents protected by the attorney-client privilege and attorney work product doctrine. In addition, Union Carbide

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objects to this request on the ground that the documents requested are equally accessible to plaintiff.

30. All communications with or concerning the American Conference of Government and Industrial Hygienist.

ANSWER: Union Carbide objects to this request on the grounds that it is overly broad and unduly burdensome. Union Carbide further objects to this request on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the ground that it is unclear whether plaintiff is requesting communications between Union Carbide and the American Conference of Government and Industrial Hygienists or between other entities and the American Conference of Government and Industrial Hygienists. Subject to its objections, Union Carbide responds as follows: See Union Carbide's response to request no. 6.

31. All documents received by you or in your possession relating to or concerning the Quebec Asbestos Mining Association (QAMA).

ANSWER: Union Carbide objects to this request on the grounds that it is overly broad and unduly burdensome. Union Carbide further objects to this request on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably

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calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows: See Union Carbide's responses to interrogatory no. 60 and request no. 6.

32. All documents marked as exhibits in any insurance coverage litigation between you and any liability insurance carrier.

ANSWER: Union Carbide objects to this request on the grounds that it is unduly burdensome and harassing and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this request on the grounds that it seeks information that is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence.

33. All documents produced by you in the litigation with your liability insurance carrier.

ANSWER: Union Carbide objects to this request on the grounds that it is unduly burdensome and harassing and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this request on the grounds that it seeks information that is not limited by time or subject matter to information that is

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relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the grounds that the phrase "the litigation" is uncertain. In addition, Union Carbide objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege and attorney work product doctrine.

34. All documents marked as exhibits in any indemnity or liability litigation between you and the U.S. Government.

ANSWER: Union Carbide objects to this request on the grounds that it is unduly burdensome and harassing and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further objects to this request on the grounds that it is not limited by time or subject matter to information that is relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence.

35. All documents produced by you in the litigation with the U.S. Government.

ANSWER: Union Carbide objects to this request on the grounds that it is unduly burdensome and harassing. Union Carbide further objects to this request on the grounds that it is not limited by time or subject matter to information that is

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relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence. Moreover, Union Carbide objects to this request on the grounds that the phrase "the litigation" is uncertain. In addition, Union Carbide objects to this request on the grounds that it seeks production of documents protected by the attorney-client privilege and attorney work product doctrine.

Dated: New York, New York
March 7, 1988

ANDERSON RUSSELL KILL & OLICK, P.C.

By _____
A Member of the Firm

Attorneys for Defendant Union Carbide Corporation
666 Third Avenue
New York, New York 10017
(212) 850-0700

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ATTACHMENT I

ASBESTOS PRODUCT INFORMATION SHEET:

See general objection 4. Subject to its objection, Union Carbide responds as follows:

(a) A description of the product: Calidria consisted of raw chrysotile asbestos in a unique short-fiber formulation which Union Carbide mined at or near King City, California. Calidria's chemical formula is $Mg_6(OH)_8Si_4O_{10}$. Union Carbide produced four grades of Calidria asbestos: standard, super standard, high purity, and resin grade; the different grades reflect varying degrees of purity of content. Each grade was sold in both pelletized and fibrous form. In appearance, Calidria is grey (pelletized) or white (fibrous) in color and powdery in substance. The following is a representative listing and description of the various brands of Calidria mined and marketed by Union Carbide:

PRODUCT SYMBOL	PRODUCT CODE	DESCRIPTION
HPO	651001	High Purity, Open Fiber
HPO-C	651101	High Purity, Open Fiber
HPP	651601	High Purity, Pellets
HPP-JAP	651701	High Purity, Pellets, 4-Ply bags
R-G 110	652101	Resin Grade, Open Fiber 15% +325
R-G 110-D	652201	Resin-Grade, Open Fiber, 15% +325
R G 144	652501	Resin Grade, Open Fiber
A-14	652801	Resin-Grade, Open Fiber
R-G 244	653001	Resin-Grade, Open Fiber
R-G 444-0	653301	Resin-Grade, Open Fiber, 10% Stearic
A-28	653601	Resin Grade, Open Fiber, Silica Treated
SG-100	654001	Standard Grade, Pellets
SG-102	654201	Standard Grade, Pellets, 100-lb. bags
SG-130	654501	Standard Grade, Open Fiber, 30% +325

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SG-144	654801	Standard Grade, Open Fiber, 45% +325
SG-200	655001	Super Standard Grade, Pellets
SG-210	655301	Super Standard Grade, Open Fiber, 15% +325
SG-444-O	655501	Standard Grade, Open Fiber, 5% Stearic
T-135-O	656001	High Purity, Open Fiber, Titanated, 35%
T-135-P	656301	High Purity, Pellets, Titanated, 35%
CG-100	656601	Coatings Grade, Pellets
CG-135-O	656801	Coatings Grade, Open Fiber, Titanated 35%
CG-135-P	656901	Coatings Grade, Pellets, Titanated, 35%
Super-Visbestos	657301	Super Standard Grade, Cracked Pellets
Visbestos	657601	Standard Grade, Open Fiber
Oilbestos	657001	Standard Grade, Open Fiber, 5% Stearic

(b) Generic name: Raw chrysotile asbestos.

(c) Brand name: Calidria asbestos.

(d) Trademark Name, Number, Registration date, and period of Trademark Use: Union Carbide sold its asbestos under the name "Calidria". Union Carbide, however, packaged Calidria asbestos for the Montello Corporation for sale under the tradenames of Visbestos, Super Visbestos, Telvis, Imcobest and Univis. Union Carbide also packaged Calidria for the ARCO company for sale under the name Arcovis, and for the International Mines and Chemical Company for sale under the name Surelift. Calidria was also sold domestically in limited quantities under the names Visquick and Oilbestos by distributors which Union Carbide is presently unable to identify. Union Carbide objects to responding to this inquiry with respect to overseas sales on the grounds that such information

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is irrelevant and immaterial to matters at issue in this case. Union Carbide objects to responding further to this question on the grounds that it is unduly burdensome and seeks information that is not relevant to the subject matter of the action or reasonably calculated to lead to the discovery of admissible evidence.

(e) Asbestos Content by Percentage: 100% (except for 0-2% of moisture in pelletized form). Calidria contained no talc.

(f) Type of Asbestos: Chrysotile asbestos.

(g) Mineralogical and/or constituent composition by weight of each constituent:

Calidria's chemical composition is $Mg_6(OH)_8Si_4O_{10}$.

(h) Inclusive Dates of Manufacture: See Union Carbide's response to (i), below.

(i) Inclusive Dates of Sale: From 1963 through June 30, 1985 Union Carbide mined and sold Calidria asbestos.

(j) Name of Manufacturer and place of manufacture: Union Carbide mined and milled the raw asbestos fiber Calidria at its mine and mill in King City, California.

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The following divisions or subsidiaries of Union Carbide operated the Calidria business during the course of its existence:

Corporate Divisions of Calidria (1963-1985)

(1963 1965)	Nuclear Division
(1965-1967)	Mining and Metals Division
(1967-1970)	Chemicals and Plastic Division
(1970-3/1984)	Mining and Metals Division
(4/1984-6/1985)	UMETCO, a wholly owned subsidiary of Union Carbide, formerly the Mining and Metals Division.

(k) Did you "rebrand" or sell the product to others for resale by them under some other name? If so, for who and when: See Union Carbide's responses to (d) above and interrogatory no. 18.

(l) Did you purchase the product from another manufacturer? And if so, from whom, when and under what other name was it sold: No.

(m) The color, physical description and characteristics of the product: Pellets or fine white powder. No odor. Very slight solubility in water.

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(n) The purpose for using asbestos as an ingredient in the product: Not applicable. See Union Carbide's response to (a), above.

(o) The number and date of each patent or patent application relating to the product: Union Carbide objects to this subpart on the ground that it seeks information which is in the public domain and which is readily accessible to plaintiff. Subject to its objections, Union Carbide responds as follows:

The following two patents are patents which have been obtained with respect to Calidria asbestos: U.S. Patent No. 3,947,286 issued March 30, 1976 and U.S. Patent No. 3,838,085 issued September 24, 1974.

(p) A precise description of any logo, symbol, initials or identifying mark used in connection with the product: The Union Carbide logo, "UCC" in a diamond, and "CALIDRIA" appeared on Calidria asbestos packaging. See also Union Carbide's response to (r) below.

(q) The form in what it was sold (e.g., drum, carton, bag, etc.): See Union Carbide's response to (r) below.

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(r) A full and precise description of the package in which the product was sold including, but not limited to, type of package (e.g., bag, drum), size, color and writing thereon:

Calidria asbestos was mostly transported in plastic or Kraft type paper bags, although some Calidria had been shipped in bulk in railroad hopper cars. Each bag contained the following information: Union Carbide's corporate name and address, the net weight of material supplied, the applicable grade of asbestos, the lot number identification, and, starting in 1968 a cautionary statement. At the request of some customers, a limited amount of Calidria asbestos was sold in plain Kraft bags, which contained only the cautionary statement. Unless the customer requested otherwise, between approximately the mid-1970's and June 1985 all Kraft bags containing Calidria asbestos were individually shrink wrapped (encased by a tight fitting plastic film); an entire pallet containing a number of such bags was also completely covered with the tight fitting plastic film.

(s) The intended use of the product: Calidria asbestos was sold to manufacturers or producers who used it in their products or production processes as a filler, reinforcer, opacifier, thixotrope (thickener) and the like. Calidria asbestos was not suited for use as a heat or frost insulation due to its quality and composition, in particular, due to the

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short length of its fiber. Calidria was not sold by Union Carbide and, according to the best information available to Union Carbide, by Calidria distributors to consumers or other "end-users."

(t) The manner of forming, shaping or molding such product to the application surface: Not applicable. See Union Carbide s response to (a), above.

(u) The procedure for applying such product, including the type of surface to which it was meant to be applied: Not applicable. See Union Carbide's response to (a), above.

(v) The type of bonding material, adhesive and/or other material used in the course of applying such product: Not applicable. See Union Carbide's response to (a), above.

(w) The identity and location of all records relating to the development of the product: See Union Carbide's response to (x), below.

(x) The identity and location of all records relating to the product:

Sales and other business records are under the control of either counsel for Union Carbide or Ms. Michele Gomez,

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Custodian of documents, Kelley Drye & Warren, 6 Stamford Forum, Stamford, Connecticut 06819.

(y) The identity of the Custodian of actual containers and photographs of containers of the products: See Union Carbide s response to (x), above.

(z) With regard to each product, state the manner in which each such product can be distinguished from those manufactured by any other company: Calidria differed from other chrysotile only with respect to its greater purity of content (especially lack of talc containment), shorter fiber length and thickness, pelletized form and chemical treatment.

(aa) The names and addresses of the people responsible for the development of the product: Union Carbide objects to this inquiry on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

John Myers has been involved in various aspects of Union Carbide Corporation's Calidria asbestos business since 1966, and has familiarity with many facets of the business and of the Calidria product. From 1970-1981, Mr. Myers held the Metals Division position of Marketing Manager - [for] asbestos.

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From 1981 until June 30, 1985, he served in the Metals Division as Product and Production Manager - [for] asbestos. John Myers is no longer employed by Union Carbide.

(ab) If the product continued to be produced after the deletion of asbestos, the reason why asbestos was deleted and the date the product was first commercially sold without asbestos: Not applicable. See Union Carbide's response to (a), above.

(a) If the product is no longer produced, all reasons why it was discontinued, the brand name of the replacement and the date the replacement was first sold commercially: Union Carbide sold its Calidria mine and business on June 30, 1985.

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