

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DISTRICT**

JUDY A. BATES, individually and as Personal)	
Representative of the Heirs and Estate of)	
LOREN G. BATES, Deceased, KEVIN)	
BATES, AND KARLA THOMPSON)	
)	
Plaintiffs,)	
)	
v.)	Case No. 06-0944-CV-W-GAF
)	
SHINTECH, INC., et al.,)	
)	
Defendants.)	

**DEFENDANT DuPONT'S INITIAL DISCLOSURES PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 26(a)(1)**

COMES NOW Defendant E.I. du Pont de Nemours and Company, by and through its attorneys, Dana Tippin Cutler and Keith A. Cutler, and for its initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1), hereby states as follows:

PRELIMINARY STATEMENT

E.I. du Pont de Nemours and Company ("DuPont") has been in business for over 200 years, and employs approximately 60,000 individuals in 70 countries on 5 continents. Even within the last 50 years, there are and have been numerous divisions, sections, and departments of the Company throughout the world that have been created, realigned, and/or phased out, as well as a number of employees who have left the Company, relocated, retired, or died.

DEC 2007

In their Second Amended Complaint, and in their responses to DuPont's and the other Defendants' discovery requests, Plaintiffs have not identified a specific product that was manufactured or sold by, or otherwise connected to, DuPont. Therefore, it is difficult if not impossible for DuPont to try identify persons or documents which would tend to support a defense to a claim of injury from a product that DuPont did not manufacture or sell, or is not otherwise connected to. Since discovery is ongoing, DuPont will continue to further investigate the facts and circumstances of this case, and DuPont reserves the right to amend and supplement these Disclosures should more information become available during discovery.

Rule 26(a)(1)(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.

RESPONSE:

**Plaintiffs
Decedent's co-workers, family members, and friends
Decedent's physicians**

The cause, nature, extent, and effect of Decedent's illness, and his alleged exposure to aerosol products containing vinyl chloride

Distributors and suppliers who supplied Decedent's places of employment with hair care products

That Defendant DuPont never manufactured, sold, distributed or otherwise placed into the stream of commerce any of the products identified by Plaintiffs in response to any of the Product Identification Interrogatories propounded by Defendants to Plaintiffs.

Rule 26(a)(1)(B) - a copy of, or a description by category and location of, all documents, data compilations and tangible things that are in the possession, custody and control of the party, and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.

RESPONSE: Because Plaintiffs have not identified a specific product that was manufactured or sold by, or otherwise connected to, DuPont, it is difficult if not impossible for DuPont to try identify documents which would tend to support a defense to a claim of injury from a product that DuPont did not manufacture or sell, or is not otherwise connected to. Pending further information in this regard that may be developed in discovery, DuPont identifies the following documents:

Decedent's Medical Records
All pleadings filed in the lawsuit
All discovery responses served in the lawsuit

Rule 26(a)(1)(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 and 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.

RESPONSE: Not Applicable

Rule 26(a)(1)(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 payments made to satisfy the judgment.

RESPONSE: Given that Decedent's last alleged exposure to any vinyl chloride aerosol propellants, if ever, would have been over 30 years ago, DuPont is not certain that there are any insurance agreements which would cover such a claim.



DANA TIPPIN CUTLER #36377
KEITH A. CUTLER #36370
21 West Gregory Boulevard
Kansas City, Missouri 64114-1105
(816) 471-8575
(816) 421-0243 - FAX
E-mail: kcutter@tippinlawfirm.com

ATTORNEY FOR DEFENDANT E.I. du
PONT de NEMOURS AND COMPANY

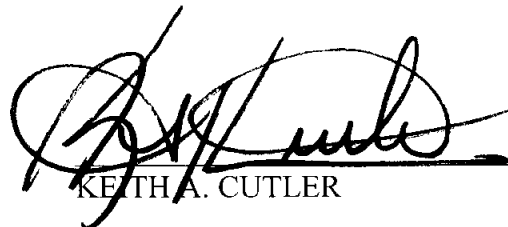
CERTIFICATE OF MAILING

I do hereby certify that a true and correct copy of the above and foregoing was mailed first class, postage prepaid, this 21st day of December 2007 to **Angela B. Greenberg, Esq. and W. Mark Lanier, Esq.**, The Lanier Law Firm, 6810 FM 1960 West, Houston, Texas 77069; and **Mary D. Winter, Esq. and Edward D. Robertson, Jr.**, Bartimus Frickelton, et al., 715 Swifts Highway, Jefferson City, Missouri 65109, Counsel for Plaintiffs.

I hereby further certify that true and correct copies of the above and foregoing were sent via electronic mail on the above date to the following counsel for Defendants:

Robert W. Barton	bob.barton@yaylorporter.com
John M. Brigg	jbrigg@fwpclaw.com
David A. Brose	brose@bscr-law.com
J. Kevin Buster	kbuster@kslaw.com
Timothy J. Coughlin	tim.coughlin@thompsonhine.com
Paul D. Cowing	cowing333@aol.com
Thomas L. Feher	tom.feher@thompsonhine.com
W. James Foland	jfoland@fwpclaw.com
Michael D. Freeborn	mfreeborn@freebornpeters.com
Samuel Goldblatt	sgoldblatt@nixonpeabody.com
Richard L. Green	rgreen@stinsonmoheck.com
Alan R. Gries	agries@gibbonslaw.com
Erik L. Hansell	erik.hansell@husch.com
John E. Heinrich	john.heinrich@keanmiller.com
Michael Hunter	mhunter@wvslaw.com
Charles J. Hyland	charlie@hylandkc.com
Mark E. Johnson	mjohnson@stinsonmoheck.com
Todd M. Johnson	tjohnson@batyholm.com
Richard J. Lorenz	rjllclaw@aol.com

Patrick Lysaught	lysought@bscr-law.com
D. Ferguson McNiel, III	fmcniel@velaw.com
James Moloney, V	jmoloney@lathropgage.com
Gayla M. Moncla	gayla.moncla@keanmiller.com
Bruce A. Moothart	bruce.moothart@husch.com
Laura Bancroft Nemer	laura.nemer@thompsonhine.com
Robert P. Numrich	bnumrich@batyholm.com
Kevin Powell	kevin@kplaw.us
Vivian M. Quinn	vquinn@nixonpeabody.com
Hope E. Redmond	hope.redmond@thompsonhine.com
Richard D. Rhyne	rrhyne@lathropgage.com
Jerry K. Ronecker	jerry.ronecker@husch.com
E. Wayne Taff	ewt@stb-law.com
Carmen R. Toledo	ctoledo@kslaw.com
Laurence R. Tucker	lrtucker@armstrongteasdale.com
Paul N. Venker	pvenker@wvslaw.com
T. Michael Wall	mwall@gardere.com
Patrick J. Woytek	pwoytek@freebornpeters.com



KEITH A. CUTLER

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DISTRICT**

JUDY A. BATES, individually and as Personal)	
Representative of the Heirs and Estate of)	
LOREN G. BATES, Deceased, KEVIN)	
BATES, AND KARLA THOMPSON)	
)	
Plaintiffs,)	
)	
v.)	Case No. 06-0944-CV-W-GAF
)	
SHINTECH, INC., et al.,)	
)	
Defendants.)	

CERTIFICATE OF SERVICE

COMES NOW Defendant E.I. DuPont de Nemours and Company (hereinafter "DuPont"), by and through its attorneys, Dana Tippin Cutler and Keith A. Cutler, and hereby certifies that its Rule 26(a) Disclosures were mailed first class, postage prepaid on the 21st day of December 2007 to **Angela B. Greenberg, Esq. and W. Mark Lanier, Esq.**, The Lanier Law Firm, 6810 FM 1960 West, Houston, Texas 77069; and **Mary D. Winter, Esq. and Edward D. Robertson, Jr., Esq.**, Bartimus Frickelton, et al., 715 Swifts Highway, Jefferson City, Missouri 65109, Counsel for Plaintiffs.

Du Pont hereby further certifies that true and correct copies of the above-mentioned items were sent via electronic mail on the above date to the following counsel for Defendants:

Robert W. Barton	bob.barton@yaylorporter.com
John M. Brigg	jbrigg@fwpclaw.com
David A. Brose	brose@bscr-law.com
J. Kevin Buster	kbuster@kslaw.com
Timothy J. Coughlin	tim.coughlin@thompsonhine.com
Paul D. Cowing	cowing333@aol.com
Thomas L. Feher	tom.feher@thompsonhine.com
W. James Foland	jfoland@fwpclaw.com
Michael D. Freeborn	mfreeborn@freebornpeters.com
Samuel Goldblatt	sgoldblatt@nixonpeabody.com
Richard L. Green	rgreen@stinsonmoheck.com
Alan R. Gries	agries@gibbonslaw.com
Erik L. Hansell	erik.hansell@husch.com
John E. Heinrich	john.heinrich@keanmiller.com
Michael Hunter	mhunter@wvslaw.com
Charles J. Hyland	charlie@hylandkc.com
Mark E. Johnson	mjohnson@stinsonmoheck.com
Todd M. Johnson	tjohnson@batyholm.com
Richard J. Lorenz	rjllclaw@aol.com
Patrick Lysaught	lysaught@bscr-law.com
D. Ferguson McNeil, III	fmcniel@velaw.com
James Moloney, V	jmoloney@lathropgage.com
Gayla M. Moncla	gayla.moncla@keanmiller.com
Bruce A. Moothart	bruce.moothart@husch.com
Laura Bancroft Nemer	laura.nemer@thompsonhine.com
Robert P. Numrich	bnumrich@batyholm.com
Kevin Powell	kevin@kplaw.us
Vivian M. Quinn	vquinn@nixonpeabody.com
Hope E. Redmond	hope.redmond@thompsonhine.com

Richard D. Rhyne

rrhyne@lathropgage.com

Jerry K. Ronecker

jerry.ronecker@husch.com

E. Wayne Taff

ewt@stb-law.com

Carmen R. Toledo

ctoledo@kslaw.com

Laurence R. Tucker

lrtucker@armstrongteasdale.com

Paul N. Venker

pvenker@wvslaw.com

T. Michael Wall

mwall@gardere.com

Patrick J. Woytek

pwoytek@freebornpeters.com

s/ Dana Tippin Cutler

DANA TIPPIN CUTLER MO #36377

KEITH A. CUTLER MO #36370

21 West Gregory Boulevard

Kansas City, Missouri 64114

(816) 471-8575

(816) 421-0243 - FAX

drcutler@tippinlawfirm.com

ATTORNEYS FOR E.I. du PONT de
NEMOURS AND COMPANY

CERTIFICATE OF SERVICE

I do hereby certify that, on the 21st day of December 2007, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system which will send a notice of electronic filing to the following:

Robert W. Barton	bob.barton@yaylorporter.com
John M. Brigg	jbrigg@fwpclaw.com
David A. Brose	brose@bscr-law.com
J. Kevin Buster	kbuster@kslaw.com
Timothy J. Coughlin	tim.coughlin@thompsonhine.com
Paul D. Cowing	cowing333@aol.com
Anthony L. Dewitt	aldewitt@sprintmail.com
Thomas L. Feher	tom.feher@thompsonhine.com
W. James Foland	jfoland@fwpclaw.com
Michael D. Freeborn	mfreeborn@freebornpeters.com
Richard L. Green	rgreen@stinsonmoheck.com
Alan R. Gries	agries@gibbonslaw.com
Patrick N. Haines	pnh@lanierlawfirm.com
Erik L. Hansell	erik.hansell@husch.com
John E. Heinrich	john.heinrich@keanmiller.com
Michael Hunter	mhunter@wvslaw.com
Charles J. Hyland	charlie@hylandkc.com
Mark E. Johnson	mjohnson@stinsonmoheck.com
Todd M. Johnson	tjohnson@batyholm.com
Richard J. Lorenz	rjllclaw@aol.com
Patrick Lysaught	lysaught@bscr-law.com
D. Ferguson McNiel, III	fmcniel@velaw.com
James Moloney, V	jmoloney@lathropgage.com
Gayla M. Moncla	gayla.moncla@keanmiller.com
Bruce A. Moothart	bruce.moothart@husch.com
Laura Bancroft Nemer	laura.nemer@thompsonhine.com
Robert P. Numrich	bnumrich@batyholm.com
Mary Elizabeth Phillips	bphillips@bflawfirm.com

Kevin Powell	kevin@kplaw.us
Vivian M. Quinn	vquinn@nixonpeabody.com
Hope E. Redmond	hope.redmond@thompsonhine.com
Richard D. Rhyne	rrhyne@lathropgage.com
Edward D. Robertson, Jr.	chipro@earthlink.net
Jerry K. Ronecker	jerry.ronecker@husch.com
E. Wayne Taff	ewt@stb-law.com
Carmen R. Toledo	ctoledo@kslaw.com
Laurence R. Tucker	lrtucker@armstrongteasdale.com
Paul N. Venker	pvenker@wvslaw.com
T. Michael Wall	mwall@gardere.com
Mary D. Winter	marywinter@earthlink.net
Patrick J. Woytek	pwoytek@freebornpeters.com

I further certify that, on the above date, I mailed the above and foregoing document first class, postage prepaid, to the following non-CM/ECF participants:

Samuel Goldblatt, Esq.
Nixon Peabody
40 Fountain Plaza, Suite 500
Buffalo, NY 14202

Paula E. Rechenstein, Esq.
W. Kelly Stewart, Esq.
Jones Day
2727 N. Harwood Street
Dallas, TX 75201

Angela B. Greenberg, Esq.
W. Mark Lanier, Esq.
Lanier Law Firm
6810 FM 1960 West
Houston, TX 77069

s/ Dana Tippin Cutler
DANA TIPPIN CUTLER