IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

IN RE:)	MDL Docket No. 02-1335-B (PJB)
TYCO INTERNATIONAL, LTD., SECURITIES LITIGATION)))	This document relates to: Securities Action Civil Action No. 02-266-PB
)))	Individual Actions (Tyco v. Kozlowski) and Swartz)

PLAINTIFFS TYCO INTERNATIONAL LTD. AND TYCO INTERNATIONAL (U.S.) INC.'S SECOND SET OF INTERROGATORIES AND SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS TO DEFENDANT L. DENNIS KOZLOWSKI

Pursuant to Rules 26, 33 and 34 of the Federal Rules of Civil Procedure, Plaintiffs Tyco International Ltd. and Tyco International (U.S.) Inc. (collectively, "Tyco"), by counsel, request that Defendant L. Dennis Kozlowski ("Kozlowski"), respond to the following interrogatories and requests for production of documents and things pursuant to the expedited schedule set by the Court in response to Tyco's request for a temporary restraining order and preliminary injunction dated October 2, 2008.

Definitions and Instructions

Unless otherwise provided below, the Definitions and Instructions contained in Tyco's First Set of Contention Interrogatories and First Set of Requests for Admission to Kozlowski apply to these Interrogatories and Requests.

1. The term "Divorce Proceeding" means the proceeding styled *Karen Kozlowski v. Dennis Kozlowski* filed in Palm Beach County, Florida.



Interrogatories

- 1. Identify and itemize all assets or property owned by you or in which you have or claim an interest, whether real, personal, tangible or intangible (including without limitation any commercial, business or partnership interests and any debts or notes payable to you), the fair market value of which exceeds \$1,000, (hereafter referred to as "Property"), and state the nature of your ownership interest in that property.
- 2. Identify any encumbrances, including without limitation, any liens or lis pendens, on any of the property identified in response to Interrogatory No. 1.
- Identify and itemize your interests, contingent or otherwise, in any estates of a decedent, death benefit plan, life insurance policy or trust.
- 4. Describe all dispositions of Property on or after September 17, 2008. In responding to this Interrogatory, identify the date of the expenditure, transfer, sale or disposal and the person or entity to which the expenditure, transfer, sale or disposal was made and the consideration therefore.
- 5. Describe all expected, planned or contemplated dispositions of Property, and the expected, planned or contemplated consideration.
- 6. Identify all trusts for which you are a beneficiary or trustee.
- 7. Describe in detail the terms of any settlement, agreement and/or decree in connection with the Divorce Proceeding, including without limitation, the details of all support payments or obligations, distributions, assets or other property, whether cash, personal property, real property or intangible property, that has been, is required to be, or will be paid, transferred or provided, now or in the future, to Karen Mayo Kozlowski in connection with said settlement, agreement and/or decree.

Requests for Production of Documents and Things

- 1. Documents sufficient to support your responses to Interrogatory Nos. 1-7.
- 2. Any settlement agreement, separation agreement, support agreement and/or final decree, including any proposed final decree, that has been filed with the Court, in the Divorce Proceeding.
- 3. To the extent such documents are in your custody or control, documents sufficient to show the information requested in Interrogatory Nos. 1-5 as pertains to (a) DCS Family Partnership, L.P. and (b) KFT Family Partnership, L.P.
- 4. To the extent not already provided in response to previous discovery requests, all federal tax returns filed by you or on your behalf since 2002.

October 2, 2008

Respectfully Submitted,

/s/ Edward A. Haffer

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