

SUPREME COURT OF THE STATE OF NEW YORK
ALL COUNTIES WITHIN NEW YORK STATE

Index No.: 190220/2019

In Re: NEW YORK CITY
ASBESTOS LITIGATION

This Document Applies To:

Carole E. Fancera

PLAINTIFF'S SUPPLEMENTAL RESPONSES TO
DEFENDANT'S FOURTH AMENDED STANDARD SET OF
INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS

Plaintiff, by and through her attorneys objects to Defendants' Fourth Amended Standard Set Of Interrogatories And Request For Production Of Documents, as well as the Explanation and Definitions and Instructions contained therein ("Interrogatories"), to the extent that they seek to impose upon plaintiff obligations or burdens which are greater than, or inconsistent with New York law.

Plaintiff further objects to these Interrogatories and to each individual request and/or interrogatory, to the extent that they seek information or request the production of documents that are protected from disclosure by the attorney-client privilege, the work product doctrine, and any other applicable privilege or doctrine protecting such documents from disclosure. The production of any document prepared by the plaintiff's attorneys is not a waiver of any privilege. The inclusion of or reference to any attorney's name on any responses is not a waiver of any privilege. Moreover, the documents produced are confidential and may not be disclosed other than to counsel, a party, the court or an expert in this action without order of the Court. Plaintiff, by providing documents in response to these Interrogatories specifically does not admit the competency, relevancy, materiality, privilege and/or admissibility of such document or of the information or subject matter. Should any such disclosure by Plaintiff occur, it is inadvertent and shall not constitute a waiver of any privilege.

Plaintiff has not completed investigating the facts relating to her case, has not completed her discovery, and has not completed preparing her case. Therefore, these responses are preliminary and without prejudice to plaintiff's right to discover and/or produce evidence of additional facts and/or additional evidence of existing facts. Plaintiff has



made a good faith effort to respond to the Interrogatories, but reserves the right to object to, and to move to have vacated, all of these Interrogatories.

Plaintiff objects to the Interrogatories, and to each individual request and/or interrogatory, to the extent that they seek information that is not within plaintiff's own first-hand knowledge or request the production of documents that are not within plaintiff's possession, custody or control.

Plaintiff further objects to the Interrogatories as overly broad and burdensome and demanding an investigation into matters which are neither relevant to these proceeding nor designed to lead to the discovery of evidence relevant to these proceedings.

Plaintiff does not waive and specifically preserves the following objections:

1. Any and all objections to the competency, relevancy, materiality, privilege and admissibility of the information or the subject matter thereof, as evidence for any purpose and any proceeding in this action (including trial) and in other actions.
2. The right to object on any grounds at any time to demand for further responses or further documents to these or any other discovery requests or other discovery proceedings involved or related to the subject matter of the discovery to which information or documents are provided; and,
3. The right at any time to review, correct, add to, supplement or clarify any of these responses.

These objections are incorporated by reference into any amendment and/or supplement to these interrogatories. Moreover, each of these objections is incorporated by reference into to each specific response without regard to whether an additional objection is made in such response.

Subject to these objections and reservations, plaintiff, by and through her attorneys responds as follows:

INTERROGATORY ANSWERS

For

Carole E. Fancera

- 1Q. State the following:
- (a) your full name, and all other names by which you have been known;
 - (b) age, and date and place of birth;
 - (c) whether you were an adopted child;
 - (d) present marital status, date of current marriage, spouse's maiden name, date of any prior marriages and the names of any prior spouses, if applicable
 - (e) present home address; and



(f) social security number.

- 1A. (a) **Carole E. Fancera**
- (b) **69, [REDACTED] 1949; Jersey City, NJ**
- (c) **Natural**
- (d) **Widowed, 1999-2011, Charles E. Herman**
- (e) **26 B Edinburgh Lane, Manchester, NJ 08751**
- (f) *****-**-8727**

- 2Q. State the following with regard to your father and mother:
 - (a) names;
 - (b) current address (if deceased, state last known address);
 - (c) the current condition of each one's health, including any specific medical problems. If either of your parents are deceased, please state for each deceased parent:
 - i. specific physical problems;
 - ii. date and place of death;
 - iii. age and cause of death for each parent.

- 2A. (a) **Edward Cornelius Mulhearn**
- (b) **Deceased**
- (c) **Unknown**

- (a) **Pauline Helen Pavero Mulhearn**
- (b) **Deceased**
- (c) **Unknown**

- 3Q. State the following with regard to each of your children:
 - (a) full name;
 - (b) the date of birth;
 - (c) sex;
 - (d) current address (if deceased, state the last known address)
 - (e) social security number;
 - (f) whether birth child or adopted child;
 - (g) current state of each one's health. If any of your children are deceased, state for each deceased child:
 - i. specific physical problems;
 - ii. date and place of death; and
 - iii. age and cause of death for each child.

- 3A. (a) **Cara Calfayan**
- (b) **[REDACTED] 1972**
- (c) **Female**

- (d) North Arlington, NJ
- (e) Unknown
- (f) Birth
- (g) Good

- (a) Brett Fancera
- (b) [REDACTED] 1989
- (c) Male
- (d) West Milford, NJ
- (e) Unknown
- (f) Birth
- (g) Good

- (a) Gerald Fancera, Jr.
- (b) [REDACTED] 1976
- (c) Male
- (d) Wantage, NJ
- (e) Unknown
- (f) Birth
- (g) Good

Dated: New York, New York
February 7, 2020

Respectfully submitted

THE WILLIAMS LAW FIRM, P.C.

Attorneys for Plaintiff

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CHART A
EMPLOYER/JOBSITE HISTORY FOR Carole Fancera

Name of Employer	Dates of Employment	Asbestos-related Jobsite & Address	Dates You Were at Jobsite	Job Duties
Rapp Sales Company Kennedy Blvd. North Bergen, NJ	1961-1970	Residential Construction Sites throughout New Jersey and throughout Staten Island, N.Y.		Plaintiff worked with and was present on various job sites with her father who owned this general construction contracting company and was exposed to asbestos.
Rapp Sales Company Kennedy Blvd. North Bergen, NJ	1975-1979	Residential Construction sites throughout New Jersey and throughout Staten Island, N.Y.		<p>Plaintiff became the part time bookkeeper and job estimator for Rapp Sales Company and was present at various job sites and was exposed to asbestos.</p> <p>During both time frames 1961-1970 and 1975-1979 Plaintiff was exposed to asbestos as a bystander to work with asbestos containing products including roofing products, siding, joint compound, caulk, boiler rip outs as well as direct work with asbestos containing floor tiles.</p> <p><u>Roofing</u> A.P. Green Karnak</p> <p><u>Siding</u> G.A.F.</p>

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