PLAINTIFF'S EXHIBIT

UC-5123

DISTRICT COURT, BOULDER COUNTY COLORADO 1777 6TH Street Boulder, Colorado 80302	
IN RE ASBESTOS CASES	COURT USE ONLY
Attorney/Party Without Attorney: Name(s): Mary Price Birk #10415 Ronald L. Hellbusch, #26094 Susan R. Hahn, #27344 Address: Baker & Hostetler LLP 303 E. 17TH Ave., #1100 Denver, Colorado 80203 Phone Number: 303-861-0600 Fax Number: 303-861-7805	Case No. 89-CV-2000 Div: 3 Ctrm:

UNION CARBIDE CORPORATION'S RESPONSES TO PLAINTIFFS' STANDARD INTERROGATORIES TO ALL DEFENDANTS

GENERAL OBJECTIONS

Union Carbide Corporation ("Union Carbide") objects to the entire set of Plaintiffs' Standard Interrogatories to All Defendants on the following grounds, which are hereby incorporated by reference in Union Carbide's responses to individual Interrogatories below:

GENERAL OBJECTION NO. 1:

Union Carbide states that trial preparation and factual investigation as to any individual case are ongoing. Union Carbide's answers to these Interrogatories 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 specifically objects to each of these Interrogatories to the extent that they seek to impose any such continuing obligation upon Union Carbide. To the extent the information contained herein differs in any respect from any prior responses to discovery, this response shall be deemed to update and supersede such prior responses.

GENERAL OBJECTION NO. 2:

Union Carbide objects to plaintiffs' Interrogatories 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 as phrased.

GENERAL OBJECTION NO. 3:

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

GENERAL OBJECTION NO. 4:

Union Carbide objects to providing information about any asbestos-containing products which it has manufactured, sold or distributed, on the grounds that the asbestos fiber in those products was encapsulated by or embedded in other material and on the grounds that the plaintiff has made no allegation of exposure to those products. According to Union Carbide's best presently available information, these products consist of the following: a tree sprout inhibitor used primarily to inhibit growth on telephone poles; a phenolic molding compound used in electronic parts and products such as switches and radios; a thermoplastic molding material used primarily in camera cases; Prestone radiator products; acetylene cylinder liners; a steel scarfer machine; a heat exchanger; and, possibly, certain polyethylene or polystyrene or other products sold in very limited quantities or on an experimental basis. Union Carbide no longer manufactures any of the above products.

Union Carbide acquired its Coalinga mine site in 1958. From 1960-1963, as Union Carbide developed its mining and milling operation, Union Carbide provided fiber samples to potential customers. From 1963 until June 30, 1985, Union Carbide mined and sold short fiber chrysotile asbestos initially as "Union Carbide Asbestos" and then under the trade name Calidria (some distributors marketed Calidria under other trade names). All responses to these Interrogatories refer to Calidria asbestos only, unless otherwise stated.

GENERAL OBJECTION NO. 5:

Union Carbide objects to this entire set of Interrogatories to the extent that they call 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 pertinent information which the employee or premises information can be said to reflect can be requested directly without requesting the irrelevant and immaterial information or documentation about employees or premises.

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INTERROGATORIES

INTERROGATORY NO. 1. Have you, your divisions, subsidiaries or predecessors in interest, in the past, manufactured, distributed or sold products used for thermal insulation, packing, gaskets, friction purposes, fireproofing, acoustical spray, texturing, wall board or drywall, spackling, dry wall finishing, dry wall taping, plaster, protective clothing, floor coverings or floor tile or refractory purposes which contained asbestos?

1a. State the name, address and position or title of employment of each person supplying information or material used in answering any part of this interrogatory, or who was consulted with regard to information used in answering any part of this interrogatory.

1b. Please list and itemize with sufficient particularity so that it may be made the subject of a request for production, each and every document or written or printed matter or other tangible item which was read, examined, consulted, reviewed or used in any way in obtaining information used in answering any part of this interrogatory, and state who the custodian is of each such document or written or printed matter or other tangible item.

ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria asbestos was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

Calidria, due to its unique physical properties, short fiber length in particular, was not suited for use in thermal or frost insulation.

Calidria consisted of raw asbestos which was marketed and sold by Calidria distributors to manufacturers or producers who incorporated and used Calidria in their products or production processes. Calidria was not sold by Union Carbide or, according to the best information available to Union Carbide, by Calidria distributors to consumers or other "end-users". The following is a representative list of different brands of Calidria asbestos and the applications for which they were marketed:

Calidria Product	Applications
SG-100	Vinyl-Asbestos Floor Tile

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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- I IO	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. Such brands of Calidria were distinguished on the basis of grade (purity of content), form (fibrous or pelletized) or chemical treatment, or a combination of the above.

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:

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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) Lenape Chemicals, Inc.
9) Technical Petroleum Company
10) Technical Products, Inc.
11) Montello, Inc.
12) Harwick Chemical Corp.
13) Plastex, Inc.
14) Union Carbide International
15) Western Chemical & Manufacturing Company
16) McKesson 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 Permutit Co, Inc.
23) Van Waters and Rogers
24) Ambrosia Industrial, Inc.
25) Southern Fiberglas Supply

Union Carbide possesses copies of invoices of Calidria sales made by Union Carbide to Calidria customers. Since Union Carbide sold its Calidria business in 1985, Union Carbide, at present, can make no representation as to the completeness of its records. The aforementioned 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.

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.

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 Mrs. Virginia M. Ruszczyk, Custodian of Records, Kelley Drye & Warren, L.L.P., 101 Park Avenue, 31st Floor, New York, New York 10178.

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Union Carbide maintains a repository of documents and other material containing information pertaining to asbestos or asbestos products. The Repository includes a myriad of documents and other material from Union Carbide's former Calidria business; documents 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. This Repository contains information about Union Carbide's former Calidria product and Calidria business; other products formerly sold by Union Carbide which contained an asbestos component; the purchase and use of insulation or other asbestos products for or in Union Carbide facilities; and Union Carbide's health, safety, industrial hygiene practices and policies for both employees, visitors to Carbide premises and customers of Carbide products, and other steps Union Carbide took to insure safety in all respects for all who interacted in any way with Union Carbide, its products or facilities.

Union Carbide created this special repository during the onset of asbestos-related litigation, when Union Carbide also implemented a hold order for all such aforementioned material. (Union Carbide has, however, maintained that it has no liability for claims asserted in asbestos litigation because among other reasons, Calidria could not cause the asbestos-related disease; the asbestos fiber in other products was encapsulated or encased and thus could not cause the asbestos related disease, and Union Carbide never produced or sold asbestos insulation.)

The repository consists of approximately two hundred thousand (200,000) pieces of paper (excluding privileged material) and a limited number of video and other three-dimensional objects.

All material or documents responsive to this request, or containing information responsive to this request, still accessible to Union Carbide would be contained in the aforesaid repository located in the offices of Kelley Drye & Warren LLP, or in files of Union Carbide facilities. Upon plaintiffs request, Union Carbide will make its Repository and relevant files (not including privileged information) available to the plaintiffs for review and replication at a suitable time and place.

In general, Union Carbide maintains all records for at least three years. Sales records, dust count reports, customer call reports and other documents pertaining to Union Carbide's former Calidria business, still in Union Carbide's possession, will be maintained for indefinite periods.

Sales and other business records are under the control of either counsel for Union Carbide, or Mrs. Virginia M. Ruszczyk (Custodian of Records for asbestos-related documents), Kelley Drye & Warren, LLP, 101 Park Avenue, 31st Floor, New York, New York 10178.

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INTERROGATORY NO. 2. Do you claim that Plaintiff was never exposed to asbestos containing products manufactured, distributed, packaged and/or sold by you, or your divisions, subsidiaries or predecessors in interest? If your answer to this interrogatory is affirmative, then please state;

2a. All facts upon which you base that claim.

2b. The name and address of any person who you believe has knowledge that Plaintiff was never exposed to an asbestos containing product manufactured, distributed, packaged and/or sold by you, or your divisions, subsidiaries or predecessors in interest, and a brief description of that knowledge possessed by each such person regarding such exposure.

2c. Describe with sufficient particularity each tangible item of which you have knowledge that you believe supports your claim that Plaintiff was never exposed to such a product.

ANSWER:

See General Objection Nos. 1, 2, 3, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide is not able to respond accordingly to this Interrogatory as it is unaware of a named plaintiff.

INTERROGATORY NO. 3. Do you claim that Plaintiff has no asbestos related disease or injury? If your answer to this interrogatory is affirmative then please state:

3a. All facts upon which you base that claim.

3b. The name and address of any person who you believe has knowledge in support of that claim and a brief description of the knowledge held by each such person.

3c. Describe with sufficient particularity so that it may be made the subject of a request for production each tangible item of which you have knowledge that you believe supports such claim.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 2, including all objections set forth therein.

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INTERROGATORY NO. 4. Do you agree that Plaintiff has an asbestos related disease or injury? If your answer to this interrogatory is affirmative then please state the following:

4a. What is such disease or injury?

4b. When do you claim that plaintiff first knew or reasonably should have known of such disease or injury.

4c. All facts known to you which you believe supports the time you claim plaintiff know or reasonably should have known of such disease or injury.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 2, including all objections set forth therein.

INTERROGATORY NO. 5. If your answer to Interrogatory No. I is affirmative, then please state the following:

5a. Itemize and list each such product by the brand name, trade name or other designation, under which each such product was manufactured, distributed, marketed or sold.

5b. State the name and address of each subsidiary, division or predecessor in interest which manufactured, distributed or sold each such product.

5c. State the dates that each such product was first manufactured, distributed and sold, and the date each such product was last manufactured, distributed and sold.

5d. State the composition of each such product, listing the approximate percentage of each ingredient and, if one ingredient is diatomaceous earth, whether that diatomaceous earth is untreated (raw), calcined or flux calcined.

5e. State the location where each such product was manufactured, the dates that each such product was manufactured at each such location, and the geographical area where such products manufactured at these locations were sold or distributed.

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

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Union Carbide's Calidria was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

Union Carbide sold its asbestos initially as Union Carbide Asbestos and then under the name "Calidria". Union Carbide, however, packaged Calidria asbestos for the Montello Corporation for sale under the trade names 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 Interrogatory with respect to overseas sales on the grounds that such information is irrelevant and immaterial to matters at issue in this case.

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
(1970-1984)	Mining and Metals Division
(1984-1985)	UMETCO, a wholly owned subsidiary of Union Carbide, through Calidria Corporation, a wholly owned subsidiary of UMETCO.

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)

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8) Lenape Chemicals, Inc.
9) Technical Petroleum Company
10) Technical Products, Inc.
11) Montello, Inc.
12) Harwick Chemical Corp.
13) Plastex, Inc.
14) Union Carbide International
15) Western Chemical & Manufacturing Company
16) McKesson 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 Permutit Co, Inc.
23) Van Waters and Rogers
24) Ambrosia Industrial, Inc.
25) Southern Fiberglas Supply

Union Carbide no longer manufacturers, produces, or sells any asbestos or asbestos-containing products. According to the best information presently available to Union Carbide, the aforementioned products were manufactured at the following locations:

Bakelite - Bound Brook, New Jersey

UDEL Polysulfone - Marietta, Ohio or Bound Brook, New Jersey

Acetylene Cylinders - Speedway, Indiana

TRE-HOLD - California or Pennsylvania (originally made by a company acquired by Union Carbide)

Automotive Radiator Products - Whiting, Indiana, Texas City, Texas, Torrence, California, or Lake River Terminal, Illinois

Steel Scarfer Machine - Piscataway, New Jersey

Polyethylene and Polystyrene Products Possible Containing Asbestos - Bound Brook, New Jersey

Union Carbide objects to responding further, with respect to the possible use of small quantities of asbestos in experimental laboratories or pilot plants. Such information is irrelevant to this action inasmuch as the plaintiffs do not allege that they worked in or around any such facilities. Moreover, it would be unduly burdensome, if not virtually impossible, for Union Carbide to respond with respect to all such laboratory or pilot plant facilities.

See also Union Carbide's Answer to Interrogatory No. 1.

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INTERROGATORY NO. 6. If any of the products listed by you in response to Interrogatory No. 5 contained diatomaceous earth as one of the ingredients, then please state the name of the entity that supplied such diatomaceous earth and the date or dates that each such entity that supplied diatomaceous earth.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 5, including all objections set forth therein.

INTERROGATORY NO. 7. Has, at any time, any entity other than you, your predecessors in interest, your subsidiaries or divisions, ever manufactured, sold or distributed a product used for thermal insulation which contained asbestos, which product was sold and/or distributed under your own brand name, trade name or was otherwise sold or marketed as your product?

7a. Please list and itemize with sufficient particularity so that it may be made the subject of a request for production, each and every document or written or printed matter or other tangible item which was read, examined, consulted, reviewed or used in any way in obtaining information used in answering any part of this interrogatory, and state who the custodian is of each such document or written or printed matter or other tangible item and the location of each such document or written or printed matter or other tangible item.

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria asbestos was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

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. Calidria consisted of raw asbestos which was marketed and sold by Calidria distributors to manufacturers or producers who incorporated and used Calidria in their products or production processes.

The Bakelite product was used for electrical insulation, however, Union Carbide never sold insulation. Moreover, 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. Calidria consisted of raw asbestos, which was

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marketed and sold by Calidria distributors to manufacturers or producers who incorporated and used Calidria in their products or production processes.

See also Union Carbide's Answer to Interrogatory No. 1.

INTERROGATORY NO. 8. If your answer to interrogatory No. 7 is affirmative, then state the following:

8a. The name and address of such entity.

8b. The date that each such entity first manufactured, sold or distributed such products and the date that each such entity last manufactured. sold, or distributed such products.

8c. The brand name, trade name or other designation, identifying name or mark under which each such product was sold, distributed or marketed.

8d. Whether you, or your subsidiary or division had a written agreement with each or any such entity for the manufacturer, sale or distribution of such products. If your answer to this sub-section (d) is affirmative, state:

8d.i. Whether you have copies of such agreements in your possession, custody or control;

8d.ii. The present location of the original or copies of such agreements, and,

8d.iii. The name and address of the custodian of the originals or copies of such agreements, and,

8e. Please set forth verbatim the content of each such agreement or, in lieu of setting forth verbatim the content of each such agreement or, in lieu of setting forth verbatim the content of each such agreement, attach copies of any and all such agreements to your answers to these interrogatories.

8f. State the composition of each such product, listing the approximate percentage of each such ingredient and, if one ingredient is diatomaceous earth, state whether it is untreated (raw), calcined or flux calcined.

8g. State the name, address and position or title of employment of each person supplying information or material used in answering any part of this interrogatory.

8h. Please list and itemize with sufficient particularity so that it may be made the subject of a request for production, each and every document or written or printed matter or other tangible item which was read, examined, consulted, reviewed or

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used in any way in obtaining information used in answering any part of this interrogatory, and state who the custodian is of each such document or written or printed matter or other tangible item and the location of each such document or written or printed matter or other tangible item.

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1, 5 and 7, including all objections set forth therein.

INTERROGATORY NO. 9. Have you or your subsidiaries, divisions or predecessors in interest ever manufactured, sold or distributed products of the type described in Interrogatory #1, above, which contained asbestos, which product or products were sold, distributed or marketed under the brand name, trade name or otherwise designated as the product so some entity other than you, your subsidiaries, divisions or predecessors in interest.

9a. State the name, address and position or title of employment of each person supplying information or material used in answering any part of this interrogatory, or who was consulted with regard to information used in answering any part of this interrogatory.

9b. Please list and itemize with sufficient particularity so that it may be made the subject of a request for production, each and every document or written or printed matter or other tangible item which was read, examined, consulted, reviewed or used in any way in obtaining information used in answering any part of this interrogatory, and state who the custodian is of each such document or written or printed matter or

9c. If your answer to Interrogatory No. 7 is in the affirmative, then state the following:

9d. The name and address of each such entity.

9e. The date that each such entity first manufactured, sold or distributed such products and the date that each such entity last manufactured, sold or distributed such products.

9f. The brand name, trade name or other designation, identifying name, or mark under which each such product was sold, advertised, distributed or marketed.

9g. Whether you, your predecessors in interest, or your subsidiary or division, had a written agreement with each or any such entity for the manufacture, sale or distribution of such products. If your answer to this sub-section (d) is affirmative, state:

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9h. Whether you have copies of such agreements in your possession, custody or control;

91. The present location of the original or copies of such agreements; and,

9j. The name and address of the custodian of the originals or copies of such agreements.

9k. Please set forth verbatim the content of each such agreement or, in lieu of setting forth verbatim the content of each such agreement, attach copies of any and all such agreements to your answers to these interrogatories.

91. State the composition of each such product, listing the approximate percentage of each such ingredient and, if one ingredient is diatomaceous earth, state whether it is untreated (raw), calcined or flux calcined.

9m. State the name, address and what position or title of employment each person supplying information or material used in answering any part of this interrogatory, or who was consulted with regard to information used in answering any part of this interrogatory.

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1, 5 and 7, including all objections set forth therein.

INTERROGATORY NO. 10. Please list and itemize with sufficient particularity so that it may be made the subject of a request for production, each and every document or written or printed matter or other tangible item which was read, examined, consulted, reviewed or used in any way in obtaining information used in answering any part of this interrogatory, and state who the custodian is of each such document or written or printed matter or other tangible item and the location of each such document or written or printed matter or other tangible item.

ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide lacks a compilation of a list of the documents in its repository. To the extent that such information does exist and is in the possession of Union Carbide, it may be filed in Union Carbide's Repository.

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See Union Carbide's Answer to Interrogatory No. 1 for a description of the Repository.

INTERROGATORY NO. 11. Are you, your predecessors in interest, divisions, your subsidiaries or affiliates presently in possession of any products used for thermal insulation which contain asbestos? If your answer to Interrogatory No. 9 is affirmative, then please state:

a. Itemize and list the types of such thermal insulation you presently have in your possession by the brand name or trade name of the insulation and the function of the insulation, e.g., pipe covering, block, insulating cement, blankets, rope and the like.

b. State the present location of all such products.

c. State the name, address and position or title of employment of each such person who has custody of such products.

d. State the name, address and position or title of employment each person supplying information or material used in answering any part of this interrogatory, or who was consulted with regard to information used in answering any part of this interrogatory.

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide was never in the business of producing or selling asbestos-containing or any other thermal or frost insulation. Union Carbide was thus never a part of the insulation industry, and therefore lacked any specialized information or knowledge attributable to the industry. Union Carbide purchased asbestos-containing insulation in accordance with state of the art safety practices by building or facility owners with need for insulation of over heated pipes and equipment. The few products made by Union Carbide containing asbestos were not insulation and contained asbestos in an encapsulated or embedded condition for secondary characteristic imparting properties. The Calidria fiber mined and sold by Union Carbide only starting in 1963 consisted of a unique form of chrysotile, which could not be used for insulation and could not pose the health hazards possibly posed by other asbestos, as explained below. Union Carbide, accordingly, possessed only the knowledge and information about asbestos insulation of an industrial consumer. Union Carbide followed advanced industrial hygiene and safety practices in its facilities. Pursuant to its policy, of providing safe workplaces, Union Carbide took steps utilizing advanced available techniques and equipment to minimize or avoid dust from any source. As Union Carbide gained

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information about possible asbestos hazards, Union Carbide undertook, at considerable cost, the abatement or removal of asbestos-containing insulation.

See also Union Carbide's Answer to Interrogatory No. 1.

INTERROGATORY NO. 12. With regard to the asbestos component of any product listed in answers to interrogatories 1, 2, 3, 4, 5, 6, and 7, please state from whom you, your subsidiary, division or predecessor in interest obtained such asbestos and, if there is more than one source of asbestos for a particular product, please list all sources, and, if the source varied from year to year or from time to time, please state the source at the time or times it changed, and state the type of asbestos obtained from each source.

a. State the name, address and position or title of employment of each person supplying information or material used in answering any part of this interrogatory, or who was consulted with regard to information used in answering any part of this interrogatory.

b. Please list and itemize with sufficient particularity so that it may be made the subject of a request for production, each and every document or written or printed matter or other tangible item which was read, examined, consulted, reviewed or used in any way in obtaining information used in answering any part of this interrogatory, and state who the custodian is of each such document or written or printed matter or other tangible item and the location of each such document or written or printed matter or other tangible item.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 1, including all objections set forth therein.

INTERROGATORY NO. 13. Do you have in your possession, custody or control any invoices or other sales or shipping documents showing shipment of asbestos containing products manufactured, packaged and/or sold by you, or your divisions, subsidiaries or predecessors in interest to any location in the State of Colorado or Wyoming? If your answer to this interrogatory is affirmative, then please provide the following information:

a. A description of such items that is sufficiently detailed so that they may be made the subject of a request for production.

b. The current location of such items, by city, state, street address and, if applicable, building name and room number.

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c. The name, address and position of employment of the custodian of such items or the person primarily responsible for maintaining such items.

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria asbestos was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

Union Carbide currently lacks a compilation of such documentation. To the extent that such information does exist and is in the possession of Union Carbide, it may be filed in Union Carbide's Repository.

See Union Carbide's Answer to Interrogatory No. 1.

INTERROGATORY NO. 14. Do you have in your possession, custody or control any computer or other electronically maintained data base that contains information regarding sales or shipments of asbestos containing products manufactured, packaged and/or sold by you, or your divisions, subsidiaries or predecessors in interest to any location in the State of Colorado or Wyoming? If your answer to this interrogatory is affirmative, then please provide the following information:

a. Whether there is a copy of the information in that data base or other electronically maintained record that can be sent by mail.

b. The current location of such computer data base or other electronically maintained record, by city, state, street address and, if applicable, building name and room number.

c. The name, address and position of employment of the custodian of such computer data base or other electronically maintained record or the person primarily responsible for maintaining such items.

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

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Union Carbide has in its possession a printout generated by a computer system that is no longer in existence. The printout lists sales of Calidria fiber to the States of Colorado and Wyoming. Note, however, the printout has been found to be inaccurate in some cases.

INTERROGATORY NO. 15. Does this defendant claim that any asbestos containing product manufactured, packaged and/or sold by it, or its divisions, subsidiaries or predecessors in interest to which this Plaintiff may have been exposed, contained any language, on the product itself or the packaging in which it was shipped, describing any asbestos related health hazards or precautions to be taken when working with such product or being exposed to dust from such product? If your answer to this interrogatory is affirmative please state:

a. The location of each job site where such language was present on a product or product packaging.

b. The date or dates when this Plaintiff was at such job site when such language was present on a product or product packaging.

c. The name and address of each person present on that job site, at the same time as this plaintiff, who saw such language on a product, or product packaging.

ANSWER:

See General Objection Nos. 1, 2, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria asbestos was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

Calidria was mined from a deposit which consisted of a unique form of chrysotile. As a result of its unique properties, Calidria could not pose the dangers which might be created by asbestos from other deposits. Those properties include the following: Calidria's short fiber length (shorter than any other known chrysotile); the Calidria deposit's lack of tremolite contamination; Calidria's quick dissolution due to the "weak" fibril structure; and its width and shape. Many of Union Carbide's expert witnesses can testify as to the unique properties of the Calidria fiber and resulting innocuous biological impact of Calidria. Additionally, Union Carbide possesses many documents in its repository pertaining to those issues. Upon Plaintiffs' request, Union Carbide will make its repository available for review and replication at a suitable time and place.

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Epidemiological and other scientific studies and evidence have demonstrated that as a result of those properties, Calidria could not cause disease, except, possibly from exposure at levels and durations at which any nuisance dust could cause bodily harm.

In spite of the unique, innocuous nature of the Calidria fiber, Union Carbide has long recognized the desirability of avoiding excessive exposure to dust from any source. Union Carbide took steps to enable customers to minimize or avoid the creation of and exposure to dust from Calidria.

During the early days of Union Carbide's Calidria business (sales began in 1963), medical and industrial health officials at Union Carbide issued asbestos toxicology reports which were distributed to sales and other appropriate personnel. 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.

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. 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 or producers who used Calidria in their products or production processes). Dr. Harrison Rhodes, an industrial hygienist, supervised Union Carbide's dust monitoring program.

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.

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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 fibers. Avoid creating dust. Breathing asbestos dust may cause serious bodily harm.".

Union Carbide had also developed an additional label variation which, according to Union Carbide's best information was never applied. Upon plaintiffs request, Union Carbide will make available a copy of that label draft as well as all correspondence and documents pertaining to label development.

See also Union Carbide's Answer to Interrogatory No. 1 for a description of the Repository.

INTERROGATORY NO. 16. Did this Defendant (or its divisions, subsidiaries or predecessors in interest) ever place the word "asbestosis" on any asbestos containing product manufactured, packaged and/or sold by it, or its divisions, subsidiaries or predecessors in interest? If your answer to this interrogatory is affirmative then please state:

a. The name and description of the product (or product packaging) on which the word "asbestosis" appeared.

b. The date the word "asbestosis" first appeared on such product (or product packaging).

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1 and 15, including all objections set forth therein.

INTERROGATORY NO. 17. Did this Defendant (or its divisions, subsidiaries or predecessors in interest) ever place the words "lung injury" or "lung damage" on any asbestos containing product manufactured, packaged and/or sold by it, or its divisions, subsidiaries or predecessors in interest? If your answer to this Interrogatory is affirmative then please state:

a. The name and description of the product (or product packaging) on which the words "lung injury" or "lung damage" appeared.

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b. The date the words "lung injury" or "lung damage" first appeared on such product (or product packaging).

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1 and 15, including all objections set forth therein.

INTERROGATORY NO. 18. Did this Defendant (or its divisions, subsidiaries or predecessors in interest) ever place the word "cancer" on any asbestos containing product manufactured, packaged and/or sold by it, or its divisions, subsidiaries or predecessors in interest? If your answer to this interrogatory is affirmative then please state:

a. The name and description of the product (or product packaging) on which the word "cancer" appeared.

b. The date the word "cancer" first appeared on such product (or product packaging).

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1 and 15, including all objections set forth therein.

INTERROGATORY NO. 19. Did this Defendant (or its divisions, subsidiaries or predecessors in interest) ever place the word "incurable" or "permanent" on any asbestos containing product manufactured, packaged and/or sold by it, or its divisions, subsidiaries or predecessors in interest? If your answer to this interrogatory is affirmative then please state:

a. The name and description of the product (or product packaging) on which the word "incurable" or "permanent" appeared.

b. The date the word "incurable" or "permanent" first appeared on such product (or product packaging).

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1 and 15, including all objections set forth therein.

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INTERROGATORY NO. 20. Does this Defendant have in its possession, custody or control any box, carton, bag, or other container that contains any language regarding potential health hazards from exposure to asbestos or precautionary measures to be taken when working with or around an asbestos containing product which language physically placed on such box, carton, bag or other packaging before 1972 (as distinguished from a mock-up or exemplar created after that time in an effort to show what defendant claims may have been on a box, bag or carton before 1972). If your answer to this interrogatory is affirmative then please state:

a. The current location of such box, carton, bag or other packaging.

b. The date when the language was placed on the box, carton, bag or other packaging.

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1 and 15, including all objections set forth therein.

INTERROGATORY NO. 21. In 1930, did this defendant or its subsidiaries or predecessors in interest or its divisions own or operate facilities for the manufacturer of asbestos-containing textile products?

ANSWER:

See General Objection Nos. 1, 2, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria asbestos was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

Calidria consisted of raw chrysotile asbestos in a unique short-fiber formulation which Union Carbide mined at or near King City, California. Union Carbide operated its Calidria mine and mill from 1958 until June 25, 1985. Calidria's chemical formula is Mg6(OH)8Si4OlO. 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:

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PRODUCT SYMBOL	PRODUCT CODE	DESCRIPTION
BPO	651001	High Purity, Open Fiber
BPO-C	651101	High Purity, Open Fiber
HPP	651601	High Purity, Pellets
BPP-JAP	651701	High Purity, Pellets, 4-Ply bags
R-G I 10	652101	Resin-Grade, Open Fiber 15% +325
R-G I 10-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 Hydrophobic	655501	Standard Grade, Open Fiber, 5% Stearic,
T-135-0	656001	High Purity, Open Fiber, Titanated, 3 5%, 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
Oilbestos Hydrophobic	657001	Standard Grade, Open Fiber, 5% Stearic,

See also Union Carbide's Answer to Interrogatory No 1.

INTERROGATORY NO. 22. In 1930, did this defendant or its subsidiaries or divisions or predecessors in interest own or operate facilities where asbestos-containing thermal insulation products were manufactured (in addition to those facilities listed in answers to preceding interrogatories)?

ANSWER:

See General Objection Nos. 1, 2, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead

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

Union Carbide's Calidria asbestos was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

See Union Carbide's Answers to Interrogatory Nos. 1 and 21, including all objections set forth therein.

INTERROGATORY NO. 23. In 1930, did this defendant or its subsidiaries or divisions or predecessors in interest own or operate facilities where asbestos was mined and/or milled or have any interest in any such facility?

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1 and 21, including all objections set forth therein.

INTERROGATORY NO. 24. At any time, did any company conduct or make industrial hygiene surveys or measurements at any facility or location where asbestos-containing products were manufactured, or asbestos was mined and milled, or where asbestos or asbestos-containing products were manufactured, or asbestos was mined and milled, or where asbestos or asbestos-containing products were used by your or your divisions, subsidiaries or predecessors in interest?

ANSWER:

See General Objection Nos. 1, 2, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria asbestos was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

Union Carbide's various divisions employ Industrial Hygienists for and in their respective facilities and premises. During the period of the Calidria business, Dr. Harrison Rhodes, an industrial hygienist, supervised Union Carbide's dust count program.

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Union Carbide has led the industry with its concern for industrial hygiene, and Union Carbide industrial hygienists have been pioneers in their field. In 1919, less than two years after Union Carbide was created, the National Carbon Company division hired Dr. Girard Cranch as its Medical Director. In that capacity, Dr. Cranch developed and launched health and hygiene programs which were paragons for the industry. In 1937, Dr. Cranch was appointed Manager of the new corporate-wide Industrial Toxicology Department. One year later, he also took on the responsibility of Corporate Medical Director. In those capacities, he was instrumental in establishing the Mellon Institute Chemical-Hygiene Fellowship, which is renowned for its toxicological studies.

Upon Dr. Cranch's retirement in 1948, the medical and industrial hygiene functions were divided. Oliver Stam succeeded Dr. Cranch as a corporate level industrial hygienist. In 1953, Mr. Stam was succeeded by Paul McDaniel. Upon Mr. McDaniel's retirement, Marvin Huffman served Manger of Risk Assessment Group.. Mr. Timothy J. Cawley has served in that capacity from 1995 until 1998. Since 1998, Mr. Roy Myers has served as Manager of Risk Assessment Group.

In addition, in the early 1960s Drs. Carl Dernehl and K. S. Lane of Union Carbide's Medical Department were given the corporate positions of Director and Assistant Director of Toxicology, respectively.

See also Union Carbide's Answer to Interrogatory No. 1.

INTERROGATORY NO. 25. If your response to interrogatory No. 24 is affirmative, then state the following:

a. Did you have any written agreement with any insurance company for the conducting of any such surveys?

b. Please state the name of any such insurance company.

c. Please state the names of all facilities or all locations where any such survey was conducted.

d. State the date when each such survey was conducted.

e. State the names of all persons conducting such surveys and, if known, those persons' last known addresses.

f. Do you have in your possession, custody or control reports of data collected, or conclusions reached, as a result of any such surveys? If your answer to this sub-section (f) is affirmative, please state the location and the custodian of each such report.

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ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

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 signed 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 fibrogenicity 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 Carbide's RG244 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

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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.

INTERROGATORY NO. 26. Did you, your predecessors in interest, divisions, or subsidiaries at any time acquire an entity, part of an entity or the assets of an entity that manufactured products used for thermal insulation which contain asbestos?

ANSWER:

See General Objection Nos. 1, 2, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

The Linde Air Products Company was founded in 1907 and merged into Union Carbide and Carbon Company in 1917. Union Carbide and Carbon Company changed its name to Union Carbide Corporation in 1957. On January 1, 1989, the Linde Division of Union Carbide Corporation (UCC) became a wholly owned subsidiary of UCC known as Union Carbide Industrial Gases Inc. At that time there was a complete transfer of all assets and liabilities of the Linde Division to Union Carbide Industrial Gases Inc. Also at this time, Union Carbide Corporation became the holding company to another wholly owned subsidiary known as Union Carbide Chemicals and Plastics Company Inc. On June 30, 1992, Union Carbide Industrial Gases Inc. was spun off to become what is now known as Praxair, Inc., a corporation entirely separate from Union Carbide Corporation and Union Carbide Chemicals and Plastics Company Inc. Praxair, Inc. assumed all liabilities and became custodian of all records associated with the former Linde Division and Union Carbide Industrial Gases Inc. On April 27, 1994, Union Carbide Corporation was merged into Union Carbide Chemicals and Plastics Company Inc. and on May 1, 1994, Union Carbide Chemicals and Plastics Company Inc. changed its name to Union Carbide Corporation.

In 1977 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 produced these products and ceased producing all asbestos containing products (except for TRE-HOLD, a tree sprout inhibitor) prior to Union Carbide's acquisition of the company. Other companies, in particular the Magnolia Welding Supply Company, Inc. and Gas Technics Gases & Equipment Centers of Eastern Pennsylvania, Inc., acquired by Union Carbide may also have sold asbestos products.

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

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Corporate Divisions of Calidria (1963-1985)

(1963-1965) Nuclear Division

(1965-1967) Mining and Metals Division

(1967-1970) Chemicals and Plastic Division

(1970-1984) Mining and Metals Division

(1984-1985) UMETCO, a wholly owned subsidiary of Union Carbide, through Calidria Corporation, a wholly owned subsidiary of UMETCO.

See Union Carbide's Answer to Interrogatory No. 7.

INTERROGATORY NO. 27. If your response to interrogatory No. 26 is affirmative, then state:

a. When each such acquisition was made by you.

b. Exactly what you acquired in each acquisition, 63., an entity, part of an entity, or the assets of an entity.

c. The name of each entity acquired or from whom you acquired a part of an entity or from whom you acquired assets.

d. Was any such acquisition the subject of a written agreement? If your response to this sub-section (d) is in the affirmative, please set forth verbatim the contents of each such agreement. In lieu of stating verbatim the content of each such agreement to your answers to these interrogatories.

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1 and 26, including all objections set forth therein.

INTERROGATORY NO. 28. At any time, was any part of your stock, assets or equity of any of your predecessors in interests, divisions, or subsidiaries owned in whole or in part by any other entity?

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ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide Corporation was originally incorporated on November 1, 1917 as Union Carbide and Carbon Company. In 1957, Union Carbide and Carbon Company changed its name to Union Carbide Corporation. On January 1, 1989, Union Carbide Corporation became a holding company for four subsidiaries: UCAR Carbon Company Inc., Union Carbide Industrial Gases Inc., Union Carbide Coating Services Corporation and Union Carbide Chemicals and Plastics Company Inc. On June 30, 1992, Union Carbide Industrial Gases Inc. was spun off to become what is now known as Praxair, Inc. On April 27, 1994, Union Carbide Corporation was merged into Union Carbide Chemicals and Plastics Company Inc and on May 1, 1994, Union Carbide Chemicals and Plastics Company Inc. changed its name to Union Carbide Corporation. On February 6, 2001, Union Carbide Corporation became a subsidiary of The Dow Chemical Company. Union Carbide's World Headquarters are located at 39 Old Ridgebury Road, Danbury, CT 06817.

See also Union Carbide's Answer to Interrogatory No. 26

INTERROGATORY NO. 29. If your answer to interrogatory No. 28 is affirmative, please state:

a. The name of each entity owning, in whole or in part, any portion of your or your predecessor in interest's, or your division's, or your subsidiaries' stock, assets or equity.

b. The dates of such ownership.

c. The extent of such ownership (for example, owned 50% of common stock).

d. Whether representatives of such owning entity were officers, directors or managing agents of your corporation.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 28, including all objections set forth therein.

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INTERROGATORY NO. 30. Did you or your affiliates, divisions, subsidiaries or predecessors in interest, at any time, belong to any of the following organizations:

a. Asbestos Textile Institute?

b. Industrial Hygiene Foundation, later known as Industrial Health Foundation?

c. Quebec Asbestos Mining Association?

d. Quebec Asbestos Producers Association?

e. National Insulation Manufacturers Association?

f. Thermal Insulation Manufacturers Association?

g. Asbestos Information Association, North America?

h. National Insulation Contractors Association? Thermal Insulation Contractors Association?

j. The Magnesia Association, The 85% Magnesia Association

k. American Standards Association?

l. American Society for Testing & Materials?

m. American National Standards Institute or any of its predecessors?

n. National Safety Council?

o. National Paint, Varnish and Lacquer Association, Inc.

p. The Lead Industries Association.

q. The Manufacturing Chemists Association.

r. Asphalt Tile and Mastic Association.

s. American Refractories Institute.

t. Sprayed Mineral Fibers Association.

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide was a member of the Industrial Health Foundation, the American Industrial Health Association and Asbestos Information Association/North America. Union Carbide may also have cooperated with work undertaken by the Pneumoconiosis Research Council of the United Kingdom, The Organization Resources Recovery Organization, and the Insulation Industry Hygiene Research Program. Union Carbide or Union Carbide personnel also participated in activities of the National Safety Council.

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Union Carbide has no presently available record of association with any other organization listed in the plaintiffs' interrogatory.

INTERROGATORY NO. 31. If any of your responses to interrogatory 30a-30t are affirmative, then state:

a. The dates you or your affiliates, divisions, subsidiaries or predecessors in interest belonged to each such organization.

b. The names of all persons who attended meetings of each such organization on your behalf or on behalf of your affiliates, subsidiaries, divisions, or predecessors in interest, and the dates they attended, and their positions or titles of employment at the time the attended such meetings.

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

John Myers, former Product and Production Manager for asbestos (Calidria) was active in the AIA. Newton Ketchum and Paul McDaniel, retirees of Union Carbide Corp., participated in the Industrial Hygiene Foundation. Newell E. Bolton participated in the American Industrial Hygiene Association. Messrs. John Nichol, Tom Gagner and Ray R. Renkin, UCC employees, and Mr. Claude Eley, retired from Union Carbide Corp., participated in the National Safety Council.

See also Union Carbide's Answer to Interrogatory No. 30.

INTERROGATORY NO. 32. Do you have in your possession, custody or control minutes, records, proceedings or similar records or documents regarding meetings of the following organizations:

a. Asbestos Textile Institute? If so, for what years?

b. National Insulation Manufactures Association? If so, for what years?

c. Thermal Insulation Manufactures Association? If so, for what years?

d. The Magnesia Association, The 85% Magnesia Association, or any organization with a similar name? If so, for what years?

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e. National Insulation Manufacturers Association? If so, what years?

f. Thermal Insulation Manufactures Association? If so, for what years?

g. National Safety Council?

h. Industrial Hygiene Foundation or Industrial health Foundation?

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide lacks a compilation of such documentation. To the extent that such information does exist and is in the possession of Union Carbide, it may be filed in Union Carbide's Repository.

See Union Carbide's Answer to Interrogatory No. 1.

INTERROGATORY NO. 33. If your answer to interrogatory No. 32 is affirmative in any respect, then please attach copies of all such minutes, records, proceedings or similar records or documents to your answers to these interrogatories. If you refuse to attach such copies, please state in detail your reasons for such refusal.

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide currently lacks a compilation of such documentation. To the extent that such information does exist and is in the possession of Union Carbide, it may be filed in the Repository.

See Union Carbide's Answer to Interrogatory No. 1.

INTERROGATORY NO. 34. For the period that you, your predecessors in interest, divisions, or subsidiaries manufactured, sold or distributed products which contained asbestos that were used for thermal insulation purposes, state:

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34a. The name and location of the entity from whom you obtained the asbestos used in such products and, if it varied from time to time, please state the supplier of your asbestos at each time.

34b. The type of asbestos obtained from each supplier at each time (e.g., amosite, crocidolite, chrysotile, anthophylite).

34c. The manner in which the asbestos was packaged or contained when it reached the location where it was to be incorporated into another product or repackaged.

34d. The contents and/or description of any writing, marks, stamps, tags, designations or artwork appearing on any package or container of asbestos when it arrived at the location where it was to be incorporated into some other product or to be repackaged and, if it changed from time to time, state what such changes consisted of.

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

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. Calidria consisted of raw asbestos which was marketed and sold by Calidria distributors to manufacturers or producers who incorporated and used Calidria in their products or production processes.

Union Carbide never was in the business of relabeling asbestos containing products manufactured by other manufacturers. Union Carbide may have sold products under its label or another label that were originally manufactured by companies Union Carbide subsequently.

See also Union Carbide's Answers to Interrogatory Nos. 1 and 15.

INTERROGATORY NO. 35. Did you, your predecessor in interest, divisions or subsidiaries at any time use the services of one or more persons, laboratory, facility or other entity for the purpose, in whole or in part, of evaluating occupational disease claims made against you, your predecessors in interest, divisions or subsidiaries, or evaluating people for the presence of pulmonary or cardio-pulmonary chest disease?

ANSWER:

See General Objection Nos. 1, 2, 3, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to

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

Calidria was mined from a deposit which consisted of a unique form of chrysotile. As a result of its unique properties, Calidria could not pose the dangers which might be created by asbestos from other deposits. Those properties include the following: Calidria's short fiber length (shorter than any other known chrysotile); the Calidria deposit's lack of tremolite contamination; Calidria's quick dissolution due to the "weak" fibril structure; and its width and shape. Many of Union Carbide's expert witnesses can testify as to the unique properties of the Calidria fiber and resulting innocuous biological impact of Calidria. Additionally, Union Carbide possesses many documents in its repository pertaining to those issues. Upon Plaintiffs' request, Union Carbide will make its repository available for review and replication at a suitable time and place.

Epidemiological and other scientific studies and evidence have demonstrated that as a result of those properties, Calidria could not cause disease, except, possibly from exposure at levels and durations at which any nuisance dust could cause bodily harm.

In spite of the unique, innocuous nature of the Calidria fiber, Union Carbide has long recognized the desirability of avoiding excessive exposure to dust from any source. Union Carbide took steps to enable customers to minimize or avoid the creation of and exposure to dust from Calidria.

During the early days of Union Carbide's Calidria business (sales began in 1963), medical and industrial health officials at Union Carbide issued asbestos toxicology reports which were distributed to sales and other appropriate personnel. 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.

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. 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 or producers who

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used Calidria in their products or production processes). Dr. Harrison Rhodes, an industrial hygienist, supervised Union Carbide's dust monitoring program.

Union Carbide operated its Calidria mine and mill from 1958-1985. During that time there were no worker compensation or other substantiated claims for asbestos-related disease from workers at the mine or mill. (Only one employee or contractor employee has ever filed either a workers compensation or a legal claim against Union Carbide, or, upon information and belief, against Union Carbide's successor to the Calidria business. This legal claim was just filed in 2001, and the claimant's work history also identified other possible locations of asbestos exposure. Union Carbide also received one record of an undocumented pulmonary disease and a death certificate for a former Calidria worker, and two reports of asbestos disease in persons working with Calidria at a pilot plant in New York, where other asbestos may also have been used or present.) Dr. Duane Hyde, an independent physician, now retired, who provided medical services to Union Carbide's employees at the Calidria mine and mill is aware of the lack of incidence of asbestos-related disease among the Calidria employees. Other experts can verify the same total lack of disease among workers at other mines in the same Coalinga deposit as the Calidria mine and among people living in the surrounding area. This empirical evidence provides further indication of the uniqueness of the Coalinga/Calidria fiber and its lack of the health or safety hazards of other asbestos.

See also Union Carbide's Answer to Interrogatory No. 25.

INTERROGATORY NO. 36. If your answer to interrogatory No. 35 is affirmative, please state:

36a. The name and address of each person, laboratory, facility or other entity.

36b. The dates such services were used.

36c. To whom in your organization such person, laboratory, facility or other entity reported and, if the person in your organization changed from time to time, please state the person's name and position or title at each such time.

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 25 and 35, including all objections set forth therein.

INTERROGATORY NO. 37. Did you, your predecessors in interest, divisions or subsidiaries or any trade association to which you, your predecessors in

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interest, divisions or subsidiaries belonged at any time use the services one or more persons, laboratory, insurance company, facility or other entity for the purpose of analyzing, evaluating or testing asbestos or asbestos-containing products to determine if asbestos was or those products were potential health hazards or were capable of producing adverse biological

ANSWER:

See General Objection Nos. 1, 2, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's knowledge concerning potential health hazards possibly associated with excessive asbestos fiber inhalation has gradually developed. 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 and at a suitable time and place, copies of such reports and memoranda, which Union Carbide has located, will be made available for review and duplication.

During the early days of Union Carbide's Calidria business (which began in 1963), medical and industrial health officials at Union Carbide issued asbestos toxicology reports which were distributed to sales and other appropriate personnel. 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. Information pamphlets, including pamphlets of the Asbestos Information Association of North America, were made available to customers starting in 1972 and were mailed to customers beginning in 1977 at the latest.

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 or producers who used Calidria in their products or production processes). Dr. Harrison Rhodes, an industrial hygienist, supervised Union Carbide's dust monitoring program.

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Upon plaintiffs' request, Union Carbide will make copies of results of such dust counts available to the plaintiff for review and duplication at a suitable time and place.

See also Union Carbide's Answers to Interrogatory Nos. 25 and 35.

INTERROGATORY NO. 38. Did you, your predecessors in interest, divisions or subsidiaries or any trade association to which you, your predecessors in interest, divisions or subsidiaries belonged at any time use the services of one or more persons, laboratory, insurance company, facility or other entity for the purpose of analyzing, evaluating or testing products or ingredients or constituents were potential health hazards or were capable of producing adverse biological effects in persons or animals exposed to such products or ingredients or constituents?

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 35 and 37, including all objections set forth therein.

INTERROGATORY NO. 39. If your answer to interrogatory No. 37 or 38 is affirmative, then state:

39a. The name or names of each such person, laboratory, facility or other entity.

39b. The date or dates such services were used.

39c. A description of the products that were analyzed, evaluated or tested and the date or dates they were analyzed, evaluated or tested.

39d. The name, position or job title, and dates of employment of all persons employed by you who arranged for or requested such analysis, evaluation or testing, or were responsible for communicating with the person, laboratory, facility or other entity doing analyzing, evaluating or testing.

39e. Whether you have in your possession, custody or control any reports, letters, memoranda, documents, photographs, slides, graphs, charts, diagrams, notes or other tangible items pertaining to any such analyzing, evaluating or testing. If your response to this sub-section (e) is affirmative, state:

39e.i. A description of all such materials sufficient to make such materials the subject of a request for production or, in the alternative,

39ii. Attach copies of all such materials to your answers to these interrogatories.

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ANSWER:

See General Objection Nos. 1, 2, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide currently lacks a compilation of such documentation. To the extent that such information does exist and is in the possession of Union Carbide, it may be filed in Union Carbide's Repository.

See Union Carbide's Answers to Interrogatory Nos. 1, 37 and 38.

INTERROGATORY NO. 40. State the name and last known address of all physicians employed by you, your predecessors in interest, divisions or subsidiaries, now or in the past, including where that physician was employed by you, the dates he was employed by you, and the general nature of the physician's duties while employed by you, your predecessors in interest, divisions, or subsidiaries.

ANSWER:

See General Objection Nos. 1, 2, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Medical Department was formally organized in 1939. Prior to that, Union Carbide and Union Carbide facilities consulted physicians as appropriate upon need. The Medical Directors at Union Carbide have included the following individuals for the years respectively indicated below:

Girard Cranch (1938-1945)
Thomas Nale (1945-1963)
John J. Welsh (1963-1978)
Thomas A. Lincoln (1978-1985)
Guy Fortney (1985-1989)
Jean B. Case (1989-2000)

The duties of Union Carbide's Medical Director included coordination 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 Carbide's corporate headquarters, a medical program for employees traveling overseas and an alcoholism prevention and treatment program.

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INTERROGATORY NO. 41. State the name and last known address of all physicians working for you, your predecessors in interest, divisions or subsidiaries on a contract basis, now or in the past, including where that physician was located when doing contract work for you, the dates he was doing contract work for you and the general nature of the physician's duties while doing contract work for you, your predecessors in interest, divisions or subsidiaries.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 40, including all objections set forth therein.

INTERROGATORY NO. 42. State the name and last known address of all physicians working for you, your predecessors in interest, divisions or subsidiaries and paid by you, your predecessors in interest, division or subsidiaries and paid by you, your predecessors in interest, divisions or subsidiaries, as consultants, now or in the past, including where that physician was located when doing consultation work for you, the dates he was doing consultation work for you and the general nature of the physician's duties while doing consultation work for you, your predecessors in interest, divisions or subsidiaries.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 40, including all objections set forth therein.

INTERROGATORY NO. 43. State the name and last know address of all industrial hygienist employed by you, your predecessors in interest, division or subsidiaries, now or in the past, including where that industrial hygienist was employed by you, your predecessors in interest, divisions or subsidiaries, the dates he was employed by you, and the general nature of the industrial hygienist's duties while employed by you, your predecessors in interest, divisions or subsidiaries.

ANSWER:

See General Objection Nos. 1, 2, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide has led the industry with its concern for industrial hygiene, and Union Carbide industrial hygienists have been pioneers in their field. In 1919, less than two years after Union Carbide was created, the National Carbon Company division

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hired Dr. Girard Cranch as its Medical Director. In that capacity, Dr. Cranch developed and launched health and hygiene programs which were paragons for the industry. In 1937, Dr. Cranch was appointed Manager of the new corporate-wide Industrial Toxicology Department. One year later, he also took on the responsibility of Corporate Medical Director. In those capacities, he was instrumental in establishing the Mellon Institute Chemical-Hygiene Fellowship, which is renowned for its toxicological studies.

Upon Dr. Cranch's retirement in 1948, the medical and industrial hygiene functions were divided. Oliver Stam succeeded Dr. Cranch as a corporate level industrial hygienist. In 1953, Mr. Stam was succeeded by Paul McDaniel. Upon Mr. McDaniel's retirement, Marvin Huffman served Manger of Risk Assessment Group.. Mr. Timothy J. Cawley has served in that capacity from 1995 until 1998. Since 1998, Mr. Roy Myers has served as Manager of Risk Assessment Group.

In addition, in the early 1960s Drs. Carl Dernehl and K. S. Lane of Union Carbide's Medical Department were given the corporate positions of Director and Assistant Director of Toxicology, respectively.

Union Carbide's various divisions employ Industrial Hygienists for and in their respective facilities and premises. During the period of the Calidria business, Dr. Harrison Rhodes, an industrial hygienist, supervised Union Carbide's dust count program.

INTERROGATORY NO. 44. State the name and last known address of all industrial hygienists doing work for you, your predecessors in interest, divisions or subsidiaries on a contract basis, now or in the past, including where that industrial hygienist was located when doing contract work for you, your predecessors in interest, divisions or subsidiaries, the dates he was doing contract work for you and the general nature of the industrial hygienist's duties while doing contract work for you, your predecessors in interest, divisions or subsidiaries.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 43, including all objections set forth therein.

INTERROGATORY NO. 45. State the name and last known address of all industrial hygienists working for you, your predecessors in interest, divisions or subsidiaries, and paid by you as consultants, now or in the past, including where that industrial hygienist was located when doing consultation work for you, the dates he was doing consultation work for you and the general nature of the industrial hygienist's duties while doing consultation work for you, your predecessors in interest, divisions or subsidiaries.

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ANSWER:

See Union Carbide's Answer to Interrogatory No. 43, including all objections set forth therein.

INTERROGATORY NO. 46. Do you, your predecessors in interest, divisions or subsidiaries claim that you at any time placed warnings, cautions or other advisement's of any asbestos or asbestos-containing products as to potential health hazards associated with use of such products on the products themselves on the packages in which such products were contained?

ANSWER:

See General Objection Nos. 1, 2, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

Union Carbide consulted various experts in the medical and industrial hygiene professions concerning precautions that should be followed by persons involved in the use or handling of Union Carbide's Calidria asbestos. During the early days of Union Carbide's Calidria business, industrial hygienists at Union Carbide issued asbestos toxicology reports that were distributed to sales and other appropriate personnel. The advice of the experts was incorporated, as appropriate, on Calidria warning labels and in the safety literature that Union Carbide made available and disseminated to its Calidria customers. Don Gould, Chair of Union Carbide's Warning Label Committee, and John Myers, Product and Production Manager may had input into the warning label content.

See also Union Carbide's Answers to Interrogatory Nos. 15, 35, 37.

INTERROGATORY NO. 47. If your answer to interrogatory No. 46 is affirmative, please state:

47a. The exact wording of each such caution, warning or advisement.

47b. The exact date each such caution, warning or advisement was placed on your products or containers.

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47c. Whether the caution, warning or advisement was placed on the product itself, on the container only or on both the product and container.

47d. The name and address of the person or entity who actually placed such labels on such products or packages.

47e. The identity of the product or product packaging on which such language was placed.

47f. Whether you have in your possession custody or control any product or product packaging that actually was used or intended to be used as a container for asbestos or an asbestos containing product.

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1, 15 and 46, including all objections set forth therein.

INTERROGATORY NO. 48. Do you, your predecessor in interest, division or subsidiaries agree that the health hazards associated with exposure to asbestos and/or the asbestos in products containing asbestos include asbestosis, lung cancer, pleural mesothelioma, peritoneal mesothelioma and gastrointestinal cancer?

ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

Calidria was mined from a deposit which consisted of a unique form of chrysotile. As a result of its unique properties, Calidria could not pose the dangers which might be created by asbestos from other deposits. Those properties include the following: Calidria's short fiber length (shorter than any other known chrysotile); the Calidria deposit's lack of tremolite contamination; Calidria's quick dissolution due to the "weak" fibril structure; and its width and shape. Many of Union Carbide's expert witnesses can testify as to the unique properties of the Calidria fiber and resulting innocuous biological impact of Calidria. Additionally, Union Carbide possesses many documents in its repository pertaining to those issues. Upon Plaintiffs' request, Union Carbide will make its repository available for review and replication at a suitable time and place.

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Epidemiological and other scientific studies and evidence have demonstrated that as a result of those properties, Calidria could not cause disease, except, possibly from exposure at levels and durations at which any nuisance dust could cause bodily harm.

In spite of the unique, innocuous nature of the Calidria fiber, Union Carbide has long recognized the desirability of avoiding excessive exposure to dust from any source. Union Carbide took steps to enable customers to minimize or avoid the creation of and exposure to dust from Calidria.

During the early days of Union Carbide's Calidria business (sales began in 1963), medical and industrial health officials at Union Carbide issued asbestos toxicology reports which were distributed to sales and other appropriate personnel. 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.

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. 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 or producers who used Calidria in their products or production processes). Dr. Harrison Rhodes, an industrial hygienist, supervised Union Carbide's dust monitoring program.

Union Carbide's knowledge concerning potential health hazards possibly associated with excessive asbestos fiber inhalation has gradually developed. 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 and at a suitable time and place, copies of such reports and memoranda, which Union Carbide has located, will be made available for review and duplication.

Union Carbide recognizes that the excessive inhalation of asbestos fiber may be associated with the development of serious and potentially fatal disease. Union Carbide also understands that the onset and development of such disease in a person may be related to an affected by, among other factors: the particular type of fiber that is

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inhaled; cigarette smoking; and environmental conditions, in addition to the person's medical history and condition.

INTERROGATORY NO. 49. If your answer to Interrogatory No. 48 is negative in any respect, then please state in detail the reasons for such negative response.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 48, including all objections set forth therein.

INTERROGATORY NO. 50. Did you, your predecessors in interest, divisions or subsidiaries ever publish or sponsor, in whole or in part, any publication (such as a pamphlet, brochure, article, or the like) which described the potential hazards associated with exposure to respirable asbestos, or which attempted to describe methods or procedures for handling asbestos or asbestos-containing products. If your response to this interrogatory is affirmative, please describe with sufficient particularity to make it the subject of a request for production each such publication, or alternatively, attach copies of all such publications to your answers to these interrogatories.

ANSWER:

See General Objection Nos. 1, 2, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. 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

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C. Business Reply Card, John Crane

D. Rubber Booklet, John Crane

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.

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,JohnMyers

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 TTF-12.

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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

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.

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12. Formulating Plastisol Sealants with Silane Adhesion Promoters.

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.

2. SG-100 Saves Up to One-Half (1/2) 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.

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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.

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 & BPP).

1. Typical Product Characteristics for BPO, 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 BPP, John Myers.

V. TITANATED PRODUCTS

A. T-135 (Price Schedule).

1. T-135 Opacifying Agent.

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

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

4. Chemical 26 Reprint - Checking Opacity.

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" - 7/7 1, 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 Applications 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. Byme, Jr., Area Manager, Calidria Asbestos Marketing and Technology, Mining and Metals Division, Union Carbide Corporation, published March, 1972 in Modem 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.

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1. "Material Safety Data" for Calidria Asbestos published September 1, 1972 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 NATEC Meeting of the Society of Plastics Engineers at Denver by Dr. Harrison 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. 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:

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.

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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, 197 1.
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. YMO Report - 10/72
14. Target Health Hazard Fact Sheet (SILICA)
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. IA - "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

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

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. JIM 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 I - 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

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).

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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).

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).

INTERROGATORY NO. 51. Other than what is publicly available in the published literature, do you, your predecessors in interest, divisions or subsidiaries have in your possession, custody or control any documents, letters, reports, memoranda, notes, correspondence or other tangible items regarding or in any way related to any survey, study, investigation or analysis of any segment, sector or portion of the asbestos industry in the United States which was conducted by the United States Public Health Service? (The term "asbestos industry" includes any facility or location where asbestos or asbestos-containing products were mined, milled, processed, fabricated, used.)

ANSWER:

See General Objection Nos. 1, 2, and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

A review of Union Carbide's available records indicate a lack of compilation of such documentation. To the extent that such information does exist and is in the possession of Union Carbide, it may be filed in Union Carbide's Repository.

Union Carbide maintains a repository of documents and other material containing information pertaining to asbestos or asbestos products. The Repository includes a myriad of documents and other material from Union Carbide's former Calidria business; documents from other former businesses which manufactured products which contained some asbestos; and from Union Carbide facilities which used and removed asbestos

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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. This Repository contains information about Union Carbide's former Calidria product and Calidria business; other products formerly sold by Union Carbide which contained an asbestos component; the purchase and use of insulation or other asbestos products for or in Union Carbide facilities; and Union Carbide's health, safety, industrial hygiene practices and policies for both employees, visitors to Carbide premises and customers of Carbide products, and other steps Union Carbide took to insure safety in all respects for all who interacted in any way with Union Carbide, its products or facilities.

Union Carbide created this special repository during the onset of asbestos-related litigation, when Union Carbide also implemented a hold order for all such aforementioned material. (Union Carbide has, however, maintained that it has no liability for claims asserted in asbestos litigation because among other reasons, Calidria could not cause the asbestos-related disease; the asbestos fiber in other products was encapsulated or encased and thus could not cause the asbestos related disease, and Union Carbide never produced or sold asbestos insulation.)

The repository consists of approximately two hundred thousand (200,000) pieces of paper (excluding privileged material) and a limited number of video and other three-dimensional objects.

All material or documents responsive to this request, or containing information responsive to this request, still accessible to Union Carbide would be contained in the aforesaid repository located in the offices of Kelley Drye & Warren LLP, or in files of Union Carbide facilities. Upon plaintiffs request, Union Carbide will make its Repository and relevant files (not including privileged information) available to the plaintiffs for review and replication at a suitable time and place.

INTERROGATORY NO. 52. If your answer to interrogatory No. 51 is affirmative, then state:

52a. The name, address and position or title of employment of the custodian of all such documents, letters, reports, memoranda, notes correspondence or other tangible items.

52b. The location by address of all such items.

52c. A description of each document, letter, report memorandum, note, correspondence or other tangible item, including the date of such item, the number of pages of such item, the apparent author of such item, the recipient or addressees of such item (if any) and any other description adequate to make each such item the subject of a request for production.

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52d. In lieu of answering this Interrogatory No. 52, you may supply copies of all such items with your answers to these interrogatories.

ANSWER:

See General Objection Nos. 1, 2, and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's custodian of records for asbestos-related documents is Mrs. Virginia M. Ruszczyk, Kelley Drye & Warren, LLP, 101 Park Avenue, 31st Floor, New York, New York 10178.

See Union Carbide's Answer to Interrogatory No. 51 for a description of the Repository.

INTERROGATORY NO. 53. Do you, your predecessors in interest, divisions or subsidiaries have in your possession, custody or control any records, documents, reports lists, invoices, sales documents, shipping documents, receipts, compilations or other tangible items reflecting or containing the names or the addresses or both the names and addresses of persons to whom you, your predecessors in interest, divisions or subsidiaries sold asbestos or asbestos-containing products?

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

Union Carbide possesses copies of invoices of Calidria sales made by Union Carbide to Calidria customers. Since Union Carbide sold its Calidria business in 1985, Union Carbide, at present, can make no representation as to the completeness of its records. The aforementioned 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.

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.

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See also Union Carbide's Answer to Interrogatory No. 51 for a description of the Repository.

INTERROGATORY NO. 54. If your answer to interrogatory No. 53 is affirmative, state:

54a. Do such items reflect any date or dates on which such products were sold?

54b. State the name, address and position or title of employment of the custodian of all such items.

54c. Describe each such item, individually or by category in such a manner as to identify all such items so that all such items may be made the subject of a request for production.

54d. In lieu of answering this interrogatory No. 46, please attach copies of all such items to your answers to these interrogatories.

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 51 and 52.

INTERROGATORY NO. 55. Do you, your predecessors in interest, divisions or subsidiaries have any evidence or information as to whether or not there ever was in the State of Colorado any facility, the purpose of function of which was to mine asbestos, mill asbestos or manufacture products incorporating asbestos as an ingredient? If so, please state all evidence or information you have in this regard.

ANSWER:

See General Objection Nos. 1, 2, and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria mine and mill sites were located in or near King City, CA. Union Carbide owned and operated its Calidria mine from 1958 to 1985.

INTERROGATORY NO. 56. State the name, address and job title or position of employment of the person or persons employed by this defendant who is most knowledgeable concerning the names of the persons or the entities to whom this

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defendant sold asbestos or asbestos-containing products from 1935 up to and including the date this defendant last sold asbestos or asbestos-containing products.

ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria asbestos was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

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. 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.

INTERROGATORY NO. 57. State the name, address and job title or position of employment of the person or persons employed by this defendant who is most knowledgeable concerning the names of the persons or the other entities to whom this defendant sold any product manufactured, distributed or sold by this defendant from 1935 up the date of your answers to these interrogatories.

ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria asbestos was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

See Union Carbide's Answer to Interrogatory No. 56.

INTERROGATORY NO. 58. List each State of the United States in which this defendant, its subsidiaries, divisions or predecessors-in-interest has or in the past

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had customers who purchased products from this defendant, its subsidiaries, divisions or predecessors-in-interest, including the name of the customer, a description of the products that customer purchased from this defendant, its subsidiaries, divisions or predecessors-in-interest, and the inclusive dates that customer purchased products form this defendant, its subsidiaries, divisions or predecessors-in-interest.

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria asbestos was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

Union Carbide possesses copies of invoices of Calidria sales made by Union Carbide to Calidria customers. Since Union Carbide sold its Calidria business in 1985, Union Carbide, at present, can make no representation as to the completeness of its records. The aforementioned 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.

Union Carbide's primary location for its former Calidria business was always maintained in or near King City, CA. In addition to sales offices located there, Union Carbide has over the period of its Calidria business, maintained sales offices at the following locations:

CITY	ADDRESS
Atlanta	17 Executive Park Drive Atlanta, Georgia 30329
Baltimore	Beltway Bldg. 6707 Whitestone Rd. Baltimore, Maryland 21297
Boston	300 First Ave., Needham Heights Boston, Massachusetts 02194
Charlotte	6230 Fairview Rd. Charlotte, North Carolina 282 1 0
Chicago	120 South Riverside Plaza Chicago, Illinois 60606

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Cincinnati	West Street and Madisonville Rd. Cincinnati, Ohio 45227
Cleveland	1300 Lakeside Ave., NE. Cleveland, Ohio 44114
Clifton	935 Allwood Road Clifton, New Jersey 07012
Dallas	27 1 0 Stemmons Freeway Dallas, Texas 75207
Houston	3 73 7 Greenway Plaza Dr. Houston, Texas 77027
Los Angeles	2770 Leonis Blvd. Los Angeles, CA. 90058
Minneapolis	3030 Excelsior Blvd. Minneapolis, Minnesota 55416 Moorestown Route 38 and Pleasant Valley Road Moorestown, New Jersey 08057
New York	270 Park Avenue New York, New York 100 1 7
Pittsburgh	Pkway Center, 875 Greentree Rd. Pittsburgh, PA 15220
Southfield	26500 Northwestern Highway Southfield, MI 48075
St. Louis	10 South Brentwood Blvd. St. Louis, MI 63105
San Francisco	One California Street San Francisco, CA 94106
Seattle	4726 Rainier Ave., So. Seattle, WA 96118

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.

See also Union Carbide's Answer to Interrogatory No. 51.

INTERROGATORY NO. 59. Does this defendant know the name and address of any person or persons not employed by this defendant, and who used to be

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employed by this defendant, its subsidiaries, divisions or predecessors-in-interest, who is knowledgeable concerning the persons or entities to whom this defendant sold products manufactured, distributed or sold by this defendant? If your answer to this interrogatory is affirmative then state the name and address of each such person.

ANSWER:

See General Objection Nos. 1, 2, 3, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Answer to Interrogatory No. 56.

INTERROGATORY NO. 60. Does this defendant, its subsidiaries, divisions or predecessors-in-interest, have in its possession, custody or control any documents, records or other tangible items that, in whole or in part, contain information about the names and locations of its customers for asbestos or asbestos-containing products? If the answer to this interrogatory is affirmative, please identify each such document, record or other tangible item with sufficient particularity so that it may be made the subject of a request for production; state the name, address and job title of the custodian of each such document; state the location of each such document.

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 51 and 58, including all objections set forth therein.

INTERROGATORY NO. 61. Does this defendant, its subsidiaries, divisions or predecessors-in-interest, have in its possession, custody or control any documents, records or other tangible items that, in whole or in part, contain information about the names and locations of its customers for any product manufactured, distributed or sold by this defendant? If the answer to this interrogatory is affirmative, please identify each such document, record or other tangible item with sufficient particularity so that it may be made the subject of a request for production; state the name, address and job title of the custodian of each such document; state the location of each such document.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 60, including all objections set forth therein.

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INTERROGATORY NO. 62. Does this defendant, its subsidiaries, divisions or predecessors-in-interest, know of any documents, records or other tangible items not in its possession or control that, in whole or in part, contain information about the names and locations of its customers for asbestos and asbestos-containing products? If the answer to this interrogatory is affirmative, please identify such documents to the best of defendant's ability and if defendant is able to do so describe such documents, records, or other tangible item by subject, author, recipient, date or other applicable category; identify the name of the person or other entity who, to the best of defendant's knowledge, has possession, custody or control of such documents, records or other tangible items; state, to the best of this defendant's knowledge the location of such documents, records or other tangible items.

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 51 and 60, including all objections set forth therein.

INTERROGATORY NO. 63. Does this defendant, its subsidiaries, divisions, or predecessors-in-interest, know of any documents, records or other tangible items not in its possession or control that, in whole or in part, contain information about the names and locations of its customers for any product manufactured, distributed or sold by this defendant? If the answer to this interrogatory is affirmative, please identify such documents to the best of defendant's ability and if defendant is able to do so describe such documents, records, or other tangible item by subject, author, recipient, date or other applicable category; identify the name of the person or other entity who, to the best of defendant's knowledge has possession, custody or control of such documents, records or other tangible items; state to the best of this defendant's knowledge, the location of such documents, records or other tangible items.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 60, including all objections set forth therein.

INTERROGATORY NO. 64. Did this defendant, its subsidiaries, divisions, or predecessors-in-interest, at any time make any effort to limit the geographical area in which products manufactured, distributed or sold by it were in fact distributed and sold? If defendant's answer to this interrogatory is affirmative then state the following:

64a. Of what did such efforts consist?

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64b. Does defendant know of any document, record or other tangible item that describes, in whole or in part, any such effort on the part of defendant, its subsidiaries, divisions or predecessors-in-interest? If so, then state:

64bi. The verbatim contents of each such documents, record or other tangible item (or attach copies to defendant's answers to interrogatories);

64bii. The location of each such document, record or tangible item;
64biii. The name and address of the custodian of each such document, record or other tangible item.

64c. State the name, address and job title of each person employed by defendant who has knowledge about any such efforts on the part of defendant.

64d. State the name, address and former position of employment of any person who in the past was employed by defendant who defendant believes to have knowledge concerning any such efforts on the part of defendant.

ANSWER:

See General Objection Nos. 1, 2, 3, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Answer to Interrogatory No. 1.

INTERROGATORY NO. 65. If defendant claims the court in which this action is filed does not have personal jurisdiction over this defendant then state:

65a. Each document, record or other tangible item on which you may rely to support that claim, and describe each such document, record or other tangible item with sufficient particularity so that it (or they) may be made the subject of a requesi for production.

65b. The name, address and occupation of every person you may call as a witness testimony in support of such claim;

65c. Give a summary of the knowledge or information each person identified in answer to interrogatory No. 10(b) has concerning such claim.

ANSWER:

See General Objection Nos. 1, 2, 3 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence.

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INTERROGATORY NO. 66. Please state the official title or position in defendant corporation of the person or persons answering these interrogatories and signing the same.

ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. 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 Mrs. Virginia M. Ruszczyk, Custodian of Records, Kelley Drye & Warren, L.L.P., 101 Park Avenue, 31st Floor, New York, New York 10178.

INTERROGATORY NO. 67. For that period of time commencing in the year 1935 through 1983 inclusive, please answer the below interrogatories:

ANSWER:

No response is required for this interrogatory.

INTERROGATORY NO. 68. Did your company, its subsidiaries, divisions or predecessors-in-interest have distributorships or dealers in the State of Colorado to which your insulation or other products were distributed?

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

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. Calidria consisted of raw asbestos which was marketed and sold by Calidria distributors to manufacturers or producers who incorporated and used Calidria in their products or production processes.

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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. Upon review of Union Carbide's available records, D. & F. Distributing, Inc. is the only former Calidria distributor (1963-1985) in the State of Colorado which Union Carbide has been able to identify.

INTERROGATORY NO. 69. Did you, your subsidiaries, divisions or predecessors-in-interest have a business relationship with any person or business in the State of Colorado for the purpose of distributing your products? If so, state:

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1, 51 and 68, including all objections set forth therein.

INTERROGATORY NO. 70. Please state the name and address of all persons or businesses in the State of Colorado with which you, your subsidiaries, divisions or predecessors-in-interest had a business relationship, whether direct or indirect.

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1, 51, and 68, including all objections set forth therein.

INTERROGATORY NO. 71. How long have you, your subsidiaries, divisions or predecessors-in-interest, had a business relationship with each such person or business?

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1, 51, and 68, including all objections set forth therein.

INTERROGATORY NO. 72. What is or was the purpose of the business relationship?

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1, 51, and 68, including all objections set forth therein.

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INTERROGATORY NO. 73. Were your, your subsidiaries', divisions', or your predecessors'-in-interest products eventually sold to the general public in the State of Colorado through persons or businesses in the State of Colorado with which you had a business relationship?

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Answer to Interrogatory No. 51 for a description of the Repository and No. 68.

INTERROGATORY NO. 74. Did your company, its subsidiaries, divisions or predecessors-in-interest promote the sales of your products through the advertising media in the State of Colorado? If so, state:

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not 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 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

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"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 Answer to Interrogatory No. 51.

INTERROGATORY NO. 75. Please state the type media used for such advertising, i.e., television, magazines, newspapers, etc.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 74, including all objections set forth therein.

INTERROGATORY NO. 76. Are any national television networks used for publicizing your products by your company, its subsidiaries, divisions or predecessors-in-interest? If so, please state which programs are sponsored by your products and on which networks.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 74, including all objections set forth therein.

INTERROGATORY NO. 77. Did your company, its subsidiaries, divisions, or predecessors-in-interest sponsor any other advertising for the sale of your products in any nationally distributed magazines? If so, which magazines?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 74, including all objections set forth therein.

INTERROGATORY NO. 78. Did your company, its subsidiaries, divisions or predecessors-in-interest sponsor any other advertising in any news media on a national scale? If so, please state and describe the nature of such advertising.

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ANSWER:

See Union Carbide's Answer to Interrogatory No. 74, including all objections set forth therein.

INTERROGATORY NO. 79. Had your company, its subsidiaries, divisions or predecessors-in-interest sponsored any advertising in any news media in the State of Colorado including newspapers, magazines, etc., distributed in Colorado, local television programming or any national television programs that would be received in Colorado? If so, please describe the nature of such advertising.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 74, including all objections set forth therein.

INTERROGATORY NO. 80. If your company, its subsidiaries, divisions, or predecessors-in-interest had sponsored any advertising as set forth in any of the above paragraphs, please state whether this advertising or comparable advertising was being used or sponsored by your company, its subsidiaries, divisions or predecessors-in-interest for the sale of your products during the year 1976 and prior thereto.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 74, including all objections set forth therein.

INTERROGATORY NO. 81. Did your company, its subsidiaries, divisions or predecessors-in-interest keep any books or records on the number of your products distributed to the State of Colorado and sold in the State of Colorado? If so, how long had such books or records been kept and where are they located?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 60, including all objections set forth therein.

INTERROGATORY NO. 82. Did your company, its subsidiaries, divisions or predecessors-in-interest keep any books or records on the quantity of insulation

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distributed to the State of Colorado and/or sold or used in the State of Colorado? If so, state:

82a. How long had such books or records been kept and where are they located?

82b. Did such records reflect the names of the ultimate purchasers of insulation in Colorado?

82c. Did such records reflect the names of the ultimate purchasers of insulation in Colorado?

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

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. Calidria consisted of raw asbestos which was marketed and sold by Calidria distributors to manufacturers or producers who incorporated and used Calidria in their products or production processes.

See Union Carbide's Answer to Interrogatory No. 60.

INTERROGATORY NO. 83(c). Did such records reflect the name and address of each purchaser or of any purchasers of asbestos containing products?

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 60 and 82, including all objections set forth therein.

INTERROGATORY NO. 84. Did your company, its subsidiaries, divisions, or predecessors-in-interest keep any books or records on the quantity, number or amount of your products distributed to the State of Colorado and sold in the State of Colorado which contain or are manufactured with asbestos, and which products would include products other than insulation? If so, state:

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ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide's Calidria was not an asbestos-containing product. Rather, it was a unique, short-fiber chrysotile asbestos sold in fibrous and pelletized forms to producers and manufacturers for use in their products and production processes, according to customer specification.

Union Carbide currently lacks a compilation of such documentation. To the extent such information does exist and is in the possession of Union Carbide, it may be filed in the Repository.

See Union Carbide's Answer to Interrogatory No. 51, 60 and 82.

INTERROGATORY NO. 85. How long had such books or records been kept and where are they located?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 84, including all objections set forth therein.

INTERROGATORY NO. 86. Did such records reflect the names of the ultimate purchasers of such products in Colorado?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 84, including all objections set forth therein.

INTERROGATORY NO. 87. Did such records reflect the dates and quantities of such products purchased and by whom?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 84, including all objections set forth therein.

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INTERROGATORY NO. 88. Did such records reflect the name and address of each purchaser or of any purchasers of such products?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 84, including all objections set forth therein.

INTERROGATORY NO. 89. Did your company, its subsidiaries, divisions or predecessors-in-interest distribute any information on the maintenance of your products? If so, state:

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Calidria was not an "asbestos-containing product", but rather consisted of raw asbestos with a unique physical configuration which was marketed and sold by Calidria distributors to manufacturers or producers for use in their products or production processes. Calidria, due to its unique physical properties, short fiber length in particular, was not suited for use in thermal or frost insulation.

See Union Carbide's Answer to Interrogatory Nos. 37 and 50.

INTERROGATORY NO. 90. What use is made of such information on maintenance of your products?

ANSWER:

See General Objection Nos. 1, 2, 4 and 5. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Calidria was not an "asbestos-containing product", but rather consisted of raw asbestos with a unique physical configuration which was marketed and sold by Calidria distributors to manufacturers or producers for use in their products or production processes. Calidria, due to its unique physical properties, short fiber length in particular, was not suited for use in thermal or frost insulation.

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See Union Carbide's Answer to Interrogatory No. 37.

INTERROGATORY NO. 91. Is any of this information distributed to any persons or businesses in the State of Colorado?

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

See Union Carbide's Answers to Interrogatory No. 37 and 51.

INTERROGATORY NO. 92. Does this defendant believe that it is covered by any policy of insurance, excess insurance, reinsurance or indemnity insurance or coverage for claims made against it in the complaint for damages in this case? If your answer to this interrogatory is affirmative then for each such policy please state:

92a. The name of the company issuing or writing each policy.

92b. The number of each policy.

92c. The effective dates of coverage of each policy.

92d. The dollar amount of coverage of each policy, for each occurrence or claim and in the aggregate for all claims or occurrences to which the policy applies.

92e. The dollar amount of available coverage remaining on each policy based on the most current information available.

92f. The type of claims for which each policy of insurance provides coverage.

ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide believes it possesses sufficient insurance coverage to enable it to cover the plaintiff's claims.

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INTERROGATORY NO. 93. Has your corporation , its subsidiaries, divisions or predecessors-in-interest been doing business in the State of Colorado, either directly or indirectly? If so, state:

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide sold its Calidria throughout the United States, including the State of Colorado.

INTERROGATORY NO. 94. What was the nature of the business done in the State of Colorado?

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

The Discovery process and Union Carbide's own investigation into this matter are ongoing and Union Carbide currently lacks sufficient information to this Interrogatory. Union Carbide thus reserves its right to so contend as information developed in this case warrants.

See also Union Carbide's Answer to Interrogatory No. 93.

INTERROGATORY NO. 95. How long have you, your subsidiaries, divisions or predecessors-in-interest been doing business in the State of Colorado?

ANSWER:

See General Objection Nos. 1,2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

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The Discovery process and Union Carbide's own investigation into this matter are ongoing and Union Carbide currently lacks sufficient information to respond to this Interrogatory. Union Carbide thus reserves its right to so contend as information developed in this case warrants.

Union Carbide's Calidria sales records are filed alphabetically, not geographically. See Union Carbide's Answer to Interrogatory No. 51 for a description of its Repository.

INTERROGATORY NO. 96. Did you, your subsidiaries, divisions or predecessors-in-interest have contracts with any persons or businesses in the State of Colorado that involve your products, directly or indirectly? If so, state:

ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

INTERROGATORY NO. 97. State the nature of those contracts or agreements.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

INTERROGATORY NO. 98. How long have you, your subsidiaries, divisions, or predecessors-in-interest had such contracts or agreements with any person or business in the State of Colorado, and when was each such contract or agreement entered into?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

INTERROGATORY NO. 99. Did you, your subsidiaries, divisions, or predecessors-in-interest make long distance phone calls to any person or business in the State of Colorado that was related, directly or indirectly, to your products? If so, state:

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ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

INTERROGATORY NO. 100. Approximately how many such phone calls were made per year.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

INTERROGATORY NO. 101. What was the general nature of the business conducted by telephone?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

INTERROGATORY NO. 102. How long had you, your subsidiaries, divisions or predecessors-in-interest, been conducting business by telephone to persons or corporations or businesses in the State of Colorado?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

INTERROGATORY NO. 103. Did any of the telephone calls made relate, directly or indirectly, to the sale of your products, your subsidiaries', divisions', or predecessors-in-interest' products?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

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INTERROGATORY NO. 104. These interrogatories did not contain an Interrogatory No. 104.

INTERROGATORY NO. 105. Had your company, its subsidiaries, divisions or predecessors-in-interest been systematically and continuously doing business, directly or indirectly, within the State of Colorado? If so, for how long?

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 94 and 95, including all objections set forth therein.

INTERROGATORY NO. 106. Did you, your subsidiaries, divisions or predecessors-in-interest collect bills or debts due and owing or accounts receivable from any person or business in the State of Colorado arising out of the maintenance, repair, manufacture or sale of your products? If so, state:

ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

INTERROGATORY NO. 107. What person or businesses in the State of Colorado did you, your subsidiaries, divisions or predecessors-in-interest systematically collect accounts or handle credit matters for?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

INTERROGATORY NO. 108. How long had you, your subsidiaries, divisions or predecessors-in-interest been doing this?

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ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

INTERROGATORY NO. 109. What percentage of your entire accounts receivable, your subsidiaries' entire accounts receivable, your divisions' entire accounts receivable, or your predecessors-in-interest entire accounts receivable, came from the state of Colorado on an annual basis?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

INTERROGATORY NO. 110. Were any of your company's, its subsidiaries, divisions or predecessors-in-interest employees or agents involved in the collection of accounts after delivery of your products in the State of Colorado?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 95, including all objections set forth therein.

INTERROGATORY NO. 111. Had you, your subsidiaries, divisions or predecessors-in-interest ever brought suit in the State of Colorado or been sued in the State of Colorado? If so, state:

111a. Please state the caption of each such lawsuit and the court in which it was filed together with the year it was filed.

ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide has been named in many lawsuits alleging injury from many defendants' asbestos or asbestos-containing products. Most of these lawsuits turn out not to involve Calidria or Union Carbide products at all. Plaintiffs often dismiss Union Carbide from these cases before the suits proceed to trial. In cases where claimants

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have exposure to Calidria, Union Carbide has maintained that any asbestos-related injury to claimants must have stemmed from other asbestos because Calidria could not cause such injuries.

Union Carbide has settled many of the lawsuits naming Union Carbide in order to avoid the costs of litigation. Union Carbide maintains a computer listing all asbestos-related cases which have named Union Carbide alleging exposure to Calidria asbestos. Upon plaintiffs request, Union Carbide will make the list available for review and replication at a suitable time and place.

INTERROGATORY NO. 112. Had you, your subsidiaries, divisions or predecessors-in-interest ever retained attorneys in the State of Colorado to prosecute lawsuits or defend the same? If so, please state the name of any such attorney or law firm, the address and the caption of the lawsuit involved.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 111, including all objections set forth therein.

INTERROGATORY NO. 113. Did you, your subsidiaries, divisions or predecessors-in-interest maintain any office in the State of Colorado? If so, state:

113a. State the address of each such office.

113b. Were any such offices listed in the telephone directory?

113c. The name of the agent or persons responsible for each such office.

113d. Was such agent, employee, or person a resident of the State of Colorado?

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Union Carbide no longer manufactures, produces, or sells any asbestos or asbestos-containing products. According to the best information presently available to Union Carbide, the aforementioned products were manufactured at the following locations:

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Bakelite - Bound Brook, New Jersey

UDEL Polysulfone - Marietta, Ohio or Bound Brook, New Jersey

Acetylene Cylinders - Speedway, Indiana

TRE-HOLD - California or Pennsylvania (originally made by a company acquired by Union Carbide)

Automotive Radiator Products - Whiting, Indiana, Texas City, Texas, Torrence, California, or Lake River Terminal, Illinois

Steel Scarfer Machine - Piscataway, New Jersey

Polyethylene and Polystyrene Products Possible Containing Asbestos - Bound Brook, New Jersey

Union Carbide objects to responding further, with respect to the possible use of small quantities of asbestos in experimental laboratories or pilot plants. Such information is irrelevant to this action inasmuch as the plaintiffs do not allege that they worked in or around any such facilities. Moreover, it would be unduly burdensome, if not virtually impossible, for Union Carbide to respond with respect to all such laboratory or pilot plant facilities.

See also Union Carbide's Answer to Interrogatory No. 1.

INTERROGATORY NO. 114. During the years in question, did any of your company's, its subsidiaries', divisions', or predecessors-in-interest' employees, agents or subcontractors travel to the State of Colorado on company business regarding your products? if so, state:

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1 and 51, including all objections set forth therein.

INTERROGATORY NO. 115. How many such trips were made in the years in question?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 51, including all objections set forth therein.

INTERROGATORY NO. 116. How many trips were made by air fare?

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ANSWER:

See Union Carbide's Answer to Interrogatory No. 51, including all objections set forth therein.

INTERROGATORY NO. 117. How many trips were made by other transportation means such as automobile or train?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 51, including all objections set forth therein.

INTERROGATORY NO. 118. What was the nature of the business conducted in the State of Colorado by such person?

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 51 and 94, including all objections set forth therein.

INTERROGATORY NO. 119. During the years in question, did your company, its subsidiaries, divisions or predecessors-in-interest systematically and continuously solicit sales of its products throughout Colorado by systematic distribution of sales literature and brochures to various persons and businesses within the State of Colorado? If not:

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 51 and 94, including all objections set forth therein.

INTERROGATORIES NO. 120-199.

These interrogatories did not contain Interrogatories No. 120-199.

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INTERROGATORY NO. 200. Did you, your subsidiaries, divisions or predecessors-in-interest have a representative make such distribution? If so, please state the name of the representative.

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 51 and 94, including all objections set forth therein.

INTERROGATORY NO. 201. Did you, your subsidiaries, divisions or predecessors-in-interest use an independent contractor or third person to make such distribution? If so, please state the name of such independent contractor or third person.

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 1 and 51, including all objections set forth therein.

INTERROGATORY NO. 202. During the years in question, did you, your subsidiaries, divisions or predecessors-in-interest accept purchase orders for your products from anyone or any business in the State of Colorado? If so, state:

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 51, including all objections set forth therein.

INTERROGATORY NO. 203. How many such purchase orders in each year in question?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 51, including all objections set forth therein.

INTERROGATORY NO. 204. Which person or businesses did you, your subsidiaries, divisions or predecessors-in-interest receive purchase orders from?

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ANSWER:

See Union Carbide's Answer to Interrogatory No. 51, including all objections set forth therein.

INTERROGATORY NO. 205. As a result of such purchase orders, were your company's, its subsidiaries', divisions', or predecessors-in-interest' products distributed in the State of Colorado?

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 51 and 68, including all objections set forth therein.

INTERROGATORY NO. 206. Had your company, its subsidiaries, divisions or predecessors-in-interest performed services in the State of Colorado pursuant to any express or implied warranties on your products? Were you doing this in the years in question herein?

ANSWER:

See General Objection Nos. 1, 2, and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

Calidria was not an "asbestos-containing product", but rather consisted of raw asbestos with a unique physical configuration which was marketed and sold by Calidria distributors to manufacturers or producers for use in their products or production processes. Calidria, due to its unique physical properties, short fiber length in particular, was not suited for use in thermal or frost insulation.

From 1963 through June 30, 1985, Union Carbide provided a warranty to all purchasers of Calidria asbestos. The warranty, which was located on the Calidria asbestos sales invoice, read as follows:

Seller warrants that at the time of delivery the material will be of Seller's standard specifications for the type and grade of the material described herein (unless otherwise specified herein) and will conform to the description thereof on the face of the document.

THERE ARE NO EXPRESS WARRANTIES BY SELLER OTHER THAN THOSE SPECIFIED IN THIS PARAGRAPH 2. NO WARRANTIES BY SELLER OTHER THAN A WARRANTY OF TITLE AS PROVIDED BY THE UNIFORM COMMERCIAL CODE

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SHALL BE IMPLIED OR OTHERWISE CREATED UNDER THE UNIFORM COMMERCIAL CODE, INCLUDING BUT NOT LIMITED TO A WARRANTY OF MERCHANTABILITY AND A WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE.

See also Union Carbide's Answer to Interrogatory No. 51.

INTERROGATORY NO. 207. Had you, your subsidiaries, divisions or predecessors-in-interest carried on any business or transaction by mail with persons or businesses in the State of Colorado regarding your products? If so, state:

ANSWER:

See Union Carbide's Answer to Interrogatory No. 51, including all objections set forth therein.

INTERROGATORY NO. 208. Were you, your subsidiaries, divisions or predecessors-in-interest doing this in the years in question herein?

ANSWER:

See Union Carbide's Answer to Interrogatory No. 51, including all objections set forth therein.

INTERROGATORY NO. 209. Which persons or businesses were involved in the years in question herein?

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 51 and 95, including all objections set forth therein.

INTERROGATORY NO. 210. Had any recall letters or recall literature been distributed in the State of Colorado by your company, its subsidiaries, divisions or predecessors-in-interest? If so, state:

210a. The date and nature of each such recall letter or information.

210b. Did any recall occur in the years in question herein? If so, please state the nature of that recall.

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ANSWER:

See Union Carbide's Answer to Interrogatory No. 51, including all objections set forth therein.

INTERROGATORY NO. 211. Please list the name and address of each non-expert witness that you may call to give testimony at the trial of this case and for each such witness please state that persons' employment, and a brief description of the expected testimony from each witness and the relevant knowledge possessed by each witness.

ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Union Carbide further 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 as follows:

Union Carbide has not completed its determination of witnesses it will call at a trial in this case and reserves the right to supplement this information if, when, and as it makes such a determination in this case. Union Carbide reserves the right to call any witness listed by any other party to this litigation. Union Carbide will identify its witnesses in accordance with Court-ordered schedules for the idenfication of witnesses and materials.

INTERROGATORY NO. 212. For each person whom you expect to call as an expert witness at trial please state the subject matter on which the expert is expected to testify, and state the substance of the facts and opinions to which the expert is expected to testify and a summary of the of the grounds for each opinion.

ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

The discovery process and Union Carbide's own investigation are still ongoing. Union Carbide, so far, has retained no expert for this case in particular. Union Carbide has not yet determined which experts, if any, it will call or consult with at or for a trial of

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this particular case, or what material any experts would rely upon. Union Carbide reserves the right to supplement this information if, when, and as it makes such a determination in this case. Union Carbide reserves the right to call any expert witness listed by any party to this litigation. Union Carbide will identify its expert witnesses in accordance with Court-ordered schedules for the identification of expert witnesses and materials.

INTERROGATORY NO. 213. Please list each exhibit that you may seek to introduce at the trial of this case and describe it with sufficient particularity so that it may be made the subject of a request for production.

ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Subject to its objections, Union Carbide responds as follows:

(1) Sales Invoices.(2) Sample Warning Labels used on Calidria packages.(3) Various brochures and other literature relating to health and safety disseminated to Union Carbide Calidria customers.(4) Business or scientific papers and articles showing the innocuous nature of Calidria's (its lack of health hazard) and to the unique chemical and physical properties and characteristics of the Coalinga (Calidria) fiber.

Union Carbide has not completed its determination of exhibits it will introduce at a trial in this case and reserves the right to amend and supplement the above list of exhibits. Union Carbide reserves the right to use any document listed by any other party to this litigation. Union Carbide will identify its exhibits in accordance with Court-ordered schedules for the identification of exhibits and materials.

INTERROGATORY NO. 214. Please identify by title, date of publication, name of sponsoring or promulgating group or entity and applicable number or designation each code, standard, regulation or statute you may seek to introduce into evidence at any hearing or trial of this case or to which any expert may refer during his or her testimony, and the name of any expert through whom you may seek to introduce any such item.

ANSWER:

See Union Carbide's Answer to Interrogatory No. 212, including all objections set forth therein.

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INTERROGATORY NO. 215. If there is any information or tangible item that you have not provided because your are claiming that such information is privileged, then please identify the general subject matter and are of the information for which a privilege is claimed, sufficient to identify it so that the matter may be brought to the attention of the Court, and specify the nature of the privilege being claimed.

ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 216. If you claim that any asbestos containing product to which plaintiff was or may have been exposed was manufactured and delivered by you, your divisions, subsidiaries or predecessors-in-interest under such circumstances that you believe you have a defense to plaintiffs claims herein based upon the "government contract defense" then please state the following:

216a. Each job site where the exposure occurred or may have occurred.

216b. The date of the contract pursuant to which the products were manufactured and supplied.

216c. The names of all persons signing the contract pursuant to which the products were manufactured and supplied.

216d. State verbatim the entire contents of such contract pursuant to which the products were manufactured and supplied. Alternatively, in response to this subpart 216d., attach to your copies to these interrogatories a copy of any such contract.

216e. Describe each such product manufactured and supplied by you pursuant to a government contract and list separately each ingredient in such and the percentage of the composition of the product for each ingredient.

216f. Did the composition of any such products manufactured and supplied by you pursuant to a government contract differ in composition from comparable products sold by you, your divisions, subsidiaries or predecessors in interest to non-governmental entities.

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ANSWER:

See General Objection Nos. 1, 2, 3 and 4. Union Carbide further objects to this Interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 217. For each affirmative defense alleged by you in your answer to the complaint for damages in this case please state the following:

217a. All facts upon which the affirmative defense is based.

217b. The name and address and a summary of expected testimony of any witness you may call at any trial or hearing in this case to give evidence in support of any affirmative defense.

217c. Please describe with sufficient particularity so that it may be made the subject of a request for production each and every document or other tangible item that you may seek to introduce into evidence at any trial or hearing of this case in support of or in an effort to prove any affirmative defense.

217d. Please describe with sufficient particularity so that it may be made the subject of a request for production each and every document or other tangible item known to you which you believe supports or tends to prove the truth of each and every affirmative defense.

217e. Was any investigation conducted by you to determine whether in truth there are sufficient facts to support each and every affirmative defense alleged in your answer?

ANSWER:

See Union Carbide's Answers to Interrogatory Nos. 211, 212, and 213, including all objections set forth therein.

AS TO OBJECTIONS AND DEFENSES:

BAKER & HOSTETLER LLP
Duly executed signature on file at the office of Baker & Hostetler LLP

By:_____
Mary Price Birk, No. 10415
Ronald L. Hellbusch, No. 26094
Susan R. Hahn, No. 27344

ATTORNEYS FOR DEFENDANT UNION CARBIDE CORPORATION

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of January, 2002, a true and correct copy of the above and foregoing **UNION CARBIDE CORPORATION'S RESPONSES TO PLAINTIFFS' STANDARD INTERROGATORIES TO ALL DEFENDANTS** was served electronically via JusticeLink to:

J. Conard Metcalf, Esq.
Trine & Metcalf, P.C.
1435 Arapahoe Ave.
Boulder, CO 80302-6390

Duly executed signature on file at the office of Baker & Hostetler LLP

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From: Justicelink <Justicelink@mail1.JusticeLink.com>
To: '"NAdler@Trine-Metcalf.com"' <NAdler@Trine-Metcalf...
Date: 1/31/02 11:09AM
Subject: CourtLink - Notification of Service of electronically-filed documents in 1989CV2000: D71989CV2000

eFile Service Notification Copy - Case: 1989CV2000; Filing ID: 515583

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To: Nancy Dene Adler (Trine & Metcalf PC)
From: Mary Price Birk (Baker & Hostetler LLP-Denver)

An attorney at your firm has selected you to receive a copy of this service notification.

Filing ID: 515583
Authorized Date/Time:1/31/2002 1:08:24 PM

Court: CO 20th JD Boulder County District Court
Case: 1989CV2000; D71989CV2000
Filing Party: UNION CARBIDE ,

Total Number of Documents: 1

Document Titles:
Union Carbide Corporations Responses to Plaintiffs Standard Interrogatories to All Defendants

You can view, print, or download the served documents via the eFile system at http://www.lexisnexiscourtlink.com.

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