PLAINTIFF'S EXHIBIT
UC-2053

CAUSE NO. CC9914101E

PATRICIA ANN MCDONALD	§	IN THE COUNTY COURT
	§	
VS.	§	AT LAW NO. 5
	§	
GAF CORPORATION, ET AL.	§	DALLAS COUNTY, TEXAS

DEFENDANT UNION CARBIDE CORPORATION'S OBJECTIONS AND ANSWERS TO PLAINTIFFS SECOND SET OF INTERROGATORIES, FIRST REQUEST FOR PRODUCTION AND FIRST REQUEST FOR ADMISSIONS

TO: Plaintiff, Patricia Ann McDonald, by and through her attorney of record, Stephen Johnston, Baron & Budd, The Centrum, 3102 Oak Lawn Ave., Suite 1100, Dallas, Texas 75219.

COMES NOW, Defendant Union Carbide Corporation, and makes and serves this its Objections and Answers to Plaintiff Patricia Ann McDonald's Second Set of Interrogatories, Request for Production and Request for Admissions.

Respectfully submitted,

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By: _____
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ATTORNEYS FOR DEFENDANT
UNION CARBIDE CORPORATION

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CERTIFICATE OF SERVICE

I do hereby certify, that on this date, a true and correct copy of the above and foregoing Answers to Plaintiffs' Second Set of Interrogatories and Request for Production was forwarded via certified mail, return receipt requested to counsel for Plaintiff, Stephen Johnston, Baron & Budd, The Centrum, 3102 Oak Lawn Ave., Suite 1100, Dallas, Texas 75219, on this the 27th day of July, 2001.

Paul E. Hamilton

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GENERAL OBJECTION

Union Carbide objects to Plaintiffs' entire set of Interrogatories, Requests for Production and Requests for Admission to the extent that they call for information about Union Carbide facilities or premises where the plaintiffs never worked. Over the course of its business, Union Carbide owned or operated a numerous amount of locations and premises. Ascertaining plant and employee practices for each Union Carbide facility or premises, even during a specified time frame, would be unduly burdensome, if possible at all. Moreover, the nature of the processes and work conducted at Carbide's various plants and facilities differed considerably, and information relating to another plant or facility is not necessarily relevant.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

DEFINITIONS AND INSTRUCTIONS OBJECTION NO. 1:

Union Carbide objects to the instructions and definitions supplied by Plaintiffs with regard to these Interrogatories, Requests for Production and Requests for Admission on the grounds that the definitions are overly broad, vague and often inconsistent with the normal common usage and meaning of such words. As a result, these definitions constitute an unreasonable expansion of the Interrogatories, Requests for Production and Requests for Admission themselves. Union Carbide has therefore responded to this discovery consistently with the common understanding of the language used in the Interrogatories, Requests for Production and Requests for Admission.

DEFINITIONS AND INSTRUCTIONS OBJECTION NO. 2:

Union Carbide objects to Plaintiffs' definitions and instructions to the extent those definitions and instructions request Union Carbide to make any inquiry beyond that which is required by the Texas Rules of Civil Procedure or to the extent they seek to include documents not within Union Carbide's custody or control.

DEFINITIONS AND INSTRUCTIONS OBJECTION NO. 3:

Union Carbide objects to the terms "plant and facility" and "Defendants Premises at Issue" as defined because it renders these Interrogatories, Requests for Production and Requests for Admission over broad and not reasonably limited to matters which are relevant to the subject matter of this lawsuit or to the discovery of matters which are reasonably calculated to lead to the discovery of admissible evidence. Because Union Carbide has operated the Bound Brook and Marietta facilities

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for a number of years, and because the various processes contained in those facilities have been altered significantly over the years, Union Carbide objects to this entire set of discovery on grounds that Plaintiffs have failed to provide Union Carbide with a sufficient amount of information concerning which specific units and buildings at each of the respective facilities that Plaintiff was allegedly present, the relevant time periods involved with each facility, and a description of the various jobs allegedly performed by Plaintiff at the Bound Brook and Marietta facilities. As a result of Plaintiff's failure to reasonably limit the scope of this discovery to those matters which are relevant and reasonably calculated to lead to the discovery of admissible evidence, Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information to enable it to adequately and thoroughly respond to the full breadth of Plaintiff's overly broad discovery.

DEFINITIONS AND INSTRUCTIONS OBJECTION NO. 4:

Union Carbide objects to the term "Time Period at Issue" as defined because it renders these Interrogatories, Requests for Production and Requests for Admission over broad and not reasonably limited to matters which are relevant to the subject matter of this lawsuit or to the discovery of matters which are reasonably calculated to lead to the discovery of admissible evidence. The years set forth in Plaintiff's work history are rarely consistent with those years set forth in Plaintiff's discovery requests, with the result being that Plaintiffs seek to impose upon Union Carbide, the overwhelmingly burdensome task of discovering information from time periods which are irrelevant to this lawsuit, beyond the scope of discovery, and not reasonably calculated to lead to the discovery of admissible evidence. Therefore, where possible, in light of the significant burden imposed by Plaintiff's overly broad discovery requests, Union Carbide will attempt to provide Plaintiffs with general, plant specific information concerning the Marietta and Bound Brook facilities, but objects to providing information, where such information on the face of Plaintiff's discovery responses, does not appear to be reasonably calculated to lead to the discovery of admissible evidence.

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OBJECTIONS AND RESPONSES TO PLAINTIFF'S SECOND SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION AND REQUESTS FOR ADMISSION

GENERAL OBJECTIONS

GENERAL OBJECTION NO. 1

Union Carbide states that trial preparation and factual investigation are ongoing. Union Carbide's answers to Plaintiff's Interrogatories and Requests for Production are based on information known to Union Carbide at this time. Union Carbide reserves the right, however to make reference at 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 for Production, 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.

GENERAL OBJECTION NO. 2

Union Carbide objects to Plaintiff's Interrogatories and Requests for Production 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.

GENERAL OBJECTION NO. 3:

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

GENERAL OBJECTION NO. 4:

Union Carbide objects to any request to provide information about any asbestos or asbestos-containing product that it manufactured, mined or sold other than the Bakelite products. The non-Bakelite products which may have included asbestos fiber as a component include the following: a tree sprout inhibitor used primarily to inhibit growth on telephone poles; Prestone radiator products; acetylene cylinder liners; a scarfer machine used to remove blemishes and imperfections from steel; and Calidria, a raw chrysotile fiber, with unique physical and chemical features and properties, sold in pelletized or fibrous forms to producers or manufacturers for use in their products, or production processes. Union Carbide no longer manufactures, mines or sells any of those products. Plaintiffs have raised no allegations of exposure to those products or to situations where exposure to those products would be expected. Fiber in the asbestos-containing products was

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completely encapsulated and thus, not respirable. Calidria, due to its unique properties and characteristics, could not cause the hazards posed by other asbestos, and could not be used for insulation. Thus, information about those products is wholly irrelevant to this case.

GENERAL OBJECTION NO. 5:
Union Carbide also objects to any request to provide information about any Bakelite product other than Bakelite Phenolic Resin. Those products include the following:
Epoxy resins and hardeners
Phenoxy resins and solutions
Polyethylene and Polypropylene
Polystyrene and copolymers
Polysuflone
Polyvinyl acetate, polyvinyl chloride and copolymers
Plaintiffs have raised no allegations of exposure to those products or to situations where exposure to those products would be expected. UDEL Polysulfone was manufactured and marketed for the limited use of Polaroid cases; fiber in the Polysulfone was fully encapsulated and thus, not respirable. Some polystyrene products may have included asbestos for experimental trail runs only. Union Carbide no longer manufacturer or sells those products. None of the other products ever included any asbestos content. Thus, information about any of the products listed above is wholly irrelevant to this case.

GENERAL OBJECTION NO. 6:
Union Carbide objects to this entire set of Interrogatories and Requests for Production 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. Any information or knowledge which such information could be said to reflect could be asked for directly, without requesting irrelevant employment information.

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RESPONSES

REQUEST FOR ADMISSION NO. 1:

Admit that raw asbestos fibers were an ingredient in the version of Bakelite manufactured at Union Carbide's facility in Bound Brook, New Jersey.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and overly broad, in that it has not been reasonably limited in time or scope. Union Carbide further objects to the use of the terms "ingredient in the version of Bakelite manufactured," on grounds that said terms are unclear and undefined, with the result being that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information to enable it to adequately respond to this unintelligible Request for Admission. Subject thereto, denied that Union Carbide manufactured one version of phenolic molding compound; admitted that some formulations of Union Carbide's phenolic molding compounds contained asbestos as a filler until 1974.

The Bakelite name has been widely used to refer to a variety of plastic or plastic-related products. Many of those products, or their antecedents, may have originally been manufactured by the Bakelite corporation. Union Carbide utilized Bakelite as a trade name to denote a variety of materials. Those materials included the following:

Epoxy resins and hardeners,
Phenolic Molding Compounds,
Phenoxy resins and solutions,
Polyethylene and Polypropylene,
Polystyrene and copolymers,
Polysulfone, and
Polyvinyl acetate, polyvinyl chloride, and copolymers.

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Only the phenolic molding compounds, in some brands only, were manufactured with asbestos. Most brands of Bakelite phenolic molding compounds never contained asbestos. In addition, UDEL Polysulfone, manufactured for a limited use for Polaroid camera cases, and some experimental polyethylene and polystyrene products, never put into full production, also contained quantities of asbestos fiber.

REQUEST FOR PRODUCTION NO. 1:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in response to a Request for Admission No. 1, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be

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unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed. Without waiving these objections Union Carbide attaches Exhibit A in support of its partial denial of Request for Admission No. 1. Other responsive documents may be reviewed at Union Carbide's asbestos related document repository maintained at Kelley Drye & Warren, LLP.

Union Carbide maintains a Repository of asbestos-related documents and other material. The Repository includes a myriad of documents and other material from Union Carbide's former Calidria business, from other former businesses which manufactured products which contained some asbestos, and from Union Carbide facilities which used and removed asbestos insulation and other asbestos products in accordance with the most advanced state-of-the-art industrial practices. The repository encompasses documents and material generated and received by Union Carbide employees or officials, as well as published articles collected by Carbide employees and officials. Subjects which the documents and material discuss or pertain to include, but are not limited to, the following: Union Carbide's former Calidria business; the unique physical and chemical properties of the Calidria fiber, which engender the fiber's innocuous nature; information about asbestos containing products manufactured by Union Carbide or other producers; and information about other asbestos generally, including health officials of the other asbestos. The repository should include any of the material requested by this request to the extent that it remains in Union Carbide's possession. Upon plaintiff's request, Union Carbide will make its Repository, except privileged material, available to plaintiff for review and replication at a suitable time and place.

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Union Carbide manufactured and sold its Bakelite phenolic molding compound from 1939 to 1975. Many, if not most business documents pertaining to Bakelite were probably destroyed pursuant to normal record retention guidelines. Union Carbide's document repository does, however include many Bakelite related documents not destroyed, which will be indefinitely maintained. Those documents include the following: drafts for product labels; product formulations; manufacturing instructions and procedures; product and brand lists and descriptions; purchase records for asbestos fiber; and general business correspondence.

REQUEST FOR ADMISSION NO. 2:

Admit that raw asbestos fibers were an ingredient in the version of Bakelite manufactured at Union Carbide's facility in Bound Brook, New Jersey, during the years 1950 to 1969.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and overly broad, in that it has not been reasonably limited in time or scope. Union Carbide further objects to the use of the terms "ingredient in the version of Bakelite manufactured," on grounds that said terms are unclear and undefined, with the result being that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information to enable it to adequately respond to this unintelligible Request for Admission. Subject thereto, see Union Carbide's answer to Request for Admission No. 1.

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REQUEST FOR PRODUCTION NO. 2:

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

RESPONSE: See Union Carbide's answer to Request for Production No. 1, including all objections asserted therein.

REQUEST FOR ADMISSION NO. 3:

Admit that Alexander McDonald would have been exposed to the raw asbestos fibers used in the production of Bakelite manufactured at Union Carbide's facility in Bound Brook, New Jersey.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and undeniably overly broad, in that it has not been reasonably limited in time, scope, or in any manner designed to lead to the discovery of admissible evidence. Union Carbide further objects to this Request on grounds that, as drafted this Request is unclear and undefined, with the result being that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information concerning which specific units and buildings at the Bound Brook facility that Plaintiff was allegedly present, the relevant time periods involved with each facility, and a description of the various jobs allegedly performed by Plaintiff at Bound Brook to enable it to adequately respond to this unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry, but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity. Subject thereto, denied. The Bound Brook, NJ facility included numerous buildings throughout the years, all but 2 or 3 of which had no involvement in the production of phenolic molding compounds. See Union Carbide's

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responses to Request for Admission No. 1.

REQUEST FOR PRODUCTION NO. 3:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in response to a Request for Admission No.3, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed.

Without waiving objections, Union Carbide maintains a Repository of asbestos-related documents and other material. The Repository includes a myriad of documents and other material

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from Union Carbide's former Calidria business, from other former businesses which manufactured products which contained some asbestos, and from Union Carbide facilities which used and removed asbestos insulation and other asbestos products in accordance with the most advanced state-of-the-art industrial practices. The repository encompasses documents and material generated and received by Union Carbide employees or officials, as well as published articles collected by Carbide employees and officials. Subjects which the documents and material discuss or pertain to include, but are not limited to, the following: Union Carbide's former Calidria business; the unique physical and chemical properties of the Calidria fiber, which engender the fiber's innocuous nature; information about asbestos containing products manufactured by Union Carbide or other producers; and information about other asbestos generally, including health officials of the other asbestos. The repository should include any of the material requested by this request to the extent that it remains in Union Carbide's possession. Upon plaintiff's request, Union Carbide will make its Repository, except privileged material, available to plaintiff for review and replication at a suitable time and place.

Union Carbide manufactured and sold its Bakelite phenolic molding compound from 1939 to 1975. Many, if not most business documents pertaining to Bakelite were probably destroyed pursuant to normal record retention guidelines. Union Carbide's document repository does, however include many Bakelite related documents not destroyed, which will be indefinitely maintained. Those documents include the following: drafts for product labels; product formulations; manufacturing instructions and procedures; product and brand lists and descriptions; purchase records for asbestos

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fiber; and general business correspondence.

INTERROGATORY NO. 1:

Please identify the brand name, manufacturer, and supplier of the raw asbestos fibers used in the production of Bakelite manufactured at Union Carbide's facility in Bound Brook, New Jersey during the years 1950 to 1969. Please include in your response the following:

a. The year(s) each particular brand of raw asbestos fiber was used
b. The quantity purchased in each year for each brand of raw asbestos fiber
c. The fiber type of asbestos purchased, i.e. crocidolite, amosite, chrysotile, etc.

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it is unduly burdensome, and the oppressive and harassing nature of the burden entailed in identifying each and every sales document pertaining to the use of asbestos involved in the production of Bakelite at the Bound Brook facility, without the existence of any rational or reasonable limitation, substantially outweighs the probative value of the information sought should discovery be allowed. Subject thereto, Union Carbide responds as follows:

All asbestos used by Union Carbide in phenolic resin consisted of short fiber chrysotile, except for long fiber (African blue) used in one brand of High Impact resin discontinued in the mid-1960's. Union Carbide purchased the short-fiber asbestos from the Carey-Canada Company.

Union Carbide maintains a Repository of asbestos-related documents and other material. The

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Repository includes a myriad of documents and other material from Union Carbide's former Calidria business, from other former businesses which manufactured products which contained some asbestos, and from Union Carbide facilities which used and removed asbestos insulation and other asbestos products in accordance with the most advanced state-of-the-art industrial practices. The repository encompasses documents and material generated and received by Union Carbide employees or officials, as well as published articles collected by Carbide employees and officials. Subjects which the documents and material discuss or pertain to include, but are not limited to, the following: Union Carbide's former Calidria business; the unique physical and chemical properties of the Calidria fiber, which engender the fiber's innocuous nature; information about asbestos containing products manufactured by Union Carbide or other producers; and information about other asbestos generally, including health officials of the other asbestos. The repository should include any of the material requested by this request to the extent that it remains in Union Carbide's possession. Upon plaintiff's request, Union Carbide will make its Repository, except privileged material, available to plaintiff for review and replication at a suitable time and place.

Union Carbide manufactured and sold its Bakelite phenolic molding compound from 1939 to 1975. Many, if not most business documents pertaining to Bakelite were probably destroyed pursuant to normal record retention guidelines. Union Carbide's document repository does, however include many Bakelite related documents not destroyed, which will be indefinitely maintained. Those documents include the following: drafts for product labels; product formulations; manufacturing instructions and procedures; product and brand lists and descriptions; purchase records for asbestos

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fiber; and general business correspondence.

REQUEST FOR PRODUCTION NO. 4:

Please produce all ordering and sales documents pertaining to the purchase or acquisition of such raw asbestos fibers for use in the production of Bakelite manufactured at Union Carbide's facility in Bound Brook, New Jersey during the years 1950 to 1969, including but not limited to invoices, price quotations, purchase orders, requisitions, bills of lading, and other purchasing and/or shipping documents of similar nature.

RESPONSE: See Union Carbide's response to Interrogatory No. 1, including all objections asserted therein.

REQUEST FOR ADMISSION NO. 4:

Admit that raw asbestos fibers were an ingredient in UDEL Polysulfone manufactured at Union Carbide's facility in Bound Brook, New Jersey.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and overly broad, in that it has not been reasonably limited in time or scope. Union Carbide further objects to this Request on grounds that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information to enable it to adequately respond to this unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry, but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity. Subject thereto, denied.

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REQUEST FOR PRODUCTION NO. 5:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in response to a Request for Admission No. 4, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed.

REQUEST FOR ADMISSION NO. 5:

Admit that raw asbestos fibers were an ingredient in UDEL Polysulfone manufactured at Union Carbide's facility in Bound Brook, New Jersey, during the years 1950 to 1969.

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RESPONSE: Union Carbide objects to this Request on grounds that it is vague and overly broad, in that it has not been reasonably limited in time or scope. Union Carbide further objects to the use of the terms "ingredient in UDEL Polysulfone," on grounds that said terms are unclear and undefined, with the result being that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information to enable it to adequately respond to this unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry, but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity. Subject thereto, denied.

REQUEST FOR PRODUCTION NO. 6:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in

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response to a Request for Admission No. 5, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander Mc[illegible]nald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed.

REQUEST FOR ADMISSION NO. 6:

Admit that Alexander McDonald would have been exposed to the raw asbestos fibers used in the production of UDEL Polysulfone manufactured at Union Carbide's facility in Bound Brook, New Jersey.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and undeniably overly broad, in that it has not been reasonably limited in time, scope, or in any manner designed to lead to the discovery of admissible evidence. Union Carbide further objects to this Request on grounds that, as drafted this Request is unclear and undefined, with the result being that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information concerning which specific units and buildings at the Bound Brook facility that Plaintiff was allegedly present, the relevant time periods involved with each facility, and a description of the various jobs allegedly performed by Plaintiff at Bound Brook to enable it to adequately respond to this unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry, but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity. Subject thereto, denied.

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REQUEST FOR PRODUCTION NO. 7:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in response to a Request for Admission No. 6, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed.

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INTERROGATORY NO. 2:

Please identify the brand name, manufacturer, and supplier of the raw asbestos fibers used in the production of UDEL Polysulfone manufactured at Union Carbide' s facility in Bound Brook, New Jersey during the years 1950 to 1969. Please include in your response the following:

a. The year(s) each particular brand of raw asbestos fiber was used
b. The quantity purchased in each year for each brand of raw asbestos fiber
c. The fiber type of asbestos purchased, i.e. crocidolite, amosite, chrysotile, etc.

RESPONSE:

Union Carbide objects to this Interrogatory on the basis that this Interrogatory is overly broad and vague and constitutes and impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996).

Union Carbide further objects to this Interrogatory on the grounds that Plaintiff has not alleged that he was exposed to asbestos-containing products manufactured by Union Carbide during the relevant time period and as such this Interrogatory is not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 8:

Please produce all ordering and sales documents pertaining to the purchase or acquisition of such raw asbestos fibers for use in the production of UDEL Polysulfone manufactured at Union Carbide's facility in Bound Brook, New Jersey during the years 1950 to 1969, including but not limited to invoices, price quotations, purchase orders, requisitions, bills of lading, and other purchasing and/or shipping documents of similar nature.

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an

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impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it is unduly burdensome, and the oppressive and harassing nature of the burden entailed in identifying each and every sales document pertaining to the use of asbestos involved in the production of UDEL Polysulfone at the Bound Brook facility, without the existence of any rational or reasonable limitation, substantially outweighs the probative value of the information sought should discovery be allowed. Subject thereto, Union Carbide responds as follows:

Union Carbide states that any information which might be responsive to the full breadth of this overly broad Request may possibly be derived from the records contained in the repository. Therefore, the burden of deriving the answer is substantially the same for the requesting party as for the responding party. Union Carbide states that upon Plaintiff's request, Union Carbide will make its repository available to Plaintiff at a mutually agreeable place and time, for inspection and duplication at Plaintiff's expense.

REQUEST FOR ADMISSION NO. 7:

Admit that raw asbestos fibers were an ingredient in UDEL Polysulfone manufactured at Union Carbide's facility in Marietta, Ohio.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and overly broad, in that it has not been reasonably limited in time or scope. Union Carbide further objects to this Request on grounds that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information to enable it to adequately respond to this

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unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry, but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity. Subject thereto, denied.

REQUEST FOR PRODUCTION NO. 9:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in response to a Request for Admission No. 7, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed.

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REQUEST FOR ADMISSION NO. 8:

Admit that raw asbestos fibers were an ingredient in UDEL Polysulfone manufactured at Union Carbide's facility in Marietta, Ohio during the years 1951 to 1970.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and overly broad, in that it has not been reasonably limited in time or scope. Union Carbide further objects to the use of the terms "ingredient in UDEL Polysulfone," on grounds that said terms are unclear and undefined, with the result being that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information to enable it to adequately respond to this unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry, but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity. Subject thereto, denied.

REQUEST FOR PRODUCTION NO. 10:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result,

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Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in response to a Request for Admission No. 8, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed.

REQUEST FOR ADMISSION NO. 9:

Admit that Alexander McDonald would have been exposed to the raw asbestos fibers used in the production of UDEL Polysulfone manufactured at Union Carbide's facility in Marietta, Ohio.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and undeniably overly broad, in that it has not been reasonably limited in time, scope, or in any manner designed to lead to the discovery of admissible evidence. Union Carbide further objects to this Request on grounds that, as drafted this Request is unclear and undefined, with the result being that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information concerning which specific units and buildings at the Marietta facility that Plaintiff was allegedly present, the relevant time periods involved with each facility, and a description of the various jobs allegedly performed by Plaintiff at Marietta to enable it to adequately respond to this unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry,

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but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity. Subject thereto, denied.

REQUEST FOR PRODUCTION NO. 11:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in response to a Request for Admission No. 9, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed.

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INTERROGATORY NO. 3:

Please identify the brand name, manufacturer, and supplier of the raw asbestos fibers used in the production of UDEL Polysulfone manufactured at Union Carbide' s facility in Marietta, Ohio during the years 1951 to 1970. Please include in your response the following:

a. The year(s) each particular brand of raw asbestos fiber was used
b. The quantity purchased in each year for each brand of raw asbestos fiber
c. The fiber type of asbestos purchased, i.e. crocidolite, amosite, chrysotile, etc.

RESPONSE:

Union Carbide objects to this Interrogatory on the basis that this Interrogatory is overly broad and vague and constitutes and impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996).

Union Carbide further objects to this Interrogatory on the grounds that Plaintiff has not alleged that he was exposed to asbestos-containing products manufactured by Union Carbide during the relevant time period and as such this Interrogatory is not reasonably calculated to lead to the discovery of admissible evidence.

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REQUEST FOR PRODUCTION NO. 12:

Please produce all ordering and sales documents pertaining to the purchase or acquisition of such raw asbestos fibers for use in the production of UDEL Polysulfone manufactured at Union Carbide's facility in Marietta, Ohio during the years 1951 to 1970, including but not limited to invoices, price quotations, purchase orders, requisitions, bills of lading, and other purchasing and/or shipping documents of similar nature.

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it is unduly burdensome, and the oppressive and harassing nature of the burden entailed in identifying each and every sales document pertaining to the use of asbestos involved in the production of UDEL Polysulfone at the Marietta facility, without the existence of any rational or reasonable limitation, substantially outweighs the probative value of the information sought should discovery be allowed. Subject thereto, Union Carbide responds as follows:

Union Carbide states that any information which might be responsive to the full breadth of this overly broad Request may possibly be derived from the records contained in the repository. Therefore, the burden of deriving the answer is substantially the same for the requesting party as for the responding party. Union Carbide states that upon Plaintiff's request, Union Carbide will make its repository available to Plaintiff at a mutually agreeable place and time, for inspection and duplication at Plaintiff's expense.

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REQUEST FOR ADMISSION NO. 10:

Admit that raw asbestos fibers were an ingredient in Polyethlene products manufactured at Union Carbide's facility in Bound Brook, New Jersey.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and overly broad, in that it has not been reasonably limited in time or scope. Union Carbide further objects to this Request on grounds that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information to enable it to adequately respond to this unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry, but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity.

Polyethylene and Polystyrene were never manufactured by Union Carbide for sale containing asbestos fillers. Therefore we object to answering this Interrogatory because it is not calculated to lead to the discovery of admissible evidence. Any experiments with Polyethylene and Polystyrene compounds would have involved very small amounts of asbestos. Any exposure to Alexander McDonald would have been diminimous.

REQUEST FOR PRODUCTION NO. 13:

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

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RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in response to a Request for Admission No. 10, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed. See also Request for Admission No. 10, including all objections set forth therein.

REQUEST FOR ADMISSION NO. 11:

Admit that raw asbestos fibers were an ingredient in Polyethylene products manufactured at Union Carbide's facility in Bound Brook, New Jersey, during the years 1950 to 1969.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and overly broad, in that it has not been reasonably limited in time or scope. Union Carbide further objects to this

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Request on grounds that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information to enable it to adequately respond to this unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry, but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity.

Polyethylene and Polystyrene were never manufactured by Union Carbide for sale containing asbestos fillers. Therefore we object to answering this Interrogatory because it is not calculated to lead to the discovery of admissible evidence. Any experiments with Polyethylene and Polystyrene compounds would have involved very small amounts of asbestos. Any exposure to Alexander McDonald would have been diminimous.

REQUEST FOR PRODUCTION NO. 14:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be

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responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in response to a Request for Admission No. 11, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed. See also Request for Admission No. 11, including all objections set forth therein.

REQUEST FOR ADMISSION NO. 12:

Admit that Alexander McDonald would have been exposed to the raw asbestos fibers used in the production of Polyethylene produces[sic] manufactured at Union Carbide's facility in Bound Brook, New Jersey.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and undeniably overly broad, in that it has not been reasonably limited in time, scope, or in any manner designed to lead to the discovery of admissible evidence. Union Carbide further objects to this Request on grounds that, as drafted this Request is unclear and undefined, with the result being that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information concerning which specific units and buildings at the Bound Brook facility that Plaintiff was allegedly present, the relevant time periods involved with each facility, and a description of the various jobs allegedly performed by Plaintiff at Bound Brook to enable it to

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adequately respond to this unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry, but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity.

Polyethylene and Polystyrene were never manufactured by Union Carbide for sale containing asbestos fillers. Therefore we object to answering this Interrogatory because it is not calculated to lead to the discovery of admissible evidence. Any experiments with Polyethylene and Polystyrene compounds would have involved very small amounts of asbestos. Any exposure to Alexander McDonald would have been diminimous.

REQUEST FOR PRODUCTION NO. 15:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in

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response to a Request for Admission No. 12, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed. See Request for Admission No. 12, including all objections set forth therein.

INTERROGATORY NO. 4:

Please identify the brand name, manufacturer, and supplier of the raw asbestos fibers used in the production of Polyethylene products manufactured at Union Carbide's facility in Bound Brook, New Jersey during the years 1950 to 1969. Please include in your response the following:

a. The year(s) each particular brand of raw asbestos fiber was used
b. The quantity purchased in each year for each brand of raw asbestos fiber
c. The type of asbestos purchased, i.e. crocidolite, amosite, chrysotile, etc.

RESPONSE:

Polyethylene and Polystyrene were never manufactured by Union Carbide for sale containing asbestos fillers. Therefore we object to answering this Interrogatory because it is not calculated to lead to the discovery of admissible evidence. Any experiments with Polyethylene and Polystyrene compounds would have involved very small amounts of asbestos. Any exposure to Alexander McDonald would have been diminimous.

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REQUEST FOR PRODUCTION NO. 16:

Please produce all ordering and sales documents pertaining to the purchase or acquisition of such raw asbestos fibers for use in the production of Polyethylene products manufactured at Union Carbide's facility in Bound Brook, New Jersey during the years 1950 to 1969, including but not limited to invoices, price quotations, purchase orders, requisitions, bills of lading, and other purchasing and/or shipping documents of similar nature.

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it is unduly burdensome, and the oppressive and harassing nature of the burden entailed in identifying each and every sales document pertaining to the use of asbestos involved in the production of Polyethylene at the Bound Brook facility, without the existence of any rational or reasonable limitation, substantially outweighs the probative value of the information sought should discovery be allowed. Subject thereto, Union Carbide responds as follows:

Union Carbide states that any information which might be responsive to the full breadth of this overly broad Request may possibly be derived from the records contained in the repository. Therefore, the burden of deriving the answer is substantially the same for the requesting party as for the responding party. Union Carbide states that upon Plaintiff's request, Union Carbide will make its repository available to Plaintiff at a mutually agreeable place and time, for inspection and duplication at Plaintiff's expense.

Polyethylene and Polystyrene were never manufactured by Union Carbide for sale containing

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asbestos fillers. Therefore we object to answering this Interrogatory because it is not calculated to lead to the discovery of admissible evidence. Any experiments with Polyethylene and Polystyrene compounds would have involved very small amounts of asbestos. Any exposure to Alexander McDonald would have been diminimous.

REQUEST FOR ADMISSION NO. 13:

Admit that raw asbestos fibers were an ingredient in the version of Polystyrene manufactured at Union Carbide's facility in Bound Brook New Jersey.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and overly broad, in that it has not been reasonably limited in time or scope. Union Carbide further objects to this Request on grounds that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information to enable it to adequately respond to this unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry, but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity.

Polyethylene and Polystyrene were never manufactured by Union Carbide for sale containing asbestos fillers. Therefore we object to answering this Interrogatory because it is not calculated to lead to the discovery of admissible evidence. Any experiments with Polyethylene and Polystyrene compounds would have involved very small amounts of asbestos. Any exposure to Alexander McDonald would have been diminimous.

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REQUEST FOR PRODUCTION NO. 17:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in response to a Request for Admission No. 13, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed. See also, Request for admission No. 13, including all objections set forth therein.

REQUEST FOR ADMISSION NO. 14:

Admit that raw asbestos fibers were an ingredient in the version of Polystyrene manufactured at Union Carbide's facility in Bound Brook, New Jersey, during the years 1950 to 1969.

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RESPONSE: Union Carbide objects to this Request on grounds that it is vague and overly broad, in that it has not been reasonably limited in time or scope. Union Carbide further objects to this Request on grounds that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information to enable it to adequately respond to this unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry, but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity.

Polyethylene and Polystyrene were never manufactured by Union Carbide for sale containing asbestos fillers. Therefore we object to answering this Interrogatory because it is not calculated to lead to the discovery of admissible evidence. Any experiments with Polyethylene and Polystyrene compounds would have involved very small amounts of asbestos. Any exposure to Alexander McDonald would have been diminimous.

REQUEST FOR PRODUCTION NO. 18:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner

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consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects to producing each and every document supporting our good faith, qualified denial as stated in response to a Request for Admission No. 14, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed. See Also Request for Admission No. 14, including all objections set forth therein.

REQUEST FOR ADMISSION NO. 15:

Admit that Alexander McDonald would have been exposed to the raw asbestos fibers used in the production of Polystyrene manufactured at Union Carbide's faciiity in Bound Brook, New Jersey.

RESPONSE: Union Carbide objects to this Request on grounds that it is vague and undeniably overly broad, in that it has not been reasonably limited in time, scope, or in any manner designed to lead to the discovery of admissible evidence. Union Carbide further objects to this Request on grounds that, as drafted this Request is unclear and undefined, with the result being that Union Carbide is called upon to speculate as to whether or not it has been provided with a sufficient amount of information concerning which specific units and buildings at the Bound Brook facility that Plaintiff was allegedly present, the relevant time periods involved with each facility, and a

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description of the various jobs allegedly performed by Plaintiff at Bound Brook to enable it to adequately respond to this unintelligible Request for Admission. Union Carbide states that it has made a reasonable inquiry, but that the information known or easily obtainable is insufficient to enable Union Carbide to admit or deny this Request with specificity.

Polyethylene and Polystyrene were never manufactured by Union Carbide for sale containing asbestos fillers. Therefore we object to answering this Interrogatory because it is not calculated to lead to the discovery of admissible evidence. Any experiments with Polyethylene and Polystyrene compounds would have involved very small amounts of asbestos. Any exposure to Alexander McDonald would have been diminimous.

REQUEST FOR PRODUCTION NO. 19:

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

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it fails to identify with any degree of reasonable particularity the types or categories of documents sought to be discovered in a manner consistent with the meaning of Rule 196.1 (b) of the Texas Rules of Civil Procedure, and as a result, Union Carbide is called upon to speculate as to what type of documentation, if any, might be responsive to the full breadth of this overly broad discovery Request. Union Carbide further objects

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to producing each and every document supporting our good faith, qualified denial as stated in response to a Request for Admission No. 15, on grounds that Union Carbide's objection and subsequent denial, is a direct result of Plaintiff's failure to provide Union Carbide with enough information concerning Alexander McDonald's work history, and therefore, it would be unquestionably characterized as oppressive if Union Carbide was required to fully comply with the significant burden of production imposed by this Request, should the discovery sought be allowed. See also, Request for Production No. 15, including objections set forth therein.

INTERROGATORY NO. 5:

Please identify the brand name, manufacturer, and supplier of the raw asbestos fibers used in the production of Polystyrene manufactured at Union Carbide's facility in Bound Brook, New Jersey during the years 1950 to 1969. Please include in your response the following:

a. The year(s) each particular brand of raw asbestos fiber was used
b. The quantity purchased in each year for each brand of raw asbestos fiber
c. The type of asbestos purchased, i.e. crocidolite, amosite, chrysotile, etc.

RESPONSE: Polyethylene and Polystyrene were never manufactured by Union Carbide for sale containing asbestos fillers. Therefore we object to answering this Interrogatory because it is not calculated to lead to the discovery of admissible evidence. Any experiments with Polyethylene and Polystyrene compounds would have involved very small amounts of asbestos. Any exposure to Alexander McDonald would have been diminimous.

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REQUEST FOR PRODUCTION NO. 20:

Please produce all ordering and sales documents pertaining to the purchase or acquisition of such raw asbestos fibers for use in the production of Polystyrene manufactured at Union Carbide's facility in Bound Brook, New Jersey during the years 1950 to 1969, including but not limited to invoices, price quotations, purchase orders, requisitions, bills of lading, and other purchasing and/or shipping documents of a similar nature.

RESPONSE: Union Carbide objects to this Request to the extent that it is vague and overly broad in that it has not been reasonably limited in time or scope, and as such this Request constitutes an impermissible fishing expedition. K-Mart v. Sanderson, 937 S.W. 2d 429, 430 (Tex. 1996). Union Carbide further objects to this Request on grounds that it is unduly burdensome, and the oppressive and harassing nature of the burden entailed in identifying each and every sales document pertaining to the use of asbestos involved in the production of Polyethylene at the Bound Brook facility, without the existence of any rational or reasonable limitation, substantially outweighs the probative value of the information sought should discovery be allowed. Subject thereto, Union Carbide responds as follows:

Union Carbide states that any information which might be responsive to the full breadth of this overly broad Request may possibly be derived from the records contained in the repository. Therefore, the burden of deriving the answer is substantially the same for the requesting party as for the responding party. Union Carbide states that upon Plaintiff's request, Union Carbide will make its repository available to Plaintiff at a mutually agreeable place and time, for inspection and duplication at Plaintiff's expense.

Polyethylene and Polystyrene were never manufactured by Union Carbide for sale containing

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asbestos fillers. Therefore we object to answering this Interrogatory because it is not calculated to lead to the discovery of admissible evidence. Any experiments with Polyethylene and Polystyrene compounds would have involved very sm-'l amounts of asbestos. Any exposure to Alexander McDonald would have been diminimous.

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EXHIBIT "A"

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BAKELITE HORIZONS

THE STORY OF MODERN PLASTICS

If, in the manner of the popular radio quizzes, you asked any group of people to "name five articles made of Bakelite plastics," the average man or woman would probably receive a perfect score. They would mention items that are visible to the eye, items of everyday use, such as the telephone handset, the base of an electric toaster, the closure on a bottle, an automatic pencil, a colorful bracelet.

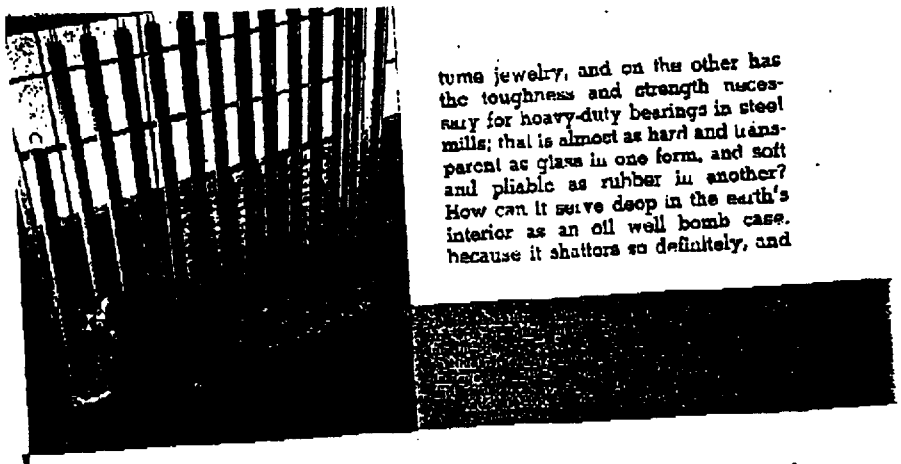
We are so accustomed to such articles that the real contribution of these plastics to modern living is



seldom recognized. Back of these familiar articles and devices are thousands of plastic applications that you never see. In modern communication —the radio, the telephone; in modern transportation — the automobile and the airplane; in the generation, transmission and use of electric power from the central station to the switchbox in your home, these plastics meet a countless number of vital needs that would take volumes to describe. And so rapidly are plastics finding a place in our daily lives that a list of current uses would be out of date the day it came off the press.

If, however, you were again to resume a quizzing rôle and ask your group, "What are these plastics that have become so important to our

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tume jewelry, and on the other has the toughness and strength necessary for heavy-duty bearings in steel mills; that is almost as hard and transparent as glass in one form, and soft and pliable as rubber in another? How can it serve deep in the earth's interior as an oil well bomb case, because it shatters so definitely, and

comfort and well-being?" you might have difficulty in obtaining an accurate description. The purpose of this booklet, therefore, is to provide an answer to that question, not in the language of the chemist or the engineer, but in simple terms that can be understood by everyone.

WHAT ARE PLASTICS?

In the ordinary sense "plastic" means "capable of being molded or modeled, as clay," and, no doubt, the earliest plastic material was the primitive potter's clay. Broadly speaking, rubber, clay, glass, Portland cement, and other materials may be classified as plastics. However, the term "Modern Plastics" is generally applied to a group of synthetic organic materials which are made plastic by the use of heat and are capable of being molded or pressed into finished parts and products.

WHAT IS "BAKELITE"?

What manner of material is it that on one hand rivals precious gems in depth of beauty and color for costyet be employed for protective helmets to safeguard workers on skyscrapers from falling rivets because it will not shatter at all?

That seeming paradox is answered by the fact that Bakelite plastics are not one material, but many. "Bakelite" is a trade-mark identifying phenolic, urea, cellulose-acetate, polystyrene, and other plastics, developed by the Bakelite Research Laboratories to meet the varied needs of our modern industrial world. The trade-mark "Bakelite" was derived from the name of Dr. L. H. Baekeland, noted for his discovery of phenol resinoid and subsequent far-reaching developments that have laid the groundwork for the rapid development of the modern plastics industry.

IN WHAT FORMS ARE BAKELITE MATERIALS AVAILABLE?

Bakelite Corporation produces basic, or primary, materials which in most instances are converted into finished products by other manufacturers or fabricators. These materials are supplied in several forms suitable for fabrication by various processing

methods, such as molding, laminating, and casting.

There are Bakelite molding materials in powder, sheet and granule form. Bakelite heat-reactive varnishes for the production of laminated plastic materials. Transparent cast resinoids. Oil-soluble resins for paints and varnishes. Plywood-bonding materials, in film and liquid form. Flexible resinoids for waterproofing cloth. And many other types of resinoids for specific industrial needs.

THE ORIGIN OF PLASTICS

Like everything else, plastics can be traced back to the three kingdoms of nature—animal, vegetable and mineral. The raw materials from the mine, forest and farm are transformed by the magic of chemistry into useful materials of industry.

However, you will not recognize nature's materials in the finished plastic products. In the course of their trip through the Bakelite factory they are converted into totally new forms that are more uniform, more stable, and more useful to our modern world. A listing of the natural sources of the chemicals and other materials that enter into the production of Bakelite products would take us on a journey that would encompass the globe.

From coal we obtain phenol, carbon dioxide for urea, benzol for dyes, as well as a host of other materials whose names are recognized only by the chemist, but whose properties are utilized by you every day.

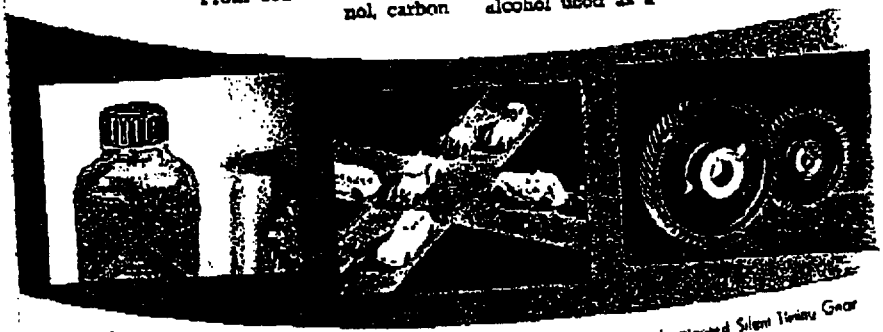
The quarries furnish asbestos, used for fillers in the manufacture of heat-resistant plastics.

Timber provides woodflour used as a filler in general-purpose Bakelite molding materials. It also is the source of pulp for paper used in laminated materials.

Cotton is the basis for cellulose-acetate plastics. It also furnishes fillers for phenolic and urea materials.

Natural gas provides a source of ethylene, the basis for polyvinyl plastics.

From the farm and the ranch flow numerous other products: animal fats from live stock, a source of glycerine used in the manufacture of alkyd resins that form the base for lacquers and enamels . . . linseed oil, derived from flaxseed, and chinawood oil obtained from tung trees, both of which form the vehicles for durable, quick-drying Bakelite resin finishes . . . the soy bean, now an important domestic crop, which provides fillers for molding materials and also serves as the basis for special types of synthetic resins . . . sugar cane and beet sugar which provide a source of ethyl alcohol used as a



Molded Bottle Cap Molded Shock-Resistant Toys Laminated Silent Timing Gear

solvent in the manufacture of Bakelite resin solutions.

AN ECONOMIC PARTNERSHIP

Thus, the farmer, the miner, the rancher, and the lumberman have close ties with the plastics industry. They increase their income by selling their products to Bakelite Plastics Headquarters. In return, they spend a portion of that income for the finished plastic products that make their homes more livable, their lives more enjoyable. In this cycle you have the perfect example of the modern partnership of industry and science on one hand, and those who make their living through the cultivation of the three kingdoms of nature on the other, the results of which benefit not only the partners, but everyone in every walk of life.

This ever-widening economic partnership did not happen over night. It is the continuous story of the world demanding new and better things. It is the saga of the chemist, the inventor, the engineer—men and women whose vision and initiative provided a means of meeting those increasing demands.

The first phenolic resin that Doctor Baekeland produced in 1907 possessed certain properties that made it immediately desirable to the industrial world. Its very success in meeting those needs revealed other needs that in turn led to the creation of newer materials with widely varying characteristics. Thus, today, there are more than 2,000 distinct materials available at Bakelite Plastics Headquarters.

SERVING VIRTUALLY EVERY BRANCH OF INDUSTRY

Because of the extremely broad range of plastics available, and the amazing versatility of each of these materials, it is impossible to list all the countless thousands of Bakelite uses. However, the applications described in the following paragraphs serve to emphasize two important facts. First, the unique combination of useful properties that are inherent in Bakelite plastics, and second, the extent to which these plastics have become indispensable to modern living. For example, plastics, because of their chemical inertness and resistance to solvents, are widely em-



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ployed in the chemical and textile processing industries.

The exceptional insulating qualities of Bakelite materials have made them highly successful in railway signal equipment where human lives depend upon unfailing service.

Their fine appearance, beautiful colors, and rich lustre have added greatly to improved product styling. Modern designers have found in Bakelite plastics a medium for combining functional, as well as esthetic, designs in

Special heat-resistant properties have led to the widespread adoption of plastics for handles on cooking utensils and electrical appliances.

Probably there is no place in industry in which equipment receives harder service



than in oil well drilling. Bakelite impact-resistant plastics used in the valve assembly and as shoe guides of such equipment withstand pressures of 172,000 pounds—strength greater than you would expect from concrete.

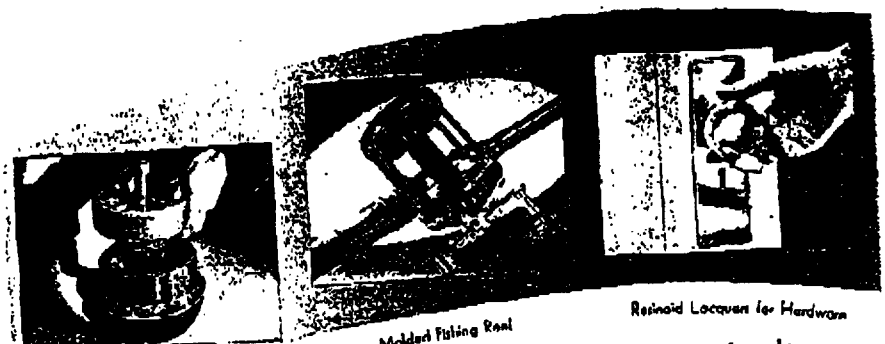
machine-made products. They are making the world easier to look at as well as to live in.

As bonds for abrasive materials they have enabled manufacturers to operate grinding wheels at increased speeds, with greater safety to the operator.

Bakelite Plybond wood adhesives are revolutionizing the plywood and veneering industries, transforming plywoods into a superior synthetic lumber. Heat, humidity, water, vermin, and fungi—none of these enemies of ordinary wet glued veneers can impair the lasting qualities of Bakelite resinoid-bonded plywood.

Laminated materials are widely employed for wall paneling, table, counter and bar tops, radio insulation, silent gears and pinions, and as temperature insulation strips around the doors of mechanical refrigerators, to mention just a few uses.

In paints and varnishes, Bakelite synthetic resins have provided longer decorative and protective life for finishes by establishing new standards of durability in an industry where basic methods had not changed radically since the days of the Pharaohs. They have speeded up the drying time of air-dry finishes and have answered some of the problems in surface coating that have plagued



Molded Fishing Reel

Reinoid Lacquer for Hardware

Shock-resistant parts for oil well drilling

manufacturers for centuries.

Flexible Bakelite reinoids are now employed in the waterproofing of fabrics. Among the outstanding uses for this new product are draperies, and upholstery, evening wraps, shower curtains, beach wear and sports wear.

A Bakelite matrix material used for the forming of rubber printing plates has brought about important economies in letter-press printing.

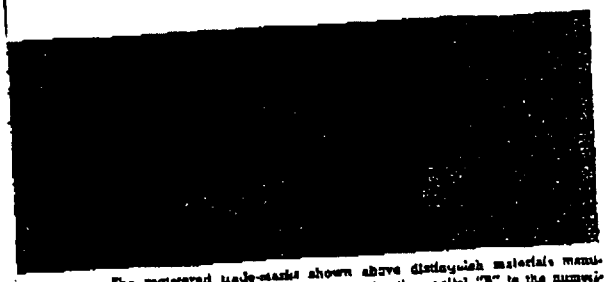
Still another form of plastics, cast resinoids, provide beautiful transparent and translucent materials which rival nature's own jewels in depth of color and brilliance.

Plastics play vital rôles in the world of science, as durable housings for scientific instruments, for X-ray tube shields, as handles on physicians' instruments. As part of the dentist's equipment, even for modern dental plates, they aid the scientist in his daily efforts to make life more worth living.

Where you seek recreation and entertainment, you will find Bakelite plastics ready to serve you. Fishing reels, gun stocks, sports glasses, billiard balls, are made of plastics. And, if you like cards, you will find plastic cribbage boards, duplicate boards, poker chips and racks and other accessories, big aids in enjoying your favorite pastime.

RESEARCH AND DEVELOPMENT

In little more than a quarter century the words "Bakelite Plastics" have become household terms, so rapidly have these modern materials become a part of our daily existence. The tremendous strides that have been made in this relatively short span of years is a tribute to the importance of Scientific Research. At Bloomfield, New Jersey, there are several acres of buildings devoted solely to Bakelite Research and Development. Here men experienced in every branch of science are scanning the Bakelite horizons for new uses of plastics. They are devoting themselves to the development of new applications as yet undreamed of by the layman. These are the men who will make our lives five or ten years from now more comfortable, our homes more beautiful. These are the men who may bring industry and the three kingdoms of nature still closer together in the common endeavor to create new enterprises that will provide more work for more people.



The registered trade-marks shown above distinguish materials manufactured by Bakelite Corporation. Under the capital "B" is the numerical sign for infinity, or unlimited quantity. It symbolizes the infinite number of present and future uses of Bakelite Corporation's products.

BAKELITE CORPORATION

PLASTICS HEADQUARTERS

GENERAL OFFICES:

247 PARK AVENUE, NEW YORK, N. Y.

BRANCH OFFICES:

CHICAGO · CLEVELAND · HARTFORD · DETROIT
LOS ANGELES · SAN FRANCISCO · SEATTLE

PLANTS AT BOUND BROOK AND BLOOMFIELD, N. J.

BAKELITE CORPORATION OF CANADA, LTD.
163 DUFFERIN STREET, TORONTO, ONTARIO, CANADA

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