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Attorneys for [PARTY]

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

COUNTY OF SANTA CLARA, Plaintiff, vs. MYERS INDUSTRIES, INC., et al., Defendants. AND RELATED CLAIMS AND ACTIONS	No. C-92 20246 JW (PVT) C-92 20521 JW (PVT) (Consolidated) **FIRST SET OF INTERROGATORIES TO ALL PARTIES**

PROPOUNDING PARTIES: **[IDENTIFY]**

RESPONDING PARTY: **[ALL OTHER PARTIES]**

SET NO.: **ONE**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure and to an agreement by and between certain parties, [NAME OF PARTY] hereby propounds the following interrogatories upon _____. _____ shall serve its answers to these Interrogatories under oath within forty-five (45) days of the date of service hereof.

DEFINITIONS AND INSTRUCTIONS

The following definitions and instructions apply to these interrogatories.

1. **"Complaint"**: The term "Complaint" shall mean and include the following complaints: (1) First Amended Complaint For Cost Recovery, Contribution and Declaratory Relief Under CERCLA; Equitable Indemnity/Common Law Contribution; Continuing Nuisance; Continuing Trespass; Cost Recovery and Contribution Under the HSAA; Declaratory Relief Under State Law, in Civil Action Nos. C-92 20246 JW (PVT), C-92 20521 JW (PVT), filed by the County of Santa Clara on April 2, 1993, in this action; and (2) Complaint for Recovery of Response Costs, in Civil Action Nos. C-92 20246 JW (PVT), C-92 20521 JW (PVT), filed by the State of California, on behalf of the State of California Department of Toxic Substances Control on August 11, 1992, in this action, and any amended complaint that plaintiff County of Santa Clara or plaintiff State of California has filed by the date of Your response to these interrogatories.

2. **"Cross-Claim"**: The term "Cross-Claim" shall mean and include the following cross-claims: (1) Second Amended Cross-Claim of Myers Industries, Inc., Buckhorn Inc., and BKHN Inc., filed June 15, 1993; (2) Answer of Cross-Defendant Santa Clara Valley Water District to Second Amended Cross-Claims; Amended Cross and Counter-Claims Against Cross-Claimants, Plaintiffs and Cross-Defendants, filed June 29, 1993, (3) Amended Answer to Second Amended Cross-Claim, Counter Claims, and Cross-Claims of Sun Company, Inc., filed July 8, 1993; and (4) Sun Company, Inc.'s Answer to Amended Cross-Claim of Santa Clara Valley

Water District; Counter-Claims, filed June 9, 1993, and any other cross-claim or amended cross-claim filed by any party after July 5, 1994, and before the date of Your response to these interrogatories.

3. **"Property"**: The term "Property" shall mean the real property now known as the Almaden Quicksilver County Park, formerly known as the New Almaden Mines, and more particularly described in paragraph 4 of the Complaint filed by the County of Santa Clara, or any portion thereof.

4. **"Parcel"**: The term "Parcel" shall mean any specific location on the Property, and shall be identified in accordance with the definitions contained in the "Risk Assessment, Almaden Quicksilver County Park, Final Report" (CDM 1992) ("Risk Assessment"), as either the Mine Hill Area, the Enriquita Mine Area, the Hacienda Furnace Yard, the San Mateo Mine Retort, the Senator Mine Area, or the North America Tunnel Area. If the "Parcel" cannot be identified in accordance with definitions contained in the Risk Assessment, then it shall be identified by its Assessor's Parcel number. If the Parcel cannot be identified according to the Risk Assessment or Assessor's Parcel number, then it shall be identified by an alterative reference sufficiently specific so that the location described is readily ascertainable by reference to an available assessor's map or geologic survey map.

5. **"Mercury"**: The term "Mercury" shall mean and include mercury sulfide (HgS), elemental mercury (Hg), methyl mercury (CH3Hg+), dimethyl mercury ((CH3)2Hg), any other organic or

inorganic mercury-containing compounds or substances, and shall also include the common terms "cinnabar" and "quicksilver."

6. **"Hazardous Substance":** The term "Hazardous Substance" shall have the meaning given to that term in section 101(14) of CERCLA, 42 U.S.C. Section 9601(14).

7. **"Material":** The term "Material" shall mean and include any quantity of surface and subsurface soils, ore, rock, calcines, Mercury, and Hazardous Substances, originating on or off of the Property, and including that Material contained in any mining dump or other storage area.

8. **"Mining Activity":** The terms "Mining Activity" and "Mining Activities" shall mean and include the exploration, mining, extraction, removal, development, processing, production, retorting, or Movement of any ore, mineral or metal, including Mercury, and any and all activities incidental thereto, including but not limited to, the discarding, dumping, or disposal of a Material.

9. **"Roads":** The term "Roads" shall mean roads, trails, highways, paths, lanes, or streets.

10. **"Development Activity":** The term "Development Activity" shall mean the development, improvement, alteration, construction, division, subdivision, or use of real property (including land, bodies of water or watercourses), or any combination of development, improvement, alteration, construction, division, subdivision, or use activities thereon. The term "Development Activity" includes, but is not limited to, the development and use of commercial, industrial, residential, recreational or park facilities, roads,

reservoirs, and the closing or alteration of mine entrances and other sites of former Mining Activity, but it does not otherwise include Mining Activities. The term "Development Activity" further includes, but is not limited to, prospective or planned Development Activity, such as plans to develop, improve, alter, construct, divide, or subdivide real property (including land, bodies of water or watercourses), or any combination of planned development, improvement, alteration, construction, division, or subdivision activities, which, for whatever reason, did not actually occur.

11. **"Move"**: The terms "Move," "Movement," and "Moved" shall mean and include the movement, relocation, transportation, dislocation, dumping, discarding, disposal, or sale of any quantity of Mercury, Hazardous Substance or Material.

12. **"You"**: The terms "You" and "Your" shall mean the party responding to these Interrogatories, its agents, representatives, employees, attorneys, consultants, contractors, predecessor(s)-in-interest, and any agents, representatives, employees, attorneys, consultants, or contractors of any such predecessor(s)-in-interest.

13. **"Alleged Predecessor(s)-in-Interest"**: The term "Alleged Predecessor(s)-in-Interest" shall mean the person(s), entity or entities to whom/which a party is alleged in a Complaint or Cross-Claim to be a legal successor or assignee, for the purposes of any claim asserted in such pleading, whether or not that party denies such succession, assignment or alleged legal responsibility.

14. **"Identify Each Person"**: The phrase "Identify Each Person" means to state the person's name, current address and telephone number, business affiliation, and relationship to You or Your Alleged Predecessor(s)-in-Interest at the time of Your alleged Mining Activities or Development Activities.

15. **"Regulating Authority"**: The term "Regulating Authority" shall mean any agency of the State of California or of the United States, any officer or employee of such agencies, and any predecessor and successor agency to such agencies, which has had any communication with any party regarding the Property or nearby waters, any Mining Activity, or any Development. The term includes, but is not limited to, the California Department of Health Services, the California Department of Toxic Substance Control, the California Bureau of Mines, the California Department of Parks and Recreation, the San Francisco Regional Water Quality Control Board, the California State Water Resources Control Board, the California Department of Fish & Game, the California Department of Transportation, the California Department of Forestry, the United States Department of Interior, the United States Geological Survey, the United States Environmental Protection Agency, the United States Department of Agriculture, United States Forest Service, and the Civilian Conservation Corps.

16. **"Identify Each Insurance Policy Or Agreement"**: The phrase "Identify Each Insurance Policy or Agreement" shall mean the identification of the following information with respect to each such insurance policy or agreement:

a. The full legal name of the insuring entity;

b. The policy number;

c. The policy period at issuance;

d. The period which the policy was actually in effect, if different from the policy period at issuance; and

e. The per occurrence and/or per accident limits, if any, applicable to claims for property damage.

17. **"Transaction"**: The term "Transaction" shall mean and include the sale, lease, option to purchase or dedication of the Property, or any Parcel, and the granting of any easement, license, profit à prendre, or any other agreement which creates terminates, modifies or otherwise affects an entity's ownership or possessory interest in the Property or any Parcel thereof (by, for example, permitting another person or entity to engage in mining activities thereon).

18. **"Any"**: The term "any" shall mean any and all.

19. **"Each"**: The term "each" shall mean each and every.

20. **"Or"**: The term "or" shall mean "and" as well as "or." It is not intended to solely mean "either."

21. **"Specifically Identify"**: The phrase "specifically identify," when used with respect to documents and other evidence, shall, for documents previously produced, constitute a request for document production numbers. For documents and other evidence which have not been produced, the phrase "specifically identify" shall constitute a request for all of the following information: the date, author or source,

recipient, location, and a specific description of each document and other item of evidence.

22. These Interrogatories shall be deemed under Rule 26(e) of the Federal Rules of Civil Procedure to be continuing, so as to require each party to supplement its answers if further information relevant to a response to an interrogatory is obtained. Each party shall supplement its responses to these interrogatories as herein required sixty (60) days after the response to the first set of interrogatories is due, and at any future date(s) agreed upon thereafter, or as ordered by the Court.

23. Pursuant to Rule 36 of the Federal Rules of Civil Procedure, a denial should fairly meet the substance of the requested admission, and when good faith requires that You qualify an answer or deny only a part of the matter of which an admissions is requested, You should specify so much of it as is true and qualify or deny the remainder.

24. Pursuant to Rule 36 of the Federal Rules of Civil Procedure, the answering person, official, agent or agents should not give lack of information or knowledge as a reason for failure to admit or deny unless he or she states that reasonable inquiry has been made and that the information known or readily obtainable is insufficient to enable him or her to admit or deny.

25. Pursuant to Rule 36 of the Federal Rules of Civil Procedure, if the answering person, official, agent or agents considers that a matter of which an admission has been

requested presents a genuine issue for trial, he or she may not, on that ground alone, object to the request.

26. Unless otherwise specified, the time period covered by these Interrogatories is from the year 1840 to the date of response.

INTERROGATORIES

The headings set forth below are for convenience only and are not a part of any interrogatory.

Your Alleged Predecessor(s)-in-Interest

Interrogatory No. 1: For each person or entity who/which is identified in a Complaint or a Cross-Claim as Your Alleged Predecessor-in-Interest, state whether You deny that the person or entity identified is Your Predecessor-in-Interest, and if You so deny, state the facts upon which You base Your denial and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 2: For each person or entity who/which is identified in a Complaint or a Cross-Claim as Your Alleged Predecessor-in-Interest, identify all documents constituting any agreements for the purchase, sale, assignment, or gift of assets or stock, or other documents reflecting asset or stock ownership between You, or any entity or person affiliated with You, and the Alleged Predecessor-in-Interest.

You and Your Alleged Predecessor(s)-in-Interest's Legal Relationship to the Property

Interrogatory No. 3: State the dates between which You or Your Alleged Predecessor(s)-in-Interest owned the Property, and for each such period, identify the entity that owned the Property, the specific Parcel(s) owned, and the specific documents and other evidence upon which You base Your response.

Interrogatory No. 4: State the dates during which You or Your Alleged Predecessor(s)-in-Interest leased the Property, and for each such period, identify the entity that leased the Property, the specific Parcel(s) leased, and the specific documents and other evidence upon which You base Your response.

Interrogatory No. 5: State the dates during which You or Your Alleged Predecessor(s)-in-Interest held any other possessory interest in the Property (including, but not limited to, licenses, easements or profits à prendre), and for each such period, identify the entity that held the possessory interest, the type of possessory interest held, the specific Parcel(s) held (or to which any right was conveyed) and the specific documents and other evidence upon which You base Your response.

You and Your Alleged Predecessor(s)-in-Interest's Mining Activity on the Property

Interrogatory No. 6: State the dates during which You or Your Alleged Predecessor(s)-in-Interest conducted any Mining

Activity at the Property, and for each such period, identify the entity that conducted the Mining Activity, the specific Parcel(s) at which Mining Activity was conducted, and the specific documents and other evidence upon which You base Your response.

Interrogatory No. 7: Describe in detail each Mining Activity that You or Your Alleged Predecessor(s)-in-Interest conducted at each Parcel, as identified in Your response to Interrogatory No. 6, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 8: Identify Each Person who has knowledge of each Mining Activity that You describe in Your response to Interrogatory No. 7.

Interrogatory No. 9: For each Mining Activity identified in Your response to Interrogatory No. 7, describe in detail the specific practices, methods and pieces of equipment that You or Your Alleged Predecessor(s)-in-Interest used or employed, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 10: Identify Each Person who has knowledge of each practice, method, or piece of equipment that You identify in Your response to Interrogatory No. 9.

Interrogatory No. 11: For each Mining Activity identified in Your response to Interrogatory No. 7, state the volume of Mercury produced by You or Your Alleged Predecessor(s)-in-Interest, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 12: Identify Each Person who has knowledge of the volume of Mercury that You identify in Your response to Interrogatory No. 11.

Interrogatory No. 13: For each Mining Activity identified in Your response to Interrogatory No. 7, state the volume of Material mined, Moved or disturbed by You or Your Alleged Predecessor(s)-in-Interest, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 14: Identify Each Person who has knowledge of the volume of Material mined, Moved, or disturbed by You or Your Predecessor(s)-in-Interest in connection with each Mining Activity.

Interrogatory No. 15: For each Mining Activity identified in Your response to Interrogatory No. 7, identify specifically the Parcel(s) or other location(s) off the Property at which You or Your Alleged Predecessor(s)-in-Interest placed any Material that was mined, Moved or disturbed, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 16: Identify Each Person who has knowledge of the Parcel(s) or other location(s) off the Property at which You or Your Alleged Predecessor(s)-in-Interest placed any Material that was mined, Moved or disturbed in connection with each Mining Activity.

Interrogatory No. 17: For each Mining Activity identified in Your response to Interrogatory No. 7, state the Mercury concentration of the Material that was mined, Moved or

disturbed, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 18: Identify Each Person who has knowledge of the Mercury concentration of the Material mined, Moved, or disturbed by You or Your Predecessor(s)-in-Interest in connection with each Mining Activity.

You or Your Alleged Predecessor(s)-in-Interest's Development Activity on the Property

Interrogatory No. 19: State the dates during which You or Your Alleged Predecessor(s)-in-Interest conducted any Development Activity at the Property, and for each such period, identify the entity that conducted the Development Activity, the Parcel(s) at which Development Activity was conducted, and the specific documents and other evidence upon which You base Your response.

Interrogatory No. 20: Identify Each Person who has knowledge of the dates during which You or Your Alleged Predecessor(s)-in-Interest conducted any Development Activity at the Property.

Interrogatory No. 21: For each period identified in Your response to Interrogatory No. 19, Identify Each Person who has knowledge concerning the entity that conducted the Development Activity and the Parcel(s) at which Development Activity was conducted.

Interrogatory No. 22: Describe in detail each Development Activity that You or Your Alleged Predecessor(s)-in-Interest conducted at each Parcel identified in Your response to

Interrogatory No. 19, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 23: Identify Each Person who has knowledge of any Development Activity that You describe in Your response to Interrogatory No. 22.

Interrogatory No. 24: For each Development Activity identified in Your response to Interrogatory No. 19, describe in detail the specific practices, methods and pieces of equipment that You or Your Alleged Predecessor(s)-in-Interest used or employed, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 25: Identify Each Person who has knowledge of each practice, method, or piece of equipment that You identify in Your response to Interrogatory No. 24.

Interrogatory No. 26: For each Development Activity identified in Your response to Interrogatory No. 19, state the volume of Material mined, Moved or disturbed by You or Your Alleged Predecessor(s)-in-Interest in connection with the Development Activity, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 27: Identify Each Person who has knowledge of the volume of Material mined, Moved or disturbed by You or Your Alleged Predecessor(s)-in-Interest in connection with each Development Activity identified in Your response to Interrogatory No. 19.

Interrogatory No. 28: For each Development Activity identified in Your response to Interrogatory No. 19, identify the Parcel(s) or other location(s) off the Property at which

You or Your Alleged Predecessor(s)-in-Interest placed any Material that was mined, Moved or disturbed, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 29: Identify Each Person who has knowledge of the Parcel(s) or other location(s) off the Property at which You or Your Alleged Predecessor(s)-in-Interest placed any Material that was mined, Moved or disturbed in connection with each Development Activity identified in Your response to Interrogatory No. 19.

Interrogatory No. 30: For each Development Activity identified in Your response to Interrogatory No. 19, state the Mercury concentration of the Material mined, Moved or disturbed by You or Your Alleged Predecessor(s)-in-Interest, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 31: Identify Each Person who has knowledge concerning the Mercury concentration of the Material mined, Moved or disturbed by You or Your Alleged Predecessor(s)-in-Interest in connection with each Development Activity identified in Your response to Interrogatory No. 19.

Mining Activity and Development Activity by Persons or Entities Other Than You

Interrogatory No. 32: Identify Each Person or entity, other than You or Your Alleged Predecessor(s)-in-Interest, who/which conducted any Mining Activity on any Parcel(s) of the Property at any time during which You or Your Alleged Predecessor(s)-in-Interest owned, leased or held any other

possessory interest in that Parcel(s) or the Property, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 33: Identify Each Person or entity, other than You or Your Alleged Predecessor(s)-in-Interest, who/which conducted any Development Activity on the Property or any Parcel(s) at any time during which You or Your Alleged Predecessor(s)-in-Interest owned, leased or held any other possessory interest in that Parcel(s) or the Property, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 34: For Each Person or entity identified in Your response to Interrogatory No. 32, identify the nature of the agreement(s) under which that person or entity conducted each Mining Activity, the instrument(s) setting forth the terms of each agreement, the effective dates for each agreement, the specific Parcel(s) subject to the agreement, and any other specific documents and other evidence upon which You base Your response.

Interrogatory No. 35: For Each Person or entity identified in Your response to Interrogatory No. 33, identify the nature of the agreement(s) under which that person or entity conducted each Development Activity, the instrument(s) setting forth the terms of each agreement, the effective dates for each agreement, the specific Parcel(s) subject to the agreement, and any other specific documents and other evidence upon which You base Your response.

Interrogatory No. 36: For Each Person or entity identified in Your response to Interrogatory No. 32, identify the dates during which that person or entity conducted any Mining Activity on the Property, the specific Parcel(s) at which any Mining Activity was conducted, and the specific documents and other evidence upon which You base Your response.

Interrogatory No. 37: For Each Person or entity identified in Your response to Interrogatory No. 33, identify the dates during which that person or entity conducted any Development Activity on the Property, the specific Parcel(s) at which any Development Activity was conducted, and the specific documents and other evidence upon which You base Your response.

Interrogatory No. 38: For Each Person or entity identified in Your response to Interrogatory No. 32, describe in detail the specific practices, methods and pieces of equipment used or employed, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 39: For Each Person or entity identified in Your response to Interrogatory No. 33, describe in detail the specific practices, methods and pieces of equipment used or employed, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 40: For Each Person or entity identified in Your response to Interrogatory No. 32, state the volume of Mercury produced and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 41: For Each Person or entity identified in Your response to Interrogatory No. 33, state the

volume of Mercury produced and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 42: For Each Person or entity identified in Your response to Interrogatory No. 32, state the volume of Material mined, Moved or disturbed and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 43: For Each Person or entity identified in Your response to Interrogatory No. 33, state the volume of Material mined, Moved or disturbed and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 44: For Each Person or entity identified in Your response to Interrogatory No. 32, identify the Parcel(s) or other location(s) off the Property at which any Material that was mined, Moved or disturbed was placed, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 45: For Each Person or entity identified in Your response to Interrogatory No. 33, identify the Parcel(s) or other location(s) off the Property at which any Material that was mined, Moved or disturbed was placed, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 46: For Each Person or entity identified in Your response to Interrogatory No. 32, state the Mercury concentration of the Material mined, Moved or disturbed

and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 47: For Each Person or entity identified in Your response to Interrogatory No. 33, state the Mercury concentration of the Material mined, Moved or disturbed and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 48: For each of Your responses to Interrogatories Nos. 32 through and including 47, Identify Each Person who has knowledge of the matters described therein.

Movement of Hazardous Substances By You or Your Alleged Predecessor(s)-in-Interest

Interrogatory No. 49: State the dates during which You or Your Alleged Predecessor(s)-in-Interest moved any Hazardous Substance that originated at the Property, and for each such period, identify the Parcel(s) or other location(s) off the Property to which the Hazardous Substance(s) was Moved and the specific documents and other evidence upon which You base Your response.

Interrogatory No. 50: State the volume of Hazardous Substances You or Your Alleged Predecessor(s)-in-Interest moved to each Parcel(s) or other location(s) off the Property identified in Your response to Interrogatory No. 49, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 51: State the Mercury concentration of the Hazardous Substances moved by You or Your Alleged

Predecessor(s)-in-Interest at each Parcel(s) or other location(s) off the Property identified in Your response to Interrogatory No. 49, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 52: For each of Your responses to Interrogatories Nos. 49 through and including 51, Identify Each Person who has knowledge of the matters described in each response.

Profits and Losses

Interrogatory No. 53: State the amount of annual profits and/or losses that You or Your Alleged Predecessor(s)-in-Interest incurred from conducting Mining Activities or Development Activity on the Property. Your answer should specify the costs and revenue data used to calculate profits and losses, whether the profit or loss relates to Development Activity or Mining Activity, and identify the specific documents and other evidence from which such expenses and revenue data was derived.

Interrogatory No. 54: Identify Each Person who has knowledge concerning the amount of annual profits and/or losses that You or Your Alleged Predecessor(s)-in-Interest incurred from conducting Mining Activities or Development Activities on the Property.

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Sale of Mercury

Interrogatory No. 55: Identify any persons or entities who/which purchased any Mercury sold by You or Your Alleged Predecessor(s)-in-Interest and the specific documents and other evidence upon which You base Your response.

Interrogatory No. 56: Identify Each Person who has knowledge concerning persons or entities identified in Your response to Interrogatory No. 55.

You or Your Alleged Predecessors-in-Interest's Mining Activity or Development Activity Adjacent to the Property

Interrogatory No. 57: State the dates during which You or Your Alleged Predecessor(s)-in-Interest conducted any Mining Activity or Development Activity on any land or bodies of water adjacent to the Property and which involved the movement of Material on to or from the Property, and for each such period, identify the entity that conducted the Mining Activity or Development Activity, the specific location at which each Mining Activity or Development Activity was conducted, and the specific documents and other evidence upon which You base Your response.

Interrogatory No. 58: Identify Each Person who has knowledge of the dates during which You or Your Alleged Predecessor(s)-in-Interest conducted any Mining Activity or Development Activity on any land or bodies of water adjacent to

the Property and which involved the movement of Material on to or away from the Property.

Interrogatory No. 59: Identify Each Person who has knowledge concerning the entity that conducted the Mining Activity or Development Activity identified in Your response to Interrogatory No. 57, and the specific location at which each Mining Activity or Development Activity was conducted.

Interrogatory No. 60: Describe in detail each Mining Activity or Development Activity that You or Your Alleged Predecessor(s)-in-Interest conducted at each location identified in Your response to Interrogatory No. 57, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 61: Identify Each Person who has knowledge concerning each Mining Activity or Development Activity identified in Your response to Interrogatory No. 60.

Interrogatory No. 62: For each Mining Activity or Development Activity identified in Your response to Interrogatory No. 60, identify and describe in detail the specific practices, methods and pieces of equipment that You or Your Alleged Predecessor(s)-in-Interest used or employed, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 63: Identify Each Person who has knowledge concerning the specific practices, methods, and pieces of equipment You or Your Alleged Predecessor(s)-in-Interest used or employed with respect to each Mining Activity

or Development Activity identified in Your response to Interrogatory No. 62.

Interrogatory No. 64: For each Mining Activity or Development Activity identified in Your response to Interrogatory No. 60, state the volume of Material mined, Moved or disturbed by You or Your Alleged Predecessor(s)-in-Interest, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 65: Identify Each Person who has knowledge concerning the volume of Material mined, Moved or disturbed by You or Your Alleged Predecessor(s)-in-Interest with respect to each Mining Activity or Development Activity identified in Your response to Interrogatory No. 64.

Interrogatory No. 66: For each Mining Activity or Development Activity identified in Your response to Interrogatory No. 60, identify the Parcel(s) or other location(s) off the Property at which You or Your Alleged Predecessor(s)-in-Interest placed any Material that was mined, Moved or disturbed in connection with the Activity identified in your response to Interrogatory No. 60, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 67: Identify Each Person who has knowledge concerning the Parcel(s) or other location(s) off the Property at which You or Your Alleged Predecessor(s)-in-Interest placed any Material that was mined, Moved or disturbed in connection with the Activity identified in your response to Interrogatory No. 60.

Interrogatory No. 68: For each Mining Activity or Development Activity identified in Your response to Interrogatory No. 60, state the Mercury concentration of the Material mined, Moved or disturbed by You or Your Alleged Predecessor(s)-in-Interest in connection with the Activity identified in your response to Interrogatory No. 60, and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 69: Identify Each Person who has knowledge concerning the Mercury concentration of the Material mined, Moved or disturbed by You or Your Alleged Predecessor(s)-in-Interest in connection with the Activity identified in your response to Interrogatory No. 60.

Communications and Transactions

Interrogatory No. 70: Identify and describe in detail each communication between You or Your Alleged Predecessor(s)-in-Interest and any Regulating Authority occurring prior to October 23, 1987, which pertains to any Mining Activity or Development Activity occurring on, or relating to, any Parcel(s), and identify the specific documents and other evidence upon which You base Your response.

Interrogatory No. 71: For each Transaction concerning any Parcel(s) to which You or Your Alleged Predecessor(s)-in-Interest was a party, identify the specific Parcel(s) affected, the date(s) of the Transaction, the parties to the transaction,

the consideration provided, and the specific documents and other evidence upon which You base Your response.

Interrogatory No. 72: Identify Each Person who has knowledge concerning each Transaction identified in Your response to Interrogatory No. 71.

Interrogatory No. 73: For each Transaction of which you are aware concerning any Parcel(s), identify the specific Parcel(s) affected, the date(s) of the Transaction, the other party(ies) to the transaction, the consideration provided, and the specific documents and other evidence upon which You base Your response.

Interrogatory No. 74: Identify Each Person who has knowledge concerning each Transaction You identify in Your Response to Interrogatory No. 73.

Interrogatory No. 75: Identify Each Person who has knowledge of any communication (including without limitation, any negotiation, conversation, phone call, or meeting, formal or informal) respecting any Transaction between You or Your Alleged Predecessor(s)-in-Interest and a purchaser or seller of the Property or any Parcel(s) thereof, or between any other persons or entities engaged in a Transaction concerning the Property or any Parcel(s) thereof.

Insurance

Interrogatory No. 76: Identify Each Insurance Policy or Agreement under which any insurance carrier or other party may be liable to satisfy in whole or in part a judgment against You or Your Predecessor(s)-in-Interest in this action or to indemnify or reimburse You or Your Predecessor(s)-in-Interest for payments made to satisfy the judgment, and the specific documents and other evidence upon which You base Your response.

Interrogatory No. 77: Identify Each Insurance Policy or Agreement under which any insurance carrier or other party may be liable to reimburse You for expenditures made by You or Your Predecessor(s)-in-Interest to investigate, monitor, clean-up, contain, restore, remove or remediate a release, discharge, spillage, leak, emission and/or disposal of any Hazardous Substances to the soil, surface, or groundwater at the Property.

Interrogatory No. 78: For Each Insurance Policy or Agreement identified in Your response to Interrogatory Nos. 76 and 77, state whether the insurance carrier or entity identified is disputing the policy or agreement's coverage of the claim or claims made by You.

Interrogatory No. 79 Identify Each Person who provided information contained in Your answers to these interrogatories, and specify the interrogatory answers to which each such person contributed information.

DATED: July 7, 1994

[COUNSEL]

By _____

Attorneys for [PARTY]

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