

SUPREME COURT OF THE STATE OF NEW YORK  
ALL COUNTIES WITHIN NEW YORK CITY

-----X  
In Re: NEW YORK CITY  
ASBESTOS LITIGATION  
-----X

NYCAL  
Index No. 40000/88

This Document Applies to:  
All Cases

DEFENDANTS' FOURTH  
AMENDED STANDARD  
SET OF INTERROGATORIES  
AND REQUEST FOR  
PRODUCTION OF DOCUMENTS

-----X  
Defendants, pursuant to CPLR 3130 and in accordance with Section VIII(A)(1)(b) of the February 19, 2003 Amended Case Management Order ("CMO"), propound the following interrogatories to plaintiffs, to be answered under oath within the time period specified by the CMO, and, pursuant to CPLR 3120 and in accordance with Section VIII (B)(2)(b) of the CMO, request that plaintiffs produce (with copies to each defendant) such documents within the time period specified by the CMO.

These interrogatories are continuing in character and require you to file supplementary answers if you obtain further or different information after serving your initial answers and before trial, including in such supplemental answers the date upon and the manner in which such further or different information came to your attention.

**EXPLANATION AND DEFINITIONS**

This document constitutes both interrogatories and a request for production of documents. The documents to be produced are in each instance identified by responses to the interrogatories contained herein. Hence, for the convenience of the plaintiffs, and to prevent the need for duplicative answers, these interrogatories and this request for production of documents are being propounded concurrently.

As used in these interrogatories and document requests, the terms listed below are defined as follows. Under no circumstances should any of the terms defined below (or any

instructions set forth below) be read or interpreted as a waiver of any applicable privilege under the CPLR, including but not limited to the attorney-client and work product privileges.

A. "You," "Your," "Yourself," "Plaintiff," or "Plaintiffs" means plaintiff and all other persons acting or purporting to act on his or her behalf, other than his or her attorney.

B. "Defendants," unless otherwise specified, means any defendant named as a party to this action as well as any predecessors in interest to any named defendants, and all other subsidiaries or divisions of any named defendants, and any Bankrupt Entity (see Exhibit A attached).

C. "Bankrupt Entity" means any company or other entity (including parent and subsidiary companies, predecessors and successors in interest) who is a party or non-party potential tortfeasor whose Asbestos-Containing Product or Material may have contributed in any manner to plaintiff's or to plaintiff's decedent's exposure to asbestos and has filed for protection from creditors under Chapter 11 of the U.S. Bankruptcy Code. Bankrupt Entity shall include all trusts established or currently contemplated pursuant to Chapter 11 of the U.S. Bankruptcy Code, any administrative or claims processing organization established thereto, the unsecured creditors committees, the trustee in any such proceeding, and any submissions to or declarations of the bankruptcy court. Bankrupt Entity shall include all entities, without limitation, listed on Exhibit A, which list may be supplemented from time-to-time, as necessary.

D. "Claim against Bankrupt Entity" includes, but is not limited to, any actual or stayed legal action, any proof of claim, trust claim, claims resolution, arbitration claim, liquidated claim, unliquidated claim; demand for payment, for remedy, of liability; demand reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, equitable, secured or unsecured, toxic personal injury claims, personal injury trust claims, or any kind of claim for payment of which you have filed against Bankrupt Entities or their parent companies, successor companies or subsidiary companies.

E. "Asbestos-Containing Product or Material" shall mean any product or material containing asbestos without regard to whether plaintiff seeks damages or other relief with respect to that product or material. The same definition shall apply to "Asbestos-Containing Product" and to "Asbestos-Containing Material."

F. "Document" or "documents" means any writing of any kind, including originals and all non-identical copies (whether different from the originals by reason of any notation made on such copies otherwise), as well as, without limitation, correspondence, memoranda, notes, desk calendars, diaries, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, invoices, statements, receipts, returns, warranties, guarantees, summaries, pamphlets, books, prospectuses, intraoffice and interoffice communications, offers, notations of any sort of conversations, telephone calls, meetings or other communications, bulletins, magazines, publications, printed matter, photographs, motion pictures, video tapes, computer printouts, teletypes, telefax, invoices, worksheets and all drafts, alterations, modifications, changes and amendments of any of the foregoing, tapes, tape recordings, transcripts, graphic or aural records

or representations of any kind of which you have knowledge or which are now or were formerly in your actual or constructive possession, custody or control.

G. "Possession," "custody," or "control" includes the joint or several possession, custody or control not only by the person or persons to whom these interrogatories and requests are addressed, but also the joint or several possession, custody or control by each or any other person acting or purporting to act on behalf of the person, whether as employee, attorney, accountant, agent, sponsor, spokesperson, or otherwise. This definition does not include documents in the "possession," "custody," or "control" of plaintiff's attorney unless such documents were provided by plaintiff to his/her attorney and are not privileged.

H. "Relate," "Refer," "Pertain," and "Concern" means support, evidence, describe, comprise, constitute, analyze, discuss, report or comment on, inquiring about, setting forth, explaining, considering, referring to, relating to pertaining to or mentioning in whole or in part.

I. "Person" means any natural person, firm, corporation, partnership, proprietorship, joint venture, organization, group of natural persons, or other association separately identifiable, whether or not such association has a separate juristic existence in its own right.

J. "Identify," "identity," and "identification," when used to refer to an entity other than a natural person, means to state its full name, the present or last known address of its principal office or place of doing business, and the type of entity (e.g., corporation, partnership, unincorporated association).

K. "Identify," "identity," and "identification," when used to refer to a natural person, means to state the following:

(1) the person's full name and present or last known home address, home telephone number, business address and business telephone number;

(2) the person's present title and employer or other business affiliation;

(3) the person's home address, home telephone number, business address and business telephone number at the time of the actions at which each interrogatory is directed; and

(4) the person's employer and title at the time of the actions at which each interrogatory is directed.

L. "Identify," "identity," and "identification," when used to refer to a document, means to state the following:

(1) the subject of the document;

(2) the title of the document;

(3) the type of document (e.g., letter, memorandum, telegraph, chart);

(4) the date of the document, or, if the specific date thereof is unknown, the month and year or other best approximation of such date;

(5) the identity of the person or persons who wrote, contributed to, prepared or originated such document; and

(6) the present or last known location and custodian of the document.

M. "His" means him and/or her and "he" means he and/or she.

N. "Physician" includes doctors, nurses, other health care providers or practitioners of healing arts.

O. "Medical condition" means any condition for which you are making a claim, including any asbestos-related disease, any pre-existing condition, or any condition allegedly brought about by an asbestos-related disease, including, but not limited to physical or mental illness, disease or injury.

### **INSTRUCTIONS**

A. With respect to each interrogatory, in addition to supplying the information asked for and/or identifying the specific documents referred to, identify all documents which were referred to in preparing your answer thereto.

B. If any document identified in an answer to an interrogatory was, but is no longer, in your possession or subject to your custody or control, or was known to you but is no longer in existence, state what disposition was made of it or what became of it.

C. If any document is withheld from production hereunder on the basis of a claim of privilege or otherwise, identify each such document and the grounds upon which its production is being withheld.

D. A release for a record retrieval service to obtain from the Social Security Administration a record of plaintiff's employment and earnings history should be signed by plaintiff (or the person with proper authority). A separate release for each workers' compensation claim file referred to in these interrogatories should be signed by plaintiff (or the person with proper authority) and returned to the record retrieval service. A separate authorization for a record retrieval service to obtain plaintiff's employment records from each employer identified or referred to in these interrogatories should be signed by the plaintiff (or the person with proper authority). A separate authorization for a record retrieval service to obtain plaintiff's medical records, radiographs and pathology materials from each health care provider and each hospital or medical facility identified or referred to in these interrogatories should be signed by the plaintiff (or the person with property authority). An authorization for a record

retrieval service to obtain plaintiff's income tax returns from the Internal Revenue Service for the past ten years should be signed by the plaintiff (or the person with proper authority).

E. You are requested to furnish all information in your possession and all information available to you, not merely such information as you possess of your own personal knowledge but also all knowledge that is available to you, your representatives, attorneys, physicians and other agents, by reason of inquiry, including inquiry of their representatives. Where a response to the following interrogatories sets forth information that is not based upon your own personal knowledge, but rather upon the knowledge of your representatives and other agents, you should so indicate in your response to that interrogatory.

F. Each interrogatory includes, but is not limited to, requests for information that relate to Bankrupt Entities.

G. Documents produced which have been submitted in connection with a claim against a Bankrupt Entity and are not otherwise obtainable independently from a Bankrupt Entity are presumptively confidential and may not be disclosed other than to counsel, a party, the court or an expert in this action without consent of the Court. Nothing in these instructions precludes offering these documents as evidence at trial should the documents be ruled admissible by the Court. To the extent any such documents are submitted to the Court, they should be submitted in a manner that will protect their confidential status.

H. Any portion of any document produced which indicates an amount demanded, offered or accepted in settlement shall be redacted to prevent disclosure of same.

### **INTERROGATORIES**

1. State the following:
  - (a) your full name, and all other names by which you have been known;
  - (b) age, and date and place of birth;
  - (c) whether you were an adopted child;
  - (d) present marital status, date of current marriage, spouse's maiden name, dates of any prior marriages and the names of any prior spouses, if applicable;
  - (e) present home address; and
  - (f) social security number.
  
2. State the following with regard to your father and mother:
  - (a) names;
  - (b) current address (if deceased, state last known address);
  - (c) the current condition of each one's health, including any specific medical problems.  
If either of your parents are deceased, please state for each deceased parent:
    - i. specific physical problems;
    - ii. date and place of death;
    - iii. age and cause of death for each parent.

3. State the following with regard to each of your children:
  - (a) full name;
  - (b) the date of birth;
  - (c) sex;
  - (d) current address (if deceased, state the last known address);
  - (e) social security number;
  - (f) whether birth child or adopted child;
  - (g) current state of each one's health. If any of your children are deceased, state for each deceased child:
    - i. specific physical problems;
    - ii. date and place of death; and
    - iii. age and cause of death for each child.
  
4. State the complete address of all places you have resided since birth giving the inclusive dates of residence for each place named and as to each state:
  - (a) fuel used for heating and cooking;
  - (b) significant home improvements (e.g., additions, re-insulation, re-wiring, etc.);
  - (c) number of family units co-occupying said structure.
  
5. For every physician or other health care provider who ever tested, treated, consulted with or examined you up to and including the present date, for any reason whatsoever, please state the following separately as to each:
  - (a) name and address of physician or health care provider and, if ongoing, the approximate frequency of said treatment and services; (b) date(s) of test, examination and/or treatment; (c) symptoms complained of at the time, if any;
  - (d) any diagnosis made;
  - (e) treatment or examination given and reason for treatment or examination; and (f) any drugs or medications prescribed.
  
6. For every hospital, clinic or health care institution in which you have ever been admitted, treated, tested, or examined, whether as an "in-patient" or as an "out-patient," please state the following for each such visit:
  - (a) name and address of the facility;
  - (b) dates and description of test, treatment, examination or hospitalization and, if ongoing, the approximate frequency of said treatment and services; and
  - (c) reason for visit to the facility.
  
7. State each of your asbestos-related injuries and/or diseases, describe the nature of those symptoms that you contend are related to your asbestos-related condition(s), and state the date when you first experienced each such symptom and the date of diagnosis and the name of any diagnosing physician and, if different, indicate the date you first became aware of the diagnosis.
  
8. Describe any pain, incapacity, inability to lead a normal life, inability to work, or disability (including retirement) alleged to have resulted from your medical conditions), including the date and basis therefor.

9. Have you ever had any biopsies or tissue samples taken? If so, please state for each such procedure:
- (a) the name of the physician performing such procedure;
  - (b) the address where such procedure was performed;
  - (c) the date when such procedure was performed; and
  - (d) the results, conclusions, and/or diagnosis arising from such procedure.
10. Have you ever had any chest x-rays, CT Scans and/or pulmonary function tests? If so, state:
- (a) the dates and places;
  - (b) the reasons;
  - (c) the results and/or diagnosis resulting therefrom;
  - (d) the location of all chest X-ray films and CT Scans; and
  - (e) provide appropriate authorization to obtain all X-rays, CT Scans and pulmonary function tests.
11. Have you ever been exposed to, used, inhaled or ingested any of the following substances on a regular basis or at work. If so, state the date(s), place(s), and circumstances thereof.
- (a) acids
  - (b) aluminum
  - (c) arsenic
  - (d) barium
  - (e) beryllium
  - (t) butanol
  - (g) cadmium
  - (h) carborundum
  - (i) chloroethylene
  - (j) chlorine
  - (k) chromate
  - (l) chromite
  - (m) chromium
  - (n) coal dust (coal)
  - (O) coal tar
  - (P) cotton dust
  - (q) epoxy
  - (r) ethanol
  - (s) grinding dust
  - (t) iron
  - (u) isocyanates
  - (v) isopropanol
  - (w) lead
  - (x) live chickens
  - (y) manganese
  - (z) nickel
  - (aa) nitrogen dioxide
  - (ab) nuclear radiation

- (ac) ozone
- (ad) petroleum distillates
- (ae) phosgene
- (af) radiation
- (ag) silica
- (ah) titanium
- (ai) toluene
- (aj) welding smoke or fumes
- (ak) zylene
- (al) zinc.

12. Do you use or have you ever used cigarettes, cigars, pipes, smokeless tobacco, or any other tobacco substance, from birth to the present time? If so, state the following:

- (a) the brand and type of tobacco product(s) used (e.g., filter, non-filter, chewing tobacco);
- (b) the dates during which you used each such product;
- (c) the amount of the product used per day, during each period of time (e.g., 2 packs of cigarettes per day);
- (d) whether you have ever been told by a physician that you are or were suffering from any disease or illness caused by or contributed to by tobacco; and
- (e) whether you were ever advised by any physician or any other person that use of tobacco products could adversely affect your health and whether you were ever advised to stop using tobacco products, and if so, identify each physician or person who gave you any such advice, the dates on which the advice was given, and state exactly what, if anything, you did in response to that advice.

13. For each spouse and member of your household, from your birth to the present time, state whether they use or have ever used cigarettes, cigars, pipes, smokeless tobacco, or any other tobacco substance, and if so, state the following:

- (a) the brand and type of tobacco product(s) used (e.g., filter, non-filter, chewing tobacco); and
- (b) the dates during which they used each such product.

14. Do you presently consume or have you in the past consumed alcoholic beverages. If so, state the following:

- (a) the type of alcoholic beverages consumed;
- (b) the dates during which you consumed each such alcoholic beverage;
- (c) the amount of such beverage you consumed each day; and
- (d) whether you have ever been treated for any illness or disease related to your consumption of alcoholic beverages.

15. Have you ever been a member of the Armed Forces of the United States? If so, state the following:

- (a) the branch of the service, serial number, and highest rank held;
- (b) the beginning and ending dates of your military service;
- (c) the type of discharge that you received; and



- (d) whether you sustained any injuries or incurred any illness during military service.
- (e) if you received a medical discharge, attach a copy hereto and set forth the medical reasons.

16. As to each and every employer (including military service) you have had from the time you were first employed to the present, set forth the following:

Include on the Chart all employers where you have worked, and all job sites, regardless of whether or not you believe you were exposed to asbestos during the employment. Also, include the source of any product identification information provided on Chart A.

17. Please state the following with respect to each Asbestos-Containing Product identified on Chart A:

- (a) the color, dimensions, shape, form, texture, weight, appearance and flexibility of each product;
- (b) the appearance of the package or container indicating the manner of packaging, size, dimensions, color and weight; and
- (c) the name, logo, label, numerical and alphabetical markings and other markings or words including warnings on the product and package or container.

18. If you have retired from your employment, set forth the following:

- (a) whether said retirement was voluntary or involuntary;
- (b) the effective date of said retirement;
- (c) the name of your employer at the time of retirement;
- (d) the reason for your retirement;
- (e) whether your retirement was related to any claimed asbestos-related injury; and
- (f) the amount of pension and/or retirement benefits you are receiving or entitled to receive.

19. State whether you were exposed (either directly, through a co-worker or otherwise), to any Bankrupt Entity's Asbestos-Containing Materials, or products either mined or manufactured, sold, or distributed by a Bankrupt Entity. If so, state the following:

- (a) As to each and every employer (including military service) you have had from the time you were first employed to the present, set forth the following, concerning Bankrupt Entities' products only:
  - i. Name of employer;
  - ii. Dates of employment;
  - iii. Asbestos-related jobsite and address where Bankrupt Entity's products were being used;
  - iv. Dates you were at the jobsite;
  - v. Job duties at the particular jobsite;
  - vi. Bankrupt Entity's asbestos-containing materials or products to which you were exposed;
  - vii. Other companies using Bankrupt Entity's asbestos-containing materials or products at the jobsite; and

- viii. Whether you received any warnings with respect to the use of said product and the nature of those warnings.
  - (b) If you were exposed to, used, ingested or inhaled any Bankrupt Entity's Asbestos-Containing Products at any time other than in the scope of your employment, state for each such exposure:
    - i. the date, location and circumstances; and
    - ii. the type of product and the name of the manufacturer, distributor, and miner.
20. If you were exposed to, used, ingested or inhaled asbestos or Asbestos-Containing Products at any time other than in the scope of your employment, state for each such exposure:
- (a) the date, location and circumstances; and
  - (b) the type of product and the name of the manufacturer, distributor, and miner.
21. Have you ever been a member of any labor union? If so, state:
- (a) the name and address of each local, national and international labor union;
  - (b) the inclusive dates of your membership; and
  - (c) any positions you have held with each such labor union, and the dates during which you held such positions.
22. State whether you have ever seen or received any information, instruction, direction, warning, or directive, from any source whatsoever, concerning alleged dangers of exposure to asbestos or Asbestos-Containing Products, and if so, identify:
- (a) each such warning, directive, notification, direction, instruction, or information;
  - (b) the means by which such was given to you;
  - (c) the source and the date on which it was received by you; and
  - (d) your response or reaction, including any complaints made or changes in work habits.
23. State whether you had available for use during any period of your employment, respirators or masks or other dust inhalation inhibitor, or protective gear and, if so, state the following:
- (a) the period of time during which said items were available;
  - (b) what instructions were given with regard to the use of each of said items;
  - (c) whether you used said items and the dates of your use;
  - (d) whether you ever requested said items, and, if so, when, where and to whom the request was made, and the response to the request.
24. If you are making a claim for loss of earnings or impairment of earning power because of your medical conditions, state the following:
- (a) date of commencement of any loss or impairment;
  - (b) the name and address of your employer, your job title and your monthly or weekly rate of pay at the time of the alleged commencement of any loss or impairment;
  - (c) if you had more than one employer during the three year period prior to the date of the commencement of any loss or impairment, as indicated on Chart A, provide your monthly or weekly rate of pay and inclusive dates of such employment during the three year period;

- (d) your total earnings for the period of three years prior to the commencement of any loss or impairment;
- (e) the inclusive dates during which you allege that you were unable to work as a result of any loss or impairment and the total amount of pay you claim you lost because of this absence;
- (f) the date on which any loss or impairment ended; and
- (g) your monthly or weekly rate of pay which you have received, from the date of any loss or impairment ended through the present time.

25. Do you claim damages for loss of consortium, society, affection, services, or sexual enjoyment? If so, please set forth in complete detail all facts on which this claim is based, including a complete description of the loss suffered.

26. For each person who is or was partially or totally dependent upon you for financial support and assistance during the last ten years, state:

- (a) the name, address, sex, age and relationship; and
- (b) the amounts you contributed during the last ten years for support and assistance.

27. State, in the form of an itemized list, all special damages alleged in this lawsuit including, but not limited to, hospital charges, medical charges, medicines, lost wages, etc., naming the person or organization to whom each item of expense was paid or is due, and, if paid, by whom each item of expense was paid.

28. Identify and give the substance of all written statements, recordings, or videotapes which relate to the facts of this lawsuit and the damages you claim given by plaintiff or any witness (provided such information is in plaintiff's possession, custody or control and/or such statements, recordings or videotapes are not protected by the attorney-client privilege) in the above-captioned matter.

29. Have you ever made any claim for, or received any, health or accident insurance benefits, social security benefits, state or federal benefits for disabilities, workers' compensation benefits, veterans' benefits, tort claims or suits, Federal Employers Liability Act claims or suits, Longshoremen and Harbor Workers Act claims or suits, unemployment compensation insurance benefits, or early payment from any public or private pensions due to disability or your medical condition? If so, state the following:

- (a) the date and place where each such claim was made;
- (b) the name and nature of the entity with which the claim was made;
- (c) any identifying number, such as a docket or petition number, for each claim;
- (d) the defendant, agency, insurer, employer or other entity to or against whom the claim was made and its file number;
- (e) the nature of the claim;
- (f) whether you were examined by a physician and if so, the name and address of that physician;
- (g) the result of such claim, including the amount realized by way of settlement, judgment or award upon the claim;

- (h) the name and address of any attorney who represented you with regard to such claims;  
and
  - (i) whether you are presently receiving such benefits.
30. State the following with regard to your asbestos-related legal action:
- (a) Did you file an asbestos-related claim in more than one (1) jurisdiction;
  - (b) Identify all of the jurisdiction(s) where an asbestos-related claim has been filed (whether or not these claims have been dismissed or discontinued or otherwise resolved) on your behalf;
  - (c) Did you file your asbestos-related claim(s) under more than one (1) Index Number;  
and
  - (d) Provide all of the Index Numbers for all of your asbestos-related claim(s), including all multiple Index Numbers for claims filed in New York County.
31. State whether or not you have made, filed, or submitted a Claim Against Bankrupt Entity or received funds in settlement from a Bankrupt Entity. If so, for each claim state the following:
- (a) the date and place where each such claim was made;
  - (b) the name and nature of the entity with which the claim was made;
  - (c) any identifying number, such as a docket or petition number, for each claim;
  - (d) the defendant, agency, insurer, employer or other entity to or against whom the claim was made and its file number;
  - (e) the nature of the claim;
  - (f) whether you were examined by a physician and if so, the name and address of that physician; and
  - (g) whether you received any compensation as a result of such claim, but not the amount.
32. State whether you have applied to any Bankrupt Entity or Bankruptcy Court to lift the stay as to your claim or otherwise have attempted to join a Bankrupt Entity to this action.
33. Have you or your spouse ever been a party to or a witness in any lawsuit, court or administrative proceeding? If so, please state:
- (a) whether you or your spouse were a party or witness and if party, whether plaintiff or defendant;
  - (b) the precise name of the lawsuit or proceeding, the court agency in which it was brought and the docket number;
  - (c) the nature of the charges or claims and, if you or your spouse were a witness, the subject matter of the testimony; and
  - (d) the disposition of the case.
34. Have you or your spouse filed a claim seeking compensation for any alleged asbestos-related condition from any entity, including settlement trusts? Specify "Yes" or "No" only.
35. Identify all entities, whether or not parties to this lawsuit, with whom you have settled or agreed to settle this lawsuit.

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

## **REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Section VIII (B)(2)(b) of the CMO, the defendants request that plaintiffs produce for inspection and copying, the documents and things identified below. The documents and things identified herein shall be produced for inspection and copying at such time as the answers to the interrogatories herein are filed. The following requests include, but are not limited to, documents that relate to Bankrupt Entities.

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

1. All documents identified in your answers to these interrogatories.
2. All documents relating to the plaintiff's job qualifications and professional licenses held.
3. All documents relating to the plaintiff's membership in any labor trade association or professional organization.
4. All documents relating to the plaintiff's military or foreign service, including and not limited to, personnel records, discharge papers, military occupational specialty qualifications, promotions, reductions or disciplinary actions.
5. All documents relating to any claim or demand ever made by the plaintiff or the plaintiff's decedent for damages, compensation or other benefits allegedly resulting from any illness or injury, including but not limited to, Claims Against Bankrupt Entities, Industrial Accident Board records, social security disability claim records, federal or state employment compensation claim records, social disability records, pension claim record or any other health or accident insurance claim records.
6. All documents in plaintiff's possession, custody or control relating in any way to the plaintiff's exposure or possible exposure to asbestos, Asbestos-Containing Products and/or Asbestos-Containing Materials.
7. All documents in plaintiff's possession, custody or control relating in any way to the plaintiff's or the plaintiff's decedent's exposure or possible exposure to silica, acids, beryllium, nuclear radiation, ammonia, cadmium, chlorine, chromate, phosgene, grinding dust, coal dust, cotton dust, nickel, welding smoke or fumes.
8. All documents, of which you have ever become aware, relating in any way to warnings, potential health hazards, instructions or precautions regarding the use or handling of, or exposure to, asbestos, Asbestos-Containing Products, and/or Asbestos-Containing Materials.
9. All applications prepared or submitted by or on behalf of the plaintiff's for life insurance, medical insurance, health and accident insurance, and/or disability insurance.
10. All statements, recorded interviews, films, videotapes, reports, questionnaires, forms or other documents made, submitted, compiled, prepared or filled out by, on behalf of, or under the

direction of, plaintiff relating in any way to exposure or alleged exposure to asbestos, Asbestos-Containing Products and/or Asbestos-Containing Materials or any other issues relating to this lawsuit except that information prepared by, for, or at the request of plaintiff's counsel must be identified (including the date made), but need not be produced without an order by the Court, provided that written or recorded communication between plaintiff and counsel, made after an attorney-client relationship has been established, and attorney work product, need not be produced or identified.

11. All records in plaintiff's possession, custody or control relating to comments, complaints, suggestions, or proposals made to your employer or your union, by yourself or by other employees or union members regarding asbestos exposure.

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

13. All photographs of the plaintiff or the plaintiff's decedent at work or in work clothes and all photographs of all products or conditions complained of in the plaintiff's or the plaintiff's decedent's place of employment.

14. Copies of all itemized bills covering all the special damages and losses and expenses claimed in this matter.

15. Copies of all reports, correspondence and records from any doctor who has examined the decedent, any hospital where the decedent has been treated either as an inpatient or as an outpatient, except for any reports, records, correspondence, or communications issued by any consulting physicians who have been retained or specially employed in anticipation of litigation or preparation for trial and who are not expected to be called as a witness at trial.

16. All tissue specimens, tissue slides, and x-ray films and CT scans pertaining to the plaintiff.

17. Copies of plaintiff's income tax returns for the last ten years of plaintiff's employment and up to the current year as well as any other documents, including economic loss reports, upon which plaintiff relies in support of his claims. If loss of earnings or earning capacity is alleged or claimed to have occurred before the current year, include copies of the income tax returns of the plaintiff from ten years prior to the claimed loss and up to the current tax year.

18. Any asbestos and/or Asbestos-Containing Products or product packaging of the type to which the plaintiff alleges exposure and which the plaintiff has in his possession, custody or control.

19. All photographs, charts, drawing, diagrams or other graphic representations depicting work conditions at work sites where the plaintiff claims the plaintiff was exposed to asbestos or Asbestos-Containing Products.

20. All invoices, bills, statements and any other writings or records which the plaintiff contends evidence the sale of any Asbestos-Containing Products to the place of the plaintiff's or plaintiff's decedent's employment at which plaintiff claims that plaintiff or plaintiff's decedent was exposed to asbestos. This does not include documents in the possession, custody or control of plaintiff's attorney unless such documents were provided by plaintiff to his/her attorney and are not privileged.

21. Any written advice, publication, warning, order, directive, requirement, or recommendation, which advised or warned of the possible harmful effects of exposure to or inhalation of asbestos or Asbestos-Containing Products in the products in the possession, custody or control of the plaintiff.

22. Any accident or incident reports which relate to the facts, circumstances or incidents which form the basis of plaintiff's complaint.



## **EXHIBIT A**

Bankrupt Entity includes, without limitation: UNR Industries, Inc., Johns-Manville Co., Amatex Corp., Waterman Steamship Corp., Wallace & Gale Co., Forty-Eight Insulations, Inc., PACOR, Prudential Lines, Inc., Standard Insulations, Inc., US Lines, Nicolet, Inc., Gatke Corp., Chemetron Corp., Raytech, Delaware Insulations, Celotex Corp., Hillsborough Holdings, National Gypsum Co., Standard Asbestos Mfg. & Insul., Eagle-Picher, H.K. Porter Co., Cassiar Mines, Keene Corp., American Shipbuilding, Inc., Lykes Brothers Steamship, Rock Wool Mfg., SGL Carbon, M.H. Detrick, Brunswick Fabricators, Fuller-Austin Insul., Harnischfeger Corp., Joy Technologies, Rutland Fire & Clay, Babcock & Wilcox, Pittsburgh Corning, Burns & Roe Enterprises, E.J. Bartells, Owens Corning, Armstrong World Industries, G-1 Holdings (GAF Corp.), W.R. Grace, Skinner Engine Co., USG (US Gypsum) Corp., Federal Mogul, Eastco Industrial Safety Corp., Washington Group Int'l, Inc., Bethlehem Steel, North American Refractories, Kaiser Aluminum, Plibrico Refractories, Porter-Hayden, American Club, Huxley Development Corp., Harbison-Walker Refractories Co., Continental Producers Corp., A.P. Green Indus., Shook & Fletcher, Atra Group, Inc. (Synkoloid), and ACandS, Inc; C.E. Thurston.

## CHART A

### JOBSITE-SPECIFIC EXPOSURE HISTORY

<b>Name of Employer</b>	<b>Dates of Employment</b>	<b>Asbestos-related Jobsite &amp; Address</b>	<b>Dates You Were at Jobsite</b>	<b>Job Duties</b>	<b>ACM* Used Personally</b>	<b>Other ACM to Which You Were Exposed**</b>	<b>Other Workers on Jobsite, including supervisor</b>	<b>ACM identified by Such Other Workers</b>	<b>Other Companies Using ACM at Jobsite</b>
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\* ACM - Asbestos Containing Materials or Products.

\*\* Identify brand and manufacturer names, if known.