

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

AUBREY CLARK AND WIFE,
KELLY CLARK
Plaintiffs

vs.

KELLOGG BROWN & ROOT, LLC, et al
Defendants

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CIVIL ACTION NO. 2:07-CV-191
(Judge T. John Ward)
(Judge C. Everingham)

DEFENDANTS KELLOGG BROWN & ROOT, LLC; BROWN & ROOT, INC.;
AND KBR, INC.'S INITIAL DISCLOSURES

COME NOW Defendant KELLOGG BROWN & ROOT, LLC; BROWN & ROOT, INC. n/k/a KELLOGG BROWN & ROOT, LLC; KBR, INC. d/b/a KELLOGG BROWN & ROOT, INC (collectively referred to as Defendants), and, pursuant to Rule 26 of the Federal Rules of Civil Procedure, file the attached initial disclosures.

Respectfully submitted,

By: _____/s/_____

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Attorney in Charge
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Defendants KELLOGG BROWN & ROOT, LLC;
BROWN & ROOT, INC. n/k/a KELLOGG
BROWN & ROOT, LLC; KBR, INC. d/b/a
KELLOGG BROWN & ROOT, INC.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Response was served via CM/ECF for the Eastern District of Texas, this 19th day of October, 2007.

_____/s/_____
James G. Martingano

Rule 26(a)(1) Initial Disclosures

A. The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

1. John Hodges

Rt. 4, Box 142B

Alvin, TX 77511

Mr. Hodges has knowledge of Defendants' safety programs. Mr. Hodges has already been deposed in this case and further information about his knowledge can be found in his deposition transcript.

2. Carl D. Richardson

HB Zachary

San Antonio, Texas

Mr. Richardson has knowledge regarding Defendants' industrial hygiene program. Mr. Richardson has already been deposed in this case and further information about his knowledge can be found in his deposition transcript.

3. Floyd Mills

6910 North Oak Bend

Alvin, TX 77511

Retired KBR employee with knowledge of Mr. Clark's work history. The witness can be contacted through defense counsel.

4. Wade W. Frazier, Retired

Rt. 1 Box 97B

Kosse, Texas 76653

817-375-2463 home

Mr. Frazier is a former general manager of Green's Bayou Marine Operations.

5. Lloyd Paige

15927 Dunes

Crosby, Texas 77532

281-328-4723

Mr. Paige is a former Brown & Root warehouse manager with knowledge of products and practices.

6. Roberto Medina

14623 Myersville Dr.

Houston, Texas 77049

281-458-2442

Mr. Medina has knowledge regarding safety at Green's Bayou Marine Operations.

- 7. Lindy Poole, Retired
108 Old New Hope Rd.
Foxsworth, Mississippi 39483
Mr. Poole is a former barge superintendent.**

- 8. Steven Ohm
3605 Matty Mae
Pasadena, Texas
713-477-7816 home
Mr. Ohm has knowledge regarding safety at Green's Bayou Marine Operations.**

- 9. Ronald Christesson
18420 Bluffview Dr.
Crosby, Texas 77532
281-328-5378
Mr. Christesson is a former safety manager at Greens Bayou Marine Yard and may have knowledge regarding products and work practices.**

- 10. Adolph Kolb
480 E. State Hwy 294
Elkhart, Texas 75839
903-764-5805
Mr. Kolb is a former operations manager for Green's Bayou Marine Yard.**

- 11. Danny Richard
6924 Foxmont
Humble, Texas 77338
281-446-4476
Mr. Richard is a former Brown & Root barge worker with knowledge of products and work practices.**

- 12. Bill Jones
Texas Refinery Corp.
One Refinery Place
Ft. Worth, Texas 76101
Mr. Jones has knowledge about the manufacture and ingredients of the cleaning product known as Rig-wash.**

- 13. Dr. Debra Thomas – Oncology
Maria Cabinallas – Internal Medicine
MD Anderson
1515 Holcombe Blvd.**

**Houston, Texas 77030
Plaintiff Aubrey Clark's treating physician identified by Plaintiffs.**

**14. Dr. Patish Desai
Palestine Cancer Center
3415 S. Loop 256
Palestine, Texas 75801
Plaintiff Aubrey Clark's treating physician identified by Plaintiffs.**

**15. Dr. Coe
Internal Medicine Associates
Palestine, Texas
Plaintiff Aubrey Clark's treating physician identified by Plaintiffs.**

Any other medical care provider identified by Plaintiffs.

Additionally, all additional staff, employees, medical providers, servants, agents, custodian of medical records, custodians of billing records and representatives of the physicians and entities listed above.

B. A copy of, or a description by category and location of, all documents, electronically stored information, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses unless solely for impeachment.

Depositions of Defendant's Corporate Representatives and former employees taken in this and/or in previous litigation including, but not limited to, transcripts of the depositions of Carl Richardson, John Hodges, Wade Frazier, Ethan Natelson, Shanna Collie, Kenneth Mundt, and Robert Schumacher. These documents should already be in possession of counsel for Plaintiffs, but, if necessary, such documents will be made available at a mutually agreeable time at the offices of MehaffyWeber, PC upon request.

Plaintiff Aubrey Clark's medical and patient account records made available through medical authorization. These documents should already be in possession of counsel for Plaintiffs, but, if necessary, such documents will be made available again at a mutually agreeable time at the offices of MehaffyWeber, PC upon request.

Plaintiff Aubrey Clark's personnel, payroll and/or work-related documents. These documents should already be in possession of counsel for Plaintiffs, but, if necessary, such documents will be made available again at a mutually agreeable time at the offices of MehaffyWeber, PC upon request.

Plaintiff Aubrey Clark's social security and income tax records. These documents should already be in possession of counsel for Plaintiffs, but, if necessary,

such documents will be made available again at a mutually agreeable time at the offices of MehaffyWeber, PC upon request.

Documents previously produced to Plaintiffs - Bates Labeled CLARK00001 through CLARK04938. These documents include Brown & Root Employment Records for Plaintiff Aubrey Clark, Correspondence Files, a Kellogg Brown & Root Annual Report, Brown & Root Manuals, Rate Schedules, Memos, Written Procedures, Photographs and Litigation Documents. These documents should already be in possession of counsel for Plaintiffs, but, if necessary, such documents will be made available again at a mutually agreeable time at the offices of MehaffyWeber, PC upon request.

Material Safety Data Sheets for RIG-WASH® and TRU-LI-FINE RIG-WASH® previously produced to counsel for Plaintiffs. These documents should already be in possession of counsel for Plaintiffs, but, if necessary, such documents will be made available again at a mutually agreeable time at the offices of MehaffyWeber, PC upon request.

Defendants will supplement these disclosures in accordance with the Federal Rules of Civil Procedure.

C. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

Not applicable.

D. For inspection and copying as under Rule 34, any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payment made to satisfy the judgment:

Defendants have no currently effective insurance agreements applicable to this case.