

EXHIBIT “E”

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19 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

20 **IN AND FOR THE COUNTY OF PIMA**

21 TANK DANIEL HALE and KENDAL RAY HALE,

22 Plaintiff,

23 v.

24 AMERICAN STANDARD, INC., individually, d/b/a
25 The Trane Company and as successor-by-merger to
26 The Trane Company; CARRIER CORPORATION;
27 GEORGIA-PACIFIC CORPORATION, individually
28 and as successor-in-interest to Bestwall Gypsum;
GRANT ROAD LUMBER COMPANY, INC.;
KAISER GYPSUM COMPANY, INC.; UNION
CARBIDE CORPORATION; and YORK
INTERNATIONAL CORPORATION,

Defendant.

Case No. C2013-3499

**DEFENDANT GEORGIA-PACIFIC
LLC'S FINAL RULE 26.1
SUPPLEMENTAL DISCLOSURE
STATEMENT**

1 Defendant Georgia-Pacific, LLC, f/k/a Georgia Pacific Corporation (“Georgia-Pacific”),
2 individually and as successor in interest to Bestwall Gypsum Company (“Bestwall”)¹, by and
3 through its attorneys undersigned, hereby makes the following disclosures pursuant to Rule 26.1
4 of the Arizona Rules of Civil Procedure. Georgia-Pacific reserves the right to supplement
5 and/or amend this disclosure as additional information is obtained through discovery or
6 otherwise.

7 Nothing in this disclosure is intended to be an admission of fact, an affirmation of
8 admissibility of any document, or an agreement with or an acceptance of any of the plaintiffs’
9 legal theories or allegations. By producing certain documents and information, Georgia-Pacific
10 does not waive: (1) the right to object to the use or admissibility of the documents or the
11 information disclosed; (2) the right to object to any discovery request involving or relating to the
12 documents or information disclosed; or (3) the right to correct, supplement, or clarify any of the
13 documents or information disclosed herein or otherwise provided, at any time.

14 References to “Plaintiffs” herein should be read to include all named plaintiffs including
15 Tank Daniel Hale and Kendal Ray Hale.

16 **(1) The factual basis of the claim or defense. In the event of multiple**
17 **claims or defenses, the factual basis for each claim or defense.**

18 Bestwall, which was acquired by Georgia-Pacific in 1965, manufactured and sold a
19 limited line of products that contained asbestos as a constituent ingredient (hereinafter,
20 “asbestos-containing products”) beginning in 1956. Georgia-Pacific’s Gypsum Division neither
21 sold nor manufactured such products until the Company’s acquisition of Bestwall in 1965.
22 Georgia-Pacific’s Gypsum Division ceased the manufacture of all such products by 1977, if not
23 before, depending on the product and jurisdiction at issue in this action.

24 Plaintiff alleges that his peritoneal mesothelioma was caused, in part, from dry and
25 Ready-Mix joint compound manufactured by Georgia-Pacific that Plaintiff Tank Hale purchased

26 ¹ Unless otherwise specified, “Georgia-Pacific” is intended to reference both Georgia Pacific
27 and Bestwall.
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1 from Defendant Grant Road Lumber (“GRL”) in Tucson, Arizona in 1971 and 1972 to use for
2 three small home renovation projects. GRL purchased all of its drywall products, including dry
3 and pre-mixed joint compounds, from an affiliated company called A & H Building Materials
4 (“A&H”) via a book transfer. The nearest Georgia-Pacific facility that manufactured joint
5 compound products during the relevant time period was in Acme, Texas and any shipments of
6 Georgia-Pacific joint compound to the Tucson area from a plant would probably have come
7 from the Acme plant by railroad. A&H and GRL’s records suggest that from 1970 to 1973,
8 A&H and GRL did not receive any shipments of Georgia-Pacific joint compound products—dry
9 or Ready-Mix. Rather, A&H and GRL purchased joint compound products from Kaiser
10 Gypsum, U.S. Gypsum, Hamilton Materials, or Murco. Georgia-Pacific has not located any
11 records within its collection of sales records reflecting sales of Georgia-Pacific joint compound
12 to GRL from 1970 to 1973. Georgia-Pacific will make those records available to Plaintiffs for
13 inspection at a mutually agreeable time.

14 **(2) The legal theory upon which each claim or defense is based including,**
15 **where necessary for a reasonable understanding of the claim or**
16 **defense, citations of pertinent legal or case authorities.**

17 Georgia-Pacific objects to the disclosure of any information concerning any products not
18 alleged to have contributed to the injuries of Plaintiffs. Plaintiffs have failed to identify a single
19 Georgia-Pacific asbestos containing product that Plaintiffs were allegedly exposed to causing
20 such injuries. Upon identification of a specific Georgia-Pacific asbestos containing product,
21 Georgia-Pacific will be in a better position to disclose all its defenses relevant to this matter.
22 Without more specificity, further disclosure is overly broad and unduly burdensome and seeks
23 information which is irrelevant and immaterial to these proceedings and is not reasonably
24 calculated to lead to the discovery of admissible evidence. Subject to and without waiving these
25 objections, Georgia-Pacific states that it may assert the following legal theories or defenses:

- 26 1. Lack of Causation. Georgia-Pacific contends that Plaintiffs’ alleged
27 injuries were not caused by asbestos, or in the alternative, were
28 caused by asbestos in a form other than that contained in a Georgia-
Pacific asbestos containing product. Georgia-Pacific may assert
additional defenses regarding medical causation once it has had

1 sufficient opportunity to examine and/or evaluate through
2 physician(s) Plaintiffs' claims of asbestos-related disease.

- 3 2. Lack of Product Identification. Plaintiffs have so far failed to
4 identify any specific Georgia-Pacific product(s) that they believe
5 released sufficient respirable asbestos fibers to cause Plaintiffs'
6 alleged injuries.
- 7 3. Assumption of the Risk. Mr. Hale voluntarily and knowingly
8 assumed the risk of incurring any of the alleged injuries or damages
9 alleged in Plaintiffs' Complaint and, therefore, the Plaintiffs are not
10 entitled to recover from Georgia-Pacific.
- 11 4. Comparative Fault. Plaintiffs' alleged injuries and/or damages were
12 caused by or contributed to by other parties and non-parties,
13 including Mr. Hale himself, which bars or reduces, on a comparative
14 basis, any recovery from Georgia-Pacific. *See* A.R.S § 12-2501 *et*
15 *seq.*
- 16 5. Satisfaction and Accord. To the extent that the Plaintiffs have
17 received payment from any alleged joint tortfeasor in full
18 satisfaction of any of the alleged injuries and/or claims against
19 Georgia-Pacific and/or other alleged joint tortfeasors, the Plaintiffs'
20 alleged damage recovery is barred by the defenses of payment and
21 accord and satisfaction.
- 22 6. Plaintiffs' fail to set forth a claim for punitive damages because they
23 have failed to allege and/or produce any evidence demonstrating
24 Georgia-Pacific acted with the requisite evil mind as required by
25 Arizona law with regard to Mr. Hale.
- 26 7. Plaintiffs' claim for punitive damages is barred by the due process
27 clause of the Fourteenth Amendment to the United States
28 Constitution and by Article 2, Section 4 of the Constitution of the
State of Arizona.
8. Plaintiffs' claim for punitive damages is barred by the proscription
of the Eighth Amendment to the United States Constitution
prohibiting the imposition of excessive fines, as applied to the states
through the Fourteenth Amendment, and by Article 2, Section 15 of
the Constitution of the State of Arizona.
9. The state of medical and scientific knowledge and all materials
relating thereto at all times material herein were such that Georgia-
Pacific neither knew nor could have known that asbestos containing
products of the type it manufactured presented a significant risk of
harm to the Mr. Hale, or any other such individual, when used
properly.

1 10. The designs of any sufficiently identified Georgia-Pacific product
2 used by Decedent conformed to the state-of-the-art at the time. *See*
3 A.R.S. § 12-683.

4 11. In the event discovery reveals further pertinent information,
5 Georgia-Pacific may assert additional defenses including, but not
6 limited to, those listed in Georgia-Pacific's Answer to Plaintiffs'
7 Complaint.

8 12. Pursuant to A.R.S. § 12-689(A)(2), Georgia-Pacific is exempt from
9 punitive or exemplary damages because Georgia-Pacific's products
10 complied with all statutes of this state or the United States or
11 standards, rules, regulations, orders or other actions of a government
12 agency pursuant to statutory authority that are relevant and material
13 to the event or risk allegedly causing the harm and the product,
14 activity or service complied at the time the product left the control of
15 Georgia-Pacific.

16 **(3) The names, addresses, and telephone numbers of any witnesses whom
17 the disclosing party expects to call at trial with a fair description of the
18 substance of each witness' expected testimony.**

19 Georgia-Pacific objects to the disclosure of any information concerning any products not
20 alleged to have contributed to the injuries alleged by Plaintiffs. Plaintiffs have failed to identify
21 a specific single Georgia-Pacific asbestos containing product that Plaintiffs were allegedly
22 exposed to causing such injuries. Upon identification of a specific Georgia-Pacific asbestos
23 containing product, Georgia-Pacific will be in a better position to disclose all its defenses
24 relevant to this matter. Without more specificity, further disclosure is overly broad and unduly
25 burdensome and seeks information which is irrelevant and immaterial to these proceedings and
26 is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and
27 without waiving these objections, Georgia-Pacific expects to call the following witnesses to
28 provide testimony:

- 1 1. Tank Daniel Hale
2 c/o Rick Nemeroff
3 Nemeroff Law Firm
4 2626 Cole Avenue, Suite 450
5 Dallas, Texas 75204

6 Mr. Hale is expected to have information regarding the allegations of his Complaint,
7 including, but not limited to, his alleged exposure to various asbestos containing products,
8 alleged health issues and alleged damages.

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2. Kendal Ray Hale
c/o Rick Nemeroff
Nemeroff Law Firm
2626 Cole Avenue, Suite 450
Dallas, Texas 75204

5 Mrs. Hale is expected to have information regarding the allegations of her Complaint,
6 including, but not limited to, hers and Mr. Hales' alleged exposure, alleged health issues and
7 alleged damages.

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3. Ruth Hale (Live or by deposition transcript)
c/o Rick Nemeroff
Nemeroff Law Firm
2626 Cole Avenue, Suite 450
Dallas, Texas 75204

11 Ruth Hale is Plaintiff Tank Hale's mother. Ruth Hale is expected to testify about, among
12 things discussed during her deposition, her recollection, or lack thereof, of home renovation
13 projects at Plaintiff Tank Hale's home in Tucson, Arizona from 1970 to 1973.

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4. Howard Schutte (or other Corporate Representative of Georgia-Pacific)
c/o Ryley Carlock & Applewhite
One North Central Avenue, Suite 1200
Phoenix, Arizona 85004-4417

17 Mr. Schutte is a former Vice President, Manufacturing, Georgia-Pacific Corporation
18 Gypsum Division. Mr. Schutte will be called to provide testimony as to Georgia-Pacific's
19 corporate and organizational history during relevant time periods, asbestos containing product
20 history, and as to warnings, logos, packaging and other related information as to Georgia-Pacific
21 products. Georgia-Pacific's representative will also testify about the Acme Joint Compound
22 Manufacturing Plant, its shipment of joint compound products by railroad, and the absence of
23 sales records showing shipments of joint compound products to A&H or GRL from 1970 to
24 1973.

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5. David Hauert (corporate representative of Grant Road Lumber)
c/o Thomas M. Murphy, Esq.
Gust Rosenfeld, P.L.C.
One South Church Avenue, Suite 1900
Tucson, Arizona 85701

1 Mr. Hauert is the corporate representative of GRL. He is expected to testify about the
2 recordkeeping practices of A&H and GRL, the suppliers from whom A&H and GRL purchased
3 drywall products, including joint compound, and records showing that neither A&H nor GRL
4 purchased joint compound products from Georgia-Pacific from 1970 to 1973.

5 6. Clayton Kiewel
6 c/o Thomas M. Murphy, Esq.
7 Gust Rosenfeld, P.L.C.
8 One South Church Avenue, Suite 1900
9 Tucson, Arizona 85701

10 Clayton Kiewel was the General Manager of A&H from approximately 1965 to 1973 and
11 during that timeframe he was responsible for purchasing all drywall products for A&H and
12 A&H supplied GRL all of its drywall products, including joint compound. Mr. Kiewel will
13 testify about the recordkeeping practices of A&H and GRL, the suppliers from whom A&H and
14 GRL purchased drywall products, including joint compound, and records showing that neither
15 A&H nor GRL purchased joint compound products from Georgia-Pacific from 1970 to 1973.
16 Mr. Kiewel will testify that from 1970 to 1973, A&H purchased all joint compound products
17 from Kaiser Gypsum, U.S. Gypsum, Hamilton Materials, or Murco.

18 7. Tony Phelps
19 c/o Thomas M. Murphy, Esq.
20 Gust Rosenfeld, P.L.C.
21 One South Church Avenue, Suite 1900
22 Tucson, Arizona 85701

23 Mr. Phelps is an employee of Grant Road Lumber and helped find the A&H rail car book.
24 Mr. Phelps worked for A&H and witnessed Mac McDonald keep the books on the rail cars
25 received by Grant Road Lumber and A&H Building Materials at the 26th Street rail spur.

26 8. Dean Neubauer
27 c/o Thomas M. Murphy, Esq.
28 Gust Rosenfeld, P.L.C.
One South Church Avenue, Suite 1900
Tucson, Arizona 85701

1 Mr. Neubauer is an employee of Grant Road Lumber and helped to find the A&H rail car
2 book.

3 9. Mathew Chapmann
4 3327 South Jessica Ave.
5 Tucson, Arizona
6 (520)335-7929

7 Mr. Chapmann is the current owner of 3327 South Jessica Avenue, Tucson, Arizona and
8 is expected to testify about the current condition of his home.

9 10. Jennifer Lynch, R.S.
10 Pima County Department of Environmental Quality
11 33 N. Stone Avenue, Suite 700
12 Tucson, Arizona 85701-1429
13 (520) 243-7400

14 Mrs. Lynch is an air compliance inspector for the Pima County Department of
15 Environmental Quality. She is expected to testify about her inspection(s) for compliance with
16 the Asbestos Standard for Demolition and Renovation at Naylor Middle School and records
17 regarding the same. She is also expected to testify about records regarding Santa Rita High
18 School created by the Pima County Department of Environmental Quality.

19 11. Any of Mr. Hale's co-workers that knew or may have known him during
20 timeframes in which he was allegedly exposed to asbestos containing products.

21 12. Any physicians or medical professionals that conducted medical
22 examinations on Plaintiff during and after the timeframes in which Mr. Hale was allegedly
23 exposed to asbestos containing products.

24 13. Any expert identified by Plaintiffs or any other Defendant, through
25 pleadings or otherwise, regarding alleged exposure to asbestos containing products.

26 14. Any other individual whose name appears in any document identified or
27 disclosed by any party – including Georgia-Pacific – and who may have discoverable
28 information pertaining to the matters addressed in the documents in which their names appear.

15. Any individual identified by any other party to this litigation.

1 16. Any and all individuals necessary to lay foundation for the admissibility of
2 any evidence at trial.

3 17. Georgia-Pacific reserves the right to supplement its list of witnesses.

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5 **(4) The names and addresses of all persons whom the party believes may**
6 **have knowledge or information relevant to the events, transactions, or**
7 **occurrences that gave rise to the action, and the nature of the**
8 **knowledge or information each such individual is believed to possess.**

9 See the response to No. 3 above, which is incorporated herein by reference.

10 Additionally, the following individuals have knowledge regarding Georgia-Pacific
11 asbestos containing products.

12 1. William Lehnert (Retired)
13 Product Development Manager
14 Georgia-Pacific LLC f/k/a Georgia-Pacific Corporation
15 c/o Ryley Carlock & Applewhite
16 One North Central Avenue, Suite 1200
17 Phoenix, Arizona 85004-4417

18 Mr. Lehnert has/had knowledge regarding Georgia-Pacific's corporate and organizational
19 history during the limited time period when Georgia-Pacific manufactured asbestos containing
20 products and of asbestos containing product history and has provided testimony in other lawsuits
21 related to the same. Mr. Lehnert will not be offered as a witness due to his declining health and
22 because other employees or former employees can provide the same information.

23 2. Anne H. Ksionzyk
24 Senior Development Chemist
25 Georgia-Pacific Gypsum, LLC
26 c/o Ryley Carlock & Applewhite
27 One North Central Avenue, Suite 1200
28 Phoenix, Arizona 85004-4417

29 Mrs. Ksionzyk has knowledge regarding Georgia-Pacific's corporate and organizational
30 history during the limited time period when Georgia-Pacific manufactured asbestos containing
31 products and of asbestos containing product history. Mrs. Ksionzyk may testify at trial as the
32 person most knowledgeable about Georgia-Pacific.

1 **(5) The names and addresses of all persons who have given statements,**
2 **whether written or recorded, signed or unsigned, and the custodian of**
3 **the copies of those statements.**

- 4 1. O.C. Burch (deceased)
5 Georgia-Pacific LLC f/k/a Georgia-Pacific Corporation
6 c/o Ryley Carlock & Applewhite
7 One North Central Avenue, Suite 1200
8 Phoenix, Arizona 85004-4417

9 Mr. Burch has provided testimony as to Georgia-Pacific's corporate and organizational
10 history during certain time periods as well as information about its asbestos containing product
11 history in separate, previously pending litigation cases.

- 12 2. See also, individuals numbered 2 and 3 listed under the response to
13 category No. 4 above, which are incorporated herein by reference.

14 **(6) The name and address of each person whom the disclosing party**
15 **expects to call as an expert witness at trial, the subject matter on which**
16 **the expert is expected to testify, the substance of the facts and opinions**
17 **to which the expert is expected to testify, a summary of the grounds for**
18 **each opinion, the qualifications of the witness and the name and**
19 **address of the custodian of copies of any reports prepared by the**
20 **expert.**

21 Georgia-Pacific expects to call the following individuals to testify as experts in this
22 matter:

- 23 1. Dr. James Crapo
24 National Jewish Medical Center
25 4650 South Forest Street
26 Englewoos, Colorado 80110
27 (303) 221-3201

28 Dr. Crapo is a pulmonologist with extensive research experience in experimental lung
pathology. He received his medical degree from the University of Rochester in 1971. Dr. Crapo
is Board certified in internal medicine with a sub-specialty in pulmonary diseases. He is a
member of the American Thoracic Society, a fellow of the American College of Chest
Physicians, and a member of the Society of Toxicology.

1 Dr. Crapo served as Chairman of the Department of Medicine at the National Jewish
2 Medical and Research center from 1996 to 2004 und has been Professor of Medicine at the
3 University of Colorado Health Sciences Center since 1997. Dr. Crapo was President of the
4 American Thoracic Society during 1992-1993, and was President of the Fleischner Society for
5 the 2004-2005 year.

6 Dr. Crapo will testify concerning Plaintiff's medical condition, and in the case of a
7 deceased plaintiff, may give testimony as to the cause of death. Dr. Crapo will further testify as
8 to whether Plaintiff had a condition or illness caused by asbestos exposure. He may also testify
9 about the latency period for the various asbestos-related diseases and the carcinogenic properties
10 of the different types of asbestos fiber.

11 Dr. Crapo will generally testify concerning asbestos related diseases and the effects of
12 exposure to various asbestos-containing-products in occupational and non-occupational settings
13 He may further testify regarding the epidemiology of asbestos diseases, the criteria for diagnosis
14 of asbestos-related disease-, and the established dose-response relationship between exposure to
15 asbestos and asbestos-related diseases. Dr. Crapo may also testify regarding asbestos-containing
16 products generally, including their asbestos fiber content, uses, and their respective abilities to
17 cause or contribute to disease, including quantification of exposures to the asbestos-containing
18 products allegedly used by Plaintiff. He may further testify regarding the propensity of various
19 asbestos fiber types to contribute to mesothelioma or other asbestos-related disease. Dr. Crapo
20 may also testify regarding the determination of the relative risks of developing disease as a
21 result of exposure to various asbestos-containing products in occupational and non-occupational
22 settings. Dr. Crapo will explain the dose-response relationship between exposure to asbestos and
23 the various asbestos-related diseases.
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25 Dr. Crapo may also testify on general medicine issues regarding asbestos-related diseases
26 including, but not limited to, lung physiology, lung function, lung defense mechanisms and the
27 mechanisms by which asbestos fibers do or do not cause a particular disease. He may also testify
28

1 that background levels of asbestos fibers in human tissue do not represent disease and
2 background or ambient air exposure does not cause disease.

3 Dr. Crapo may discuss various concepts such as dose-response and fiber years. He may
4 testify concerning the levels of asbestos fibers necessary to cause, or create a risk of causing,
5 diseases associated with asbestos exposure, and will compare those levels to the levels
6 encountered during the alleged use of the asbestos-containing products at issue.

7 Dr. Crapo will testify concerning his personal knowledge and research concerning
8 asbestos- exposed populations. He will testify concerning the effects of the inhalation of short
9 chrysotile fibers in humans and animals, and will testify that there is a threshold of exposure
10 below which those exposed to chrysotile do not develop asbestos-related diseases.

11 Dr. Crapo may also testify, where relevant, about the circumstances under which
12 exposure to asbestos-containing products leads to an increased risk of cancer and whether
13 Plaintiff has a reasonable fear of cancer due to asbestos exposure. He may also testify generally
14 on the health consequences of smoking and the relationship between smoking and asbestos-
15 related diseases, and may testify regarding the contribution, if any, of smoking and asbestos
16 exposure to Plaintiff's disease.

17 With respect to Plaintiff specifically, Dr. Crapo may testify as to his review and
18 interpretation of x-ray films, review and interpretation of pulmonary function testing, the nature
19 and extent of any impairment or disability, whether a condition is progressive, and whether
20 Plaintiff has other diseases or conditions.

21 Dr. Crapo may also testify concerning the results of various epidemiological studies
22 concerning cohorts of asbestos-exposed people. His testimony will include a review and critique
23 of various cohorts exposed to chrysotile only, mixed chrysotile and amphibole exposure, and
24 amphibole exposure only. Dr. Crapo will offer various opinions concerning the likelihood that
25 Plaintiff developed an asbestos-related disease from his or her particular exposure(s).

26 Dr. Crapo's testimony will be based on his training, experience, education, and
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1 publications; his review of the medical, governmental and scientific literature; his review of
2 various air sampling studies, work facility inspections and documents; industrial hygiene
3 exposure reconstructions, where applicable; and his review of medical records, chest films,
4 reports of fiber burden studies, and all pathology materials. Dr. Crapo may review Plaintiff's, co-
5 worker, and other exposure witness deposition testimony and rely upon them as a basis for his
6 opinions. He may also provide testimony consistent with the disclosure of any other expert
7 disclosed by this defendant or any other party to this case.

8
9 2. Donald E. Marano, P.E., C.I.H.
10 IHI Environmental
11 640 E. Wilmington Avenue
12 Salt Lake City, Utah 84106
13 (801) 466-2223

14 Mr. Marano graduated with honors from Rutgers University in 1971 with a Bachelor of
15 Science degree in Industrial Engineering. He then received a commission in the U.S. Public
16 Health Service and was assigned to the National Institute for Occupational Safety and Health
17 (NIOSH). Mr. Marano's experience also includes, but is not limited to, service as President of
18 IHI Environmental and Adjunct Professor at the Rocky Mountain Center for Occupational and
19 Environmental Health, College of Medicine, University of Utah since 1980. He is the Past
20 President of the American Industrial Hygiene Association, Utah Section

21 Mr. Marano is expected to discuss general industrial hygiene principles and the role of
22 the industrial hygienist in proper occupational airborne sampling and the protection of workers.

23 Mr. Marano will opine that the scientific community accepts that dose (intensity and
24 duration) of exposure and fiber type (chrysotile or amphibole) are two of several factors that
25 must be considered in assessing the risk of an individual developing mesothelioma from
26 asbestos exposure. It is the current consensus that amphiboles are more potent than chrysotile in
27 causing mesothelioma, if chrysotile causes mesothelioma at all. Based on the published
28 literature, even if chrysotile can cause mesothelioma at all, a very high cumulative dose would

1 be required to increase the risk of mesothelioma.

2 Mr. Marano will testify concerning his review of numerous industrial hygiene studies
3 regarding joint compound and drywall workers and will rely in part on the data reported in those
4 studies in rendering his opinions concerning Plaintiff's probable exposure to joint compound
5 dust. He may also be asked to compare Plaintiff's probable exposures to those reported in the
6 published scientific and medical literature. Mr. Marano will testify concerning the proper
7 collection and analysis of asbestos samples, as well as issues related to fiber release from
8 asbestos-containing materials.

9
10 Mr. Marano will use techniques developed by professional industrial hygienists to
11 accurately estimate Plaintiff's likely exposure to asbestos. He will then compare this dose to
12 published data to determine the magnitude of asbestos exposure. Mr. Marano will use the same
13 industrial hygiene techniques used by NIOSH, OSHA and the EPA in determining historical
14 exposure to toxic dusts for purposes of promoting public health.

15 Mr. Marano's testimony will be based on his training, experience, education, and
16 publications and his review of the governmental and scientific literature. Mr. Marano will
17 review Plaintiff's testimony and the testimony or evidence provided by any other exposure
18 witnesses and may rely on them as a basis for his opinions. He will be asked to respond to any
19 evidence presented by witnesses on behalf of Plaintiff, including experts.

20
21 3. Suresh H. Moolgavkar, M.D., Ph.D.
22 15375 SE 30th Place, Suite 250
23 Bellevue, Washington 98007

24 Dr. Moolgavkar is a physician with a Ph.D. in mathematics and post-doctoral training in
25 Epidemiology and Biostatistics. He is currently a Corporate Vice President and Director of the
26 Center for Epidemiology, Biostatistics, and Computational Biology at Exponent, Inc., an
27 international consulting company. Since 1984 he has been a Full Member of the Fred
28 Hutchinson Cancer Research Center, as well as Professor of Epidemiology and Adjunct

1 Professor of Biostatistics at the University of Washington in Seattle. He has served on the
2 faculties of the Johns Hopkins University, Indiana University, the Fox Chase Cancer Center, and
3 the University of Pennsylvania. He has been a visiting scientist at the Radiation Effect Research
4 Foundation in Hiroshima, the International Agency for Research on Cancer in Lyon, and the
5 German Cancer Research Center in Heidelberg.

6 Dr. Moolgavkar has served on numerous review panels and as a consultant to agencies
7 including the National Cancer Institute, the Environmental Protection Agency, the Canadian
8 Department of Health and Welfare, the International Agency for Research on Cancer, and the
9 Chemical Industry Institute of Toxicology. He is also the author or co-author of more than 130
10 papers in the areas of epidemiology, biostatistics, and quantitative risk assessment and has
11 edited three books in these areas. Dr. Moolgavkar has served on the editorial board of “Genetic
12 Epidemiology,” is currently an editor of “Risk Analysis – An International Journal” and serves
13 on the editorial board of “Inhalation Toxicology”. Additionally, Dr. Moolgavkar is an elected
14 member of the American Epidemiological Society.

15 Dr. Moolgavkar may testify as to the basic principles of epidemiology, including the
16 strengths and weaknesses of analytical and descriptive epidemiological studies. Descriptive
17 studies are generally used as surveillance tools to monitor the temporal trends and spatial
18 distribution of diseases. Such studies—including most registry studies—can raise concern if
19 either the temporal trends or spatial distribution of the disease of interest show unusual or
20 unexpected patterns, but they cannot establish causal associations between a suspect
21 environmental factor and the disease of interest. Properly conducted analytical studies, however,
22 can establish statistical associations between an exposure and the disease under investigation.
23 When a number of such independently conducted analytical studies yield consistent results,
24 epidemiologists conclude that the association between the exposure and the disease could be
25 causal. In general, to establish causality, certain other criteria referred to as the Hill criteria are
26 considered (in addition to the finding of an association). If, however, repeated analytical studies
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1 find no evidence of an association between the exposure and the disease, it is safe to conclude
2 that the exposure does not cause the disease.

3 Dr. Moolgavkar may also testify that proportionate mortality ratio (PMR) studies are
4 poor epidemiologic designs with which to investigate etiologic relations between plasterers and
5 lung diseases because of important conceptual shortcomings. Among these shortcomings is the
6 necessity that proportions of death summed over all causes must equal one, so differences in
7 proportions between the two populations might arise from a deficit or excess occurrence of the
8 disease of interest, but might also arise from a deficit or excess occurrence of other diseases that
9 are not of interest. PMR studies are often the design of last resort when the population that gave
10 rise to a series of known decedents cannot be catalogued, which would otherwise provide a more
11 valid estimate of effect. The PMR studies often cited by Plaintiff's(s') experts also involve
12 workers exposed to amphibole-containing products.
13

14 Dr. Moolgavkar may also testify that US EPA researchers have recently provided a
15 quantitative estimate of the potencies of chrysotile and amphibole asbestos to cause
16 mesothelioma. They calculated that chrysotile is much less potent than amphibole asbestos in
17 causing mesothelioma and also concluded that "the possibility that pure chrysotile is not
18 associated with mesothelioma cannot be ruled out by the data." Hodgson and Darnton (2000)
19 also estimated the potency of different fiber types to cause mesothelioma and also found both
20 crocidolite and amosite asbestos to be substantially more potent than chrysotile. These studies
21 use the available evidence and modern statistical techniques to quantify the dose-response
22 relation between occupational exposure to asbestos and mesothelioma risk.
23

24 Dr. Moolgavkar may offer testimony on the fundamental principles of carcinogenesis and
25 the impact of environmental agents, such as asbestos, on the carcinogenic process. Dr.
26 Moolgavkar is expected to testify that not all mesotheliomas are asbestos-related. He may testify
27 that approximately 10 to 20% of the pleural mesotheliomas in the United States in males are not
28 asbestos-related (with the percentage being much higher in females). Finally, he may testify that

1 the percentage of peritoneal mesotheliomas that are idiopathic is substantially higher than for
2 pleural mesotheliomas.

3 Dr. Moolgavkar's testimony will be based on his training, experience, education, and
4 review of the medical and scientific literature concerning asbestos-related disease.

5 4. Laura Dolan
6 Dolan Xitco
7 501 W. Broadway, Suite 710
8 San Diego, California 92101
(619) 272-6677

9 Mrs. Dolan is an expert in evaluating economic loss claims. Mrs. Dolan has a Masters of
10 Business Administration with an emphasis in finance from Loyola Marymount University and is
11 a member of the National Association of Forensic Economics and National Association of
12 Business Economics. Mrs. Dolan has more than 20 years of experience evaluating economic
13 claims in several industries, including financial service, healthcare, insurance, manufacturing,
14 telecommunications, and professional services. Mrs. Dolan is expected to testify about
15 Plaintiff's claim for damages, his alleged economic losses, the present value of his claimed
16 economic losses, the value of Plaintiff's alleged household contributions, and the present cash
17 value of Plaintiff's non-monetary benefits.
18

19 5. Richard Luther Attanoos, B.Sc., MB BS, F.R.C.Path.
20 Department of Histopathology
21 Llandough Hospital
22 Penarth, South Glamorgan CF64 2XX
United Kingdom

23 Dr. Attanoos is a pathologist with a special interest in thoracic pathology. He received
24 his MB BS (physician's degree) from Charing Cross and Westminster Medical School at
25 London University in 1987 and was awarded a Fellowship in the Royal College of Pathologists
26 in Histopathology in 1993. Dr. Attanoos is an invited member of the International
27 Mesothelioma Panel, European Mesothelioma Panel, and the Asbestosis Committee of the
28 College of American Pathologists/Pulmonary Pathology Society. Since 2007, Dr. Attanoos has

1 been a member of the Research Council of the British Mesothelioma Interest Group. In 2008,
2 Dr. Attanoos was enlisted as a medical advisor to the All-Party Parliamentary Committee of the
3 British government on the Health Effects of Asbestos. He has published approximately 100
4 papers in the peer-reviewed medical and scientific literature, many of which are in the fields of
5 occupational lung disease, asbestos, and mesothelioma. His qualifications are set forth in
6 greater detail in his curriculum vitae, which will be furnished upon request.

7
8 Dr. Attanoos may testify as to the general medical aspects of the pathologic diagnosis of
9 mesothelioma, or other alleged asbestos-related disease, and the pathological effects of asbestos
10 on the lung. He may also testify as to the relationship, if any, between asbestos exposure and
11 the incidence of the conditions alleged by Plaintiff, including without limitation pleural plaques
12 and mesothelioma. Dr. Attanoos may testify that “asbestos” is a generic term for a group of
13 naturally occurring fibrous minerals comprising two major groups of asbestos – serpentine and
14 amphiboles – that have different physical forms and clearance rates after deposition in human
15 lungs. Dr. Attanoos may testify that the serpentine group contains one form of asbestos –
16 chrysotile – and that the amphibole group contains several forms of asbestos – including
17 crocidolite, amosite, tremolite, actinolite, and anthophyllite. Dr. Attanoos may testify regarding
18 the differing potentials of these various forms of asbestos to cause conditions alleged by
19 Plaintiff. Dr. Attanoos may testify generally that the size, structure, and chemical composition
20 of different types of asbestos fibers affect their ability, or lack thereof, to cause conditions
21 alleged by Plaintiff. Dr. Attanoos may testify that fibers less than 5-10 microns in length are
22 unlikely to cause cancer in humans.

23
24 Dr. Attanoos may testify generally regarding the role of dose in determining whether
25 certain types of asbestos fibers caused or contributed to conditions alleged by Plaintiff. Dr.
26 Attanoos also may testify generally regarding the latency periods associated with asbestos-
27 related conditions alleged by Plaintiff.

1 Dr. Attanoos may discuss various epidemiological studies of asbestos-exposed people.
2 He may testify about cohorts exposed to chrysotile only, amphiboles only, and mixed exposures.
3 Dr. Attanoos may testify regarding the evidence that exposure to amphibole asbestos explains
4 the incidence of certain asbestos-related disease among individuals also exposed to chrysotile
5 asbestos. Dr. Attanoos will testify that epidemiological studies have proven that exposure to
6 amphibole forms of asbestos presents a significant risk of mesothelioma. Epidemiological
7 studies have shown that exposure to chrysotile does not present a significant risk of
8 mesothelioma at the exposure levels seen in drywall workers. Dr. Attanoos will testify as to the
9 relative potency estimates for chrysotile as compared to the amphibole forms of asbestos and
10 may testify about fiber potency estimates in the scientific literature, including those presented in
11 the papers of Hodgson & Darnton and Berman & Crump.
12

13 Dr. Attanoos may testify about fiber burden analysis and its reliability in determining the
14 type(s) of fibers to which a person was exposed in the past and which of those fibers can be
15 implicated as the cause of disease. Where applicable, Dr. Attanoos will testify concerning the
16 results of any available fiber burden analysis done on Plaintiff specifically, and what those
17 results show about the cause(s) of Plaintiff's disease or condition. Fiber burden studies support
18 the findings of epidemiological studies demonstrating that amphiboles present the most
19 significant risk of developing asbestos-related disease.
20

21 Dr. Attanoos may also testify about the pathology results from recent inhalation studies
22 comparing chrysotile mixed with joint compound particles to amosite. These studies
23 demonstrate that chrysotile in joint compound dust does not initiate an inflammatory response in
24 the lung or pleural cavity and further demonstrate that none of the pleural symptoms of asbestos-
25 related disease are associated with chrysotile in joint compound dust. Dr. Attanoos is expected
26 to testify that amphiboles have a high "biopersistence" and can remain in the lungs for decades,
27 whereas chrysotile is soluble in acid and has a much lower "biopersistence," clearing from the
28

1 lungs in a matter of weeks or months, with shorter fibers clearing more rapidly than longer
2 fibers.

3 Dr. Attanoos may also testify regarding the diagnosis of any purportedly asbestos-related
4 disease or condition alleged by Plaintiff and may respond to testimony by any of Plaintiff's
5 experts regarding the same. Dr. Attanoos may also testify regarding other probable or possible
6 causes of any disease or condition alleged by Plaintiff, including but not limited to smoking
7 where relevant. Dr. Attanoos may discuss generally accepted and reliable methodologies for
8 causal attribution and may address the notion that every exposure to an asbestos-containing
9 product above ambient levels was a contributing cause of Plaintiff's disease.

10
11 Dr. Attanoos's testimony will be based on his training, experience, education, and
12 publications and his review of available bankruptcy trust documents; the medical, governmental,
13 and scientific literature; industrial hygiene reports; and medical records, including without
14 limitation chest films, reports of fiber burden studies, and all pathology materials. Dr. Attanoos
15 may review Plaintiff's deposition testimony and any testimony given by other exposure
16 witnesses and rely upon that testimony as a basis for his opinions. He may testify concerning
17 any article on his reference list. He may also be asked to respond to evidence presented by any
18 witness on behalf of Plaintiff, including experts.

19 Georgia-Pacific also reserves the right to call one or more of the experts listed in Exhibit
20 A hereto.

21 **(7) A computation and the measure of damage alleged by the disclosing**
22 **party and the documents or testimony on which such computation and**
23 **measure are based and the names, addresses, and telephone numbers**
24 **of all damage witnesses.**

25 Georgia-Pacific has not filed a counterclaim in this matter. As such, there are no
26 damages being claimed by Georgia-Pacific at this point in time. Georgia-Pacific expressly
27 reserves the right to seek damages from Plaintiffs, under any theory, and to supplement its
28 disclosure accordingly.

1 **(8) The existence, location, custodian, and general description of any**
 2 **tangible evidence, relevant documents, or electronically stored**
 3 **information that the disclosing party plans to use at trial and relevant**
 4 **insurance agreements.**

5 The following is a numbered list of exhibits that Georgia-Pacific may present at trial:

Exhibit	Date	Description
1	05/07/1970	Memo from G.E. Wilson to C.W. Lehnert regarding Joint Cement
2	09/15/1971	National Gypsum letter from Albert Fay to William Hunt regarding Seminar in NY
3	09/17/1971	Letter to Albert Fay regarding declining invitation to the Asbestos Information Association meeting
4	09/24/1971	National Gypsum letter from Albert Fay to W.H. Hunt regarding sanding of joint treatment products
5	10/05/1971	GP memo from W.H. Hunt to C.W. Lehnert with request to advise on attached 09/24/1971 letter
6	10/07/1971	Memo from C.W. Lehnert to W.H. Hunt regarding Asbestos Fiber
7	10/11/1971	GP letter from W.H. Hunt to Albert Fay regarding Lehnert
8	10/14/1971	Letter from C.W. Lehnert to Albert Fay regarding asbestos products
9	01/06/1972	Memo from M.F. Fink to All Plant Managers regarding Safety Bulletin – OSHA
10	02/11/1972	Memo from M.F. Fink to All Plant Mangers regarding OSHA Bulletin
11	06/07/1972	Federal Register, Vol. 27, No. 110, Title 29, Part 1910
12	06/07/1972	Federal Register §1910.93a; U.S. Asbestos Standard-The Text
13	11/20/1972	Memo from W.N. Gettel to C.W. Lehnert regarding Asbestos Replacement - ACME Joint System Products
14	11/20/1972	GP memo from W.E. Gettel to C.W. Lehnert regarding Asbestos Replacement – Acme Joint System Products
15	02/08/1973	Memo from M.F. Fink to distribution list regarding Asbestos Control Program and attaching OSHA Rules and Regs

Exhibit	Date	Description
16	04/11/1973	Memo from C.W. Lehnert to Hollingsworth and T.W. Richards regarding correct label for joint compounds containing asbestos
17	04/25/1973	Memo from J.B. Moss to E.L. Aasen regarding Asbestos Caution Labels
18	05/07/1973	Memo from G.E. Wilson to J.D. Rauch, M.A. Palmowski and H.W. Scharf regarding Warning Labels for Asbestos
19	05/10/1973	Memo from J.D. Rauch to C.W. Lehnert regarding Warning Labels for Asbestos
20	06/11/1973	Letter from H.B. Carlsen, Gypsum Association, to The Board of Directors regarding Asbestos in Joint Treatment Compound
21	06/19/1973	Memo from C.W. Lehnert to John Woodsmall regarding Asbestos Fiber in Joint Compounds
22	06/21/1973	Letter from G. Wilson to H.B. Carlsen, Technical Committee, Gypsum Association
23	06/29/1973	Memo from C. W. Lehnert to O. E. Burch regarding asbestos fiber
24	07/06/1973	Letter from H.B. Carlsen to All Members of the Technical Committee regarding Asbestos in Joint Treatment Compound
25	08/21/1973	GP memo from R.G. Tuttle to J.D. Rauch regarding Asbestos - Your letter of August 3rd
26	08/24/1973	GP memo from D. C. Corkill to C.W. Lehnert regarding Asbestos
27	10/10/1973	Minutes of the Semi-annual Meeting of the Gypsum Association with attached report of Special Task Force on Joint Treatment Compound. (Report Only)
28	11/19/1973	"Evaluation of Exposure to Asbestos during Mixing and Sanding of Joint Compounds" Gypsum Association, Denver, Colorado
29	03/01/1974	M. Fink memo to Plant Operations regarding Airborne Substance.

Exhibit	Date	Description
30	03/26/1974	Letter from Chester Whiteside, US Department of Labor to J.D. Rauch regarding asbestos sampling survey
31	04/26/1974	News Release "OSHA Warns That Dry Wall Spackling Contains Dangerous Asbestos Hazard"
32	05/24/1974	Memo from O.E. Burch to All Gypsum Sales Mangers regarding Joint Cement Products
33	06/04/1974	Memo from O.E. Burch to D.C. Corkill regarding Warning Labels on Joint Cement Products
34	06/06/1974	Memo from O.E. Burch to W.A. Nalbone regarding Asbestos Caution Labels
35	06/06/1974	Memo from O.E. Burch to T. Withycombe and A. Niebergall regarding Caution Labels
36	06/14/1974	Letter from M.M. Brenner to All Plant Managers regarding Guidelines for Compliance with OSHA asbestos Standards attaching copy of Guidelines prepared by Safety Committee of the Gypsum Association
37	09/00/1974	Walls & Ceilings, GP Advertisement: "Announcing the first complete line of asbestos-free joint system compounds"
38	02/26/1975	Memo from D.C. Corkill to O.E. Burch regarding Caution Labels
39	04/08/1976	Letter from R.H. Mereness, Asbestos Information Association to U.S. Department of Labor with attached Excerpts from Asbestos Industry Response to Occupational Safety and Health Administration on Proposed Revision to Asbestos Standard, 29 CFR Part 1910
40	08/05/1976	Letter from R.H. Mereness to James. R. Hurd regarding Third Annual Industry-Government Conference
41	08/18/1976	Memo from G.E. Wilson to K. Brown, R. Favero, M. Palmowski, H. Scharf, I. Weibel regarding Joint Cement Products

Exhibit	Date	Description
42	09/01/1976	AIA Letter from R.H. Mereness to S. John Byington regarding Petition of Natural Resources Defense Counsel, Inc., and the Consumers Union of U.S.A., Inc. for the Promulgation of a Rule Declaring Certain Patching Compounds to be Banned Hazardous Substances
43	03/03/1977	GP memo from D.C. Corkill to C.W. Lehnert regarding Proposed Federal Standard for Joint Compound & Tape
44	05/03/1977	Telex from E.B. Hollingsworth to I.F. Weibel, M.A. Palmowski, R.V. Favero and H.W. Scharf regarding stopping the manufacturing of products containing asbestos
45	05/20/1977	Memo from C.A. Spear to E.B. Hollingsworth regarding Asbestos-free ready mix
46	05/23/1977	Telex from George Fowler to David Corkill, Ed Galloway, C.W. Lehnert, Bill Gettel, Brad Hollingsworth and Bob Favero regarding observation of market acceptance of asbestos free ready mix in the SE region market
47	08/10/1977	Minutes of the Ninety-Ninth Meeting of the Technical Committee, August 10, 11, 12, 1977
48	08/10/1977	Telex from D.C. Corkill to E.G. Reynolds, W.D. Brooks, D.W. McCubbin, R.P. Ballas, J.E. Tierney, L.H. Kaboos and E.C. Galloway regarding 8/4/77 telex from G. Baitinger on joint treatment products containing asbestos
49	08/11/1977	Telex from D.C. Corkill to E.G. Reynolds, W.D. Brooks, D.W. McCubbin, R.P. Ballas, L.H. Kaboos, J.E. Tierney and E.C. Galloway regarding joint compounds containing asbestos
50	09/02/1977	GP memo from Bob Morse regarding Joint Systems Brochure with attached brochure
51	11/22/1977	GP memo from W.E. Gettel to C.W. Lehnert regarding Asbestos Replacement – Acme Joint System Products
52	12/01/1977	Letter from Richard Danca to Byington and Rapps, CPSC regarding Follow-Up to Commission Meeting of December 1, 1977

Exhibit	Date	Description
53	12/05/1977	GP memo and articles from W.D. Brooks to Dave Corkill regarding Joint System Asbestos; The use of Asbestos in Drywall products - is it legal or not?
54	05/02/78	GP memo from George Baitinger to Regional Manager with cc to S.S. Dennison regarding Joint Systems Products
55	05/04/78	GP memo from Larry Trammel to Branch Managers with cc to George Baitinger and S. S. Dennison regarding Joint System Products
56	05/10/1978	GP memo from F. Bridges to G. Baitinger regarding Customers who have purchased joint treatment products, with attachments
57		Bestwall Joint System Cement Asbestos Air & Fabric Analysis results authored by Dr. Bill Longo
58		Relevant Georgia-Pacific LLC's product formulas, photographs, brochures and advertisements
59		Relevant Georgia-Pacific LLC's brochures, advertisements, and listings contained in Sweets' Catalogues
60		Georgia-Pacific LLC's Joint Compound Manufacturing Map
61		How Joint Compound is Used: Demonstrative Aid
62		Government changes – Asbestos TLV Demonstration
63	01/17/1975	GP Technical Report No. 167
64	12/11/1975	GP Technical Report No. 167
65	11/09/1976	GP Technical Report No. 167
66	03/30/1977	GP Technical Report No. 167
67	02/10/1978	GP Technical Report No. 167
68	12/20/1978	GP Technical Report No. 167
69	01/15/1979	GP Technical Report No. 167

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Exhibit	Date	Description
70		Pleadings of any parties, entities, or witnesses involved in actions brought by other plaintiffs alleging exposure to asbestos-containing materials at the places of alleged employment or alleged jobsites of plaintiffs and all jobsites identified during discovery in the above-captioned cases or by former co-workers of plaintiffs
71		Pleadings of or regarding any manufacturer, contractor, supplier, or installer of asbestos-containing materials at places of employment or jobsites where plaintiffs worked
72		All discovery demands and/or requests and oppositions to summary judgment motions
73		All answers and/or responses to discovery demands and/or requests
74		All deposition transcripts and videotapes, and all exhibits thereto and documents referred to therein taken in connection with the above-captioned cases
75		All subpoenas and records referred to in or produced pursuant to any subpoena
76		All documents and exhibits provided or referred to in discovery
77		Discovery of or regarding any manufacturer, contractor, supplier, or installer of asbestos-containing materials at places of employment or jobsites where plaintiffs worked
78		Discovery of any parties and/or witnesses involved in actions brought by other plaintiffs alleging exposure to asbestos-containing materials at the places of employment or jobsites of plaintiffs
79		Standard liability interrogatory answers of all named defendants and any manufacturer, contractor, supplier, or installer of asbestos-containing materials at places of employment or jobsites where plaintiffs worked

Exhibit	Date	Description
80		Transcripts of depositions of representatives, co-workers, employees and former employees of all named defendants and any manufacturer, contractor, supplier, or installer of asbestos-containing materials at places of employment or jobsites where plaintiffs worked
81		All statements given by plaintiffs
82		All depositions and statements taken in or for these actions and any action by plaintiffs alleging exposure to asbestos-containing materials
83		Documents, including claim forms, submitted by or on behalf of plaintiffs and received from asbestos bankruptcy trusts or settlement trusts
84		Admissions of statements of exposure contained in settlement agreements, affidavits, releases or any other document between plaintiffs and any and all settling defendants/entities in the above-captioned cases
85		All documents, including affidavits and affirmations, attached or referred to in all motions in these actions and any actions by plaintiffs alleging exposure to asbestos-containing materials
86		All administrative settlement agreements, side deals, and covenants not to sue between plaintiffs and any person or entity
87		Plaintiffs' federal and state tax records
88		Plaintiffs' Social Security records including, but not limited to, statements of earnings
89		Plaintiffs' employment and union records including, but not limited to, compensation, medical, personnel, and Workers' Compensation records
90		Plaintiffs' union records including, but not limited to, information about plaintiffs' membership, participation, and union activities
91		All records concerning compensation and performance of other employees of plaintiffs' employers

Exhibit	Date	Description
92		All records of asbestos-containing materials used in buildings and facilities where plaintiffs worked, including purchase orders, invoices, or other purchase or sales records for any building construction project and/or building specifications, drawings, contracts, permits and applications, certificates of occupancy, and any other records relating to construction, renovation or alterations performed
93		All records concerning the buildings and facilities in which plaintiffs worked including, but not limited to, historical records, government records, books, treatises, articles, and/or United States government publications and records
94		Diagrams, photographs, brochures, logs, construction plans, blueprints, drawings, and/or depictions of buildings and jobsites where plaintiffs worked
95		Examples, samples, or photographs of the packages of construction products used at buildings and jobsites where plaintiffs worked
96		Product brochures, samples, literature, diagrams, photographs, and other information regarding the products at issue
97		Union records reflecting union knowledge of, and response to, the hazards of asbestos
98		Documents evidencing the presence of other defendants' and non-parties' asbestos-containing products at plaintiffs' jobsites
99		Medical records, tests and reports, including X-rays, MRIs and CT scans, bills, tissue slides and blocks, and pulmonary function tests regarding the treatment or examination of plaintiff
100		Death Certificate of plaintiffs (if applicable)
101		Federal, state, and local asbestos regulations
102		Curriculum vitae of all expert witnesses
103		All expert reports served by any party in this matter

Exhibit	Date	Description
104		All publications and documents referenced in any experts' CVs, reports, disclosure statements, reliance materials, and/or testimony
105		Models, charts, diagrams, and demonstrative materials relied upon by any expert
106		Any document listed in any party's exhibit list in these actions
107		Charts/timelines of the plaintiffs' smoking histories (if applicable)
108		Charts/timelines of plaintiffs' employment history
109		Medical and billing records from Baylor Regional Medical Centers concerning Mr. Hale
110		Medical and billing records from Dr. James Mitlying concerning Mr. Hale
111		Medical and billing records from Dr. Alvin Huan concerning Mr. Hale
112		Medical and billing records from Dr. Jeffrey Lamont concerning Mr. Hale
113		Medical and billing records from Dr. Manish Gupta concerning Mr. Hale
114		Medical and billing records from Dr. Vincent Chan concerning Mr. Hale
115		Medical and billing records from Dr. Walter Stuart Johnson concerning Mr. Hale
116		Medical and billing records from MD Anderson Cancer Center concerning Mr. Hale
117		Medical and billing records from Texas Oncology concerning Mr. Hale
118		Medical and billing records from Dallas Diagnostic Association concerning Mr. Hale
119		Medical and billing records from Dr. Walter Johnson concerning Mr. Hale

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Exhibit	Date	Description
120		Medical and billing records from Foot and Ankle Centers concerning Mr. Hale
121		Medical and billing records from Texas Health Presbyterian Hospital concerning Mr. Hale
122		Medical and billing records from Dallas Surgical Center Specialists concerning Mr. Hale
123		Medical and billing records from Plano West Texas Oncology concerning Mr. Hale
124		Military medical records concerning Mr. Hale
125		Pharmacy Records from CVS Pharmacy concerning Mr. Hale
126		Military service records concerning Mr. Hale
127		Imaging films and x-rays from any source concerning Mr. Hale
128		Education records from University from Arizona concerning Mr. Hale
129		Education records from Santa Rita High School concerning Mr. Hale
130		Social Security Itemized Statement of Earnings records of Mr. Hale
131		2003 income tax returns for Tank and Kendal Hale
132		2004 income tax returns for Tank and Kendal Hale
133		2005 income tax returns for Tank and Kendal Hale
134		2006 income tax returns for Tank and Kendal Hale
135		2007 income tax returns for Tank and Kendal Hale
136		2008 income tax returns for Tank and Kendal Hale
137		2009 income tax returns for Tank and Kendal Hale
138		2010 income tax returns for Tank and Kendal Hale
139		2011 income tax returns for Tank and Kendal Hale
140		2012 income tax returns for Tank and Kendal Hale

Exhibit	Date	Description
141		2011 W-2 form for Tank Hale
142		2013 W-2 form for Tank Hale
143		Facebook Page (Tank Hale) – (GP-HALEFB-00001-15)
144		Facebook Page (Tank’s Malignant Peritoneal Mesothelioma) – (GP-HALEFB-00016-55)
145		Article (<i>Air Force Veterans and Asbestos Exposure</i>) – (GP-HALEFB-00056-58)
146		Pima County Property Card for 3327 South Jessica Ave., Tucson, Arizona
147		Plaintiffs’ work history, product exposure lists, and affidavits given to defendants, if any, and work histories of Plaintiffs; coworkers or father and/or product identification witnesses
148		Plaintiffs’ Initial Rule 26.1 Disclosure Statement and Plaintiffs’ Supplemental Rule 26.1 Disclosure Statements
149		Grant Road Lumber Company’s rail car book from September 1970 through May 1982. (GR00004-GR000148)
150		A & H Building Materials’ rail car book from September 1970 through April 1982. (GR00149-GR00318)
151		Pima County Department of Environmental Quality abatement and other records regarding Naylor Middle School
152		Pima County Department of Environmental Quality abatement and other records regarding Santa Rita High School
153		Plaintiffs’ Social Security earnings records
154		Plaintiffs’ Social Security disability records, if any, and workers’ compensation records, if any
155		Any proof of claims and exhibits thereto filed by or on behalf of Plaintiffs, Plaintiff’s father and/or Plaintiffs’ coworkers against any former manufacturer or distributor of asbestos or asbestos containing products.
156		Any and all employment records, including benefits and disability, relating to Plaintiffs

Exhibit	Date	Description
157		Any and all employment records relating to Plaintiff Tank Hale's father and to Plaintiffs' product identification witnesses
158		Threshold unit valves promulgated by the ACGIH from 1946 to present
159		Permissible exposure limits and other asbestos regulations promulgated by OSHA from 1971 to present
160		Any and all exhibits referenced to and used in the video-taped depositions offered by GP for O.E. Burch or C. W. Lehnert, if any.
161		Product photographs, advertisements, brochures, and related information for all asbestos-containing products, including insulation, whether on equipment or other products or not, to which Plaintiff (i) has alleged exposure (in pleadings, discovery, or otherwise), including but not limited to, those for which the entities (or their legal predecessors) named in Plaintiff's pleadings may potentially be responsible and those for which responsibility may potentially be attributed to bankrupt entities, and (ii) has not alleged exposure, but for which responsibility may nonetheless potentially be attributable to entities not named in Plaintiff's pleadings and/or bankrupt entities including but not limited to: Bondex International Corporation and TH Agriculture and Nutrition, Inc.
162		US Air Force specifications and illustrative detail for C-124 Globemaster, Douglas Aircraft Co
163		US Air Force specifications and illustrative detail for F-105, Republic Aviation
164		US Air Force specifications and illustrative detail for F-4, McDonnell Douglas
165		US Air Force specifications and illustrative detail for KC-135, Boeing
166		US Air Force specifications and illustrative detail for F-15 McDonnell Douglas/Boeing
167		Site plans and documents related to asbestos existence, abatement and removal at Lackland AFB, San Antonio, Tx.

Exhibit	Date	Description
168		Site plans and documents related to asbestos existence, abatement and removal at Dover AFB, Dover, De.
169		Site plans and documents related to asbestos existence, abatement and removal at Elgin AFB, Ft. Walton, Fl.
170		Site plans and documents related to asbestos existence, abatement and removal at Davis-Monthan AFB, Tuscon, Az
171		Site plans and documents related to asbestos existence, abatement and removal at Johnson AFB; Itazuke field and Tachikawa field; Japan
172		US Air Force policy documents regarding use of asbestos at federal installations
173		Site plans and documents related to asbestos existence, abatement and removal at McConnell, AFB, Wichita, Ks.
174		Site plans and documents related to asbestos existence, abatement and removal at Bitburg AFB, Germany.
175		Affidavit of McCaffery & Associates authenticating documents obtained from the US Air Force National Archives
176		Warrant officer and airman classification manual
177		Photograph of House Located at 3327 S. Jessica Ave., Tucson, Arizona

CONDITIONALLY OFFERED EXHIBITS

Depending on the evidence offered at trial by the Plaintiffs, Georgia-Pacific may also offer the following exhibits:

Exhibit	Date	Description
178	09/20/1966	Gypsum Association Safety Committee Minutes
179	09/19/1967	Gypsum Association Safety Committee Minutes
180	06/03/1970	Memo from Fatz to Fink regarding Lung Research at Mt. Sinai
181	06/09/1970	GP letter from M.F. Fink to F.J. Rogers regarding joint systems
182	04/28/1977	CPSC News Release

Exhibit	Date	Description
183	04/28/1977	Telex from D.C. Corkill to Reynolds, Brooks, McCubbin, Ballast, Tierney, Kaboos and Galloway regarding effective immediately the Consumer Products Safety Commission has voted to ban the use of asbestos in joint system compounds
184	07/27/1971	Memo from M.F. Fink to K. Brown, J. Rauch, P. Jackson, H. Scharf regarding MICA-Asbestos Controls
185	01/06/1972	Memo from M.F. Fink to All Plant Managers regarding Safety Bulletin-OSHA
186	01/20/1972	Memo from M.F. Fink to All Plant Managers regarding OSHA Information
187	02/11/1972	Memo from M.F. Fink to All Plant Managers regarding OSHA Act
188	03/08/1972	Letter from M.F. Fint to All Plant Managers regarding OSHA Bulletin
189	12/08/1972	Airborne Dust Counts Report for Marietta, GA
190	12/29/1972	Asbestos Fiber Counts Report for Chicago, IL
191	02/08/1973	Memo from M.F. Fink to distribution list regarding asbestos control program attaching OSHA Rules and Regulations
192	03/21/1973	OSHA Citation for Alleged Occupational Safety and Health Violation(s)
193	03/30/1973	Letter from J.D. Rauch to C.C. Whiteside regarding Citation for Alleged Occupational Safety and Health Violation(s)
194	04/11/1973	Memo from C.W. Lehnert to distribution list regarding correct label for joint compound containing asbestos
195	04/26/1973	Memo from J.D. Rauch to E. B. Hollingsworth regarding asbestos hazard control - Akron
196	05/07/1973	GP memo from G.E. Wilson to J.D. Rauch, M.A. Palmowski and H.W. Scharf regarding Warning Labels for Asbestos; proceed to use warning labels on bagged goods containing asbestos to comply with OSHA regulations
197	05/10/1973	GP memo from J.D. Rauch to C.W. Lehnert w/ cc to E.B. Hollingsworth regarding Warning Labels for Asbestos; Use of rubber stamp v. adhesive label on bags

Exhibit	Date	Description
198	05/14/1973	GP memo from C.W. Lehnert to J.D. Rauch with cc to E.B. Hollingsworth regarding Warning Labels for Asbestos; "Asbestos/precautionary identification" instead of "warning labels"
199	06/11/1973	Letter from H.B. Carlsen to Board of Directors of Gypsum Association regarding Asbestos in Joint Treatment Compound attaching OSHA rules and regulations
200	06/11/1973	Airborne Fiber Counts Report for Milford, VA
201	06/18/1973	GP memo from J.D. Rauch to E.B. Hollingsworth regarding OSHA Inspection- Akron, NY Plant; Notification of Proposed Penalty, three serious violations and seven other violations
202	06/19/1973	Memo from G.E. Wilson to J.D. Rauch regarding OSHA Inspection
203	06/21/1973	Memo from J.D. Rauch to E.B. Hollingsworth regarding Akron Inspection
204	06/21/1973	Memo from J.D. Rauch to all Akron Employees regarding OSHA regulations
205	07/05/1973	Letter from J.D. Rauch to A. Barden regarding Confirmation of Information Hearing Results regarding OSHA Inspection of Akron, NY CSHO NO. P-1568
206	07/06/1973	Letter from H.B. Carlsen to All Members of Technical Committee regarding Asbestos in Joint Treatment Compound
207	07/09/1973	GP memo from J.D. Rauch to E.B. Hollingsworth regarding OSHA Citation of June 13, 1973
208	07/10/1973	Letter from U.S. Department of Labor to J.D. Rauch attaching amended citations
209	07/18/1973	GP letter from George Turner to Chester Whiteside regarding OSHA citation-Akron, NY Joint Cement Plant
210	08/03/1973	GP memo from J.D. Rauch to R.G. Tuttle regarding Asbestos - Akron, NY
211	09/27/1973	GP memo from M.F. Fink to K.W. Brown to M.A. Palmowski w/cc to T.W. Richards regarding Asbestos Hazard Control; Seattle Area OSHA meeting on asbestos problems

Exhibit	Date	Description
212	01/03/1974	Letter from J.D. Rauch to Whiteside regarding OSHA Citation-Akron
213	02/06/1974	U.S. Department of Labor letter from Chester C. Whiteside to J.D. Rauch, Plant Manager, Georgia-Pacific re: asbestos dust exposure and dust sampling
214	02/08/1974	GP memo from J.D. Rauch to E.B. Hollingsworth regarding OSHA Asbestos Re-inspection attaching 02/6/1974 Letter from Whiteside to J.D. Rauch enclosing list of asbestos dust samplers
215	05/20/1974	GP memo from G.E. Wilson to E.B. Hollingsworth and T.W. Richards regarding OSHA Regulations – Joint Cement; Akron Inspection
216	06/25/1974	Georgia-Pacific Corporation, Gypsum Division, Safety Procedure
217	07/03/1974	Letter from Horace Adrian, Texas State Department of Health to Ed Sing regarding asbestos evaluation with attached 05/09/1974 Industrial Hygiene Survey, Acme Plant
218	08/15/1974	Asbestos Fiber Count Report for Milford, VA
219	10/09/1974	Memo from L.K. Ryder to R.L. McCallister regarding Akron, NY – Asbestos Exposure Report
220	11/20/1974	Airborne Fiber Counts Report for Marietta, GA
221	10/24/1975	Memo from G.W. Green to distribution list regarding Proposed Rules Changes – Occupational Exposure to Asbestos
222	04/28/1977	CPSC News Release
223	04/28/1977	Telex from D.C. Corkill to Reynolds, Brooks, McCubbin, Ballast, Tierney, Kaboos and Galloway regarding effective immediately the Consumer Products Safety Commission has voted to ban the use of asbestos in joint system compounds
224	04/28/1977	Georgia-Pacific Message memo from Corkill to E.G. Reynolds, W.D. Brooks and D.W. McCubbin regarding CPSC vote to ban the use of asbestos in joint system compounds

Exhibit	Date	Description
225	04/28/1977	Telex from E.B. Hollingsworth to distribution list regarding Ban by Consumer Products Safety Commission
226	04/28/1977	GP memo from J.H. Peters to T. F. Mitchell regarding Consumer Products Safety Commission – Asbestos Petitions to ban Spackling Compounds containing asbestos
227	04/28/1977	Telex from G.E. Wilson to K. Brown, I. Weibel, M. Palmowski, R. Favero, H. Scharf regarding banning the use of asbestos in joint compounds
228	04/29/1977	Letter from Stanley Dennison to All Branch Managers regarding the sale of Gypsum Ready Mix Products
229	04/29/1977	Telex from C.W. Lehnert to K.W. Brown, I.F. Weibel, M.A. Palmowski, R.V. Favero, H.W. Scharf regarding decision to apply asbestos-free labels over the caution markings in all cases
230	04/29/1977	Telex from D.C. Corkill to E.G. Reynolds, W.D. Brooks, J.E. Tierney, L.H. Kaboos and E.C. Galloway regarding instruct branches to hold all asbestos joint compound in stock until next week when the CPSC clarifies their stand on asbestos products now in the field
231	04/29/1977	Telegram from Brooks to Branch Managers regarding asbestos type joint system
232	05/02/1977	Telex from D.C. Corkill to Regional Gypsum Managers regarding Consumer Product Safety Commission phase out of asbestos products
233	05/02/1977	Telex from Hollingsworth to Weibel, etc. regarding ban
234	05/03/1977	Telex from W. D. Brooks to Branch Managers regarding Consumer Products Safety Commission phase out
235	05/06/1977	Letter from Union Carbide to E.L. Aasen regarding CPSC ban
236	05/19/1977	Letter from Congress of the U.S. House of Representatives to S. John Byington, Chairman, U.S. Consumer Product Safety Commission regarding process elected to ban asbestos containing products
237	06/21/1977	Memorandum from G.E. Wilson to T.F. Mitchell regarding Consumer Product Safety Commission - Asbestos

Exhibit	Date	Description
238	07/06/1977	Letter from G.E. Wilson to S. John Byington regarding Asbestos – Spackling Compound
239	07/29/1977	Federal Register, 16 CFR Part 1145, Vol. 42, No. 146, Respirable Free-Form Asbestos, Proposed Rulemaking
240	11/17/1977	U.S. Government memo to Francine Schacter, Walter R. Hobby, Joann H. Langston and Dale Ray regarding Economic Impact of the Proposed Asbestos Ban with attached report on Economic Impact of the Ban of Certain Products Containing Free Asbestos prepared by Dale R. Ray, Economic Program Analysis Division, November 1977
241	11/21/1977	Letter with report from D.E. Brackett to C.W. Lehnert regarding Pages taken from a consumer product safety commission document; Summary of Major Economic Impacts
242	12/15/1977	Federal Register, Vol. 42, No. 241, Consumer Patching Compounds and Artificial Emberizing Materials (Embers and Ash) Containing Respirable Free-Form Asbestos, Banned Hazardous Products
243	12/27/1977	Letter from F.J. Rogers, Gypsum Association to All Members of the Manufacturing & Mining Committee regarding CPSC Asbestos Patching Compound Ban Effective January 16, 1978
244	03/31/1978	GP memo from George Baitinger to Branch Managers with cc to S.S. Dennison & Regional Managers regarding Joint Systems Products attaching form to be given to customers regarding ban; CPSC ban on the sale of patching compounds containing asbestos effective 01/16/1978

**GEORGIA-PACIFIC LLC'S
EXHIBIT LIST RESERVATIONS**

1. Defendant Georgia-Pacific LLC reserves the right to amend and/or supplement this exhibit list and further designate documentary evidence once it has been provided with specific product information by the plaintiff, the exhibit lists of co-defendants, and in the event that issues are raised by the plaintiff's or co-defendants' designations of specific deposition testimony.

- 1 2. Defendant Georgia-Pacific LLC reserves the right to amend and/or supplement this
2 exhibit list depending upon the proof presented at trial.
- 3
4 3. Defendant Georgia-Pacific LLC reserves the right to use any exhibit listed by Plaintiff's
5 or any other party in this case.
- 6 4. Defendant Georgia-Pacific LLC reserves the right to use as an exhibit any and all
7 medical and/or treatment records pertaining to plaintiff.
- 8 5. Defendant Georgia-Pacific LLC reserves the right to use as an exhibit any and all
9 answers to interrogatories, requests for admission and requests for production of any
10 party.
- 11 6. Defendant Georgia-Pacific LLC reserves the right to use as an exhibit any and all expert
12 reports submitted by any party in this matter.
- 13 7. Defendant Georgia-Pacific LLC reserves the right to use as an exhibit any and all
14 exhibits identified in plaintiff's pre-trial submissions.
- 15 8. Defendant Georgia-Pacific LLC reserves the right to use as an exhibit any and all
16 exhibits identified in co-defendants' pre-trial submissions.
- 17 9. Defendant Georgia-Pacific LLC reserves the right to use as an exhibit any and all
18 materials produced in discovery by any party.
- 19
20 10. Defendant Georgia-Pacific LLC reserves the right to use as an exhibit any and all
21 deposition transcripts from this action.
- 22 11. Defendant Georgia-Pacific LLC reserves the right to elect not to use an exhibit listed on
23 this exhibit list in one or more of the cases to which it applies. In the event that
24 defendant Georgia-Pacific elects not to use any exhibit, for whatever reason, defendants
25 further reserve the right to object to any plaintiff's attempt to use any such exhibit.
- 26 12. Defendant Georgia-Pacific LLC reserves the right to utilize computer-based technology
27 and display technology to enhance presentation of trial exhibits and testimony.
28

1 **(9) A list of the documents or electronically stored information, or in the**
2 **case of voluminous documentary information or electronically stored**
3 **information, a list of the categories of documents or electronically**
4 **stored information, known by a party to exist whether or not in the**
5 **party's possession, custody or control and which that party believes**
6 **may be relevant to the subject matter of the action, and those which**
7 **appear reasonably calculated to lead to the discovery of admissible**
8 **evidence, and the date(s) upon which those documents or electronically**
9 **stored information will be made, or have been made, available for**
10 **inspection, copying, testing or sampling.**

11 All documents and information contained in Georgia-Pacific's collection of non-
12 privileged corporate documents relating to its asbestos containing products. These documents
13 include, but are not limited to, records collected from Georgia-Pacific's distribution centers and
14 records from the Acme, Texas manufacturing plant. At the request of Plaintiffs' counsel or any
15 Defendant named herein, Georgia-Pacific will make such documents available again for
16 inspection and copying in Atlanta, Georgia, at a mutually agreeable time.

17 DATED this 1st day of August, 2014.

18 RYLEY CARLOCK & APPLEWHITE

19 By/s/ Kevin R. Heaphy _____

20 John C. Lemaster
21 Kevin R. Heaphy
22 One North Central Avenue, Suite 1200
23 Phoenix, Arizona 85004-4417
24 Attorneys for Georgia-Pacific

25 Copies emailed this 1st day of August, 2014, to:

26 See Attached List

27 By: /s/ Kevin R. Heaphy

MAILING CERTIFICATE

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