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IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

PLAINTIFF'S
EXHIBIT
HAV-25

SCOTT B. DERR and
BRENDA L. DERR, his wife,
Plaintiffs,

v.

HERCULES, INCORPORATED,
et al.,

Defendants.

C.A. No. 96C-07-226
(Asbestos)

ANSWERS AND OBJECTIONS OF
CHAMPLAIN CABLE CORPORATION
TO PLAINTIFFS' INTERROGATORIES
PER STANDING ORDER NO. 1, EXHIBIT "C"

Introduction And General
Objections

This action arises out of Scott Derr's alleged exposure to asbestos allegedly released from a plant in Marshallton, Delaware ("Haveg Plant") into the surrounding environment. The exposure is alleged to have occurred at some time between approximately 1957 and 1975. There is no allegation that Mr. Derr was exposed to any Champlain Cable Corporation ("Champlain") product made after 1975 or to anything released from a Champlain plant or property after 1975.

The Haveg Plant was an asset of Haveg Industries, Inc. ("Haveg Inc") from 1965 to 1980 at which time it was sold to Ametek. At the same time, Haveg Inc changed its

name to Champlain. Since 1980 Champlain has had no interest in the Haveg Plant or in any business relating to asbestos or asbestos products. In addition, its current employees have no personal knowledge of the Haveg Plant or its operations during the relevant time period. The only information Champlain has available to allow it to respond to these interrogatories is historical documents or records and deposition transcripts from earlier asbestos cases. Champlain therefore objects to these interrogatories to the extent that they seek information generally regarding Champlain's current plants, operations and personnel on the grounds that such information is not relevant to this action and such inquiries are overly broad, unduly burdensome and are not reasonably calculated to lead to the discovery of admissible evidence. Champlain also objects to these interrogatories to the extent that they seek information relating to any time period prior to 1957 or after 1975 on the same grounds. Unless otherwise stated, all of Champlain's responses will be limited to the relevant time frame of 1957 through 1975 and will also be limited to the information and documents relevant to the Haveg Plant.

INTERROGATORIES

INTERROGATORY NO. 1: Describe in detail, with specificity and particularity each product mined, produced, manufactured or sold by the answering defendant or its predecessors in title or subsidiaries which contained asbestos for each year from 1926 until 1980; and for each such product describe:

- (a) Its chemical ingredients;

(b) State the manner in which it was intended to be used, i.e., in the construction and/or insulation of buildings and/or equipment, etc.;

(c) For each ingredient contained therein state:

(i) The name or chemical composition of each substance, what harmful effects, if any are known, that it produces in man or mammals and whether it produces its harmful effects through ingestion, inhalation, absorption or a combination of these;

(ii) When you determined and/or learned that the substance produced harmful effects and how such effects were produced;

(iii) Identify each individual who participated in such determination and/or obtained such knowledge.

(iv) Identify each document that refers, reflects or relates to any information pertaining to the properties of each of the ingredients and/or how the harmful effects are produced as well as your determination of those toxic effects and the manner by which they are produced;

(v) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

(vi) Which products or ingredients were mined, which were manufactured and which were distributed by answering defendants.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain further states that in 1964 Hercules Incorporated ("Hercules") purchased all of the assets of Haveg Inc. One of those assets was its wholly owned subsidiary Haveg Corp. In 1965 Haveg Corp was merged into Haveg Inc. Between 1957 and 1965 Haveg Corp manufactured and sold a line of asbestos containing products at the Haveg Plant. That business was

continued by Haveg Inc from 1965 to 1980. The product line manufactured and sold by Haveg Corp, and later by Haveg Inc, can be generally described as corrosion-resistant chemical process equipment. The equipment was designed for the maintenance free handling of sulfuric, hydrochloric and phosphoric acids and chlorinated solvents. For further information, plaintiffs are directed to the Haveg Product Catalogs, which have been previously produced to plaintiffs' counsel.

The Haveg equipment described in those catalogs was available in a variety of different formulations, depending on the precise nature of the chemical application involved. The different Haveg formulations or grades were as follows:

Haveg 41 consisted of approximately 50%, by weight, of an acid-leached anthophyllite asbestos which was completely encapsulated in a phenol-formaldehyde resin approximately 50% by weight. Haveg 41 was a thermoset type plastic. Grade 41 was recommended for processes involving mineral acids, salts and chlorinated hydrocarbons.

Haveg 61 consisted of approximately 50%, by weight, of an acid-digested anthophyllite asbestos filler which was completely encapsulated in a furfuryl alcohol-formaldehyde resin approximately 50% by weight. Haveg 61 was also a thermoset type plastic. Grade 61 was recommended for processes involving acids, alkalis and chlorinated

aromatic hydrocarbons.

Haveg 4120 consisted of approximately 50%, by weight, of an acid-digested anthophyllite asbestos filler which was completely encapsulated in a modified phenol-formaldehyde resin, approximately 50% by weight. Haveg 4120 had exceptional resistance to some chemicals for which neither Haveg 41 nor 61 was recommended, e.g., monochloroacetic acid.

Haveg 31 consisted of approximately 50%, by weight, of an acid-digested anthophyllite asbestos filler which was completely encapsulated in a modified phenolic resin approximately 50% by weight. Haveg 31 was recommended for use in the chlorine industry in the form of cell connectors, headers and chlorine coders; 31 provided excellent resistance to chlorine gas.

Acid Washed/Digested Anthophyllite Asbestos. This material was sold under the trademark HAVESTOS and involved an acid leaching process which removed acid soluble materials, making the material more chemically resistant. It was mixed with a resin to make Haveg equipment or plastic products.

CHEMTITE piping systems - designed for conveying corrosive fluids for demanding process operations or conditions - indoor, outdoor or underground. The piping systems were designed for high pressure or low pressure applications with complimentary fittings and valves.

Chemtite equipment was available in two formulations:

Chemtite PB, which was produced during the years 1971 through 1975, consisted of approximately 40%, by weight, of crocidolite asbestos paper which was completely embedded in an inert phenolic resin matrix approximately 60% by weight.

Chemtite EB, which was also produced during the years 1971 through 1975, consisted of approximately 40%, by weight, of crocidolite asbestos paper which was completely imbedded in an inert epoxy resin matrix approximately 60% by weight.

Crocidolite is a complex sodium-iron silicate of the flat, solid fiber (amphibole) group. Anthophyllite is a magnesium-iron silicate of the flat, solid fiber (amphibole) group.

In addition, Aerospace products were manufactured at the Haveg Plant during the early 1960's until 1965. For information concerning the composition of those products, plaintiffs are directed to the deposition of Jack Mertz taken in June 1985 and the depositions of Leon DeBrabander taken on 10/4/83, 11/18/84, 1/19/84, and 2/21/84.

INTERROGATORY NO. 2: If any product identified in answer to Interrogatory No. 1 and (sic) was produced, manufactured and/or sold under a trade name, identify that trade name(s) and state the time period that each such product was sold under such trade name.

ANSWER: Champlain incorporates herein its general

objections. Without waiving those objections, Champlain responds as follows: Haveg (1957-1980), Chemtite (1971-1975), Havestos (1962-1968). See also the Product Catalogs previously produced.

INTERROGATORY NO. 3: For each product identified in answer to Interrogatory No. 1, state:

(a) The address of each plant where it was manufactured, processed or packaged;

(b) Whether you were the sole producer, manufacturer and/or distributor of the product and, if not:

(i) The name and address of each other person, firm or other entity engaged in the production, manufacture and/or distribution of the product;

(ii) Whether any other manufacturer produced the product by virtue of a franchise or license from you;

(iii) The persons or firms who produced the product for distribution in the United States;

(iv) The person or firms who produced the product for distribution in the State of Delaware.

ANSWER: Each product identified in response to Interrogatory 1 was manufactured at the Haveg Plant at 900 Greenbank Road, Wilmington, Delaware 19808. Haveg Corp and later Haveg Inc were the sole manufacturers and distributors of all of the products except that Havestos was sold by Asbestos Corp. of American ("ACOA") from approximately 1962 to 1968. ACOA's address at that time was 31 North Avenue, Garwood, New Jersey.

INTERROGATORY NO. 4: For each product identified in answer to Interrogatory 1 state:

(a) How the product was sold and/or distributed for use in the United States and/or the State of

Delaware.

(b) Identify all persons, firms or other entities to whom these products were sold or through whom they were distributed during the period 1936 to 1980;

(c) For each such person, firm or other entity identified in answer to subpart (b) above, state the following:

(i) the specific product sold and/or distributed;

(ii) the quantity of the product sold and/or distributed;

(iii) the dates which these products were sold, shipped and delivered to each entity;

(d) Identify each individual who has any knowledge of these sales and/or distribution and state with specificity and particularity the substance of each individual's knowledge;

(e) Identify and produce all documents which refer, reflect or relate to all sales and/or distribution of each such product to each entity identified above.

ANSWER: Champlain incorporates herein its response to interrogatory 3 and further responds that sales representatives were employed by Haveg Corp and subsequently Haveg Inc in various states to promote sales.

INTERROGATORY NO. 5: For each product identified in answer to Interrogatory 1 state whether you engaged in any advertising program to promote the sale of that product and, if so state:

(a) The name or description of each advertising media that you have used to promote the product during the period 1936 to 1980;

(b) The name of each national magazine or periodical in which you have advertised the product during the period 1940 through 1976;

(c) The date of each issue of such magazine or periodical in which such advertisement appeared;

(d) The name and address of each newspaper in which you have advertised the product during the period 1936 through 1980;

(e) The date of each publication of each newspaper in which the advertisement appeared;

(f) Identify each document which refers, reflects or pertains to each such advertisement which was published in each such magazine, periodical and/or newspaper;

(g) State whether the advertising of the product was handled by an agency and, if so, state the name and address of each advertising agency that handled any portion of the advertising of the product during the period 1940 through 1976.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain further responds that Haveg Corp and later Haveg Inc made sales through sales representatives, trade journals and product catalogs. It is also believed that advertisements may have been placed by Haveg Corp and later Haveg Inc in Chemical Engineering, Chemical Processing, Chemical Equipment and Chemical Week.

INTERROGATORY NO. 6: For each product identified in answer to Interrogatory 1 which was distributed to a company that used said products in Delaware or was a distributor of said products for an area including Delaware, state:

(a) The name and address of the company;

(b)- Whether the asbestos contained was tremolite, crocidolite, chrysotile, amosite and/or anthophyllite asbestos and state the amount in terms of the percentage of the total asbestos contained in the product;

(c) The total amount of asbestos contained in the product;

(d) The exact formulation of the product including the other non-asbestos ingredients thereof;

(e) The name and address of each individual who participated in the formulation of such product;

(f) The identity of each document which refers, reflects or relates to any information provided in the answer to this interrogatory;

(g) The names and addresses of each individual most knowledgeable about the answers given above in 6(b), (c), and (d);

(h) Identify the living individual most knowledgeable about distribution of the above products in Delaware and in an area of which Delaware was a part.

ANSWER: Champlain incorporates herein its responses to interrogatories 1 and 3.

INTERROGATORY NO. 7: With regard to each form of asbestos fibers identified in the answer to Interrogatory 6, state:

(a) Where it was purchased, if it was not purchased, where it was obtained;

(b) From whom it was purchased;

(c) The manner in which it was received, stored and used in the production of the product.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain further responds that information which is responsive to this interrogatory was previously produced to plaintiffs' counsel or is contained in the deposition transcripts of Jack Mertz, Leon DeBrabander and Paul Reynier.

INTERROGATORY NO. 8: If you manufacture any insulation products which are commonly used by insulators and which contain asbestos;

(a) Describe how the products listed below in (b) are cut, shaped, mixed and applied on the jobs giving particular reference as to whether or not the materials have to be sawed or cut on the job, blown into confined areas, or mixed with water into cement or paste;

(b) State if there is any known to you that the products listed below can be used and applied without the worker inhaling any of the asbestos dust or fibers:

- Finishes;
- (i) Asbestos cement; Asbestos
 - (ii) Asbestos pipe covering;
 - (iii) Asbestos bricks or block;
 - (iv) Asbestos sheeting;
 - (v) Asbestos insulation used to cover extremes of heat as well as cold;
 - (vi) Asbestos insulation in loose form which may be blown into homes or building;
 - (vii) Asbestos in spray form;
 - (viii) Asbestos mineral in fiber form or particulate form.
 - (ix) Asbestos Millboard, rope, gaskets, paper gloves or blanket.

(c) Did your company buy any products listed in (b) above from other manufacturers and relabel it or have it labeled for your company?

(i) If yes, which products and from whom.

(d) Did your company produce any products on the list in (b) above from other companies?

(i) If yes, which products and for whom.

(e) Whether prior to distributing the product you altered it in any manner from the form in which you received it from the sources, and if so what type of alterations or modifications were made by you;

(f) Whether prior to distributing the product you re-packaged or in any way altered the packaging or labelling of the product after receiving it from the source, and if so what alterations were made by you.

ANSWER: Champlain incorporates herein its general

objections. Without waiving those objections, Champlain further states that as it understands the question, the Haveg Plant did not manufacture insulation products that were commonly used by insulators.

INTERROGATORY NO. 9: For each product listed in answer to Interrogatory No. 1, describe each end use for which each such product was intended to be used by the general industry and for each such use:

(a) Describe the form of the product when so used;

(b) Describe the process and/or method by which the product would be applied for each such use;

(c) Describe the equipment to be used to apply the product for each such use;

(d) Identify each document that refers, reflects or relates to any information and state the full substance of the information supplied;

(e) As to any information received orally in answer to any interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 1.

INTERROGATORY NO. 10: State whether any of the equipment identified in answer to Interrogatory No. 9(c) was manufactured by you or any parent or subsidiary company or related company.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections Champlain responds that as it understands the question the answer is no.

INTERROGATORY NO. 11: If any piece of equipment identified in answer to Interrogatory No. 9(c) was invented, developed or first made by you or any person associated with you or any related company or association, state:

- (a) When it was invented, developed or made;
- (b) The identity of each individual who participated therein and describe in detail the extent of his participation;
- (c) The identity of each document which reflects, refers or relates to any information set forth in answer to this interrogatory;
- (d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain responds it understands the question, its answer is not applicable.

INTERROGATORY NO. 12: State whether you or any person associated with you or any related company or association invented, developed or made any change and/or improvement in any piece of equipment identified in answer to Interrogatory No. 9(c), and if so:

- (a) Describe the change and/or improvement made;
- (b) State when it was made;
- (c) Identify each individual who participated therein and describe in detail the extent of his participation;
- (d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in answer to this interrogatory, identify each person who has supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 10.

INTERROGATORY NO. 13: For each process and/or

method identified in answer to Interrogatory No. 9(b), state whether it was developed by you or a parent or subsidiary or related company.

ANSWER: Champlain incorporates herein its response to interrogatory 10.

INTERROGATORY NO. 14: For each process and/or method identified in answer to Interrogatory No. 9(b) developed or first made by you or any person associated with you or any related company or association, state:

- (a) When it was developed;
- (b) The identity of each individual who participated therein and describe in detail the extent of his participation;
- (c) The identity of each document which reflects, refers or relates to any information set forth in answer to this Interrogatory;
- (d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 11.

INTERROGATORY NO. 15: State whether you or any person associated with you or any related company or association developed or made any change and/or improvement in any process and/or method identified in answer to Interrogatory No. 9(b), and if so:

- (a) Describe the change and/or improvement made;
- (b) State when it was made;
- (c) Identify each individual who participated therein and describe in detail the extent of his participation;
- (d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in

answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied;

(f) Identify the living person who has the most knowledge of matters discussed herein.

ANSWER: Champlain incorporates herein its response to interrogatory 11.

INTERROGATORY NO. 16: For each product identified in the answer to Interrogatory No. 1, describe what, if any, tests were made to determine the safety of said product and:

- (a) State when each such test was made;
- (b) Describe the results of each such test;
- (c) Identify each individual who participated therein and describe in detail the extent of his participation;
- (d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain further responds that Haveg Corp and/or Haveg Inc performed various corrosion resistance tests and tests of the physical properties of the various types of Haveg products. More detailed information may be obtained from the depositions of Leon DeBrabander.

INTERROGATORY NO. 17: For each process or method identified in answer to Interrogatory No. 9(b), describe what, if any, tests were made to determine the safety of said process or method and:

- (a) State when each such test was made;

- (b) Describe the results of each such test;
- (c) Identify each individual who participated therein and describe in detail the extent of his participation;
- (d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to Interrogatory No. 16.

INTERROGATORY NO. 18: For each piece of equipment identified in answer to Interrogatory No. 9(c), describe what, if any tests were made to determine the safety of said equipment and:

- (a) State when each such test was made;
- (b) Describe the results of each such test;
- (c) Identify each individual who participated therein and describe in detail the extent of his participation;
- (d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 11.

INTERROGATORY NO. 19: For each label, brochure, or other written material describing or relating to each product identified in answer to Interrogatory No. 1, produced by you or any person associated with you or any related company or association:

- (a) Describe its contents;

In addition, effective January 17, 1973, all acknowledged copies of customer orders or mill orders for Haveg chemical equipment and Chemtite included the following information sheet.

"HAVEG PROCESSING EQUIPMENT CONTAINS ASBESTOS ENCAPSULATED IN A BONDING AGENT WHICH PREVENTS THE DISPERSION OF ASBESTOS FIBERS. IF THIS PRODUCT IS MODIFIED, E.G. BY SAWING, GRINDING OR DRILLING, IT IS POSSIBLE THAT AIRBORNE DUST WOULD BE GENERATED. IN THIS REGARD, YOUR ATTENTION IS DIRECTED TO PART 1910 OF TITLE 29 OF THE CODE OF FEDERAL OCCUPATIONAL FEDERAL REGULATIONS, SECTION 1910.1001 OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, WHICH REGULATION PRESCRIBES METHODS AND PROCEDURES FOR THE PROTECTION OF WORKMEN."

Effective February 14, 1977 the above information sheet, typed in red ink, was applied to every Haveg and Chemtite product in the form of a pressure-sensitive label. Material Safety Data Sheets ("MSDS") were also distributed to customers upon request. All of those documents and labels have been previously produced to plaintiffs' counsel.

The identify of those individuals presently known who assisted in the wording of any warning labels, including the pressure sensitive label, are as follows: Emil Christofano, Edmund Painter and Dudley Barton.

INTERROGATORY NO. 20: For each product identified in answer to Interrogatory 1 state whether warnings of any harmful or potentially harmful effects of the product were printed on the cartons or packing cases in which individual containers were packed and, if so:

- (a) State the printed warning's contents;

(b) State when, how, and to whom it was distributed;

(c) State the manner in which it was placed on or in the product container, or whether it was separate from the product or container;

(d) State whether any written, printed or graphic matter was present to warn of any harmful ingredient it might contain. If so, state:

(i) Whether a signal word, i.e. "danger", "warning" or "caution" was present;

(ii) Whether the signal word was printed in boldface, capital letters or different colored inks. Which?

(iii) The wording of the statements describing any hazard;

(iv) The wording of all directions and/or instructions pertaining to any method of use to avoid any hazard.

(e) Identify each individual who participated in the writing of the label, brochure or other written materials;

(f) Identify each document which reflects, refers or relates to the information contained on the labels, brochures, or other written materials and/or the decision to include such information;

(g) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain further responds that Haveg Corp and later Haveg Inc distributed product catalogs to customers or potential customers of Haveg products and attached information sheets to all Haveg cement products (i.e., Cement 41F and Cement 61F).

- (b) State when the warning was used;
- (c) Describe the manner in which it was placed on or in the product container;
- (d) Identify each individual who participated in writing of the label or brochure;
- (e) Identify each document which reflects, refers or relates to the information contained on the cartons or packing cases and the decision to include that information;
- (f) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 19.

INTERROGATORY NO. 21: For each label, brochure, or written material describing or relating to each process or method identified in answer to Interrogatory No. 9(b) produced by you or any person associated with you or any related company or association; and for each such label, brochure or written material:

- (a) Describe its contents;
- (b) State when, how, and to whom it was distributed;
- (c) State whether any written, printed or graphic matter was present to warn of any harmful ingredient it might contain. If so, state:
 - (i) Whether a signal word, i.e. "danger", "warning" or "caution" was present;
 - (ii) Whether the signal word was printed in boldface, capital letters or different colored inks, and if so, which one;
 - (iii) The wording of the statements describing any hazard;
 - (iv) The wording of all directions and/or instructions pertaining to any method of use to avoid any hazard.

(d) Identify each individual who participated in the writing of the label, brochure or other written materials;

(e) Identify each document which reflects, refers or relates to the information contained on the labels, brochures, or other written materials and/or the decision to include such information;

(f) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 11.

INTERROGATORY NO. 22: For each label, brochure, or other written material describing or relating to each process or method identified in answer to Interrogatory No. 9(b), produced by you or any person associated with you or any related company or association; and for each such label, brochure or written material:

(a) Describe its contents;

(b) State when, how, and to whom it was distributed;

(c) State whether any written, printed or graphic matter was present to warn of any harmful ingredient it might contain. If so, state:

(i) Whether a signal word, i.e. "danger", "warning" or "caution" was present;

(ii) Whether the signal word was printed in boldface, capital letters or different colored inks, and if so, which one;

(iii) The wording of the statements describing any hazard;

(iv) The wording of all directions and/or instructions pertaining to any method of use to avoid any hazard.

(d) Identify each individual who participated in the writing of the label, brochure or other written materials;

(e) Identify each document which reflects, refers or relates to the information contained on the labels, brochures, or other written materials and/or the decision to include such information;

(f) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 11.

INTERROGATORY NO. 23: With regard to the production, distribution, and/or sale of each product identified in answer to Interrogatory 1 state whether you have ever been accused of violating any of the provisions of the Federal Labeling of Hazardous Substances Act, and, if so, state:

(a) The date of each indictment; complaint or information that accused you of such violation;

(b) The court in which the proceedings were instituted;

(c) The plea you entered;

(d) The verdict and/or judgment in each such case;

(e) The date set for trial of any pending case;

(f) Identify each document which reflects, refers or relates to information pertaining to such accusation;

(g) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 10.

INTERROGATORY NO. 24: For each product identified in answer to Interrogatory 1, state whether you contend it is a "hazardous substance" as defined in 15 United States Code, Section 1261(f) and, if so, state with specificity and

particularity the facts which you rely on to support that contention.

ANSWER: Champlain objects to this interrogatory on the grounds that it seeks information which is not relevant to this action and it is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 25: With regard to each product identified in answer to Interrogatory 1 state whether any quantity of that product has ever been seized (sic) by any governmental agency; and if so:

- (a) State the date of each such occurrence;
- (b) State the name or description of the violations of which you were accused;
- (c) State the court in which the action was filed;
- (d) Describe the judgment that was rendered;
- (e) State the date that has been set for trial of any pending case;
- (f) Identify each document which reflects, refers or relates to information pertaining to such seizure;
- (g) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 10.

INTERROGATORY NO. 26: State whether you have ever been the subject of any investigation or accusation by any Government Agency concerning the provisions of the Occupational Safety and Health Act of 1970 (P.L. 91-596, 29 U.S.C. § 651 et seq.). If so state:

- (a) The date of such investigation, accusation, or other administrative or judicial procedure or action;
- (b) The administrative agency or Court in.

which any proceedings arising from such investigation or accusation were heard or instituted;

(c) The determination and results of any such accusation or action;

(d) The identity of each document which refers or relates to information set forth in answer to this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections. Without waiving these objections, Champlain further states that information responsive to this interrogatory with respect to the Haveg Plant has already been produced to plaintiffs' counsel.

INTERROGATORY NO. 27: State what action, if any, you have taken since 1935 to reduce or eliminate any risk of occupational disease or personal injury to those engaged in the manufacture of your asbestos products or to those using your asbestos products which arises from the inhalation of dust and fibers.

ANSWER: Champlain incorporates herein its general objections. Champlain further objects to the portion of the interrogatory relating to the use of asbestos products on the basis that it is not relevant to any of the issues involved in this case as related to these defendants and the bases of the actions against them; it is not relevant to the plaintiffs involved in this matter; and it is not calculated to lead to the discovery of any further relevant or admissible evidence. Without waiving any of those objections, Champlain states that the following measures,

among others, were taken at the Haveg Plant to reduce or eliminate the risk of occupational disease or personal injury to those employed in the manufacture of asbestos products: 1) masks and respirators were available to be used and were required to be used at times by employees; 2) ventilation systems, dust collecting systems, and vacuum system were installed; 3) changing rooms were built; 4) employees were encouraged not to smoke; 5) films were shown and brochures regarding asbestos and smoking were distributed; 6) safety meetings were held and health evaluations and programs for medical treatment were provided; 7) protective clothing was issued and warnings were issued to employees who violated the safety procedures; 8) warning signs were placed throughout the Haveg Plant; 9) certain areas of the Haveg Plant were isolated or enclosed; and 10) the air at the Haveg Plant was monitored.

Documents relating to these matters were previously produced to plaintiffs' counsel.

INTERROGATORY NO. 28: Describe in full and complete detail each of the activities which you have undertaken with the intention of warning the public of the effects of any product identified in answer to Interrogatory 1 as to the health of the user or general public and give the inclusive dates of each such activity, and:

(a) Identify each individual who participated therein and describe the nature of his participation;

(b) Identify each document which reflects, refers or relates to information pertaining to such warning;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the

information supplied.

ANSWER: Champlain objects to this interrogatory on the grounds that there is no allegation that plaintiff used any Haveg product or was exposed to any asbestos as a result of someone else's use of a Haveg product. The interrogatory therefore seeks information which is not relevant to this action, and it is not reasonably calculated to lead to the discovery of admissible evidence. Without prejudice to that objection, Champlain incorporates herein its response to interrogatory 19.

INTERROGATORY NO. 29: Have you or any of your companies conducted any studies concerning the effects of inhalation of asbestos dust or fibers by one using or being exposed to any of the asbestos materials manufactured by you and/or any of your companies? In answer to this question, please state:

- (a) The date and nature of your studies;
- (b) The name or names of the persons conducting the studies and their address;
- (c) The purpose of the studies;
- (d) The identity of each document which refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain states that as it understands the question the answer is no.

INTERROGATORY NO. 30: Have you or any of your companies conducted any studies designed to minimize or eliminate the inhalation of asbestos dust and fibers by

those exposed to the use of any of the products containing asbestos materials manufactured by you or any of your companies? If so:

- (a) The date and nature of your studies;
- (b) The name or names of the persons conducting such studies and their address;
- (c) State what action, if any, was taken based upon such studies in an effort to minimize or eliminate the effects of inhalation of asbestos dust or fibers upon those using or being exposed to the dust and fiber; contained in such products as manufactured by your company;
- (d) Identify each document which refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 27.

INTERROGATORY NO. 31: What technique, if any, did and/or do you use to make dust samplings in the manufacturing and packaging production environment or at job sites where your materials are used?

- (a) Set forth in detail the technique used, when it was commences and when, if ever, it was concluded;
- (b) State the purpose for administering such samplings;
- (c) State the results of such samplings;
- (d) State what action, if any, has been taken in response to the findings as to thee dust samples;
- (e) Identify each document which refers or relates to such sampling;
- (f) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied;

(g) Identify the living person who has the most knowledge of the matters discussed here in.

ANSWER: Champlain incorporates herein its response to interrogatory 27. Documents relating to this response have already been produced to plaintiffs' counsel.

INTERROGATORY NO. 32: State what, if any, safety measures were taken by you as to your employees, during the processing, manufacturing and packaging of products containing asbestos including but not limited to products that have been distributed to the duPont Company. If any such safety measures were taken, state:

(a) The reason for the use of such measures, equipment or clothing;

(b) Identify each document relating to safety procedures taken by employees or plant personnel in the manufacture, processing and packaging of such products;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information.

ANSWER: Champlain incorporates herein its responses to interrogatories 19 and 27.

INTERROGATORY NO. 33: State:

(a) Knowledge as to any respirator or other breathing device which was on the market during the relevant period which would prevent the inhalation of asbestos dust and fibers;

(b) A detailed description of such respirator or other breathing device, together with all information as to how such device prevents the inhalation of asbestos dust and fibers;

(c) What tests, if any, were conducted, by whom and where, with regard to the effectiveness of any such device;

(d) Identify each document in any defendant's possession which refers or relates to the subject matter of this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain further responds that information responsive to this interrogatory is contained in the documents previously produced to plaintiffs' counsel and the persons who are believed to have the most information regarding respirators are Robert Good, Dudley Barton, and Leon DeBrabander.

INTERROGATORY NO. 34: Have you or anyone on your behalf conducted or had conducted any investigation of the statistical and/or epidemiological relationship between the use of any product identified in answer to Interrogatory No. 1 and the contraction by humans or animals of cancer including, but not limited to, mesothelioma. If so:

(a) Identify each person participating in such investigation;

(b) State when the investigation was conducted;

(c) Identify the person or persons who authorized the investigation;

(d) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(e) As to any information supplied orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain further responds that to its knowledge, no such formal investigation was conducted.

INTERROGATORY NO. 35: Have you or anyone on your behalf conducted or had conducted any investigation of the statistical and/or epidemiological relationship between the use of any product identified in answer to Interrogatory No. 1 and the contraction by humans of pulmonary asbestosis. If so:

(a) Identify each person participating in such investigation;

(b) State when the investigation was conducted;

(c) Identify the person or persons who authorized the investigation;

(d) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(e) As to any information supplied orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 35.

INTERROGATORY NO. 36: Describe in detail all written and oral reports including those reports originating from users of any of the products identified in answer to Interrogatory No. 1, including doctors, and employees and agents of the defendants concerning any relationship between the use of these products and the development of pulmonary asbestosis in humans or animals:

(a) Identify all persons making said reports and to whom said reports were made;

(b) State whether any report or series of reports initiated changes and/or reevaluation of the production, sale or use, or recommendations for use, of any of those products;

(c) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the

information supplied.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain further responds that any such documents including medical and newspaper articles, OSHA regulations, insurance reports and doctors reports, were previously produced to plaintiffs' counsel.

INTERROGATORY NO. 37: Describe in detail all written and oral reports including those reports originating from users of any of the products identified in answer to Interrogatory No. 1, including doctors, employees and agents of the defendants concerning any relationship between the use of any of those products and the development of cancer including, but not limited to, mesothelioma in humans or animals:

(a) Identify all persons making said reports and to whom said reports were made;

(b) State whether any report or series of reports initiated changes and/or reevaluation of the production, sale or use, or recommendations for use, of any of those products;

(c) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 36.

INTERROGATORY NO. 38: For each product identified in answer to Interrogatory No. 1, state whether the production and/or sale of the product has been discontinued and, if so:

(a) State when it was discontinued;

(b) State with specificity and particularity

all the reasons for the discontinuance;

(c) Identify each individual who participated in the decision to discontinue production and/or sale;

(d) Identify all documents which reflect, refer or relate to each such discontinuance;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections and further objects to this interrogatory in that it is overly burdensome to determine when each and every Haveg product containing asbestos was discontinued. Without waiving those objections, Champlain responds that asbestos was no longer used at the Haveg Plant by the time of the sale to Ametek on October 8, 1980.

INTERROGATORY NO. 39: For each product identified in answer to Interrogatory No. 1, state whether the production and/or sale of that product has been limited and/or curtailed or reduced and, if so:

(a) Describe how it was so limited or curtailed or reduced;

(b) State when it was limited, curtailed or reduced;

(c) State with specificity and particularity all of the reasons for the limitation, curtailment or reduction;

(d) Identify each individual who participated in the decision to so limit, curtail or reduce production and/or sale;

(e) Identify each document which reflects, refers or relates to the limitation, curtailment or reduction and/or the decision to implement the limitation, curtailment or reduction;

(f) As to any information received orally in

answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 38.

INTERROGATORY NO. 40: Do you contend that each of the products identified in Interrogatory No. 1 do not or did not create any risk to one who applies or uses the product:

(a) If so, state the factual basis for each such contention;

(b) If not, state:

(i) The degree and kind of risk which is created by such use;

(ii) The conditions under which such risk is created, increased or decreased;

(iii) Identify each document which reflects, refers or relates to your answers to this interrogatory;

(iv) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections. Champlain further objects on the ground that the information sought by this interrogatory is not relevant to this action since there is no allegation that Mr. Derr used or applied any Haveg product. Without waiving those objections, Champlain states that the asbestos products manufactured at the Haveg Plant contained encapsulated asbestos. The potential for exposure to that asbestos, and thus the potential health risk associated with the worker's use of the products, depended, among other things, upon the

amount of and type of alterations done to the product, the length, degree and extent of exposure to any fibers that were released, the safety protection devices used by the worker and also upon the working and living habits and conduct of the worker.

INTERROGATORY NO. 41: Do you contend that it was not your responsibility to warn workers of the risk of harm arising from the use of your product or of the danger of asbestos to their health?

(a) State the factual basis for such response;

(b) Identify each document which reflects, refers or relates to your answers to this interrogatory;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections and further objects on the grounds that the information sought by this interrogatory is not relevant to this action since it is not claimed that Mr. Derr used any Haveg products.

INTERROGATORY NO. 42: Do you contend that it was only the responsibility of the employing company involved, or others, to so warn the workers of the risk of harm arising from the use of your product or of the danger of asbestos to their health?

(a) State the basis for such contention;

(b) Identify which others were so responsible;

(c) Identify each document which reflects, refers or relates to your answer to this interrogatory;

(d) As to any information received orally in answer to this interrogatory, identify each person who sup-

plied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 41.

INTERROGATORY NO. 43: Do you contend that the danger to any plaintiff was not foreseeable at the time the products alleged to have caused his injuries were sold? If so, as to each plaintiff:

(a) State the factual basis for such contention;

(b) Identify each document relied upon in support of such contention;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain states that it was not reasonably foreseeable to Champlain at the times relevant to this suit that a child who was never in the Haveg Plant would be exposed to a dangerous level of asbestos fibers from the Haveg plant due to alleged neighborhood exposure.

INTERROGATORY NO. 44: Do you contend that the danger from the use by plaintiffs of products containing asbestos was obvious? If so, as to each plaintiff:

(a) State the factual basis for such contention;

(b) Identify all documents relied upon in support of such contention;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections and further objects to this interrogatory on the ground that the information sought is not relevant since no party is presently claiming that Mr. Derr used any product containing asbestos.

INTERROGATORY NO. 45: Do you contend that plaintiffs knew, understood and appreciated the danger arising from their contact with your products which contained asbestos? If so, as to each plaintiff:

(a) State the factual basis for such contention;

(b) Identify each document relied upon in support of such contention;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 44.

INTERROGATORY NO. 46: Do you contend that plaintiffs voluntarily and unreasonably exposed themselves to the danger arising from their contact with your products containing asbestos? If so, as to each plaintiff:

(a) State the factual basis for such contention;

(b) Identify each document relied upon in support of such contention;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 44.

INTERROGATORY NO. 47: Do you contend that plaintiffs used any of your products in other than their usual,

customary and expected manner? If so, as to each plaintiff:

(a) State the name and chemical composition of the product claimed to have been used in other than its usual, customary and expected manner;

(b) State in detail the manner in which plaintiffs used said product in other than its usual, customary and expected manner;

(c) Identify each document relied upon in support of such contention;

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 44.

INTERROGATORY NO. 48: With regard to each product identified in answer to Interrogatory No. 1, state whether you have ever been named as a defendant in any other civil action, including Workmen's Compensation Actions, filing of Workmen's Compensation consent agreements, or other proceedings, to recover damages for injuries resulting from pulmonary asbestosis received as a result of using that product and, if so, for each proceeding:

(a) State the name and address of each plaintiff;

(b) State the name and address of each co-defendant;

(c) State the date it was filed;

(d) State the name of the Court in which it was filed;

(e) Describe the judgment rendered;

(f) State the date that has been set for trial of any case still pending;

(g) Describe the terms of any settlement reached before or during trial;

(h) State whether any appeal is pending from any judgment that has been rendered;

(i) State the exact nature of the condition alleged in such action to have resulted from the plaintiffs' use of or contact with said product and identify the product involved;

(j) Identify each document which reflects, refers or relates to any information pertaining to that complaint.

ANSWER: Champlain incorporates herein its general objections. Champlain also objects to this interrogatory on the grounds that it is irrelevant, overly broad, unduly oppressive and not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 49: With regard to each product identified in answer to Interrogatory No. 1, state whether you have ever received a notice of injury to any other person as a consequence of a condition of pulmonary asbestosis or cancer resulting from the use of that product and, if so:

(a) State the date it was received;

(b) State the name and address of the injured person;

(c) Describe in detail the complaint;

(d) Identify each document which reflects, refers or relates to any information pertaining to that complaint;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 48.

INTERROGATORY NO. 50: With regard to each product identified in answer to Interrogatory No. 1, state whether you have ever been named as a defendant in any other action to recover damages for injuries resulting from cancer including, but not limited to, mesothelioma received as a result of using that product and, if so:

- plaintiff;
- (a) State the name and address of each
- defendant;
- (b) State the name and address of each co-
- (c) State the date it was filed;
- was filed;
- (d) State the name of the court in which it
- (e) Describe the judgment rendered;
- (f) State the date that has been set for trial of any case still pending;
- (g) Describe the terms of any settlement reached before or during trial;
- (h) State whether any appeal is pending from any judgment that has been rendered.

ANSWER: Champlain incorporates herein its response to interrogatory 48.

INTERROGATORY NO. 51: With respect to the period from 1950 through 1980, state the names, addresses and company title or position of each person who at any time during that period was in charge of the following activities with regard to each of the products identified in answer to Interrogatory No. 1:

- (a) Production;
- (b) Marketing;
- (c) Labeling;
- (d) Advertising;
- (e) Product evaluation;
- (f) Research and development;
- (g) Distribution.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain states that the Manager of the Haveg Plant, whose

responsibilities would have included some degree of involvement in and responsibility for all of the activities contained in this interrogatory were: P.L. McWhorter (deceased), 1950-1960; J.V. Norris (deceased), approximately 1951-1960; J.M. Ward, 1962-1976 (deceased).

The superintendent or manufacturing manager, whose responsibilities would have included production activities were: R.W. Laird (superintendent), 1950-1952; E. Bryden, 3/64-12/70; J.W. Cregg, 12/70-6/73; E.G. McDowell, 3/75 to 1980.

Leon DeBrabander was in charge of product evaluation, research and development for most of the relevant period.

INTERROGATORY NO. 52: Identify the parties or persons who know of all products containing asbestos sold and/or distributed by you from 1936 to present. Identify all documents which related to such sales and/or distribution.

ANSWER: Champlain incorporates herein its general objections.

INTERROGATORY NO. 53: Have you or has anyone on your behalf attended and/or participated in any conference, seminar, lecture or symposium dealing with the hazards of using any product identified in answer to Interrogatory 1 or of asbestos in general and, if so, state:

(a) The date and place of such conference, seminar, lecture or symposium;

(b) The person or persons conducting such conference, seminar, lecture or symposium;

(c) The person or persons who attended on your behalf;

(d) The subject matter of such conference,

seminar, lecture or symposium;

(e) The speakers and/or moderators at such conference, seminar, lecture or symposium;

(f) Whether any reports or memoranda were made concerning the subject matter of such conference, seminar, lecture or symposium; identifying each such report or memorandum.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain states on information and belief that Mr. Robert Good attended an AIA meeting in Arlington, VA, in 1976 and may have attended similar meetings in 1977 and 1979. He also attended a conference in New York City sponsored by the New York Academy of Science in either 1978 or 1979. It is further believed that Leon DeBrabander and the technicians within his department attended a NIOSH training seminar or conference in the late 60's or early 70's to be educated and trained to conduct dust counts.

In addition, in February 1979, Ed Painter attended a NIOSH seminar in Cincinnati, Ohio dealing with the sampling and evaluation of airborne asbestos.

No presently known formal memoranda or reports were made regarding those conferences; however, it is believed that the information learned was incorporated into the safety policies and procedures at the Haveg Plant.

INTERROGATORY NO. 54: Are you familiar with the hearing concerning the dangers of asbestos conducted in March, 1967 before the House of Representatives of the United States Congress Subcommittee on Labor? If so, identify those persons who are or were associated with you that were familiar with that hearing.

ANSWER: No.

INTERROGATORY NO. 55: State when if at all, you received knowledge of the following publications or matters discussed therein, who received such knowledge and identify all documents relating to such knowledge:

(a) Fleischer, Viles, Gade and Drinker, "A Health Survey of Pipe-Covering Operations in Construction (sic) Naval Vessels," 28 J. Indus. Hyg. 9-16.

(b) Selikoff, et al., "Asbestosis and Neoplasia," 42 Am. J. Med. (1967);

(c) Selikoff, Churg and Hammond, "The Occurrence of Asbestosis Among Industrial Insulation Workers,," 132 Ann. New York Acad. SC. 139 (1965);

(d) "Documentation of the Threshold Limit Values for Substances in Workroom Air," A.C.G.I.H. (3rd 1971);

(e) "Threshold Limit Values for 1961," A.C.G.I.H. (1961).

(f) 1906 report by Dr. Montague Murray.

(g) 1934 study by Dr. Anthony J. Lanza, Ass. Med. Director, Metropolitan Life Insurance Co.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain states that it has no present knowledge of receiving these publications.

INTERROGATORY NO. 56: Identify each publication contained in your research library, or otherwise in your custody, including but not by way of limitation, your Research and Development Center, all medical journals, industrial medical journals, industrial hygiene journals, technical literature in the area of asbestos mining, manufacture, application and use, and Governmental publications, dealing with occupational diseases arising from the manufacture and use of asbestos-containing products. As to all such publications, state the volumes which are in your custody and control, when each such volume was received and the present location of such publications.

ANSWER: Champlain incorporates herein its general

objections. Without waiving those objections, Champlain states that any such publications which were received and retained have been previously produced.

INTERROGATORY NO. 57: As to any threshold limit values published by the American Conference of Governmental Industrial Hygienists, state whether you have brought such information to the attention of those using your products. If you have not done so, state the reasons why you have not done so.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain further states that it does not presently know if any such conversations occurred.

INTERROGATORY NO. 58: Have you been: (a) a member of (b) affiliated in any manner with or (c) received reports or (d) subscribed for reports or publication to the Industrial Hygiene Foundation of Pittsburgh?

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain's response is, no, except that it believes that reports or publications of the Industrial Hygiene Foundation may have been received from time to time.

INTERROGATORY NO. 59: With regard to Interrogatory 58, what years did you participate under (a), (b), (c), or (d)?

ANSWER: Champlain incorporates herein its response to interrogatory 58.

INTERROGATORY NO. 60: With regard to Interrogatory 58, do you have any documents obtained from the Industrial Hygiene Foundation? If so:

- (a) List all such documents;
- (b) Who currently has them in their possession?

(c) When was each received?

(d) State the name of the individuals who received such documents or information contained in such documents.

ANSWER: Champlain does not currently have any such documents and has no further information about them.

INTERROGATORY NO. 61: Have you received any reports or documents prepared by Metropolitan Life Insurance Company from 1929 to about 1960, concerning statistical and other studies of asbestos workers for Johns-Manville? If so, state:

(a) The documents received;

(b) Who received them and when;

(c) The current location of the documents.

ANSWER: No.

INTERROGATORY NO. 62: State all chemical, industrial, medical or trade associations to which you have belonged since 1936.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain states that information responsive to this interrogatory has been previously produced to plaintiffs' counsel.

INTERROGATORY NO. 63: With regard to the associations enumerated in the answer to Interrogatory 62, state:

(a) The names of each individual associated with the answering defendant since that date who have had dealings with each such association;

(b) Describe the nature of their dealings with each such association;

(c) State their last known address;

(d) If still employed, their current job and title.

ANSWER: Champlain incorporates herein its

response to interrogatory 62.

INTERROGATORY NO. 64: Name each corporate officer and/or member of corporate management who attended any meeting and/or conference concerning the health and medical aspects of asbestos and/or the use of products containing asbestos, and for each person identified, state the nature of his participating in each such meeting or conference.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain states that to the best of its present knowledge, no corporate officer or member of corporate management attended any such meetings during the relevant time frame. For the purpose of responding to this interrogatory, Champlain considers the terms corporate officers and corporate management as synonymous.

INTERROGATORY NO. 65: State the sources of all products containing asbestos which have been incorporated in any product manufactured by you which have been distributed, sold and/or utilized from 1945 to 1970.

(a) State the names of all individuals associated with the above stated sources who dealt with or handled your account;

(b) Identify any such document which refers, reflects or relates to any information provided in answer to this interrogatory;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its general objections. Documents containing information regarding suppliers of raw asbestos to the Haveg Plant has been previously provided to plaintiffs' counsel. The individuals from the Haveg Plant who are most knowledgeable regarding

suppliers are Paul Reynier, Dudley Barton and Leon DeBrabander.

INTERROGATORY NO. 66: State the sources of all asbestos which has been incorporated in any product manufactured by you which has been distributed, sold and/or utilized from 1940 through 1979.

(a) State the names of all individuals associated with the above stated source who dealt with or handled your account;

(b) Identify any such document which refers, reflects or relates to any information provided in answer to this interrogatory;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 65.

INTERROGATORY NO. 67: State the names of all individuals associated with you who had any dealings with the requisition and/or procurement of asbestos or products containing asbestos as indicated in answer to interrogatories 65 and 66 and for each such person:

(a) Identify the nature of his association(s) and the dates of their occurrence;

(b) Identify each document which refers, reflects or relates to any information provided in answer to this interrogatory;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: Champlain incorporates herein its response to interrogatory 65.

INTERROGATORY NO. 68: State the names of all individuals who dealt with or handled the account with and/or made any sales to the duPont Company of asbestos and/or products containing asbestos.

(a) Describe in detail the nature and dates of each such association with the said accounts;

(b) Identify each document which refers, reflects or relates to any information provided in answer to this interrogatory.

ANSWER: Champlain incorporates herein its general objections and further objects to this interrogatory on the grounds that it seeks information which is not relevant to this action and it is not reasonably calculated to lead to the discovery of relevant or admissible evidence.

INTERROGATORY NO. 69: Identify each individual whom you expect to call as an expert witness at the trial of this litigation, and for each person identified:

(a) State the substance of the facts and opinions to which he or she is expected to testify and a summary of the grounds for each opinion;

(b) Identify each document referring, relating or containing any such facts and/or opinions and identify each individual having custody of each document identified.

ANSWER: Champlain has not yet made a final decision regarding the expert witnesses which it will call at trial. Champlain further incorporates herein its witnesses identified in its non-medical witness list filed on CLAD.

INTERROGATORY NO. 70: Identify each individual who you have retained or employed or anticipate retaining or employing in any way in preparation of or anticipation of trial in this litigation who is not expected to be called as a witness at trial, and for each such individual:

(a) State the substance of any facts or opinion which he or she has discussed with any agent, employee, or representative of the answering defendant, together with a summary of the grounds for each opinion;

(b) Identify each document referring to or

containing such facts and/or opinions, and identify each person having custody of each document identified.

ANSWER: Champlain objects to this interrogatory on the grounds that it seeks information which is not subject to discovery under the Superior Court Civil Rules.

INTERROGATORY NO. 71: State the names, last known addresses and telephone numbers of each and every person who you intend to call as a witness at the trial of this litigation.

(a) State the substance of any facts or opinion which he or she has discussed with any agent, employee or representative of the answering defendant, together with a summary of the grounds for each opinion;

(b) Identify each document referring to or containing such facts and/or opinions, and identify each person having custody of each document identified.

ANSWER: Champlain objects to this interrogatory on the grounds that it is premature and seeks information which is protected from discovery by the attorney/client privilege and work product doctrine. Trial witnesses will be disclosed in accordance with the schedule issued by the Court.

INTERROGATORY NO. 72: State:

(a) Whether your corporation is insured;

(b) If so, the limits of coverage;

(c) The name of the insurance company;

(d) Whether this claim has been accepted or whether a letter of intent to deny coverage has been received.

ANSWER: Champlain objects to this interrogatory on the grounds that this information has been previously made available to plaintiffs' counsel.

INTERROGATORY NO. 73: In whose possession are your and your predecessors' annual reports from 1940 to the present? Produce such reports.

ANSWER: Champlain incorporates herein its response to Interrogatory No. 72.

INTERROGATORY NO. 74: Describe in detail your policy with respect to the destruction of records pertaining to each of the products identified in answer to Interrogatory 1.

(a) Identify all documents pertaining to your policy, if any, regarding the destruction of such records;

(b) Identify the person or persons having custody of such policy documents;

(c) Identify the person or persons in charge of destroying records pertaining to each such product;

(d) Identify each document which refers, reflects or relates to any information provided in answer to this interrogatory.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain states that there was no known records retention or destruction program at the Haveg Plant and that retention and destruction of records depended upon the department or individual with whom the records were kept.

INTERROGATORY NO. 75: State the names of all individuals who aided in the preparation of these answers, and for each such person, state:

(a) Which interrogatories they helped prepare or the particular subject area for which they supplied information;

(b) Their current position with the company;

(c) Their current or last known home and business address and phone number.

ANSWER: Responses to these interrogatories were

prepared by the undersigned counsel based on available documents as well as records from prior Delaware asbestos litigation.

INTERROGATORY NO. 76: State all processes used by plaintiff's employer, where asbestos was an ingredient.

ANSWER: None are currently known.

INTERROGATORY NO. 77: State all uses of asbestos insulation by plaintiff's employer, known to any defendant.

- (a) Types of asbestos insulation used;
- (b) Manufacturer and/or brand names;
- (c) Locations in said plants where said insulation was used;
- (d) The person most knowledgeable in said corporation about the purchasing of insulation by distributors that covered the states of New Jersey, Delaware, Pennsylvania and Maryland.

ANSWER: None are currently known.

INTERROGATORY NO. 78: If you have insurance including secondary or tertiary coverage, state:

- (a) Policy number and amount;
- (b) Company underwriting said insurance;
- (c) The name of your contact in said company concerning asbestos claims.

ANSWER: Champlain incorporates herein its response to interrogatory 72.

INTERROGATORY NO. 79: State whether you have entered into any agreement, either oral or written, with any other defendant in this action regarding:

- (a) Settlement or non-settlement; and/or
- (b) Allocation of damages, should the plaintiffs prevail on liability.

If the answer is yes to either of the above, state the sub-

stance of each such agreement and such parties who have entered into this agreement:

(a) Identify those persons who participated in the preparation of each such agreement and describe in detail the nature and extent of his participation; and

(b) Identify each document which contains, refers or relates to each such agreement.

ANSWER: This interrogatory is objected to on the basis that it requests information not relevant to the issues in this matter. However, without waiving this objection, the answer is no.

INTERROGATORY NO. 80: Do you or your attorneys know of any person or persons not listed in the preceding answers having knowledge of facts relevant to the allegations in this lawsuit, including witnesses to the accident, injury, illnesses, etc. in question? If yes, please state the names, addresses, home telephone numbers, places of employment, relationship to you, the present whereabouts of all such persons, and which of said persons you intend to produce as witnesses in the trial of this action.

ANSWER: Champlain incorporates herein its response to interrogatory 71. Without waiving those objections, Champlain states that it does not currently know of specific potential witnesses outside of plaintiffs and their family members and doctors and former employees of the Haveg Plant.

INTERROGATORY NO. 81: Do you or your attorneys have any written statements which you have not previously produced in this suit from any persons having knowledge of facts relevant to the subject matter of this lawsuit, including witnesses to the accident, injury, illnesses, etc. in question? If yes, please state the names, addresses, home telephone numbers, places of employment, relationship to you and the present whereabouts of all such persons.

ANSWER: No.

INTERROGATORY NO. 82: State whether you were a

member of the Asbestos Information Association (A.I.A.) or in any manner received information or participated in any of the associations's activities.

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain states that Haveg Inc did receive copies of this organization's monthly newsletter for a short period of time after 1975 and copies have been previously provided to plaintiffs' counsel.

In addition, Champlain incorporates herein its response to interrogatory 53.

INTERROGATORY NO. 83: If your answer to any part of Interrogatory 82 is in the affirmative, please state:

(a) The date, time and places of any A.I.A. meeting attended;

(b) The date of time periods during which you received any publication of the A.I.A.;

(c) The name, address and telephone number of each and every person who attended such meeting and to whom any such publications were sent;

(d) The nature of the information that was furnished at meetings or in such publications;

(e) Name, address and telephone number of the present or last known custodian of any copies of A.I.A. newsletters, correspondence or publications.

ANSWER: Champlain incorporates herein its response to interrogatory 82.

INTERROGATORY NO. 84: State whether you received a publication known as the "Asbestos Magazine".

ANSWER: Champlain incorporates herein its general objections. Without waiving those objections, Champlain states that this publication was received at the Haveg Plant

on a monthly basis from 1973-1980. Copies of these magazines were in the custody of Dudley Barton at the time the first asbestos litigation was instituted in Delaware. Copies have been previously produced to plaintiffs' counsel.

INTERROGATORY NO. 85: If your answer to Interrogatory 84 is in the affirmative, please state:

(a) The date and time periods during which you received such publication;

(b) The frequency of receipt, e.g. regularly, occasionally, rarely, etc.;

(c) The terms, circumstances or requirements or receipt of such publication, e.g., free, by subscription, distributed at meetings, etc.;

(d) Name, address and telephone number of the present or last known custodian of any copies of such magazine.

ANSWER: Champlain incorporates herein its response to interrogatory 84.

INTERROGATORY NO. 86: Does the answering defendant have in its possession any medical records, not previously produced in this case relating to any of the plaintiffs, including, but not limited to, charts, x-rays, physical examination reports, summaries, tape recordings of interviews and any and all other records pertaining to the medical condition of the plaintiffs? If so, plaintiffs request that such records be produced in accordance with Rule 34.

ANSWER: No.

INTERROGATORY NO. 87: With respect to each contention in your response to the Complaint, state the following:

(a) Identify which defense it relates to;

(b) Each fact upon which your contention is based;

(c) The names and present or last known addresses and present or last known employers of all persons

having knowledge of any of the facts set out in answer to subparagraph (b) hereof;

(d) The description or designation of each document which in any way reflects, relates or refers to any of the facts set out in answer to subparagraph (b) hereof.

ANSWER: Not applicable. Champlain also incorporates herein its responses to plaintiffs' interrogatories directed to defendants' affirmative defenses.

INTERROGATORY NO. 88: Other than annual reports produced pursuant to No. 73 above, identify documents which accurately reflect the following information as to the answering defendant for each calendar year since 1940:

(a) Total net worth;

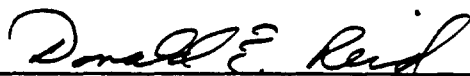
(b) Profits;

(c) Total earnings;

(d) Specific earnings attributed to the manufacture and/or distribution of any products containing asbestos.

ANSWER: Champlain objects to this interrogatory on the grounds that it seeks information which is not relevant to this action and it is not reasonably calculated to lead to the discovery of relevant or admissible evidence.

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