

FILED
EL PASO COUNTY, TEXAS
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L Medrano
DEPUTY

CAUSE NO. 96-333

IN RE:) IN THE DISTRICT COURTS
ASBESTOS LITIGATION) AND COUNTY COURTS AT
) LAW
)
) EL PASO COUNTY, TEXAS

AMENDED STANDING ORDER

This Amended Standing Order supersedes all other standing orders previously entered by the courts of El Paso County, Texas. Having considered the type and number of asbestos cases pending in El Paso County, Texas, and having heard the argument of counsel, and having reviewed the motions and briefs of the parties, the Court finds that good cause exists for the entry of this Amended Standing Order.

This Order is intended to facilitate the administration of asbestos disease cases in El Paso County, Texas, by reducing multiple filings and hearings, by creating a central repository for certain filings and by setting out Orders for the disposition of the cases as a whole. This Order shall apply to all pending and future cases, except those cases already set for trial between the date this Order is entered and 90 days thereafter, in the District Courts and County Courts at Law of El Paso County, Texas, in which a claim for monetary damages is made for any injury, illness, malignancy, fear of malignancy, mental anguish, loss of consortium, survival benefits, wrongful death or other damages claimed as a result of exposure to asbestos or products containing asbestos. All cases subject to this Order shall be considered Level Three cases and this Order shall be the discovery control plan applicable to these cases.

I.

APPEARANCE, TRIAL SETTING

1. Citation shall be made according to the Texas Rules of Civil Procedure.

Plaintiff(s) shall serve all Defendants within 90 days after process has been issued by the El Paso County District Clerk (hereafter Clerk).

In the event a Plaintiff's deposition must be taken prior to service of all Defendants due to the Plaintiff's deteriorating medical condition, Plaintiff(s) agree to provide Defendants with answers to master discovery and a courtesy copy of the petition prior to Plaintiff's deposition. Defendants do not waive any venue or jurisdictional issues by appearing and questioning such a witness prior to being served.

2. The Clerk of El Paso County, Texas, shall maintain a file entitled "In Re: Asbestos Litigation", which may be referred to as the "Master Asbestos File". The Master Asbestos File shall be assigned Cause No. 96-333. Instruments applicable to all asbestos cases and pertaining to common issues shall be filed in this file.

3. The Clerk shall maintain a master service list of all counsel representing parties in any asbestos case filed in El Paso County, Texas. Counsel for each party shall be listed once. If counsel change their address, phone number or fax number, they shall immediately notify the Clerk in writing of such change. Any party required to serve notice in a case governed by this Order shall serve one copy of the document on counsel for each party on the master service list, as appropriate. This master service list shall be updated periodically.

Each counsel shall notify the Clerk in writing of his or her appearance and which party it represents. Counsel shall list all attorneys in the firm representing each client.

4. All motions and other instruments that apply to all asbestos cases shall be filed in

the master asbestos file ONLY and shall be styled "In Re: Asbestos Litigation" and shall bear the caption of the pleading. A motion or other instrument filed in the master asbestos file is deemed filed in each and every asbestos case to which it may be applicable and is incorporated by reference into such file for all purposes. The resulting Order shall control all such cases. Case specific motions shall be filed in the applicable case file and should not be filed in the master asbestos file.

Plaintiff(s) may, at their option, file a standard petition in the Master Asbestos File. Defendants may file, at their option, a standard answer in the Master Asbestos File. In individual cases, Plaintiff(s) may file a short form petition, listing Plaintiff's name, venue allegations, and the specific Defendants each Plaintiff(s) is suing.

5. Motions concerning common issues shall be filed in the Master Asbestos File and served upon opposing counsel seven (7) or more days in advance of the requested hearing date. The Court may otherwise entertain emergency motions. Hearings on issues other than common issues shall be set in accordance with the Texas Rules of Civil Procedure.

6. Each petition filed after the date of this order by a Plaintiff(s) shall contain the following:
- a. The proper name and current residential address (not post office box), including state of residence, of each Plaintiff(s) named in that petition.
 - b. As to each Plaintiff(s), an allegation as to why venue is proper in El Paso County, Texas.
 - c. Each Plaintiff(s) shall state with particularity against which Defendant(s) he or she is asserting claim(s) against.

7. No new asbestos case will be set for trial with less than 6 months notice. Once a

setting is obtained, Plaintiff(s) shall notify all Defendants of the trial setting. In special circumstances, Plaintiff(s) may petition the Court to set a trial before the six month period runs. The Court, after hearing, may grant Plaintiff(s)' motion if medical exigency is established.

8. If any Plaintiff(s)/Intervenor is added to any case already on file, that case may not be set for trial for at least 120 days, absent good cause shown, after the pleading adding the Plaintiff(s)/Intervenor. If the Plaintiff(s)/Intervenor was previously a Plaintiff in any asbestos lawsuit in another county, counsel for Plaintiff(s) shall promptly forward to counsel for Defendants all discovery responses and other filings from the county where the Plaintiff(s)/Intervenor's suit was originally filed. If Defendants are joined as parties to a pending case with a trial setting pending, that case may not be reset for trial for at least 120 days, unless after hearing good cause is shown the Court for an earlier trial setting.

9. All future filings of asbestos-related cases shall be made on the basis of no more than three injured or exposed Plaintiffs per petition. The Plaintiff(s)' spouse, children, beneficiaries or representative of an estate may join each Plaintiff(s).

II.

DISCOVERY

10. Within ninety (90) days of filing their Original Petition, Plaintiff(s) shall serve responses to master discovery requests, attached hereto as Exhibits 1, 2 and 3, and if a request is made, provide to Lead Defense Counsel, all available tissue, blocks, slides or other pathology material, x-rays, CT scans, or other radiographic films in Plaintiff(s)' possession or constructive possession (as opposed to being in the possession of health care providers). If a Plaintiff(s) has previously answered the "master" discovery requests in a case pending in this

Court on the date this Standing Order is adopted, that Plaintiff(s) need only supplement his or her answers pursuant to the Texas Rules of Civil Procedure.

11. In any case where additional tissue, blocks, slides or other pathology material, x-rays, CT scans, or radiographic films exist and are in Plaintiff(s)' possession or constructive possession (as opposed to being in the possession of health care providers), Plaintiff(s)' counsel upon request being made shall provide such materials to defense Liaison Counsel within 30 days but no later than 120 days before trial. If such materials are not in Plaintiff(s)' possession or constructive possession, Plaintiff(s)' counsel shall execute a medical authorization on the form attached to the master discovery and furnish same to the defense Liaison Counsel within 30 days after motion and appointment of such counsel by the Court or at the time appointed for service of master discovery, whichever is sooner.

Defendants are entitled to procure medical records and additional medical materials by use of the record authorizations provided by Plaintiff(s) in response to Master interrogatories and requests for production. The cost of procuring medical records shall be borne by the parties requesting and obtaining said records. In the interest of reducing needless waste of paper and duplicative effort, once product identification has been made, Plaintiff(s) shall provide medical authorizations to the Lead Defense Counsel who will then be responsible for the acquisition of all medical materials requested by any of the Defendants.

If a Defendant causes Notice of Intention to Take Deposition By Written Questions and Subpoena Duces Tecum for production of medical records to be issued, the parties shall waive the 20-day notice for the medical records. Should Plaintiff(s) desire to file cross-questions, they shall do so promptly and inform the Defendants seeking medical records, and Plaintiff(s)' cross-questions shall be either included in Defendants' deposition upon written questions or such

cross-questions shall be promptly supplemented to the health care provider.

12. Should Plaintiff(s) fail to make any of the materials in the previous paragraph available for inspection and/or copying at least 90 days prior to trial, after timely request, the Defendants shall have no less than forty-five (45) days after the receipt thereof to assess such evidence and produce any expert reports they deem necessary notwithstanding any procedural rules or scheduling deadlines to the contrary.

13. Defendants are, as a group, entitled to arrange for a medical examination of the Plaintiff(s), if living, to be conducted by a physician of their choice and at their expense. The request for medical examination should be coordinated with each Plaintiff(s)' discovery deposition, if possible. If, after reasonable and timely request by the Defendants, Plaintiff(s) have not been made available for an independent medical examination more than 60 days prior to trial, Defendants' experts shall have no less than 30 days following the examination of the Plaintiff(s) to produce a written report of the findings from such examination notwithstanding any other deadlines in this Order or the Texas Rules of Civil Procedure. Defendants shall reimburse Plaintiff(s) for reasonable travel expenses, not to exceed two hundred fifty dollars (\$250.00), associated with each Plaintiff(s)' medical examination. Defendants may seek additional medical examinations of Plaintiff(s) upon a showing of good cause.

14. Unless Defendants receive additional time from the Court, the Defendants are ordered to cause a report of such medical examination to be reduced to writing and served upon Plaintiff(s)' counsel and other Defendants' counsel in accordance with Tex. R. Civ. P. 204.2, but no later than 30 days before trial or unless otherwise agreed to by the parties.

15. Defendants shall designate Lead Defense Counsel and Backup Lead Defense Counsel, respectively, and shall file notice of same with the Clerk. Lead Counsel is designated

only for the purpose of coordinating Plaintiff(s)' deposition(s), collecting medical records and scheduling independent medical examinations. Notice to any Lead Defense Counsel does NOT constitute notice to all Defendants. The Court shall appoint liaison counsel for Plaintiff(s) and Defendants within forty-five (45) days of filing the original petition. The duties and function of the liaison counsel is to facilitate notice of settings and to coordinate hearings with the parties and to facilitate communication between the Court and the parties. It shall be the responsibility of liaison counsel for each side to coordinate settings and hearings with the Court's staff, i.e., court coordinator or that person handling the settings for that Court.

16. Defendants are authorized to coordinate their defense efforts to streamline discovery and other matters in asbestos litigation cases so that cases move promptly. All communications among Defendants (or their counsel) concerning defense efforts shall be deemed privileged, if any such privilege exists and is defined by law. Unless otherwise permitted by the trial judge, Plaintiff(s) are prohibited from making any reference concerning such coordination efforts by Defendants and their counsel to any jury.

17. In the event that a Plaintiff(s) reaches a substantial settlement with any Lead Defense Counsel for Defendants, with regard to the settling Plaintiff(s), Backup Lead Defense Counsel shall assume responsibility for Lead Defense. "Substantial settlement" means the level of negotiations that would lead a party about to settle to cease aggressive discovery. Settling Defendants shall promptly notify the Court in writing and all remaining parties of the new Lead Defense Counsel. The Settling Defendant whose counsel was serving as Lead Defense Counsel shall fulfill the following duties:

- a: Immediately transfer to the Backup Lead Defense Counsel the responsibility for the collection of the settling Plaintiff(s)' medical records

for the benefit of all non-settling Defendants;

- b: Immediately deliver to Backup Lead Defense Counsel all documents, items and any other materials collected and developed as Lead Defense Counsel; and
- c: If within sixty (60) days of trial a Plaintiff(s) reaches a substantial settlement with a Lead Defense Counsel, and the lead Defense Counsel has been unable to satisfy its obligations of coordinating an independent medical examination, scheduling depositions or obtaining medical records due to the settling Plaintiff(s)' failure to comply with this order, the remaining non-settling Defendants, after a hearing and upon proof to the Court of Plaintiff(s)' failure to comply, shall be entitled to at least a thirty (30) day continuance. If it is shown at the hearing that the failure to obtain the discover is the fault of the Defendants', then denial of the motion for continuance is appropriate.

18. Each Plaintiff(s) shall be made available for deposition at least ninety (90) days before trial. If a Plaintiff(s) has not been made available for deposition ninety (90) days before trial, and if that Plaintiff(s) is/are later deposed and identifies additional products of Defendants and/or job sites, not previously identified in discovery, that Plaintiff(s)' case will be continued for at least one month in that court. If other Plaintiff(s) included in the same cause number are ready for trial, a severance will be appropriate. If the Plaintiff(s)' case is continued, Defendants' expert designations will be continued to allow inclusion of any case specific expert opinions developed after review of Plaintiff(s)' deposition.

19. Plaintiff(s) are to be made available for deposition(s) in El Paso County, Texas,

except by agreement between counsel for Plaintiff(s) and Lead Defense Counsel designated pursuant to paragraph 17 herein or as set forth below. A Plaintiff(s)' deposition may be taken in the county of that Plaintiff(s)' residence if that Plaintiff(s) produces a letter from his or her treating physician stating that the Plaintiff(s) is too sick to travel and describing the medical condition from which he or she suffers. This letter will also certify that the Plaintiff(s) is too sick to travel to Texas for trial, if applicable. Defendants may take this deposition by telephone, according to the Texas Rules of Civil Procedure.

Discovery or trial deposition of Plaintiff(s) may not be noticed to take place in a state other than Texas by any party unless the Plaintiff(s) is too ill to travel due to a medical condition.

Each party is entitled to a videotape deposition to perpetuate his or her testimony and may notice such deposition at any time.

Depositions will be limited in time pursuant to the Texas Rules of Civil Procedure. Additional limitations on the time of the deposition of a witness in an asbestos case may be imposed upon a showing that the witness to be deposed has a medical or other condition which necessitates such a time limit. The party offering the witness shall inform all parties to the case of any time limitation (other than that in the Texas Rules of Civil Procedure) in advance of the deposition.

Unless previously deposed in this case or is unavailable under the Texas Rules of Evidence, corporate representative(s) that a Defendant intends to call as a witness at trial shall be offered for deposition in El Paso County, Texas, or at a location agreed to by the parties no later than thirty (30) days prior to trial. Failure to offer said witness shall result in the exclusion of any testimony from said witness at trial.

Motions seeking to enforce a time limit on the Plaintiff(s)' deposition shall not be

granted without hearing, with reasonable notice to all named Defendants.

20. No later than thirty (30) days before trial, Plaintiff(s) shall supplement their discovery responses.

21. Plaintiff(s) shall designate and disclose the opinions of their expert witnesses sixty (60) days before trial and fact witnesses no later than forty-five (45) days before trial. Each expert witness shall be offered at a reasonable time and place for deposition, and in no event shall any witness be deposed within seven (7) days of trial, except by agreement of the parties, or leave of Court. If all fact and expert witness discovery has not been completed by Plaintiff(s)' designation date, Plaintiffs may supplement their designations to include opinions based on fact and expert discovery. Witnesses not included in the designations will not be allowed to testify at trial unless after a hearing the parties comply with Texas Rule of Civil Procedure 193.6(a)(1), (2).

22. Defendants shall designate and disclose the opinions of their expert witnesses thirty (30) days before trial. Fact witnesses shall be disclosed thirty (30) days before trial. If all fact and expert witness discovery has not been completed by Defendants' designation date, Defendants may supplement their designations to include opinions based on fact and expert discovery. Witnesses not included in the designations will not be allowed to testify at trial unless after a hearing the parties comply with Texas Rule of Civil Procedure 193.6(a)(1), (2).

23. Each Defendant shall serve answers and/or objections to the Master Set of Discovery to Defendants, attached hereto as Exhibit A, within one hundred and twenty (120) days of the date of this Order or appearance day, whichever is later, if not previously served. If, however, Plaintiff(s) sue a Defendant that has not previously appeared in an asbestos-related case in El Paso County, Texas, Plaintiff(s) shall serve on the new Defendant a copy of the Master Set

of Discovery to Defendant(s). The new Defendant(s) shall file its answers and/or objections to such Master Discovery within 120 days after service of the discovery and shall serve copies of its answers on each party listed on the El Paso County master service list. Once a Defendant has filed its answer and/or objections to the master set of discovery to Defendants, it need only supplement its answers and/or objections pursuant to the Texas Rules of Civil Procedure. If a Defendant(s) already served answers and/or to discovery in an individual case, the master discovery shall be supplemental to the discovery already served in that case.

24. No other interrogatories, requests for production or request for disclosure other than Master Discovery shall be served, nor responses required, without leave of Court or agreement of counsel, after hearing, other than those to establish the authenticity of documents. Requests for Disclosure shall be presumed part of the Master El Paso Discovery and shall be answered and supplemented within the dates set out herein. Moreover, the parties are allowed to serve case specific Requests for Admissions, not to exceed 60 in number, without leave of Court.

25. Plaintiff(s) and Defendants are permitted to adopt by reference their respective Master Witness and Exhibit Lists filed in the El Paso County Master Asbestos File. Plaintiff(s) and Defendants may refer to their lists on any discovery responses served or filed as long as original lists and exhibits have been served on all parties or made available for inspection and copying.

26. Except as otherwise provided in this order, discovery deadlines are governed by the Texas Rules of Civil Procedure.

III.

PLEADINGS & MOTIONS

27. Each Defendant with an answer on file is deemed to be asserting a cross-action for

contribution against each of the other Defendants and/or settling Defendants for any claims they may assert in such action. Cross-actions against Defendants who have been dismissed or non-suited by Plaintiff(s) shall be dismissed thirty (30) days after the dismissal order is signed. If such dismissal occurs within thirty (30) days of trial, cross-action(s) shall be automatically dismissed 3 days after service of Plaintiff(s) non-suit or the morning of trial, whichever is earlier. Objections to such dismissal must be made in writing. If objection is made in writing, the cross-action(s) shall not be dismissed. This dismissal will be effective automatically by virtue of this Order without the necessity of any written motion or written order by the Court.

28. Nothing in this Order shall be construed as a waiver of any party's special appearance, motion to transfer venue, motion to dismiss for forum non conveniens, motion for continuance, motion opposing consolidation or motion to determine applicable substantive law of these actions. Participation in the drafting of this Order, the filing of any standard set of discovery or the appearance at any hearing concerning the entry of this Order shall not be construed as constituting an appearance by any Defendant.

29. Any party who sets a motion for hearing is responsible for notifying all parties of the hearing date and time.

30. Any party may adopt motions and any other pleadings of any other party without the necessity of repeating such motion or pleading if such adoption is made in writing and within the time limits prescribed by the Texas Rules of Civil Procedure for filing the motion. Any party who timely and in writing adopts a motion also adopts any notice of hearing as to that motion, without the necessity of issuing a separate notice of hearing. Withdrawal of a motion by any party does not act as a withdrawal of that motion as to any filing or adopting party. Such withdrawal does not cancel any hearing on such motion without the express agreement of all

parties filing or adopting such motion. Adoptions may be filed by facsimile.

IV.

PRE-TRIAL

31. At the pre-trial hearing, counsel shall:
 1. Pre-mark all exhibits;
 2. Establish the predicate for the admissibility of exhibits and obtain a ruling on exhibits. Absent good cause shown, failure to do so constitutes a waiver;
 3. Bring proposed court's charge and jury questions in writing and in diskette and present them to the Court and opposing counsel. The diskette format is for the Court's use only. Absent good cause shown, failure to do so constitutes a waiver;
 4. Bring Motions in Limine and obtain a ruling thereon. Absent good cause shown, failure to do so constitutes a waiver;
 5. Be prepared to discuss the number and names of witnesses each party plans to call at trial;
 6. Be prepared to discuss reasonable time constraints on each phase of the trial;
 7. If written and video taped depositions cannot be edited by agreement, obtain rulings on any disputed portions and have edited edition ready for trial;
 8. Discuss any other problems or conflicts and obtain rulings from the Court so that the trial can start promptly with the jury at the time designated by

the Court. The jury will not be kept waiting;

9. Any motions challenging expert opinions will be made at the pre-trial hearing, but may be heard by the Court at a convenient time when experts will be in town for their trial testimony. All such motions shall be filed two weeks prior to the pre-trial hearing. Failure to do so will constitute waiver.

32. Counsel will confer with each other twenty-four (24) hours prior to pre-trial to discuss a "cut down" list of such exhibits and try to resolve objections to exhibits. Exhibits not listed and disclosed at that time will not be allowed in evidence unless good cause is shown. If any party intends to use an exhibit not previously designated, that party shall supplement its discovery in accordance with the Texas Rules of Civil Procedure. Those objections that cannot be resolved shall be presented to the Court at the pre-trial conference just prior to trial or as otherwise directed by the Court.

33. Each party shall provide to all other parties its page and line designations 48 hours prior to the introduction of that witnesses' testimony at trial. Any responding party shall provide counter-designations to the offering party 24 hours prior to that witnesses' testimony at trial.

34. Prior to argument on Motions in Limine, counsel shall confer on Motions in Limine. Counsel shall advise the Court which Motions are agreed and which require ruling by the Court.

35. At the pre-trial, Plaintiff(s) shall disclose who the settling parties are and the total amounts. The disclosure of settlement agreements shall be governed by the Texas Rules of Civil Procedure.

36. All cases are ordered to mediation and counsel for all parties present shall attend

the mediation with full authority to settle or shall have present at mediation a representative of the client with full authority to settle. Parties who fail to attend mediation with full settlement authority will be subject to sanctions. If a party reaches a settlement, that party shall immediately notify the Court and all parties of the settlement.

Immediately after settlement, settling Defendant(s) shall within thirty (30) days sign and forward to counsel of Plaintiff(s) an Agreed Judgment or an order of dismissal which shall thereafter be forwarded to the Court for entry.

V.

TRIAL

37. All cases set for trial on a given trial date are considered called for trial on that date.

38. Asbestos cases shall proceed to trial in the ordinary course of the disposition of all cases by the El Paso County Courts at Law or District Courts.

VI.

BANKRUPTCY

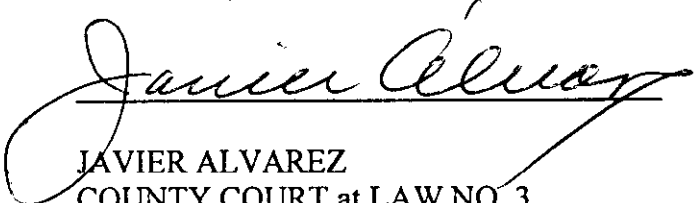
39. The claims of all Plaintiff(s) in El Paso County, Texas, asbestos litigation against all bankrupt Defendants only shall be, and hereby are automatically severed from their original cause numbers, and are consolidated under cause number 96-333 styled In Re: Asbestos Litigation Consolidation of Bankrupt Defendants Under Common Cause Number.

40. This severance is and any future severances under this Order will be granted without the consent of the Defendants, and shall not affect, diminish or constitute a waiver of any substantive or procedural rights parties may have to introduce evidence, seek a settlement credit, or see a jury submission on the fault of any severed, bankrupt defendants.

41. Should any additional Defendants in El Paso County, Texas, asbestos litigation file for protection under the bankruptcy laws, all Plaintiff(s)' claims pending against such Defendants only in El Paso County, Texas, asbestos cases shall automatically be severed from their original cause numbers upon the filing of the petition for protection under the bankruptcy laws by such Defendant, and such claims shall also be consolidated with the claims against other bankrupt Defendants to proceed under Cause No. 96-333, styled In Re: Asbestos Litigation Consolidation of Bankrupt Defendants under a Common Cause Number.

42. The Court reserves the right to supplement or modify this Order upon reasonable notice to the parties. To the extent that matters are not addressed and/or covered by this Amended Standing Order, the Texas Rules of Civil Procedure, the Texas Rules of Evidence and local rules of court shall govern.

SIGNED this 4th day of February 2002.


JAVIER ALVAREZ
COUNTY COURT at LAW NO. 3
(consent to amend granted by El Paso
Council of Judges)

IN RE:	ALL ASBESTOS-RELATED PERSONAL INJURY OR DEATH CASES FILED OR TO BE FILED IN TRAVIS COUNTY, TEXAS	§ § § § § §	IN THE DISTRICT COURTS AND COUNTY COURTS AT LAW OF EL PASO COUNTY, TEXAS
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PLAINTIFFS' MASTER INTERROGATORIES AND REQUESTS
FOR PRODUCTION PROPOUNDED TO DEFENDANT

TO: DEFENDANT, by and through its counsel of record,

Pursuant to Rule 168 of the Texas Rules of Civil Procedure, the Plaintiffs request that Defendant, , through its officers or agents who have access to the information requested herein, answer, under oath, the following interrogatories within sixty (60) days of the date of service.

DEFINITIONS

As used in this set of Interrogatories and Request for Production, the following terms mean:

1. The words "Defendant," "You," "Your," "Your company," all mean the corporate Defendant separately answering these Interrogatories, and any of its merged, consolidated, or acquired predecessors, divisions, subsidiaries, foreign subsidiaries, foreign subsidiaries of predecessors, and/or affiliates known to have mined, manufactured, sold, marketed, utilized or distributed asbestos or asbestos-containing products or that incorporated asbestos or asbestos-containing products into ships or other water-going vessels. This definition includes present and former officers, directors, agents, employees, and all other persons acting or purporting to act on behalf of the corporate Defendant or its predecessors, subsidiaries, and/or affiliates known to have mined, manufactured, sold, market or distributed asbestos or asbestos-containing products. "Predecessors" further means any business firm, whether or not incorporated, which had all or some of its assets purchased by you or came to be acquired by you whether by merger, consolidation, or otherwise known to have

mined, manufactured, sold, marketed, utilized, or distributed asbestos or asbestos-containing products. "Subsidiaries" further means any business firm, whether or not incorporated, which is or was in any way owned or controlled, in whole or in part by Defendant or its predecessors and which is known to have mined, manufactured, sold, marketed, utilized or distributed asbestos or asbestos-containing products.

Defendant is required to produce a schematic or diagram detailing its subsidiaries, predecessors and divisions that would be included in the above definition. (See Request for Production No. 2)

2. The words "document", "documents", "written materials", or "printed matter" include any written, printed, recorded or graphic matter, photographic or videographic matter or sound reproductions or computer input or output, including but not limited to: contracts, notes, rough drafts, inter-office memoranda, reports, research materials, logs, diaries, calendars, bank statements, tax invoices, diagrams, studies, manuals, minutes, by-laws, articles of incorporation, resolutions, shareholder endorsements, or partnership documents however produced or reproduced, that (1) are now or were formerly in the possession, custody, or control of the Defendant (including documents at any time in the possession, custody or control of their subsidiaries, whether domestic or international, or merged or acquired predecessors), or (2) are known or are believed to be responsive to these Interrogatories regardless of who now has or formerly had custody, possession or control.
3. The words "person" or "persons" include natural persons, firms, partnerships, associations, joint ventures, corporations, and any other form of business organization or arrangement, and officers, directors, shareholders, employees, agents, and contractors of any business organization or arrangement.
4. The words "meeting" or "meetings" may mean any coincidence or presence of any persons, whether or not such coincidence or presence was pre-arranged, was formal or informal, or was in connection with some other activity.
5. The words "describe" or "description", when referring to a place, thing, or occurrence, mean to identify with sufficient particularity the place, thing, or occurrence so as to enable one to locate, examine and fully comprehend or understand the place, thing, or occurrence described.

6. The words "product containing asbestos fibers," "asbestos-containing products," "asbestos products" all refer to any products or materials prepared in any way for sale and/or distribution that contained any kind of asbestos in any possible form. The words "asbestos materials" refer to any and all materials, substance, or matter used or assembled or fabricated during the manufacture of a product, and that contain at least some asbestos fibers. "Product" includes, but is not limited to, pipecovering, turbines, cement, block, gaskets, packing, plaster, joint compound, floor and ceiling tiles, mastics, boilers, raw fibers, fireproofing, shingles, panels, sheets, boards, millboard, refractory cement, boilers, firebrick, brake and clutch linings, finishing compound, texture, and other construction, building, drywall, lath and insulation materials.
7. The words "design changes," and "modifications" mean alterations in the makeup and/or components of a particular product, including but not limited to, variations in the amount or type of asbestos used in the process of manufacturing the product.
8. The words "releasing products to the public" means selling, distributing, marketing, or otherwise causing the products to be available to the general public and/or resale and wholesale outlets for sale.
9. The words "distribute," "distributed," "distributor," and "distribution" all refer to the sale, marketing, dispersal and/or shipment of asbestos-containing products for purposes of their sale, resale and/or for purposes of filling orders provided by other business concerns. The word "distributor" specifically refers to a company or its sales representatives, whether dependent or independent, responsible for sales or marketing of products.
10. The words "marketed," and "market" mean and include all efforts to assist in the distribution and/or sale of products. More generally, these terms refer to only efforts on your part or the part of manufacturers or distributors to sell or otherwise distribute products.
11. The words "medical advisory capacity" refer to the duties, abilities or capabilities of any member of Defendant's staff, or any individual or organization who has contracted with Defendant, to provide services of a medical nature, including but not limited to providing medical advice.

12. The words "trade organization," or "trade association" mean any organizations or associations of business or industrial entities that are associated and/or meet for the purpose of achieving common goals and/or exchanging information related to common needs or interests, and/or learning information or facts of interest to the various members of the organization or association.
13. The word "plant" means a manufacturing or assembly facility where products are assembled, manufactured, constructed, fabricated, or where component parts, materials, substances, or matter of such products are fabricated, assembled, or manufactured or are prepared for further fabrication and/or assembly.
14. The word "manufacture," or "manufactured" means to fabricate, to construct, to assemble, prepare for fabrication or assembly, or any other action taken prior to completion of the product or material before the time of its shipment.
15. The word "resale" means the sale of a finished product or products previously purchased by your company from another company, either with or without alterations, changes, or modifications to the product prior to the sale by your company.
16. The words "sales materials," or "written sales materials" mean any and all documents or literature of a promotional nature that were created or printed for the purpose of assisting in the marketing or distribution of the products. Such documentation may include, but is not limited to, sales invoices, order slips, and other written indicia of orders received and sales made.
17. The words "rebranding agreement" mean an agreement of any kind whereby one party to the agreement is provided products by the other party to the agreement and the agreement contemplates that the first party will place the brand name of its choice upon the products, either by repackaging or otherwise, and then proceed to sell, market, distribute and/or place the product in the stream of commerce, utilizing its new brand name.
18. The words "research" and "research department" refer to efforts, whether scientific or otherwise, to develop new and/or different types of products, processes or designs of pre-existing products and is meant to incorporate all

efforts that specifically contemplated the possible alteration of products.

19. The words "medical department" refer to an individual or a section or group of individuals working for Defendants, either directly or in a contractual capacity, whose purpose was or is to provide guidance, assistance, or advice concerning any aspects of medical health, including but not limited to, the safety of Defendant's workers and the safety of individuals using products manufactured by the Defendant.
20. The words "industrial hygiene surveys" mean surveys, tests, interviews, or other procedures taken or effectuated for the purpose of determining the possibility or existence of detrimental effects caused by Defendant's products on the health of Defendant's workers and/or potential, anticipated, and/or known end users of Defendant's products.
21. The words "potential health hazards," or "health hazards" refer and relate to any injury, effect, damage, scarring, wound, impairment or disability of any part of the human anatomy, including but not limited to the lungs and lung linings, that is caused by or associated with exposures to asbestos dust and fibers.
22. The terms "test" and "testing" are used in their broadest sense, including but not limited to, studies of atmospheric dust samples, studies of the concentration of asbestos in such airborne test sample, studies of the lung conditions of workers (by x-ray or other means of medical surveillance), pulmonary function studies of workers, animal studies, pathological studies, industrial hygiene studies, risk assessment studies, cost-benefit analyses and any other studies on the product concerning health and safety required by any governmental agency.

INTERROGATORIES

INTERROGATORY NO. 1:

State the name, address, job title, length of time employed by Defendant, and a year-by-year list of all other positions, titles, or jobs held when working for Defendant of each person who has supplied any information used in answering these interrogatories.

ANSWER:

INTERROGATORY NO. 2:

State whether or not you are a corporation. If so, state your correct corporate name, the state of your incorporation, the address of your principal place of business, the name and address of the person or entity authorized to accept service of process on your behalf, and whether or not you have ever held a Certificate of Authority to do business in the State of Texas.

ANSWER:

INTERROGATORY NO. 3:

Has Defendant or any of its predecessor or subsidiary companies at any time engaged in the mining and subsequent sale of material containing asbestos fibers? If so, identify the location of the mine(s), the years of its operation, the type of

asbestos mined and whether you sold any asbestos to any Defendants in the Dallas County asbestos litigation.

ANSWER:

INTERROGATORY NO. 4:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time manufactured or sold.

ANSWER:

INTERROGATORY NO. 5:

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time marketed or sold.

ANSWER:

INTERROGATORY NO. 6:

If the answer to one or more of the last three interrogatories is in the affirmative or lists any products, state as to each named product the following:

- A. As to each product, state whether such product was mined, manufactured, marketed, and/or sold.
- B. The names of the companies mining, manufacturing, marketing, and/or selling each product mined, manufactured, marketed, and/or sold.

- C. The trade or brand name of each of those products mined, manufactured, marketed and/or sold.
- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product and the percentage of asbestos put in each product.
- F. The date each of the products was removed from the market and no longer sold or distributed and the reason or reasons therefor.
- G. The date asbestos was removed from such products, if ever, and the reasons therefor.
- H. A description of the physical appearance of each of the named products.
- I. A detailed description of the intended uses of the named products.
- J. Identify the last year that you sold each asbestos-containing product.

ANSWER:

INTERROGATORY NO. 7:

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the

design, preparation, or introduction into the market of the products listed in Interrogatory No. 6 still exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where the documents are currently located.

ANSWER:

INTERROGATORY NO. 8:

Before distributing, selling, or placing the products listed in your responses to Interrogatory Nos. 3-6 into the streams of commerce, were any tests conducted to determine potential health hazards involved in the use of, or exposure to, the materials such as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products tested and the date of each test.
- B. The name, address, and job title of each person conducting the tests or involved with conducting the tests.
- C. The results of the tests.

ANSWER:

INTERROGATORY NO. 9:

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the testing of the products referred to in Interrogatory No. 6 now exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER:

INTERROGATORY NO. 10:

Did Defendant or any of its predecessor or subsidiary companies make any design changes or modifications as a result of those tests described in responses to Interrogatory No. 8? If the answer is affirmative, state:

- A. The trade names of the products changed.
- B. The nature of the changes made and the date of such changes or modifications.
- C. The name, address, and job title of each person responsible for having caused a change to be made, or having made a change or modification.

ANSWER:

INTERROGATORY NO. 11:

After releasing the products listed in Interrogatory No. 6 to the public, were any tests conducted on them to determine potential health hazards resulting from the use of or exposure to the materials, such as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products tested and the dates of such tests.
- B. The name, address, and job title of each person who conducted those tests.
- C. The results of those tests.
- D. Whether, as a result of the tests, any products were removed from the market.
- E. The names of all products removed from the market as a result of these tests.

ANSWER:

INTERROGATORY NO. 12:

Do any documents, including written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the potential health hazards of the products listed in Interrogatory No. 6 now exist? If so, state:

- A. The name of each product.

- B. A description of each document and how it relates to each product.
- C. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER:

INTERROGATORY NO. 13:

Did Defendant or any of its subsidiary companies make any design changes as a result of the tests discussed in your response to Interrogatories No. 10 or 13? If the answer is affirmative, state:

- A. The names of the products changed or modified.
- B. The name, address, and job title of each person responsible for having made a change or modification.
- C. The nature of the hazard or defect which resulted in such change or modification.

ANSWER:

INTERROGATORY NO. 14:

Has Defendant or any of its predecessor or subsidiary companies at any time published or distributed any printed material, including brochures, pamphlets, catalogs, packaging or other written material or any kind or character containing any warnings concerning the possibility of injury resulting from the

use of the asbestos-containing products listed in Interrogatory No. 6? If so, state:

- A. The names of each relevant product.
- B. The exact wording of each warning statement on each printed material.
- C. A description of the printed material other than the warning statement.
- D. The method used to distribute the warning to persons likely to use the product.
- E. The date each warning was first issued, distributed, or placed on packaging.
- F. The name, address, and job title of each person responsible for having drafted or issued the warning.
- G. The current location of any such printed material and the custodian thereof.
- H. The form in which such literature or printed material can be accessed, i.e., the manner in which such literature is indexed or stored.

ANSWER:

INTERROGATORY NO. 15:

Before 1970, had you received notice that any individual or individuals, other than those Plaintiffs who have filed personal injury actions in Dallas County, Texas, is or are claiming or has or have claimed an injury as a result of using asbestos products

manufactured and/or sold by your company or any of its predecessors or subsidiaries before 1970? If so, state:

- A. The name and address of each claimant.
- B. The date of notice of each claim.
- C. A description of the claim.
- D. The type of injuries allegedly sustained.
- E. The name and address of each attorney who represents each individual making a claim.
- F. The style and court number of each claim.
- G. The disposition of each claim that has been settled or taken to judgment.

ANSWER:

INTERROGATORY NO. 16:

Were your asbestos products distributed, marketed, packaged, labeled and/or sold by companies other than your own? If the answer is affirmative, list the names and addresses of each of those companies, and the products in question.

ANSWER:

INTERROGATORY NO. 17:

Did you or any of your predecessors, successors, or subsidiaries have any distributors or sales representatives of asbestos products in the States of Alabama, Florida, Mississippi,

Oregon, Washington, Georgia, Tennessee, Texas and Virginia? If so, state:

- A. The name and address of each such distributor or sales representatives.
- B. The years in which such company or person distributed, marketed, or sold your products.
- C. What products were distributed, marketed, or sold and in what years.

ANSWER:

INTERROGATORY NO. 18:

List each employee (including only physicians and/or hygienists) who has acted in a medical advisory capacity to your company at any time during the past 40 years, including, but not limited to, physicians and industrial hygienists, and the current address, telephone number and job title of each of those individuals and who has, had or may have had any knowledge regarding the hazards of asbestos.

ANSWER:

INTERROGATORY NO. 19:

Does Defendant have in its possession any books, pamphlets, memoranda, or written materials of any kind or character that

would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings? If so, state:

- A. The name of each such publication.
- B. The date of publication and the names of the author and publisher (if any).
- C. The date received by Defendant, if known.
- D. The name, job title, and address of each person who currently has possession of each publication and its present location.

ANSWER:

INTERROGATORY NO. 20:

Has Defendant or any of its subsidiary or predecessor companies at any time been a member of any trade organization or association that published or disseminated any documents or information relating to the hazards of asbestos comprised of other manufacturers, miners, marketers, and/or sellers of asbestos products? If so, state:

- A. The name and address of each such association or organization.
- B. The dates during which Defendant or any of its subsidiaries or predecessors were members.
- C. The names and dates of any publications, minutes, or reports published, written, or disseminated by any of the named associations or organizations.

- D. Whether any of those publications are still in your possession, and if so:
1. A description of the publications, including the date.
 2. The current location of such publications.
 3. The custodian of such publications.
 4. The method or manner in which such publications are maintained.

ANSWER:

INTERROGATORY NO. 21:

Identify by name and location each plant or manufacturing facility in which the products listed in your answers to Interrogatory Nos. 3-6 were manufactured, assembled, or prepared for sale or marketing, specifying which plants produced each item, the dates each plant is or was in operation, and the time span during which each named item was produced or manufactured.

ANSWER:

INTERROGATORY NO. 22:

Have printed sales materials been prepared by Defendant or any of its subsidiary or predecessor companies or their agents for purposes of marketing or advertising products containing asbestos? If so, state:

- A. The name, address, and job title of each person or entity who prepared such materials.
- B. The name, address, and job title of each person who currently has possession of such materials and their present location.
- C. The date the materials were prepared.
- D. The media used to disseminate the sales materials.

ANSWER:

INTERROGATORY NO. 23:

Have any written or printed materials or instructions of any kind or character been prepared by Defendant or any of its subsidiary or predecessor companies or their agents indicating how asbestos products should be used and maintained? If so, state:

- A. The name, address, and job title of each person who prepared such materials or instructions or assisted in their preparation.
- B. The name, address and job title of each person who currently has possession of such materials or instructions and their present location.
- C. The dates of distribution or use and the manner in which such materials or instructions were distributed to purchasers of Defendant's products or those of its subsidiaries or predecessors.

- D. The year each such written material or instruction was prepared and disclosed to potential consumers.

ANSWER:

INTERROGATORY NO. 24:

Does Defendant have insurance policies that might cover the claims made by Plaintiffs in these cases? If so, list the name of each insurance carrier, the amount of initial coverage, amount of coverage remaining at the present time, and the effective dates of each policy. (If properly answered, this Interrogatory need not be supplemented as to the remaining amount of coverage).

ANSWER:

INTERROGATORY NO. 25:

As to the disease asbestosis, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant became aware of the existence of the disease.
- C. Who within the company first discovered, recognized or understood the adverse consequences or effects of the disease and/or of asbestos exposure.

- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form.
- F. Who is the custodian of such information.
- G. The date on which you first received knowledge or information that asbestosis was caused by inhalation of asbestos fibers.

ANSWER:

INTERROGATORY NO. 26:

As to the disease lung cancer, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and its relationship to asbestos exposure.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.

- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendants or its subsidiaries or predecessors in a written form.
- F. Who is the custodian of such information.
- G. The date on which you first received knowledge or information that lung cancer was caused by inhalation of asbestos dust and fibers.

ANSWER:

INTERROGATORY NO. 27:

As to pleural disease, pleural thickening or pleural plaques, state:

- A. The date on which Defendant or its subsidiary or predecessor learned such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.

- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- F. Who is the custodian of such information.

ANSWER:

INTERROGATORY NO. 28:

As to the disease mesothelioma, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned such disease was caused by inhalation of asbestos fibers by humans.
- B. The date on which Defendant first suspected that mesothelioma was caused by inhalation of asbestos dust and fibers.
- C. How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- D. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.

- E. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendants or its subsidiary or predecessor in a written form.
- G. Who is the custodian of such information.
- H. Whether Defendant agrees that there is no known medical cure for mesothelioma.

ANSWER:

INTERROGATORY NO. 29:

As to gastro-intestinal cancer, laryngeal cancer, pharyngeal cancer or lymphatic cancer, state:

- A. The type of cancer and the date on which Defendant or its subsidiary or predecessor first learned that such diseases were caused by inhalation of asbestos fibers by humans.
- B. What cancers has the Defendant or its subsidiary or predecessor become aware can be caused by exposure to asbestos fibers?
- C. The date on which Defendant first suspected other cancers were caused by asbestos inhalation.

- D. Who within the company or its subsidiary or predecessor first discovered the adverse consequences or effects of asbestos exposure.
- E. What information was disseminated with Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- G. Who is the custodian of such information.

ANSWER:

INTERROGATORY NO. 30:

Does Defendant contend that asbestos products can be manufactured or designed so as to eliminate all potential health hazards to persons working with or exposed to them? If the answer is affirmative, explain in detail, and attach any studies or surveys on which this answer is based.

ANSWER:

INTERROGATORY NO. 31:

Describe in detail the types of packages or packaging which Defendant or any of its subsidiary or predecessor companies used for asbestos material or products, listing the dates each type of package was used, a physical description of each type of package,

and providing a description of any printed material or trademarks that appeared thereon.

ANSWER:

INTERROGATORY NO. 32:

Has Defendant or any of its subsidiary or predecessor companies at any time entered into a "rebranding" agreement with any other company, either as buyer or seller, concerning asbestos materials or asbestos products? If so, state, as to each such agreement:

- A. The name of the company manufacturing the asbestos products.
- B. The trade name affixed to those products.
- C. The periods of time covered by each such agreement.
- D. The volume, in dollar amount, of each transaction.
- E. The initial purchaser of the products.

ANSWER:

INTERROGATORY NO. 33:

List the name and address of each company from which Defendant or its subsidiary or predecessor purchased materials or asbestos products which Defendant sold or distributed in any form, stating the form of the materials, the dates of such purchases, and the ultimate disposal of such materials.

ANSWER:

INTERROGATORY NO. 34:

Does Defendant or any of its subsidiaries or predecessor currently have possession of any writings or contracts on those rebranding agreements set forth in the answer to Interrogatory No. 32? If the answer is affirmative, state:

- A. The name, address, and job title of each person having custody of each of those documents and their current location.
- B. A brief description of each such document, including the dates and the parties signatory.

ANSWER:

INTERROGATORY NO. 35:

Prior to 1968, did any person file a claim against a Worker's Compensation carrier covering Defendant or any of its subsidiaries or predecessors alleging that he/she contracted a disease from inhaling asbestos fibers? If so, provide:

- a. A list of the claims, including each claimant's name, address and the date each claim was filed, and including the caption and jurisdiction of the claim.
- B. The disease alleged in each such claim.
- C. A brief summary of the disposition of each such claim.
- D. The name, address and title of the person having custody of the records pertaining to each such claim.

ANSWER:

INTERROGATORY NO. 36:

Did Defendant or any of its subsidiaries or predecessors maintain written minutes of corporate meetings, either board of directors, departmental, or otherwise, which reflect discussions pertaining to any subject matter related to asbestos, asbestos health hazards or asbestos products? If so, for each such set of minutes, state:

- A. The dates of each such meeting.
- B. The general subject matter discussed at each meeting.
- C. Who was in attendance at each meeting.
- D. Where and by whom the written minutes are presently maintained.
- E. By whom the minutes were taken and put into final format.
- F. Whether the minutes were abstracted and reports disseminated to other individuals, and if so, the names and job titles of those individuals.

ANSWER:

INTERROGATORY NO. 37:

Do you or any of your subsidiaries, including foreign business entities, currently manufacture any products containing asbestos? If so, state:

- A. As to each product, whether such product is mined, manufactured, and/or marketed or sold.

- B. The names and addresses of the companies mining, manufacturing, marketing, and/or selling each of those products.
- C. The trade or brand name of each of those products mined, manufactured, marketed, and/or sold.
- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product.
- F. A description of the physical appearance of each product and its packaging.
- G. A detailed description of the intended uses of each of the named products.
- H. Whether there are any warning labels on said products or containers regarding potential asbestos-related health hazards.

ANSWER:

INTERROGATORY NO. 38:

State whether you or any of your predecessors and/or subsidiaries maintain, from 1940 through the present or for any portion thereof, copies of invoices, shipping documents, bills of lading, purchase orders, or other documents of a similar nature

relating to the mining, manufacture, marketing, sale or distribution of asbestos products. If so, state:

- A. The location of such documents.
- B. The name and address of the custodian of the documents.
- C. The format in which the documents are kept, i.e., hard copy, microfilm, microfiche, etc.
- D. In what form the documents can be accessed, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.

ANSWER:

INTERROGATORY NO. 39:

May you call company representatives as witnesses at the trial of any of these cases? If so, list:

- A. The name, address, and job title of each company representative who may be called.
- B. A summary of the testimony expected to be given by each such witness.
- C. List any and all previous times that the named witnesses have either given deposition or trial testimony in an asbestos-related case, including the jurisdiction, style of the case, case number, date of testimony, and the name of the attorney taking the deposition for the Plaintiffs in that case.

ANSWER:

INTERROGATORY NO. 40:

Have Defendant or its subsidiaries or predecessors ever acquired through purchase, reorganization, or merger another corporation, company, or business which manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos? If so, for each such entity, state:

- A. Full and correct name;
- B. Principal place of business;
- C. State of incorporation;
- D. Date of acquisition by Defendant;
- E. Whether or not the business entity was ever authorized to transact business in the State of Texas;

ANSWER:

INTERROGATORY NO. 41:

Was each of your asbestos products generally expected to reach, or packaged to reach, the consumer or user, without substantial change in the condition in which it was sold? If not, with respect to any such product, explain in what way the Defendant claims its products were altered or substantially changed after sale or distribution and before reaching the user.

ANSWER:

INTERROGATORY NO. 42:

For each asbestos-containing product identified in response to Interrogatory No. 6, identify all foreseeable users such as insulators, helpers, pipefitters, welders, machinists, plasterers, drywall finishers, carpenters, boilermakers, shipwrights and riggers, etc. of any of Defendant's asbestos-containing products.

ANSWER:

INTERROGATORY NO. 43:

Based upon the material contents of your asbestos-containing products, the method of manufacturing, and the method of application, can such products be generally applied without liberating asbestos fibers into the air?

- A. If there is a different answer concerning different products manufactured, sold, distributed, or used by your company, then specify the different products by precise manufacturer's name and popular name.
- B. If there is a difference in your answer depending on the year or years in which a particular product was used, then specify in detail what year or years you are referring to and the specific products you are referring to and year involved.

ANSWER:

INTERROGATORY NO. 44:

Was it a foreseeable use of your asbestos-containing products that they may have been removed, stripped, or replaced at some time after installation?

ANSWER:

INTERROGATORY NO. 45:

Before 1970, did you or your subsidiaries or predecessor(s) ever arrange for any labor inspectors, insurance company inspectors or anyone from your company to go to job sites where your products were being used or installed to make or take dust level counts? If so, state when this procedure started, the purpose of such procedures, and all results of such procedures.

ANSWER:

INTERROGATORY NO. 46:

If Defendant performed or had performed any dust level counts, what action, based on the results, did your company take?

ANSWER:

INTERROGATORY NO. 47:

Has your company or its subsidiaries or predecessor(s) ever conducted or caused to be conducted any studies designed to assist in minimizing or eliminating the inhalation of asbestos

dust and fibers by those exposed to the use of your company's products? If so, give the following:

- A. Name of the person or firm conducting such studies;
- B. The date the studies began and the date they were completed;
- C. Any publication or other written dissemination of the results of the studies;
- D. The nature of any action to eliminate or minimize the inhalation of asbestos dust fibers;

ANSWER:

INTERROGATORY NO. 48:

Does your company have, has it ever had, or have your predecessor(s) or subsidiaries ever had, a Research Department? If so, give the year such Research Department was established, and whether or not such Research Department has operated continuously since being established. State also:

- A. The amount of time and money expended each year on research concerning asbestos or asbestos-containing products?
- B. What percentage of gross sales did your company or its predecessor(s) spend on research concerning the health effects of asbestos?
- C. State in detail the purposes, duties, and responsibilities of such Research Department.

ANSWER:

INTERROGATORY NO. 49:

Does your company have, or has it ever had, or have your predecessor(s) or subsidiaries ever had, a Medical Department?

If so, state:

- A. The year such Medical Department was established;
- B. Whether or not such Medical Department has operated continuously since being established;
- C. The name of each director, chief, or head of your Medical Department year by year, beginning with the first year you had a Medical Director or Medical Department, and the last known address and phone number of each;
- D. State the duties and responsibilities of such Medical Department.

ANSWER:

INTERROGATORY NO. 50:

Did your company or its predecessor(s) or subsidiaries ever place any warning directly on any of its asbestos-containing product or on their packaging. If so, identify the product(s) and year said warning was first applied.

ANSWER:

INTERROGATORY NO. 51:

Did your company or its predecessor(s) or subsidiaries ever stamp or place the name of the company, its initials, or any identifying logo on any of its asbestos-containing products? If so, please state the name brand names of such products, a description of such stamp or logo and the dates such were placed on the referred products.

ANSWER:

INTERROGATORY NO. 52:

Has your company, or your predecessor(s) or subsidiaries, ever devised a research plan to develop, or actually developed or had developed, a product which did not contain asbestos and which could be substituted for one or more of your asbestos-containing products? If so, state the date that such research plan was begun and when such asbestos-free product was first placed on the market.

ANSWER:

INTERROGATORY NO. 53:

Did your company or its predecessor(s) or subsidiaries ever recall any products containing asbestos from the market or stream of commerce? If so, state:

A. All details of such recall;

- B. The name of the product recalled, including the reason for the recall and the names and current addresses of those individuals who determined that it should take place;
- C. The dates of recall;
- D. The purpose for the recall.

ANSWER:

INTERROGATORY NO. 54:

Before 1970, did you ever manufacture or sell products which did not contain asbestos and which could be substituted for your asbestos-containing products? If so, state the date such asbestos-free products were first placed on the market.

ANSWER:

INTERROGATORY NO. 55:

Have any products you identified in your response to Interrogatory Nos. 52 and 54 not performed as intended? Please list all such products that have not performed as intended.

ANSWER:

INTERROGATORY NO. 56:

Did your company or its predecessor(s) or subsidiaries ever make, order, or arrange for any industrial hygiene surveys regarding asbestos or asbestos-containing dust? If so, give the

date of such surveys and state who, or what entity, was responsible for completion of such surveys.

ANSWER:

INTERROGATORY NO. 57:

As to either the threshold limit values or maximum allowable concentrations of both asbestos dust and total dust provided by the American Conference of Governmental Industrial Hygienists, state:

- A. The year in which Defendant or any predecessor(s) or subsidiaries were first advised of such limits or concentrations;
- B. The name of the employee or official of the company receiving such advice;
- C. How Defendant received notice of such limits or concentrations.

ANSWER:

INTERROGATORY NO. 58:

Were the threshold limit values or maximum allowable concentrations inquired about in Interrogatory No. 63 for total dust, and not asbestos dust alone?

ANSWER:

INTERROGATORY NO. 59:

State in detail what tests, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using, working with or around, or installing your asbestos-containing products.

ANSWER:

INTERROGATORY NO. 60:

Please state the following with respect to each expert witness you that you may call during trial of these cases. Please designate with specificity the expert witnesses that you will call, including:

- (a) The name, address, and job classification of each such expert witness;

ANSWER:

- (b) The subject matter on which the expert is expected to testify;

ANSWER:

- (c) The substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion;

ANSWER:

- (d) Whether any person identified in subparagraph (a) above has provided a report or other documentation to you, and if so, identify each such document or report;

ANSWER:

- (e) Identify all documents that you have provided to each person identified in response to subparagraph (a) above;

ANSWER:

- (f) Describe in detail the education and work history of, and identify any books, treatises, articles, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to subparagraph (a) above. Alternatively, in lieu of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answers.

ANSWER:

INTERROGATORY NO. 61:

Please state the name, present address and present telephone number, along with the experience and qualifications, if applicable, of each and every person, known to Defendant or to

Defendant's agents, having knowledge of facts relevant to these cases involving, but not limited to:

- (a) identification of asbestos-containing products to which each and every individual Plaintiff, separate and distinct from all other Plaintiffs within the group, allegedly was exposed or facts disputing the identification of asbestos-containing products in this case.

ANSWER:

- (b) Each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged damages, injuries and/or facts disputing each and every Plaintiff's alleged damages and/or injuries;

ANSWER:

- (c) the negligence of any person or entity other than Defendant which Defendant contends was a cause of each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged injuries and/or damages;

ANSWER:

- (d) each of Defendant's defenses enumerated in Defendant's last filed Answer in each of these cases.

ANSWER:

INTERROGATORY NO. 62:

Please identify documents which will be used at time of trial, (Exhibit List, Deposition List), which are relevant to each of Defendant's enumerated defenses in Defendant's last filed Answer.

ANSWER:

INTERROGATORY NO. 63:

Please state when you first received a copy of the Fleischer/Drinker Report published in 1945/1946.

ANSWER:

REQUEST FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

Please produce a true and correct copy of each photograph of each asbestos-containing product identified in answer to Interrogatory No. 4.

REQUEST FOR PRODUCTION NO. 2:

Please produce any diagrams or schematics indicating, stating or detailing the existence of any of your subsidiaries, predecessors, or divisions as defined on Page 1 of these Interrogatories and Request for Production.

Respectfully submitted,

BARON & BUDD
A Professional Corporation
The Centrum
3102 Oak Lawn Avenue, Suite 1100
Dallas, Texas 75219
(214) 521-3605

By: _____
RUSSELL W. BUDD
Texas Bar No. 03312400
C. ANDREW WATERS
Texas Bar No. 20911450
FAX NO. (214) 520-1181

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was sent via certified mail to counsel for all Defendants on the _____ day of _____, 19____.

C. ANDREW WATERS ..

- (e) State your present occupation and business address;
- (f) State your Social Security number;
- (g) State the license number and issuing authority of each automobile operator, chauffeur, or commercial license which you presently possess or which you possessed in the past; and with respect to each license, please state (1) the date of issuance and (2) date of expiration.

INTERROGATORY NO. 2.

If you are currently married, please state your spouse's name, address, and date of marriage and the name and address of your spouse's employer. With respect to any and all prior spouses, if any, state:

- (a) name and date of marriage;
- (b) whether that marriage was terminated by divorce, separation, annulment, or death, and the date of such termination.

INTERROGATORY NO. 3.

State the present name, age, date of birth, and address of each of your children, and of any person who in any way is financially dependent upon you for support, including, but not limited to, parents, in-laws, relatives, or other people; for each such person, including your children, state the extent to which such person is dependent upon you for financial support or maintenance.

INTERROGATORY NO. 4.

State the names and addresses of all schools that you have attended, the dates you attended those schools, whether they were public, private, military, trade schools, and/or special training institutions, and with respect to each describe the type of training received, the highest grade reached, and the degree or certificate obtained, if any.

INTERROGATORY NO. 5.

If you have ever been arrested, charged, or convicted of a felony or crime involving moral turpitude, state the date, location of the incident, and the result of each such arrest, charge, or conviction.

INTERROGATORY NO. 6.

If you have ever served in any capacity in the military service, please give the dates, rank, service number, and branch of service; type of discharge from each tour of duty or enlistment; and type of disability and pension you have received or are receiving, if any.

INTERROGATORY NO. 7.

If you have ever filed a claim or received payment for disability from the Veterans' Administration, state the basis for your claim, when the claim was filed, the disposition of the claim, the amount of payment you received from the Veterans' Administration, and the basis for any such payment.

INTERROGATORY NO. 8.

If you have ever been self-employed, state the dates of such self-employment, describe the type of work you performed during such self-employment, and any names such as trade, doing-business-as, partnership, or corporate names under which you may have performed such work.

INTERROGATORY NO. 9.

If you have ever been a member of a union, state:

(a) the name of each union to which you have belonged, the number and address of each local of which you have been a member, and the dates you belonged to each union and local;

(b) whether you were an officer, director, and/or business agent of any union, and if so, describe all positions you held in any unions and for what periods of time you held such positions;

(c) whether you were ever a member of the International Association of Heat and Frost Insulators and Asbestos Workers ("the Asbestos Workers' Union"); and

(d) whether you ever received the Asbestos Workers' magazine from the Asbestos Workers' Union; and if so, state whether you ever read the greensheets.

INTERROGATORY NO. 10.

State your income and the source(s) of your income for each year of the last five years. If your spouse is employed or has been employed, state his or her income for each year of the last five years.

INTERROGATORY NO. 11.

(a) If you are presently employed and working, state the name and address of your employer, your job classification, rate of pay, and describe the type of work which you are presently performing. If not presently employed, give the same information as to your last employment with dates of such employment, together with the reasons why you are no longer employed. Give the same information with respect to your spouse:

(b) If you have lost any time from work due to any physical ailment,

(1) state how much time you have been unable to work during the last five years;

(2) describe any illness or disability that has caused you to lose any time from work over the past five years.

INTERROGATORY NO. 12.

(a) If you have ever received any accidental bodily injury, state the nature and extent of injury;

(b) If you have ever been a party to any claim or lawsuit for bodily injuries or personal injuries to yourself, give the style and number of the lawsuit, the date on which the suit was filed, the name and address of your attorney, and the ultimate disposition of the claim or lawsuit.

INTERROGATORY NO. 13.

If you have ever filed a claim for worker's compensation, please give the following information with respect to each such claim:

(a) name of the employer, date of claim, and file number of claim filed with the Industrial Accident Board;

(b) description of injury made the basis of the claim;

(c) the amount of money paid you for the claim;

(d) if any lawsuit has been filed on the worker's compensation claim, the style of the case, cause number, and court in which the lawsuit was filed;

(e) name and address of any physician, chiropractor, or doctor of osteopathy who tested, treated, or examined you in connection with the claim;

(f) if you were hospitalized in connection with the claim, identify the location and address of hospital, the length of hospitalization and your primary doctor during the hospitalization.

INTERROGATORY NO. 14.

Please state the name and address of each person who participated in the preparation of these answers to interrogatories or who furnished any information used in the preparation of these answers to interrogatories.

INTERROGATORY NO. 15.

Describe in detail your employment history, including:

- (a) the name and address of each employer for whom you worked;
- (b) the dates when you worked for each employer;
- (c) the location and description of each job site where you were employed and the dates when you worked at each such job site;
- (d) the name and present address (or most recent known address) of your immediate supervisor and your co-workers at each job site where you are claiming exposure to asbestos;
- (e) your wage rate and hours worked in an average week for each job site where you claim you were exposed to asbestos;
- (f) your job duties, craft, and titles for each job site where you were employed and you claim exposure to asbestos-containing products;
- (g) the reason your employment with each employer listed in response to (a) above was terminated;
- (h) each job site where you claim to have been exposed to asbestos and the dates when you claim to have been exposed to asbestos;

(i) each asbestos product to which you were exposed, including the name of the manufacturer, the trade name of the asbestos product, and the description of the particular product;

(j) when, where and whether you worked with and/or around each asbestos product identified above;

(k) whether you were exposed to any dusts, fumes or gases, and if so, what were you exposed to and at which jobs.

INTERROGATORY NO. 16.

(a) State the name, business address, home address, relationship to you (e.g., relative, friend, co-worker, supervisor, etc.), and present occupation of each and every witness that has any knowledge of facts relevant to this lawsuit, including, but not limited to, those persons who have knowledge of any time that you may have been exposed to any products that may have contained asbestos.

(b) As to each individual person listed above, describe each jobsite where he/she worked with or around the Plaintiff, his/her occupation at each such job, the asbestos-containing products that he/she can identify at each such job, and whether the person worked with the Plaintiff at each such job.

INTERROGATORY NO. 17.

If you have any direct evidence or invoices from suppliers for any purchases of products containing asbestos from any or all of the Defendants, which products were used on job sites where you worked, identify the document by name of supplier, date of invoice, name of purchaser, and place of delivery.

INTERROGATORY NO. 18.

(a) When, if ever, did you first experience any problems with your respiratory health, lungs, or breathing;

(b) Describe in layman's language what your physical complaints were at the time you first experienced such problems;

(c) If the physical complaints and symptoms of which you now complain are different than those you first experienced, as described above, describe your present physical complaints and symptoms and state when you first had these complaints.

(d) Identify every physician who has advised you that you had any of the following, state when he or she so advised you and describe what he or she said to you:

- (1) Chronic obstructive lung disease;
- (2) Emphysema;
- (3) Pneumonoconiosis;
- (4) Asbestosis; or
- (5) Any other lung condition that the physician indicated was related to exposure to asbestos-containing products.

(e) Identify each physician who has attended you for lung or breathing problems and with respect to each such physician, state:

- (1) The complaints made to the physician;
- (2) The type of examination and/or treatment received by you from the physician;
- (3) Whether chest x-rays were taken; and
- (4) The final diagnosis made by the physician.

INTERROGATORY NO. 19.

Excluding the information provided in response to Interrogatory No. 18 relating to injury or illness involving your respiratory health, lungs or breathing, state the name and address of each physician, chiropractor, doctor of osteopathy, or other practitioner of the healing arts who has examined or treated you, or to whom you have gone for any reason during your lifetime, and state the illness or injury for which each such person treated or examined you, the dates of such treatment and the type of treatment you received, if any.

INTERROGATORY NO. 20.

Please state the name and address of any hospital or clinic in which you were examined, were the subject of any tests or x-rays, received outpatient care, or were hospitalized from birth to the present date; the dates of each examination, testing, hospitalization, or treatment; the illness or injury, if any, which was the subject of

each hospitalization, examination, testing, or treatment; and the treatment, if any, you received.

INTERROGATORY NO. 21.

If you have ever smoked, state when you started smoking, what type of tobacco product you smoked, when you smoked it and for how long, how much you have smoked of each type of tobacco product, whether a physician ever advised you to stop smoking, and if so, who and when, and state if applicable, the reasons you stopped smoking.

INTERROGATORY NO. 22.

If you have ever been examined through a company or union screening program for lung or respiratory disease, give the dates, place, and details of your examination, and the name of the company or union sponsoring the program.

INTERROGATORY NO. 23.

(a) How and under what circumstances did you learn that asbestos could be harmful to your health?

(b) When did you first believe that the lung problems or breathing problems of which you complain might have been related to asbestos-containing products?

(c) When were you first told, and by whom, that any lung problems or breathing problems of which you complained might have been related to asbestos-containing products?

INTERROGATORY NO. 24.

(a) Identify all expert witnesses who have been consulted in connection with this action, even if such expert witness may not be called to testify at trial, if the consulting expert's opinion or impressions have been reviewed by a testifying expert.

(b) State the mental impressions and opinions held by and the facts known by any expert identified in response to Interrogatory No. 24(a).

(c) Identify all documents and tangible things, including reports, prepared by or relied on by any expert identified in response to Interrogatory No. 24(a).

INTERROGATORY NO. 25.

(a) Identify each expert witness who may be called as a witness to testify at trial.

(b) State the mental impressions and opinions held by and the facts known by any expert identified in response to Interrogatory No. 25(a).

(c) Identify all documents and tangible things including reports relied on or prepared by any expert identified in response to Interrogatory No. 25(a) in anticipation of the expert's trial or deposition testimony, and identify all documents provided to any such expert.

(d) State whether any of the opinions or mental impressions of any expert who may be called to testify at trial have not been reduced to tangible form.

INTERROGATORY NO. 26.

In all wrongful death or survival actions,

(a) state the date of death;

(b) state whether the deceased had a Last Will and Testament and whether any administration has been had on the deceased's estate;

(c) state whether an autopsy was performed on the decedent and if so, identify the doctor who performed the autopsy and the hospital where the autopsy was performed;

(d) state the cause of death.

INTERROGATORY NO. 27.

If Plaintiff has entered into any settlement agreement, or received any monies from a named Defendant or any third party, please state:

(a) the name of the party or person with whom Plaintiff entered into an agreement;

(b) the date of the agreement;

(c) the amount of money received by Plaintiff from each person or party.

INTERROGATORY NO. 28.

State when (including the month, date and year) you first contacted an attorney for the purpose of obtaining professional legal services regarding your alleged asbestos exposure, and the date of any agreement with a lawyer to provide you with professional legal services regarding the same.

INTERROGATORY NO. 29.

Please list all medical expenses, if any, incurred as a result of your alleged exposure to asbestos-containing products and the approximate date such expenses were incurred. "Medical expenses" includes, but is not limited to, all charges for care, treatment or diagnosis by a physician, nurse, or other health care specialist; all hospital costs, charges, and expenses; and all medication expenses.

INTERROGATORY NO. 30.

Please identify all health insurance policies, medicare supplement insurance policies, cancer insurance policies, or any other entitlement to health care benefits, whether governmental or private, providing coverage to you or through which you are entitled to benefits of any kind (regardless of whether you have made such a claim for benefits) at any time since the date of the filing of your lawsuit. For all identified policies, programs or benefits, identify with particularity the company or entity providing such policies, programs or benefits.

INTERROGATORY NO. 31.

If you are making a claim for lost wages, either past or future, as a result of your alleged exposure to asbestos-containing products, please identify the factual basis for such a claim and the monetary amount claimed by you to have been lost in the past or which you estimate will be lost in the future.

INTERROGATORY NO. 32.

State the names, addresses and telephone numbers of all persons who have knowledge of facts relevant to this lawsuit, including but not limited to, all witnesses to any incident or exposure made the basis of this suit and all persons who have knowledge of the extent and duration of injuries and incapacity you claim to have suffered.

REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS

1. The reports of all expert witnesses whom Plaintiff may call at the trial of this case, and all documents reviewed by any such expert in connection with this matter.
2. All photographs, films, movies, or video recordings that depict or purport to depict anything relevant to any of the matters at issue in this case, including any of the matters alleged in your complaint or petition.
3. All documents reflecting any claims or settlements made by you in connection with any asbestos-related injury or disease that you sustained.
4. All documents (including, but not limited to, notes, calendars, diaries, or like materials) prepared or kept by you and all documents in the nature of memoranda, notes, or recordings of statements made by you in connection with (a) any exposure to asbestos or to asbestos-containing materials; (b) any conduct of the Defendants with respect to asbestos or asbestos-containing products; (c) any asbestos-related injury, disease, or treatment (including mesothelioma); or (d) any elements of actual damages resulting from your claimed asbestos-related injury.
5. All documents that Plaintiff may seek to introduce into evidence at trial. This request includes, but is not limited to, (a) documents related to the use of asbestos or asbestos-containing products; (b) documents related to safety precautions in connection with asbestos or asbestos-containing products; and (c) documents related to the medical risks associated with asbestos or asbestos-containing products.
6. In all wrongful death cases, copies of the decedent's death certificate, autopsy report and autopsy protocol.
7. All copies of your medical records, including specifically any medical records relating to any respiratory, breathing, or lung related injury or illness (including, but not limited to, asbestosis, mesothelioma, emphysema, asthma, bronchitis, lung cancer and chronic obstructive pulmonary disease).
8. All x-rays and pathology materials of any kind of the Plaintiff or decedent.
9. All documents, including sales receipts and invoices, that support your claim that you were exposed to asbestos-containing products manufactured, distributed or sold by any Defendants.

10. All materials provided to each consulting expert identified in response to Interrogatory No. 24(a) and copies of all materials prepared by such consulting experts identified in Response to Interrogatory 24(a).

11. Copies of all health insurance policies, medicare supplement insurance policies, cancer insurance policies, or any other document evidencing an agreement or contract for the payment of health care benefits proving coverage to you or through which you are entitled to benefits of any kind at any time since the date of the filing of your lawsuit. This request includes, but is not limited to, all attachments, riders, waivers, declaration pages, or cover sheets to the aforementioned documents.

12. Copies of all claim forms, payment stubs or any other relevant document to any of the policies, agreements, or contracts identified in answer to Interrogatory No. 30 or Request for Production No. 11.

13. All other documents identified in response to any of the attached interrogatories.

14. Please complete and sign all authorization forms attached hereto as Exhibits A through H.

Exhibit A	-	Medical Authorization
Exhibit B	-	Request for Social Security Earnings Information
Exhibit C	-	Authorization for Release of Social Security Records
Exhibit D	-	Payroll and Personnel Records Authorization
Exhibit E	-	VA Authorization
Exhibit F	-	Military Authorization
Exhibit G	-	Authorization for Industrial Accident Board
Exhibit H	-	Two Authorizations to Obtain Income Tax Records

AUTHORIZATION FOR RELEASE OF MEDICAL RECORDS

TO: ALL DOCTORS AND HOSPITALS (INCLUDING VETERANS ADMINISTRATION
AND GOVERNMENT HOSPITALS) AND CHIROPRACTORS

You are hereby authorized to provide to _____

_____, or their agents _____

_____, or the bearer hereof, of

bearer of any photostatic or xerox copy hereof, a complete copy
all medical and hospital records pertaining to me, including
alcohol and drug abuse records protected under the regulation
Code 42 of Federal Regulations, Part 2, if any; all psychiatric
psychological services records, if any; and all social service
records, if any. You are further authorized to provide
original x-ray films, any and all tissue samples, slides, para-
blocks, or other pathological materials pertaining to me.

My full name is: _____

My date of birth is: _____

My Social Security number is: _____

Former names under which I have been known is/are: _____

Spouse of: _____

SIGNATURE

Date _____

REQUEST FOR SOCIAL SECURITY EARNINGS INFORMATION

1. From whose record do you need the earnings information?

Print the Name, Social Security number, and date of birth below.

Your Reference

Name _____

Social Security Number _____

Other Name(s) Used
(Include Maiden Name) _____

Date of Birth
(Mo/Day/Yr) _____

2. What kind of information do you need?

Total earnings for each year.
(This information is free.)

For the year(s): _____

Detailed Earnings Information
(If you check this block, tell us below
why you need this information.)

For the period(s): _____

3. Do you owe us a fee for this detailed earnings information? Yes No

If yes, enter the amount due from the Chart on page 2 A \$ _____

Do you want us to certify the information? Yes No

If yes, enter \$15.00 B \$ _____

ADD the amounts on lines A and B, and
enter the TOTAL amount C \$ _____

- Send your check or money order for the amount on line C with the request.
- DO NOT SEND CASH OR STAMPS.
- Make check or money order payable to "Social Security Administration."

4. I am the individual to whom the record pertains (or a person who is authorized to sign on behalf of that individual) and I understand that any false representation to knowingly and willfully obtain information from Social Security is punishable by a fine of not more than \$5,000 or one year in prison.

SIGN your name here
(Do not print) _____

Date _____

5. Tell us where you want the information sent. (Please print)

Name _____
Address _____
City _____
State _____
Zip Code _____

6. Tear off completed to

Social Security Admin
Office of Central Rec
300 North Greene St
Baltimore, Maryland 2

Department of Health and Human Services
(formerly Department of Health, Education & Welfare)
Office of Central Records Administration
6401 Security Blvd.
Baltimore, MD 21201

Att: Records Custodian

Re: _____
v. _____

Civil Action No. _____

U. S. District Court, _____ District of Texas, _____

Dear Sir:

I am presently a party to the above lawsuit pending before the United States District Court for the above district and division. I hereby request that you produce a copy of my security record of disability claims and benefits to _____

agents _____, _____

_____ for use in the above proceeding. The parties to the proceeding have agreed to pay for the fees assessed in processing this request, and your statement of fees should be forwarded with the records to _____

My full name is: _____

My social security number is: _____

My date of birth is: _____

SIGNATURE _____

Date _____

Invoice # _____

*Please certify these records for court proceedings

EXHIBIT "C"

PAYROLL AND PERSONNEL RECORDS AUTHORIZATION

TO WHOM IT MAY CONCERN:

I hereby authorize you to provide to _____

_____, or their agents _____

_____, or the bearer of photostatic or xerox copy hereof, a complete copy of all records pertaining to my employment, including but not limited to personnel, payroll, medical, or hospital records pertaining to

My full name is: _____

My date of birth is: _____

My Social Security number is: _____

My dates of employment were _____ to _____

I worked in the following departments: _____

I was employed at the following offices: _____

SIGNATURE

Date

REQUEST FOR AND CONSENT TO RELEASE OF INFORMATION FROM CLAIMANT'S RECORDS

NOTE: The extension of this form does not authorize the release of information other than that specifically described below. The release of information is authorized under Title 38, United States Code, and will authorize release of the information you specify. The release of information under the P.L. as provided by law or outside documents as stated in the "Nature of Systems of P.L. Release" published Federal Register in accordance with the Privacy Act of 1974, Executive Order 12958, is authorized. However, if the information is not furnished, we will comply with your request.

Veterans Administration	NAME OF VETERAN (First & Last)
	VA FILE NO. (Service Number)
	SOCIAL SECURITY NO.

NAME AND ADDRESS OF ORGANIZATION, AGENT, OR INDIVIDUAL TO WHOM INFORMATION IS TO BE RELEASED

VETERAN'S REQUEST

I hereby request and authorize the Veterans Administration to release the following information, from the records identified above to the party, or individual named hereon:

INFORMATION REQUESTED SHOULD BE RELEASED AND NOT BE SUBJECT TO RESTRICTIONS CONCERNING RELEASE AND DISSEMINATION OF INFO.

NAME AND ADDRESS OF ORGANIZATION, AGENT, OR INDIVIDUAL TO WHOM INFORMATION IS TO BE RELEASED

NOTE: Additional items of information desired may be listed on the reverse lower.

DATE _____

SIGNATURE AND ADDRESS OF CLAIMANT, OR PERSONAL, OR LEGAL REPRESENTATIVE

FORM NO. 100-1218

CENTRAL STORES OF VA FORMS CENTER,
4800 BRIDGE PLAZA, WASHINGTON, D.C. 20330

GSA GEN. REG. NO. 27

Indus. Accident Bd.
200 East Riverside Drive
First Floor
Austin, Texas 78704

WAIVER OF CONFIDENTIALITY

I have, and by this instrument, do hereby authorize the Industrial Accident Board to request of you the release of any and all information concerning any of my compensation claims or files which may be protected by any provision of Article 83 9a, Texas Revised Civil Statutes.

This Waiver of Confidentiality is given solely to and for the use of _____

Claimant's:

Signature _____

Print or Type Name _____

Social Security Number _____

Date of Injury _____

Print or Type Street Address _____

City/State/Zip _____

Date of Application _____

STATE OF TEXAS

COUNTY OF _____

§
§
§

Sworn and subscribed to before me this _____ day of _____

Signature of Notary Public _____

Printed Name of Notary Public _____

My Commission expires _____

EXHIBIT "G"

Form 4506

(Rev. January 1967)
Department of the Treasury
Internal Revenue Service

Request for Copy of Tax Form

Please read instructions before completing this form.

Important: Full payment must accompany your request.

1 Name of taxpayer(s) as shown on tax form (husband's and wife's, if joint return)	6 Joint account number as shown on the return, show husband's number
2 Current name and address	6a Wife's social security number as shown
3 If copy of form is to be placed in someone else, show the third party's name and address	7 Employer identification number of firm
3a If we cannot find a record of your return, check here if you want the payment returned to the third party. <input type="checkbox"/>	8 Tax form number (Form 1040, 1040A)
4 If name on third party's return differs from item 1 above, show name here. Give instructions for items 3, 3a, and 4.)	9 Tax year(s) (1962, etc.) (Do more than one)
5 Check the box to show what you want: <input type="checkbox"/> Copy of tax form and all attachments. The charge is \$4.00 for each period requested. Note: If you need these copies for court or administrative proceedings, see special form. <input type="checkbox"/> Copy of Form W-2 only. There is no charge for this.	10 Amount due for copy of tax form: a Cost for each period b Number of periods requested in item 9 c Total cost (multiply item 10a by item 10b). <small>Multiple amount or amount under separate account</small>

Please Sign Here

Signature	Telephone number of requester
Title	Carrying account with us to add

Give names of persons in a household, including, if desired, of third

Instructions

Privacy Act and Paperwork Reduction Act.—We ask for this information to carry out the Internal Revenue laws of the United States. We need the information to gain access to your return in our files and properly respond to your request. If you do not furnish the information, we may not be able to fill your request.

Purpose of Form.—Use this form to request a copy of a tax return or Form W-2.

Note: If you had your return filed out by a paid preparer, check first to see if you can get a copy from the preparer. This may save you back time and money.

If you are not the taxpayer shown in item 1, you must send a copy of your authorization to receive the copy of the form. This will generally be a power of attorney, tax information authorization, or evidence of entitlement (for Title 11 Bankruptcy or Receivables Proceedings). If the taxpayer is deceased, you must send enough evidence to establish that you are authorized to act for the taxpayer's estate.

Copies of joint returns may be furnished to either the husband or the wife. Only one signature is required. If your name has changed, sign Form 4506 exactly as your name appeared on the return and also sign with your current name.

Please allow at least 45 days for delivery. Be sure to furnish all the information asked for on this form to avoid any delay in our sending your requested copies. (You must allow at least 6 weeks processing time after a return is filed before requesting a copy.)

Carriers, Partners, Estates, and Trusts.—For names on who may obtain tax information on the entity, see Internal Revenue Code section 6102.

Items 3, 3a, and 4.—If you have named someone else to receive the tax form (such as a CPA, accountant, agent, or attorney-in-fact), you must include the name of an individual with the address in item 3. Also, be sure to write the name of the client, student, or applicant in item 4 if it is different from the name shown in item 1. For example, item 1 may be the parents of a student requesting for financial aid. Show the

student's name in item 4 as the person will know what file to use when you return with it. If we cannot find a year return, we will notify the requester directly that we cannot file the return. If you checked the box in 5c, we will return the copies to a party.

Item 5.—If you want a copy of Form W-2 only and not a copy of your return, be sure to check the box for Form W-2 only and in item 3 show "W-2 only", in item 10c show "no charge".

If you need any tax returns and not a copy of your tax return W-2, do not complete the form. Instructions on the back under "Account Information Only."

Items 6 and 6a.—For individual social security number as shown on form. For joint returns, show the social security number in item 6a and in item 6b. If you do not have this information, there may be a delay in processing your request.

DEBIT *X*