

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

IN RE: ASBESTOS LITIGATION

MASTER FILE

No. 09 L 00000

In Re: Asbestos Litigation

**DEFENDANTS' CONSOLIDATED REQUESTS FOR PRODUCTION
OF DOCUMENTS TO THE PLAINTIFF**

Pursuant to court order, the Illinois Code of Civil Procedure, and the Rules of the Supreme Court of Illinois, the defendants, by their respective attorneys, propound the following Interrogatories to the plaintiff to be answered under oath not later than 60 days after the filing of each case controlled by the Master Case Management Order No. 19 governing all personal injury asbestos litigation filed in Cook County, Illinois.

DEFINITIONS AND INSTRUCTIONS

As used herein:

- (A) "You" means the plaintiff and, if applicable, the plaintiff's decedent.
 - (B) "Address" means the present or last known street name and number, city or town, state and zip code.
 - (C) "Identify," when used in reference to a natural person or individual, means to state his or her full name; present or last known residence address and phone number; present or last known business address and phone number; relationship, if any, to you; present or last known position, title, job description and business affiliation; and position, title, job description and business affiliation at the time in question, with respect to the particular interrogatory involved.
- "Identify," when used in reference to an entity not a natural person or individual,

means to state its full name, present or last known address and phone number.

“Identify,” when used in reference to a document, means to state its title; type (e.g., letter, memorandum, etc.); date; author(s) or originator(s); addressee(s) or recipient(s); subject matter; any file number(s) which may be used in locating same; the name, present or last known address and phone number of all persons having possession, custody or control of same; and its disposition, if no one presently has possession, custody or control of same.

“Identify,” when used in reference to a bond or insurance policy, means to state the name of the surety or insurer, the bond or policy number, and the face amount of the bond or policy.

(D) “Person” is defined to include without limitation natural persons and individuals; sold proprietorships; general and limited partnerships; profit and not-for-profit corporations; unincorporated associations; governments; agents, employees or instrumentalities of governments; and all other legal entities.

(E) “Document” or “documents” is defined to include without limitation all advertisements, affidavits, agreements, analyses, applications for insurance and for disability or other benefits, appointment books, articles, assignments, bids and bid tabulations, bills, bills of lading, biopsy reports, blueprints, booklets, books, brochures, bulletins, business cards, calculations, calendars, catalogues, change orders, charts, checks, circulars, clippings, computer cards, computer printouts, computer tapes, consultant lists, consultant resumes, consultation reports, contracts, corporate minutes and minute books, correspondence, data compilations, diagrams, diaries, descriptions, drafts, drawings, files, film, financial statements, formulas, graphs, hospital records, indexes, instructions, invoices, job assignments, job descriptions, job evaluations, letters, lists, literature, log books, magazines, mailgrams, manuals, maps, medical records, memoranda, messages (including but not limited to reports of telephone conversations

or conferences), microfiche, microfilm, minutes (including but not limited to union meetings), models, motion pictures, news clippings, notebooks, notes, notices, oncology reports, opinions orders, organizational charts, pamphlets, papers, periodicals, personnel records, photographs, photographic negatives, pleadings, pocket calendars, press releases, prints, purchase orders, pulmonary function tests, questionnaires, receipts, records, reports, schedules, shop drawings, slides, specifications, spirograph tests, statements, statements of account, status reports, studies (including but not limited to interpretive and diagnostic tests), summaries, surveys, tape recordings, telegrams, telephone logs, telexes, test results, tissue slides and/or blocks, trade letters, transcripts, union executive committee minutes, union grievance committee minutes, union convention minutes, vouchers, warnings, workmen's compensation files, work orders, work sheets, writings, x-rays films and reports, and any other communications in your possession, custody or control.

(F) The terms "and" and "or" shall be construed conjunctively and disjunctively so as to require the broadest possible response.

(G) As used herein, "relative to," "relating to," "relates to," "relate to" or "relevant to" shall mean directly or indirectly mentioning or describing, pertaining to, being connected with, or reflecting upon a stated subject matter.

(H) If you claim privilege as to any of the documents covered by these Requests, identify the document by author, date and recipient(s) of the original and all copies, and specify the privilege being claims.

(I) In construing these Requests, the plural shall include the singular, the singular shall include the plural, and a masculine, feminine or neuter pronoun shall not exclude the other genders.

PRODUCTION REQUESTS

(1) Identify and produce all statements given by you to any person or entity, other than your attorney.

Response:

(2) Identify and produce all statements of any witnesses to the incidents alleged in the complaint.

Response:

(3) Identify and produce all documents relating to your (or your decedent's) physical or mental condition prior, during and subsequent to the incidents alleged in the complaint.

Response:

(4) Identify and produce all of plaintiff's (or decedent's) business, employment, military, workers' compensation, union, medical, or health care records and documents obtained through discovery or investigation and provide an executed authorization to obtain all such records.

Response:

(5) Identify and produce all photos or any samples of asbestos-containing products to which you claim exposure that you possess.

Response:

(6) Identify and produce all photos of any equipment through which you claim exposure.

Response:

(7) Identify and produce all documents which identify any of the named defendants in this cause and plaintiff's claimed exposure to asbestos.

Response:

(8) Identify and produce copies of your federal income tax returns filed, or an authorization to obtain same, in all years in which you claim to have been exposed to asbestos or asbestos-containing products and all following years.

Response:

(9) Identify and produce the names, addresses, phone numbers and specialties of all 213(f)(2) and (3) expert witnesses (other than non-treating, purely consultant experts who are not to testify at the trial), and produce copies of all reports, articles, publications or documents authored, edited or reviewed in whole or in part by any experts identified herein or relied upon by them in forming their opinions.

Response:

(10) Identify and produce all documents which relate to your use of or exposure to asbestos or to asbestos-containing products. If the claimed injury arises from secondary exposure, please respond to this Request with respect to the person(s) involved in the primary exposure.

Response:

(11) Identify and produce all documents which may reflect or refer to your employment history, job sites, products used, or co-workers during your working history. If the claimed injury arises from secondary exposure, please respond to this Request with respect to the person(s) involved in the primary exposure.

Response:

(12) Identify and produce all documents upon which you rely to support your belief that your alleged injuries or condition was caused by exposure to asbestos. If the claimed injury arises from secondary exposure, please respond to this Request with respect to the person(s) involved in the primary exposure.

Response:

(13) Identify and produce all documents which relate to damages you are alleging in this lawsuit, including but not limited to any monies expended or expenses incurred for medical care of the injuries alleged in the complaint, and any lost wages or lost profits.

Response:

(14) Identify and produce all documents that contain, refer to or relate to medical examinations or treatment for the injuries alleged in the complaint.

Response:

(15) Identify and produce any social security statement of earnings concerning the your employers and all social security disability applications or an executed authorization for the procurement thereof.

Response:

(16) Identify and produce all documents that contain, refer to or relate to any advice or warning of the possible harmful effects of exposure to or inhalation of asbestos-containing products or asbestos.

Response:

(17) Identify and produce all documents that contain, refer to or relate to company, employer, supervisor, or union requirements, recommendations or suggestions concerning the use of devices, safety equipment or other means to reduce exposure to or inhalation of dust or fibers.

Response:

(18) Identify and produce all documents that relate to any prior claim for disability or any injury or physical condition.

Response:

(19) If the claimed injury arises from secondary exposure, identify and produce all documents that relate to any prior asbestos-related claim for disability or any asbestos-related injury or physical condition with respect to the person(s) involved in the primary exposure.

Response:

(20) Identify and produce all documents relating to insurance, applications therefore, or any benefits applied for, obtained or refused.

Response:

(21) Identify and produce all documents that relate or refer to any product and/or equipment manufactured, sold or distributed by any defendants.

Response:

(22) Identify and produce all documents identified in your answers to defendants' master interrogatories.

Response:

The plaintiff is reminded that Illinois Supreme Court Rule 214 imposes upon him/her the continuing duty to seasonably supplement or amend his/her responses to these requests whenever new or additional information subsequently come into that party's possession or becomes known to either the plaintiff or plaintiff's counsel.