

IN RE:	ALL ASBESTOS-RELATED)	IN THE DISTRICT COURTS OF
	PERSONAL INJURY OR)	
	DEATH CASES FILED OR)	DALLAS COUNTY, TEXAS
	TO BE FILED IN DALLAS)	
	COUNTY, TEXAS)	160TH JUDICIAL DISTRICT
	)	

**W.R. GRACE & CO. - CONN.'S ANSWERS AND OBJECTIONS TO
PLAINTIFFS' MASTER INTERROGATORIES AND REQUESTS
FOR PRODUCTION PROPOUNDED TO DEFENDANT**

GENERAL OBJECTIONS

The following answers are based upon facts known or believed by W. R. Grace & Co. - Conn., formerly known as W.R. Grace & Co., ("Grace-Conn") at the time of answering these interrogatories and requests. Much of the information is sought from many years ago and is, therefore, difficult or impossible to reconstruct or retrieve. Grace-Conn, therefore, reserves the right to amend these answers as and if new or better information becomes available to it or if errors are discovered.

Unless otherwise stated in an answer to a specific interrogatory or request, these answers are limited to products which were manufactured by Grace-Conn and which were used in the commercial construction industry, which had fireproofing, thermal or acoustical insulating properties and contained commercial asbestos, and to products which are used in the commercial construction industry, which have fireproofing, thermal or acoustical insulating properties, and which do not contain commercial asbestos but do contain vermiculite. Products which contain vermiculite may or may not contain trace amounts of naturally occurring asbestiform tremolite. These answers are further limited to the activities of Grace-Conn's Construction Products Division ("CPD") associated with the manufacture and sale of such products in the United States during the relevant time period.

Any reference to the manufacture, sale or distribution of a product by an entity other than Grace-Conn, e.g., by the Zonolite Company, should not be considered an admission that Grace-Conn is liable or responsible for injuries alleged to have resulted from the manufacture, sale or use of such product. Grace-Conn reserves the right to object to the admissibility of all or part of any answer to an interrogatory on this basis.

To the extent that these interrogatories call for information beyond the limitations stated above, an objection is made thereto as being irrelevant, immaterial, overly broad, unduly burdensome, and/or not reasonably calculated to lead to the discovery of



admissible evidence and the answers thereto are privileged and/or protected.

Grace-Conn further objects to these interrogatories insofar as they seek production of any information constituting a trade secret, confidential financial data or other confidential research, development or commercial information.

Grace-Conn further objects to these interrogatories insofar as they seek information which is subject to the attorney-client privilege, which evidences or constitutes attorney work product or which is otherwise not discoverable under the provisions of the Texas Rules of Civil Procedure.

INTERROGATORIES

INTERROGATORY 1

State the name, address, job title, length of time employed by Defendant, and a year-by-year list of all other positions, titles, or jobs held when working for Defendant of each person who has supplied any information used in answering these interrogatories.

ANSWER 1

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence and seeks information which is subject to the attorney-client privilege. Without waiving or in any way limiting this objection or the General Objections interposed above, Grace-Conn states that these answers were prepared with the assistance of many employees and representatives of Grace-Conn, with the assistance and advice of Grace-Conn counsel, retained counsel and their staffs, who, in the course of preparing for these and other cases have interviewed many individuals and have reviewed voluminous records of Grace-Conn.

INTERROGATORY 2

State whether or not you are a corporation. If so, state your correct corporate name, the state of your incorporation, the address of your principal place of business, the name and address of the person or entity authorized to accept service of process on your behalf, and whether or not you have ever held a Certificate of Authority to do business in the State of Texas.

ANSWER 2

Yes. W. R. Grace & Co.-Conn; Connecticut; One Town Center Road, Boca Raton, Florida 33486; Prentice - Hall Corporate

System, Inc., the address of which is a matter of public record equally available to plaintiffs as to Grace-Conn; Grace-Conn is authorized to do business in every state.

INTERROGATORY 3

Has Defendant or any of its predecessor or subsidiary companies at any time engaged in the mining and subsequent sale of material containing asbestos fibers? If so, identify the location of the mine(s), the years of its operation, the type of asbestos mined and whether you sold any asbestos to any Defendants in the Dallas County asbestos litigation.

ANSWER 3

See the General Objections interposed above. Without waiving or in any way limiting its objections, Grace-Conn states it has never mined or milled commercial asbestos. The Superior Asbestos Company was formed by the Zonolite Company to conduct a pilot project in 1962, prior to Grace-Conn's acquisition of Zonolite, to evaluate the possibility of commercial use of the tremolite in the Libby vermiculite deposits. The Superior Asbestos Company made no sales of raw asbestos and was dissolved in 1964 or 1965.

Further answering, Grace-Conn states that it has in the past, and continues in the present, to mine vermiculite which may or may not contain trace amounts of naturally occurring asbestiform tremolite. Vermiculite is subjected to processes which leave only trace amounts of tremolite, if any amount at all, in finished products that contain vermiculite. Grace-Conn states that, to the best of its knowledge, it did not sell asbestos to any co-defendants in the Dallas County asbestos litigation.

INTERROGATORY 4

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time manufactured or sold.

ANSWER 4

Subject to the General Objections interposed above, Grace-Conn states see Product Appendix Nos. 1-35(a).

INTERROGATORY 5

Identify by name each product containing asbestos fibers that Defendant or any of its predecessor or subsidiary companies at any time marketed or sold.

ANSWER 5

Subject to the General Objections interposed above, Grace-Conn states see Product Appendix Nos. 1-35(a).

INTERROGATORY 6

If the answer to one or more of the last three interrogatories is in the affirmative or lists any products, state as to each named product the following:

- A. As to each product, state whether such product was mined, manufactured, marketed, and/or sold.
- B. The names of the companies mining, manufacturing, marketing, and/or selling each product and mined, manufactured, marketed, and/or sold.
- C. The trade or brand name of each of those products mined, manufactured, marketed and/or sold.
- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product and the percentage of asbestos put in each product.
- F. The date each of the products was removed from the market and no longer sold or distributed and the reason or reasons therefor.
- G. The date asbestos was removed from such products, if ever, and the reasons therefor.
- H. A description of the physical appearance of each of the named products.
- I. A detailed description of the intended uses of the named products.
- J. Identify the last year that you sold each asbestos-containing product.

ANSWER 6

- a. Subject to the General Objections interposed above, Grace-Conn states that all of the products in the Product Appendix were manufactured, marketed, and sold.
- b. See the Product Appendix Nos. 1-35(b).
- c. See the Product Appendix Nos. 1-35(a).
- d. See the Product Appendix Nos. 1-35(c).

- e. See the Product Appendix Nos. 1-35(d).
- f. See the Product Appendix Nos. 1-35(e & f).
- g. See the Product Appendix Nox. 1-35(k).
- h. See the Product Appendix Nos. 1-35(g).
- i. See the Product Appendix Nos. 1-35(h).
- j. See the Product Appendix Nos. 1-35(e).

INTERROGATORY 7

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the design, preparation, or introduction into the market of the products listed in Interrogatory No. 6 still exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where the documents are currently located.

ANSWER 7

Grace-Conn objects to this interrogatory on the grounds that it is vague and ambiguous in that the phrase "design, preparation, or introduction into the market" is undefined and subject to various interpretations. Subject to this objection and to the General Objections interposed above, Grace-Conn states that relevant, non-privileged, non-trade secret documents containing information responsive to this interrogatory will be made available to the plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 8

Before distributing, selling, or placing the products listed in your responses to Interrogatory Nos. 3-6 into the streams of commerce, were any tests conducted to determine potential health hazards involved in the use of, or exposure to, the materials such as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products tested and the date of each test.

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- B. The name, address, and job title of each person conducting the tests or involved with conducting the tests.
- C. The results of the tests.

ANSWER 8

Grace-Conn objects to the interrogatory on the grounds that it is vague and ambiguous in that the phrase "potential health hazards" is undefined and subject to various interpretations. Without waiving this objection or the General Objections interposed above, Grace-Conn states not to its knowledge.

INTERROGATORY 9

Do any documents, including but not limited to written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the testing of the products referred to in Interrogatory No. 6 now exist? If so, state:

- A. A description of each such document.
- B. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER 9

Subject to the General Objections interposed above, Grace-Conn states that relevant, non-privileged, non-trade secret documents responsive to this interrogatory will be made available to the plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 10

Did Defendant or any of its predecessor or subsidiary companies make any design changes or modifications as a result of those tests described in responses to Interrogatory No. 8? If the answer is affirmative, state:

- A. The trade names of the products changed.
- B. The nature of the changes made and the date of such changes or modifications.
- C. The name, address, and job title of each person responsible for having caused a change to be made, or having made a change or modification.

ANSWER 10

Grace-Conn objects to this interrogatory on the grounds that it is vague and ambiguous in that the term "design changes" is undefined and subject to various interpretations and the phrase "those tests" lacks a referent.

INTERROGATORY 11

After releasing the products listed in Interrogatory No. 6 to the public, were any tests conducted on them to determine potential health hazards resulting from the use of or exposure to the materials, such as asbestos, contained in those products? If the answer is affirmative, state:

- A. The names of the products tested and the dates of such tests.
- B. The name, address, and job title of each person who conducted those tests.
- C. The results of those tests.
- D. Whether, as a result of the tests, any products were removed from the market.
- E. The names of all products removed from the market as a result of these tests.

ANSWER 11

Grace-Conn objects to the interrogatory on the grounds that it is vague and ambiguous in that the phrase "potential health hazards" is undefined and subject to various interpretations. Without waiving this objection or the General Objections interposed above, Grace-Conn states not to its knowledge.

INTERROGATORY 12

Do any documents, including written memoranda, specifications, recommendations, blueprints, or other written materials of any kind or character, relating to the potential health hazards of the products listed in Interrogatory No. 6 now exist? If so, state:

- A. The name of each product.
- B. A description of each document and how it relates to each product.
- C. The name, address, and job title of each person who currently has possession of each document, and where it is presently located.

ANSWER 12

Subject to the General Objections interposed above, Grace-Conn states that relevant, non-privileged, non-trade secret documents containing information responsive to this interrogatory will be made available to plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 13

Did Defendant or any of its subsidiary companies make any design changes as a result of the tests discussed in your response to Interrogatories No. 10 or 13? If the answer is affirmative, state:

- A. The names of the products changed or modified.
- B. The name, address, and job title of each person responsible for having made a change or modification.
- C. The nature of the hazard or defect which resulted in such change or modification.

ANSWER 13

Grace-Conn is unable to answer this interrogatory because it does not understand the reference to interrogatories 10 and 13.

INTERROGATORY 14

Has Defendant or any of its predecessor or subsidiary companies at any time published or distributed any printed material, including brochures, pamphlets, catalogs, packaging or other written material or any kind or character containing any warnings concerning the possibility of injury resulting from the use of the asbestos-containing products listed in Interrogatory No. 6? If so, state:

- A. The names of each relevant product.
- B. The exact wording of each warning statement on each printed material.
- C. A description of the printed material other than the warning statement.
- D. The method used to distribute the warning to persons likely to use the product.
- E. The date each warning was first issued, distributed, or placed on packaging.

- F. The name, address, and job title of each person responsible for having drafted or issued the warning.
- G. The current location of any such printed material and the custodian thereof.
- H. The form in which such literature or printed material can be accessed, i.e., the manner in which such literature is indexed or stored.

ANSWER 14

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence as it is not limited as to caution, time periods, locations, etc. Grace-Conn further objects to this interrogatory on the grounds that it is vague and ambiguous in that terms such as "warning" are undefined and subject to various interpretations. Grace-Conn further objects to this interrogatory on the grounds that it improperly implies that Grace-Conn's products presented a hazard to users. Subject to these objections and to the General Objections interposed above, Grace-Conn states that no warnings were placed on the packaging of its products that contained commercial asbestos. Grace-Conn further states that no warnings were placed directly on any of its products. Grace-Conn had sales brochures for most of its products. Further answering, Grace-Conn states that the 1970 Grace-Conn brochure published in Sweet's Catalog of 1971 contained the following paragraphs:

"POLLUTION AND HEALTH: Because of the constantly changing conditions involving fireproofing and its relation to pollution and health, we recommend that you contact your Zonolite sales office for the latest data on these subjects. Recent tests at Underwriters Laboratories, Inc. have provided some fire-ratings on an asbestos-free formula Mono-Kote. Other tests and ratings will follow."

"Existing formulations of Mono-Kote contain minimal amounts of asbestos which are locked in during the mixing process. Mono-Kote is wet mixed, pumped and sprayed, and hardens to a cementitious mass. Job-site tests show air fiber counts well below occupational Threshold Limit values proposed by government bodies."

In addition, Grace-Conn states with regard to its vermiculite products that beginning in 1976, in the form of Material Safety Data Sheets it notified customers of the need to wear NIOSH/MESA-approved respirators when threshold limit values were exceeded.

Also starting in 1976 or 1977, Grace-Conn affixed a caution regarding nuisance dust to the packaging of its vermiculite products. This caution read:

CAUTION
AVOID CREATING DUST
BREATHING DUST MAY BE HARMFUL TO YOUR HEALTH
USE WITH ADEQUATE VENTILATION
OR WITH RESPIRATORY PROTECTION

Relevant, non-privileged and non-trade secret documents containing information responsive to this interrogatory will be made available to the plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 15

Before 1970, had you received notice that any individual or individuals, other than those Plaintiffs who have filed personal injury actions in Dallas County, Texas, is or are claiming or has or have claimed an injury as a result of using asbestos products manufactured and/or sold by your company or any of its predecessors or subsidiaries before 1970? If so, state:

- A. The name and address of each claimant.
- B. The date of notice of each claim.
- C. A description of the claim.
- D. The type of injuries allegedly sustained.
- E. The name and address of each attorney who represents each individual making a claim.
- F. The style and court number of each claim.
- G. The disposition of each claim that has been settled or taken to judgment.

ANSWER 15

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to this objection and the General Objections interposed above, Grace-Conn states no.

INTERROGATORY 16

Were your asbestos products distributed, market, packaged, labeled and/or sold by companies other than your own? If the

answer is affirmative, list the names and addresses of each of those companies, and the products in question.

ANSWER 16

Grace-Conn states the products in the Product Appendix were generally sold directly to end users by sales personnel based in offices at manufacturing plant locations. Further answering, Grace-Conn states that once it sold its product to a customer, it did not monitor whether or not the customer resold the product. While Grace-Conn generally marketed its products for sale to "end use" customers, it did not have a policy forbidding the sale of its products to customers who might resell the products.

INTERROGATORY 17

Did you or any of your predecessors, successors, or subsidiaries have any distributors or sales representatives of asbestos products in the States of Alabama, Florida, Mississippi, Oregon, Washington, Georgia, Tennessee, Texas and Virginia? If so, state:

- A. The name and address of each such distributor or sales representatives.
- B. The years in which such company or person distributed, marketed, or sold your products.
- C. What products were distributed, marketed, or sold and in what years.

ANSWER 17

Subject to the General Objections interposed above, Grace-Conn states that it had licensing/distribution agreements with the Texas Vermiculite Company; Southwest Vermiculite Co.; Southern Zonolite Company; Vermiculite-Northwest, Inc.; and Vermiculite Products, Inc.; covering, at least in part, the listed states. The Southern Zonolite Company merged into the Zonolite Company in 1956. Grace-Conn states that it acquired a majority of the shares of Texas Vermiculite Company and a minority of the shares of Vermiculite-Northwest, Inc. as a result of its acquisition of the assets of the Zonolite Company in 1963. In 1966, Grace-Conn acquired the remainder of the shares of Vermiculite-Northwest, Inc. and that company was dissolved by December 31, 1969. In 1975, Grace-Conn acquired the remainder of the shares of Texas Vermiculite Company and that company was dissolved.

INTERROGATORY 18

List each employee (including only physicians and/or hygienists) who has acted in a medical advisory capacity to your company at any time during the past 40 years, including, but not limited to, physicians and industrial hygienists, and the current address, telephone number and job title of each of those individuals and who has, had or may have had any knowledge regarding the hazards of asbestos.

ANSWER 18

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to this objection and to the General Objections interposed above, Grace-Conn states that since 1982 it has employed Jerry H. Berke, M.D., who reports to Harry A. Eschenbach, Director of Health, Safety and Toxicology. Prior to that, Grace-Conn had no physicians in its employ and had always used outside physicians on a fee-for-service basis with a minimum of one physician being used at each plant, although some plants used many more. Grace-Conn also states that from 1977 to 1982 it employed Dr. Harold H. Borgstedt, University of Rochester Medical School, Rochester, New York, as a consultant relating to toxicology and related medical matters.

Further responding, Grace-Conn states that in the office of Health, Safety & Toxicology of the Grace Specialty Chemicals at 55 Hayden Avenue, Lexington, Massachusetts 02173, Harry A. Eschenbach was employed as a safety engineer in 1971. In 1977, he was made director of the office. In 1986, Larry Park was hired as an industrial hygienist. He left Grace-Conn in December 1988. In 1975, Thomas E. Hamilton was made a safety engineer and in 1977, he became an industrial hygienist. He worked for Grace-Conn until January 1987. From 1981 to February 1986, Paul M. Connor was employed as an Industrial Hygienist. Further answering, the Environmental/Health Department of Grace-Conn employed Stephen Venuti, who became a certified industrial hygiene technologist in June 1984, and Marlana Fox, an industrial hygienist who was hired in September 1985. Venuti left Grace-Conn in 1989. Fox left Grace-Conn in 1990. John Henningson and David Curreri were hired as assistant industrial hygienists in 1986 and are currently industrial hygienists. The hygienists' duties are to recognize, evaluate and control workers' exposure to chemical and physical agents.

INTERROGATORY 19

Does Defendant have in its possession any books, pamphlets, memoranda, or written materials of any kind or character that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human being? If so, state:

- A. The name of each such publication.
- B. The date of publication and the names of the author and publisher (if any).
- C. The date received by Defendant, if known.
- D. The name, job title, and address of each person who currently has possession of each publication and its present location.

ANSWER 19

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections and the General Objections interposed above, Grace-Conn states that relevant, non-privileged, non-trade secret documents will be made available to plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 20

Has Defendant or any of its subsidiary or predecessor companies at any time been a member of any trade organization or association that published or disseminated any documents or information relating to the hazards of asbestos comprised of other manufacturers, miners, marketers, and/or sellers of asbestos products? If so, state:

- A. The name and address of each such association or organization.
- B. The dates during which Defendant or any of its subsidiaries or predecessors were members.
- C. The name and dates of any publications, minutes, or reports published, written, or disseminated by any of the named associations or organizations.
- D. Whether any of those publications are still in your possession, and if so:
 - 1. A description of the publications, including the date.
 - 2. The current location of such publications.
 - 3. The custodian of such publication.

4. The method or manner in which such publications are maintained.

ANSWER 20

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence. Subject to this objection and the General Objections interposed above, Grace-Conn states that it has attended annual meetings of the Asbestos Information Association since approximately 1977. Further answering, Grace-Conn has been a member of the Perlite Institute from 1968 to the present, a sustaining member of the American Industrial Hygiene Association since 1976, and a member of the American Industrial Health Council since 1978. Grace-Conn has been a member of the Association of Walls and Ceilings International since the 1970's, a member of the Vermiculite Institute from 1963 to 1971, a member of the Exterior Insulation Manufacturers Association since 1984, a member of the Safe Building Alliance since the spring of 1984, a member of the Committee for Equitable Compensation since the summer of 1987, a member of the Vermiculite Association since 1988, and is a member of the Construction Products Manufacturers Council.

Grace-Conn further states that relevant, non-privileged, non-trade secret documents containing information responsive to this interrogatory will be made available to plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 21

Identify by name and location each plant or manufacturing facility in which the products listed in your answers to Interrogatory Nos. 3-6 were manufactured, assembled, or prepared for sale or marketing, specifying which plants produced each item, the dates each plant is or was in operation, and the time span during which each named item was produced or manufactured.

ANSWER 21

See the Product Appendix Nos. 1-35(1).

INTERROGATORY 22

Have printed sales materials been prepared by Defendant or any of its subsidiary or predecessor companies or their agents for purposes of marketing or advertising products containing asbestos? If so, state:

- A. The name, address, and job title of each person or entity who prepared such materials.

- B. The name, address, and job title of each person who currently has possession of such materials and their present location.
- C. The date the materials were prepared.
- D. The media used to disseminate the sales materials.

ANSWER 22

Subject to the General Objections interposed above, Grace-Conn states that relevant, non-privileged, non-trade secret documents containing information responsive to this interrogatory will be made available to plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 23

Have any written or printed materials or instructions of any kind or character been prepared by Defendant or any of its subsidiary or predecessor companies or their agents indicating how asbestos products should be used and maintained? If so, state:

- A. The name, address, and job title of each person who prepared such materials or instructions or assisted in their preparation.
- B. The name, address and job title of each person who currently has possession of such materials or instructions and their present location.
- C. The dates of distribution or use and the manner in which such materials or instructions were distributed to purchasers of Defendant's products or those of its subsidiaries or predecessors.
- D. The year each such written material or instruction was prepared and disclosed to potential consumers.

ANSWER 23

Subject to the General Objections interposed above, Grace-Conn states that it has brochures for the products listed in the Product Appendix. Relevant, non-privileged, non-trade secret documents containing information responsive to this interrogatory will be made available to plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 24

Does Defendant have insurance policies that might cover the claims made by Plaintiffs in these cases? If so, list the name of each insurance carrier, the amount of initial coverage, amount of coverage remaining at the present time, and the effective dates of each policy. (If properly answered, this Interrogatory need not be supplemented as to the remaining amount of coverage).

ANSWER 24

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objections, Grace-Conn states that it has identified at least five primary insurance carriers that sold policies that Grace-Conn contends provide coverage for claims in its asbestos-related personal injury cases. Each of these insurance carriers, with the exception of the Continental Casualty Company, has either denied coverage or has accepted coverage under a reservation of rights. Furthermore, Grace-Conn has not yet completed the research on its insurance coverage history. As a result, Grace-Conn cannot be certain at this time about the nature and extent of its insurance coverage. However, to the extent that insurance coverage information is available, Grace-Conn states that the following policies might provide coverage:

Maryland Casualty Company

- | | |
|---------------------------|--|
| 1. Name insured: | W. R. Grace & Co. |
| Type: | Comprehensive General Liability |
| Policy Number: | 96-224900 |
| Policy Period: | 6/3/0/63-6/30/64 |
| Applicable Policy Limits: | \$1,000,000 each accident
\$1,000,000 aggregate |
| 2. Named insured: | W. R. Grace & Co. |
| Type: | Comprehensive General Liability |
| Policy Number: | 96-243400 |
| Policy Period: | 6/30/64-6/30/65 |
| Applicable Policy Limits: | \$1,000,000 each accident
\$1,000,000 aggregate |

3. Name insured: W. R. Grace & Co.
Type: Comprehensive General Liability
Policy Number: 96-257400
Policy Period: 6/30/65-6/30/66
Applicable Policy Limits: \$1,000,000 each accident
\$1,000,000 aggregate
4. Name insured: W. R. Grace & Co.
Type: Comprehensive General Liability
Policy Number: 96-269500
Policy Period: 6/30/66-6/30/67
Applicable Policy Limits: \$1,000,000 each accident
\$1,000,000 aggregate
5. Name insured: W. R. Grace & Co.
Type: Comprehensive General Liability
Policy Number: 31-278301
Policy Period: 6/30/67-6/30/70
Applicable Policy Limits: \$1,000,000 each accident
\$1,000,000 aggregate
6. Name insured: W. R. Grace & Co.
Type: Comprehensive General Liability
Policy Number: 31R-911051
Policy Period: 6/30/70-6/30/73
Applicable Policy Limits: \$1,000,000 each accident
\$1,000,000 aggregate

Continental Casualty Company

1. Named insured: W. R. Grace & Co.
Type: Comprehensive General Liability
Policy Number: CCP 902-3670
Policy Period: 6/30/73-6/30/76
Applicable Policy Limits: \$1,000,000 per occurrence
\$2,000,000 aggregate
2. Named insured: W. R. Grace & Co.
Type: Comprehensive General Liability
Policy Number: CCP 248-3440
Policy Period: 6/30/76-6/30/82
Applicable Policy Limits: \$1,000,000 per occurrence
\$2,000,000 aggregate

3. Named insured: W. R. Grace & Co.
Type: Comprehensive General
Liability
Policy Number: CCP 248-3440
Policy Period: 6/30/82-6/30/85
Applicable Policy Limits: \$1,000,000 per occurrence
\$4,000,000 aggregate
4. Named insured: W. R. Grace & Co.
Type: Comprehensive General
Liability
Policy Number: CCP 248-3440
Policy Period: 6/30/85-6/30/86
Applicable Policy Limits: \$3,000,000 per occurrence
\$10,000,000 aggregate

Royal Indemnity Company

1. Named insured: Zonolite Company
Type: Comprehensive General
Liability
Policy Number: RLG 12735
Policy Period: 3/31/50-3/31/53
Applicable Policy Limits: Unknown
2. Named insured: Zonolite Company
Type: Comprehensive General
Liability
Policy Number: RLG 27635
Policy Period: 3/31/53-3/31/54
Applicable Policy Limits: \$100,000 per accident/
occurrence
\$200,000 aggregate
3. Named insured: Zonolite Company
Type: Comprehensive General
Liability
Policy Number: RLG 31840
Policy Period: 3/31/54-4/1/55
Applicable Policy Limits: \$100,000 per accident/
occurrence
\$200,000 aggregate
4. Named insured: Zonolite Company
Type: Comprehensive General
Liability
Policy Number: RLG 035805
Policy Period: 4/1/55-4/1/56
Applicable Policy Limits: \$100,000 per accident/
occurrence
\$200,000 aggregate

5. Named insured: Zonolite Company
Type: Comprehensive General
Liability
Policy Number: RLG 045762
Policy Period: 4/1/56-4/1/57
Applicable Policy Limits: Unknown
6. Named insured: Zonolite Company
Type: Comprehensive General
Liability
Policy Number: RLG 045836
Policy Period: 4/1/57-4/1/58
Applicable Policy Limits: Unknown
7. Named insured: Zonolite Company
Type: Comprehensive General
Liability
Policy Number: RLG 053959
Policy Period: 4/1/58-4/1/59
Applicable Policy Limits: Unknown
8. Named insured: Zonolite Company
Type: Comprehensive General
Liability
Policy Number: RLG 021629
Policy Period: 4/1/59-4/1/60
Applicable Policy Limits: Unknown
9. Named insured: Zonolite Company
Type: Comprehensive General
Liability
Policy Number: RLG 621620
Policy Period: 4/1/60-4/1/61
Applicable Policy Limits: Unknown
10. Named insured: Zonolite Company
Type: Comprehensive General
Liability
Policy Number: RLG 021621
Policy Period: 4/1/61-4/1/62
Applicable Policy Limits: Unknown
11. Named insured: Zonolite Company
Type: Comprehensive General
Liability
Policy Number: Unknown
Policy Period: 4/1/62-4/1/63
Applicable Policy Limits: Unknown

12. Named insured: Zonolite Company
Type: Comprehensive General
Liability
Policy Number: LU 1731-62
Policy Period: Expired 5/26/68
Applicable Policy Limits: Unknown

General Insurance Company of America

1. Named insured: Vermiculite-Northwest, Inc.
Type: Blanket Liability
Policy Number: BLP 270815
Policy Period: 6/1/66-6/1/67
Applicable Policy Limits: \$250,000

Aetna Casualty And Surety Co.

1. Named insured: Ari-Zonolite Company
Type: Comprehensive General
Liability
Policy Number: 33 AL 84357CC
Policy Period: Expired 1/01/70
Applicable Policy Limits: Unknown

2. Named insured: Ari-Zonolite Company
Type: Comprehensive General
Liability
Policy Number: 33 AL 053762
Policy Period: Policy in force in 1967
Applicable Policy Limits: Unknown

3. Named insured: Western Mineral Products
Type: Comprehensive General
Liability
Policy Number: 37 AL 011243
Policy Period: Policy in force in 1966
Applicable Policy Limits: Unknown

4. Named insured: California Zonolite Company
Type: Comprehensive General
Liability
Policy Number: 33 AL 051406CC
Policy Period: Expired 12/30/66
Applicable Policy Limits: Unknown

INTERROGATORY 25

As to the disease asbestosis, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant became aware of the existence of the disease.
- C. Who within the company first discovered, recognized or understood the adverse consequences or effects of the disease and/or of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form.
- F. Who is the custodian of such information.
- G. The date on which you first received knowledge or information that asbestosis was caused by inhalation of asbestos fibers.

ANSWER 25

Grace-Conn states that this interrogatory is vague and ambiguous in that it lacks sufficient specificity regarding type of asbestos, and the level, duration, nature, and manner of exposure. Further, this interrogatory calls for an expert opinion.

INTERROGATORY 26

As to the disease lung cancer, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned that such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and its relationship to asbestos exposure.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.

- E. Whether any such information is still maintained by Defendants or its subsidiaries or predecessors in a written form.
- F. Who is the custodian of such information.
- G. The date on which you first received knowledge or information that lung cancer was caused by inhalation of asbestos dust and fibers.

ANSWER 26

See the answer to Interrogatory No. 25, above.

INTERROGATORY 27

As to pleural disease, pleural thickening or pleural plaques, state:

- A. The date on which Defendant or its subsidiary or predecessor learned such disease was caused by inhalation of asbestos fibers by humans.
- B. How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- C. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- D. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- E. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- F. Who is the custodian of such information.

ANSWER 27

Grace-Conn objects to this interrogatory as vague and ambiguous in that the term "pleural disease" is undefined and subject to various interpretations. Further responding, Grace-Conn states see the answer to Interrogatory 25, above.

INTERROGATORY 28

As to the disease mesothelioma, state:

- A. The date on which Defendant or its subsidiary or predecessor first learned such disease was caused by inhalation of asbestos fibers by humans.
- B. The date on which Defendant first suspected that mesothelioma was caused by inhalation of asbestos dust and fibers.
- C. How Defendant or its subsidiary or predecessor became aware of the disease and that it was caused by exposure to asbestos.
- D. Who within the company or its subsidiary or predecessor first discovered or recognized the adverse consequences or effects of asbestos exposure.
- E. What information was disseminated within Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendants or its subsidiary or predecessor in a written form.
- G. Who is the custodian of such information.
- H. Whether Defendant agrees that there is no known medical cure for mesothelioma.

ANSWER 28

See the answer to Interrogatory No. 25, above.

INTERROGATORY 29

As to gastro-intestinal cancer, laryngeal cancer, pharyngeal cancer or lymphatic cancer, state:

- A. The type of cancer and the date on which Defendant or its subsidiary or predecessor first learned that such diseases were caused by inhalation of asbestos fibers by humans.
- B. What cancers has the Defendant or its subsidiary or predecessor become aware can be caused by exposure to asbestos fibers?
- C. The date on which Defendant first suspected other cancers were caused by asbestos inhalation.
- D. Who within the company or its subsidiary or predecessor first discovered the adverse consequences or effects of asbestos exposure.

- E. What information was disseminated with Defendant's company or its subsidiary or predecessor regarding such adverse consequences or effects.
- F. Whether any such information is still maintained by Defendant or its subsidiary or predecessor in a written form.
- G. Who is the custodian of such information.

ANSWER 29

See the answer to Interrogatory 25, above.

INTERROGATORY 30

Does Defendant contend that asbestos products can be manufactured or designed so as to eliminate all potential health hazards to persons working with or exposed to them? If the answer is affirmative, explain in detail, and attach any studies or surveys on which this answer is based.

ANSWER 30

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence. Grace-Conn further objects to this interrogatory on the grounds that it is vague and ambiguous in that it lacks specificity in many ways, including the time period, the amount and type of asbestos, the method of manufacture, whether other materials are included in the composition of the products and whether materials to bind and/or encapsulate asbestos fibers are included.

INTERROGATORY 31

Describe in detail the types of packages or packaging which Defendant or any of its subsidiary or predecessor companies used for asbestos material or products, listing the dates each type of package was used, a physical description of each type of package, and providing a description of any printed material or trademarks that appeared thereon.

ANSWER 31

Subject to the General Objections interposed above, Grace-Conn states see the Product Appendix Nos. 1-35(j). Further responding, Grace-Conn states that, to the extent that they exist, relevant, non-privileged, non-trade secret documents containing information responsive to this interrogatory will be made available to plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 32

Has Defendant or any of its subsidiary or predecessor companies at any time entered into a "rebranding" agreement with any other company, either as buyer or seller, concerning asbestos materials or asbestos products? If so, state, as to each such agreement:

- A. The name of the company manufacturing the asbestos products.
- B. The trade name affixed to those products.
- C. The periods of time covered by each such agreement.
- D. The volume, in dollar amount, of each transaction.
- E. The initial purchaser of the products.

ANSWER 32

Subject to the General Objections interposed above and interpreting "asbestos materials" to mean "asbestos containing products", Grace-Conn states no.

INTERROGATORY 33

List the name and address of each company from which Defendant or its subsidiary or predecessor purchased materials or asbestos products which Defendant sold or distributed in any form, stating the form of the materials, the dates of such purchases, and the ultimate disposal of such materials.

ANSWER 33

Intrepreting "asbestos materials" to mean "asbestos containing products", Grace-Conn states not applicable.

INTERROGATORY 34

Does Defendant or any of its subsidiaries or predecessor currently have possession of any writings or contracts on those rebranding agreements set forth in the answer to Interrogatory No. 32? If the answer is affirmative, state:

- A. The name, address, and job title of each person having custody of each of those documents and their current location.
- B. A brief description of each such document, including the dates and the parties signatory.

ANSWER 34

Not applicable.

INTERROGATORY 35

Prior to 1968, did any person file a claim against a Worker's Compensation carrier covering Defendant or any of its subsidiaries or predecessors alleging that he/she contracted a disease from inhaling asbestos fibers? If so, provide:

- A. A list of the claim, including each claimant's name, address and the date each claim was filed, and including the caption and jurisdiction of the claim.
- B. The disease alleged in each such claim.
- C. A brief summary of the disposition of each such claim.
- D. The name, address and title of the person having custody of the records pertaining to each such claim.

ANSWER 35

Grace-Conn objects to this interrogatory on the grounds that none of the plaintiff or decedent workers were employees of Grace-Conn and, therefore, this interrogatory is irrelevant, immaterial and seeks information not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections and to the General Objections interposed above, Grace-Conn states that in 1955 an employee, possibly named Weismantle, of the California Zonolite Company, in its Sacramento, California plant, filed a claim with the State Compensation Insurance Fund in California for disability allegedly because of asbestosis. No further information is known about this possible claim. In providing this information about the California Zonolite Company, Grace-Conn does not admit that the knowledge or activities of that company are in any way imputable to Grace-Conn. Other worker's compensation claims prior to 1968 are as follows:

- a.
 - 1. William Locke; December, 1965; California.
 - 2. Lilas Welch; April 1967; Montana.
 - 3. Frank G. Alviderez; September 15, 1967; California.
 - 4. Herman Hermesen; September 11, 1967; Montana.
 - 5. Eddie Manuel; March 1967; California.
 - 6. Johnnie Lee Pace; 1966; Michigan.
 - 7. Donald Zak; 1964; Minnesota.
- b.
 - 1. Lung Condition.
 - 2. Asbestosis.
 - 3. Lung Condition.
 - 4. Asbestosis.

5. Lung Condition.
 6. Occupational Disease.
 7. Occupational Disease.
- c.
1. settlement.
 2. settlement.
 3. closed; no payment.
 4. closed; no payment.
 5. unknown.
 6. settlement.
 7. unknown.
- d. Grace-Conn states that Arthur D'Errico is the custodian of the records.

In providing this information about claims resulting from the activities of the California Zonolite Company and the Western Mineral Products Company, Grace-Conn does not admit that the knowledge or activities of those companies are in any way imputable to Grace-Conn.

INTERROGATORY 36

Did Defendant or any of its subsidiaries or predecessors maintain written minutes of corporate meetings, either board of directors, departmental, or otherwise, which reflect discussions pertaining to any subject matter related to asbestos, asbestos health hazards or asbestos products? If so, for each such set of minutes, state:

- A. The dates of each such meeting.
- B. The general subject matter discussed at each meeting.
- C. Who was in attendance at each meeting.
- D. Where and by whom the written minutes are presently maintained.
- E. By whom the minutes were taken and put into final format.
- F. Whether the minutes were abstracted and reports disseminated to other individuals, and if so, the names and job titles of those individuals.

ANSWER 36

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections and the General

Objections interposed above, Grace-Conn states that to the extent that they exist, relevant, non-privileged and non-trade secret documents containing such information will be made available to the plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 37

Do you or any of your subsidiaries, including foreign business entities, currently manufacture any products containing asbestos? If so, state:

- A. As to each product, whether such product is mined, manufactured, and/or marketed or sold.
- B. The names and addresses of the companies mining, manufacturing, marketing, and/or selling each of those products.
- C. The trade or brand name of each of those products mined, manufactured, marketed, and/or sold.
- D. The date each of the named products was placed on the market.
- E. A description of the physical (chemical) composition of each of the named products, including the type of asbestos contained in the product.
- F. A description of the physical appearance of each product and its packaging.
- G. A detailed description of the intended uses of each of the named products.
- H. Whether there are any warning labels on said products or containers regarding potential asbestos-related health hazards.

ANSWER 37

Subject to the General Objections interposed above, Grace-Conn states that it does not currently manufacture any products which contain commercial asbestos. However, Grace-Conn does currently manufacture products containing vermiculite. Products which contain vermiculite may or may not contain trace amounts of naturally occurring asbestiform tremolite.

- a. Subject to the General Objections interposed above, Grace-Conn states that all of the products in the product appendix were manufactured, marketed, and sold. Further responding, Grace-Conn states see the answer to Interrogatory 3, above.

- b. See the Product Appendix Nos. 23-28, 30, 33-35(b).
- c. See the Product Appendix Nos. 23-28, 30, 33-35(a).
- d. See the Product Appendix Nos. 23-28, 30, 33-35(c).
- e. See the Product Appendix Nos. 23-28, 30, 33-35(d).
- f. See the Product Appendix Nos. 23-28, 30, 33-35(g & j).
- g. See the Product Appendix Nos. 23-28, 30, 33-35(h).
- h. See Answer 14, above.

INTERROGATORY 38

State whether you or any of your predecessors and/or subsidiaries maintain, from 1940 through the present or for any portion thereof, copies of invoices, shipping documents, bills of lading, purchase orders, or other documents of a similar nature relating to the mining, manufacture, marketing, sale or distribution of asbestos products. If so, state:

- A. The location of such documents.
- B. The name and address of the custodian of the documents.
- C. The format in which the documents are kept, i.e., hard copy, microfilm, microfiche, etc.
- D. In what form the documents can be accessed, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.

ANSWER 38

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections and the General Objections interposed above, Grace-Conn states that it will supplement its answer to this interrogatory on a case-by-case upon indication of exposure of a plaintiff to a specific Grace-Conn product at a specific job site or location.

INTERROGATORY 39

May you call company representatives as witnesses at the trial of any of these cases? If so, list:

- A. The name, address, and job title of each company representative who may be called.

- B. A summary of the testimony expected to be given by each such witness.
- C. List any and all previous times that the named witnesses have either given deposition or trial testimony in an asbestos-related case, including the jurisdiction, style of the case, case number, date of testimony, and the name of the attorney taking the deposition for the Plaintiffs in that case.

ANSWER 39

Grace-Conn has not yet decided whom it will call at the time of trial but reserves the right to do so prior to trial. When such decision is made, the information requested will be supplied in an appropriate manner.

INTERROGATORY 40

Have Defendant or its subsidiaries or predecessors ever acquired through purchase, reorganization, or merger another corporation, company, or business which manufactured, sold, processed, distributed, or contracted or supplied products containing asbestos? If so, for each such entity, state:

- A. Full and correct name;
- B. Principal place of business;
- C. State of incorporation;
- D. Date of acquisition by Defendant;
- E. Whether or not the business entity was ever authorized to transact business in the State of Texas;

ANSWER 40

Grace-Conn objects to this interrogatory on the grounds that it is irrelevant, immaterial, burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to this objection and to the General Objections interposed above, Grace-Conn states the following: Grace-Conn acquired the assets of the Zonolite Company in 1963. As a result of this acquisition, Grace-Conn acquired the Superior Asbestos Company as a wholly-owned subsidiary, and a majority of the shares of the Texas Vermiculite Company. Grace-Conn also acquired a minority of the shares of Western Mineral Products Company, California Zonolite Company, Ari-Zonolite Company, Tennessee Zonolite Company, and Vermiculite-Northwest, Inc. The Superior Asbestos Company was dissolved in 1964 or 1965. In

1966, Western Mineral Products was merged into Grace-Conn. Also in 1966, Grace-Conn acquired the remainder of the outstanding stock of California Zonolite Company and Vermiculite-Northwest, Inc. Grace-Conn acquired an additional one-third interest in Ari-Zonolite in 1966. In 1967, Grace-Conn acquired the remainder of Tennessee Zonolite's outstanding stock. California Zonolite and Vermiculite-Northwest, Inc. were dissolved by December 31, 1969. Tennessee Zonolite was dissolved in 1970. Grace-Conn acquired the remainder of the stock of Ari-Zonolite in 1974, and that company was dissolved effective December 31, 1974. In 1975, Grace-Conn acquired the remainder of the outstanding stock of Texas Vermiculite, and that company was dissolved.

In providing this information, Grace-Conn does not admit that it assumed the liability of any of these companies, or that the knowledge or activities of these companies are in any way imputable to Grace-Conn.

Relevant, non-privileged documents containing information responsive to this interrogatory will be made available to the plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 41

Was each of your asbestos products generally expected to reach, or packaged to reach, the consumer or user, without substantial change in the condition in which it was sold? If not, with respect to any such product, explain in what way the Defendant claims its products were altered or substantially changed after sale or distribution and before reaching the user.

ANSWER 41

See the General Objections interposed above. Grace-Conn further objects to this interrogatory on the grounds that it is vague and ambiguous in that the term "substantial" is undefined and subject to various interpretations.

INTERROGATORY 42

For each asbestos-containing product identified in response to Interrogatory No. 6, identify all foreseeable users such as insulators, helpers, pipefitters, welders, machinists, plasterers, drywall finishers, carpenters, boilermakers, shipwrights and riggers, etc. of any of Defendant's asbestos-containing products.

ANSWER 42

See the General Objections interposed above. Grace-Conn further objects to this interrogatory on the grounds that the term "foreseeable" calls for a legal conclusion.

INTERROGATORY 43

Based upon the material contents of your asbestos-containing products, the method of manufacturing, and the method of application, can such products be generally applied without liberating asbestos fibers into the air?

- A. If there is a different answer concerning different products manufactured, sold, distributed, or used by your company, then specify the different products by precise manufacturer's name and popular name.
- B. If there is a difference in your answer depending on the year or years in which a particular product was used, then specify in detail what year or years you are referring to and the specific products you are referring to and year involved.

ANSWER 43

Grace-Conn is unable to answer this interrogatory because it is incomprehensible given its unrelated premises.

INTERROGATORY 44

Was it a foreseeable use of your asbestos-containing products that they may have been removed, stripped, or replaced at some time after installation?

ANSWER 44

See the General Objections interposed above. Grace-Conn further objects to this interrogatory on the grounds that the term "foreseeable" calls for a legal conclusion.

INTERROGATORY 45

Before 1970, did you or your subsidiaries or predecessor(s) ever arrange for any labor inspectors, insurance company inspectors or anyone from your company to go to job sites where your products were being used or installed to make or take dust level counts? If so, state when this procedure started, the purpose of such procedures, and all results of such procedures.

ANSWER 45

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence. Grace-Conn further objects to this interrogatory on the grounds that it is vague and ambiguous in that the term "labor inspectors" is undefined and capable of various

interpretations. Subject to these objections and the General Objections interposed above, Grace-Conn states not to its knowledge.

INTERROGATORY 46

If Defendant performed or had performed any dust level counts, what action, based on the results, did your company take?

ANSWER 46

Subject to the General Objections interposed above, Grace-Conn states that as a result of various considerations, including but not limited to air sampling performed by Grace-Conn personnel at its Libby, Montana mine and mill, CPD commenced plans in 1969 to close the old dry and wet mills in Libby. The new wet mill became fully operational in 1975. As a result of various considerations, including periodic dust studies performed by Grace-Conn personnel at its manufacturing facilities, plans were also commenced to cut air pollution in the Zonolite expanding plants through the use of silos, closed expansion circuits, dust collectors in furnaces, exhaust vents, and other engineering measures. With regard to the tests in the answer to Interrogatory 59, below, Grace-Conn states that the results of such testing indicated that Threshold Limit Values were within the then-existing ACGIH standards, therefore no action was required.

INTERROGATORY 47

Has your company or its subsidiaries or predecessor(s) ever conducted or caused to be conducted any studies designed to assist in minimizing or eliminating the inhalation of asbestos dust and fibers by those exposed to the use of your company's products? If so, give the following:

- A. Name of the person or firm conducting such studies;
- B. The date the studies began and the date they were completed;
- C. Any publication or other written dissemination of the results of the studies;
- D. The nature of any action to eliminate or minimize the inhalation of asbestos dust fibers;

ANSWER 47

Grace-Conn objects to this interrogatory on the grounds that it is misleading and argumentative in that it assumes that asbestos dust and fibers would be produced in the course of the

use of Grace-Conn's products. Subject to this objection and to the General Objections interposed above, Grace-Conn states no.

INTERROGATORY 48

Does your company have, has it ever had, or have your predecessor(s) or subsidiaries ever had, a Research Department? If so, give the year such Research Department was established, and whether or not such Research Department has operated continuously since being established. State also:

- A. The amount of time and money expended each year on research concerning asbestos or asbestos-containing products?
- B. What percentage of gross sales did your company or its predecessor(s) spend on research concerning the health effects of asbestos?
- C. State in detail the purposes, duties, and responsibilities of such Research Department.

ANSWER 48

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to this objection and the General Objections interposed above, Grace-Conn states that the Zonolite Company had a research division when Grace-Conn acquired the assets of Zonolite in 1963. Grace-Conn has continued the department which is now in its Construction Products Division. Grace-Conn also maintains the Washington Research Center in Columbia, MD. The Washington Research Center performs research related to all of Grace-Conn's various business units including, to a limited extent, the Construction Products Division.

INTERROGATORY 49

Does your company have, or has it ever had, or have your predecessor(s) or subsidiaries ever had, a Medical Department? If so, state:

- A. The year such Medical Department was established;
- B. Whether or not such Medical Department has operated continuously since being established;
- C. The name of each director, chief, or head of your Medical Department year by year, beginning with the first year you had a Medical Department, and the last known address and phone number of each;

D. State the duties and responsibilities of such Medical Department.

ANSWER 49

Grace-Conn states that it has never had a Medical Department.

INTERROGATORY 50

Did your company or its predecessor(s) or subsidiaries ever place any warning directly on any of its asbestos-containing product or on their packaging. If so, identify the product(s) and year said warning was first applied.

ANSWER 50

See Answer 14, above.

INTERROGATORY 51

Did your company or its predecessor(s) or subsidiaries ever stamp or place the name of the company, its initials, or any identifying logo on any of its asbestos-containing products? If so, please state the name brand names of such products, a description of such stamp or logo and the dates such were placed on the referred products.

ANSWER 51

No.

INTERROGATORY 52

Has your company, or your predecessor(s) or subsidiaries, ever devised a research plan to develop, or actually developed or had developed, a product which did not contain asbestos and which could be substituted for one or more of your asbestos-containing products? If so, state the date that such research plan was begun and when such asbestos-free product was first placed on the market.

ANSWER 52

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to this objection and to the General Objections interposed above, Grace-Conn states that tests were begun in approximately July, 1965, to reformulate Mono-Kote (MK-3) without added asbestos fibers as a possible way to reduce costs and improve performance. Such testing continued in 1966.

In late 1968, California Zonolite began an attempt to eliminate asbestos from Mono-Kote (MK-3). Similar efforts were initiated at another Grace-Conn facility in June, 1969.

While Monokote (MK-3) was never reformulated, it was replaced by two new substitute products, Monokote (MK-4) and (MK-5), neither of which contains commercial asbestos. MK-4 was first marketed in 1970 and MK-5 was first marketed in 1972. Grace-Conn denies that Monokote (MK-4) was fully capable of being used as a substitute product, because it did not have the full range of Underwriters' Laboratories ratings which had been obtained for MK-3.

Versakote or Prep Coat #4 was discontinued by Grace-Conn in 1973 when Grace-Conn ceased production of all spray textured products containing commercial asbestos. A new product called Versakote, which did not contain commercial asbestos, was marketed commencing in 1973.

Grace-Conn currently manufactures several construction products some of which do, and some of which do not, contain vermiculite.

INTERROGATORY 53

Did your company or its predecessor(s) or subsidiaries ever recall any products containing asbestos from the market or stream of commerce? If so, state:

- A. All details of such recall;
- B. The name of the product recalled, including the reason for the recall and the names and current addresses of those individuals who determined that it should take place;
- C. The dates of recall;
- D. The purpose for the recall.

ANSWER 53

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections and the General Objections interposed above, Grace-Conn states no.

INTERROGATORY 54

Before 1970, did you ever manufacture or sell products which did not contain asbestos and which could be substituted for your asbestos-containing products? If so, state the date such asbestos-free products were first placed on the market.

ANSWER 54

Subject to the General Objections interposed above, Grace-Conn states no.

INTERROGATORY 55

Have any products you identified in your response to Interrogatory Nos. 52 and 54 not performed as intended? Please list all such products that have not performed as intended.

ANSWER 55

See the answer to Interrogatory 52, above.

INTERROGATORY 56

Did your company or its predecessor(s) or subsidiaries ever make, order, or arrange for any industrial hygiene surveys regarding asbestos or asbestos-containing dust? If so, give the date of such surveys and state who, or what entity, was responsible for completion of such surveys.

ANSWER 56

Grace-Conn objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence. Grace-Conn further objects to this interrogatory on the grounds that it is vague and ambiguous in that the phrase "industrial hygiene surveys" is undefined and subject to various interpretations. Subject to these objections and the General Objections interposed above, Grace-Conn states that, to the extent that they exist, relevant, non-privileged, non-trade secret documents will be made available to plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 57

As to either the threshold limit values or maximum allowable concentrations of both asbestos dust and total dust provided by the American Conference of Governmental Industrial Hygienists, state:

- A. The year in which Defendant or any predecessor(s) or subsidiaries were first advised of such limits or concentrations;
- B. The name of the employee or official of the company receiving such advice;

C. How Defendant received notice of such limits or concentrations.

ANSWER 57

Subject to the General Objections interposed above, Grace-Conn states that a 1956 Montana State Board of Health report to the Zonolite Company, whose assets Grace-Conn did not acquire until 1963, referred to maximum allowable concentrations of dust, silica and asbestos, as recommended by the ACGIH, the U.S. Public Health Service, and the American Industrial Hygiene Association. Grace-Conn expressly denies that this information is relevant to the subject matter of this lawsuit on attributable to Grace-Conn. Review of documents indicates that in 1968, threshold limit values were mentioned in an HEW report on air sampling done at Grace-Conn's vermiculite mine and mill in Libby, Montana.

To the extent that they exist, relevant, non-privileged, non-trade secret documents containing information responsive to this interrogatory will be made available to the plaintiffs in Boston, Massachusetts at a mutually agreeable time.

INTERROGATORY 58

Were the threshold limit values of maximum allowable concentrations inquired about in Interrogatory No. 63 for total dust, and not asbestos dust alone?

ANSWER 58

See the answer to Interrogatory 57, above, presuming that plaintiffs mean to refer to Interrogatory No. 57.

INTERROGATORY 59

State in detail what tests, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using, working with or around, or installing your asbestos-containing products.

ANSWER 59

Subject to the General Objections interposed above, Grace-Conn states the following concerning tests conducted at Grace-Conn's request relating to the spraying of Mono-Kote fireproofing (MK-3):

1. Tabershaw-Cooper Associates conducted air sampling in July, 1970, at three buildings in San Francisco. Fiber concentrations for workmen operating the spray nozzles were found to be below the then existing Threshold Limit Value for occupational exposures.

2. In 1970, the Werby Laboratory reported on air samples taken by Grace-Conn employees during Mono-Kote spraying operations in Chicago, Illinois, Los Angeles, California, Omaha, Nebraska and Bethpage, New York. Fiber concentrations were found to be well within the then existing threshold limit values set by the ACGIH.

The following tests were conducted during spraying operations of Mono-Kote (MK-4) and (MK-5):

1. On February 26, 1976, Grace-Conn conducted air sampling during the application of MK-5 at the Allstate Insurance and Title Co., Irving, Texas.
2. On June 1, 1976, Grace-Conn conducted air sampling during the application of MK-4 at 60 State Street, Boston, Massachusetts.
3. On January 26, 1977, Grace-Conn conducted air sampling during the application of MK-4 at the Westminster Court Building, Westminster, California.
4. On March 2, 1977, Grace-Conn conducted air sampling during the application of MK-5 at the Jackson Hospital, Montgomery, Alabama.
5. On March 8, 1977, Grace-Conn conducted air sampling during the application of MK-4 at the Hyatt Regency, Dallas, Texas.
6. On March 9, 1977, Grace-Conn conducted air sampling during the application of MK-5 at the Imperial Savings and Loan Office Building, San Diego, California.
7. On March 10, 1977, Grace-Conn conducted air sampling during the application of MK-4 at the South County Hall of Justice, Fremont, California.
8. On March 11, 1977, Grace-Conn conducted air sampling during the application of MK-4 at the California Federal Savings & Loan, Burbank, California.
9. On May 3, 1977, Grace-Conn conducted air sampling during the application of MK-4 at the Union Bank & Trust Co., Kokomo, Indiana.
10. On June 2, 1977, Grace-Conn conducted air sampling during the application of Mono-Kote, type unknown, at an unknown job site, by Pandol & Sons, applicators, Delano, California. Investigation continues for additional information concerning this test.

11. On April 26, 1983, Grace-Conn conducted air sampling during the application of MK-5 at the Westshore Office Building, Harrisburg, Pennsylvania.
12. On June 3, 1985 Grace-Conn conducted air sampling during the application of MK-5 at 599 Lexington Avenue, New York, New York.
13. On June 19, 1985, Grace-Conn conducted air samplings during the application of MK-5 at 53rd Street and 3rd Avenue, New York, New York.
14. On July 30, 1985, Grace-Conn conducted air sampling during the application of MK-5 at the Allied Bank Tower, Dallas, Texas.
15. On April 15, 1986, Grace-Conn conducted air sampling during the application of MK-5 at 10 South LaSalle Street, Chicago, Illinois.
16. On April 16, 1986, Grace-Conn conducted air sampling during the application of MK-5 at 190 South LaSalle Street, Chicago, Illinois.
17. On April 17, 1986, Grace-Conn conducted air sampling during the application of MK-5 at the Corporetum Office Complex, Lisle, Illinois.
18. On June 18, 1986, Grace-Conn conducted air sampling during the application of MK-5 at Concourse B, Stapleton Airport, Denver, Colorado.

Fiber concentrations in all spray areas at each job site listed above were found to be well below the then existing Threshold Limit Value for occupational exposure.

INTERROGATORY 60

Please state the following with respect to each expert witness you that you may call during trial of these cases. Please designate with specificity the expert witnesses that you will call, including:

- (a) The name, address, and job classification of each such expert witness;
- (b) The subject matter on which the expert is expected to testify;
- (c) The substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion;

- (d) Whether any person identified in subparagraph (a) above has provided a report or other documentation to you, and if so, identify each such document or report;
- (e) Identify all documents that you have provided to each person identified in response to subparagraph (a) above;
- (f) Describe in detail the education and work history of, and identify any books, treatises, articles, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to subparagraph (a) above. Alternatively, in lieu of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answers.

ANSWER 60

Grace-Conn has not yet decided whom it will call at the time of trial but reserves the right to later supplement these Interrogatories prior to trial. When such decision is made, the information requested will be supplied in an appropriate manner.

INTERROGATORY 61

Please state the name, present address and present telephone number, along with the experience and qualifications, if applicable, of each and every person, known to Defendant or to Defendant's agents, having knowledge of facts relevant to these cases involving, but not limited to:

- (a) identification of asbestos-containing products to which each and every individual Plaintiff, separate and distinct from all other Plaintiffs within the group, allegedly was exposed or facts disputing the identification of asbestos-containing products in this case.
- (b) Each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged damages, injuries and/or facts disputing each and every Plaintiff's alleged damages and/or injuries;
- (c) the negligence of any person or entity other than Defendant which Defendant contends was a cause of each and every individual Plaintiff's, separate and distinct from all other Plaintiffs within the group, alleged injuries and/or damages;
- (d) each of Defendant's defenses enumerated in Defendant's last filed Answer in each of these cases.

ANSWER 61

Defendant Grace-Conn objects to the portion of this Interrogatory which requires information regarding the experience and qualifications of any persons listed in response to the interrogatory as such information is not discoverable under Tex. R. Civ. P. 166(b)(2)(d). Defendant Grace-Conn further objects to the form of this interrogatory as it invades the attorney work product exemption by requesting witnesses' names to be broken out by category.

Without waiving the foregoing objections, with regard to identity and location of persons with knowledge of relevant facts, Defendant Grace-Conn at this time is only able to designate plaintiffs. Discovery is continuing, and such response will be supplemented pursuant to Tex. R. Civ. P. 166(b)(6).

INTERROGATORY 62

Please identify documents which will be used at time of trial, (Exhibit List, Deposition List), which are relevant to each of Defendant's enumerated defense in Defendant's last filed Answer.

ANSWER 62

Defendant Grace-Conn objects to this Interrogatory as being overly broad and unduly burdensome. Defendant Grace-Conn further objects to this Interrogatory as it invades the attorney work product exemption, attorney-client privileges and party communication exemption. Further, such interrogatory is designed to circumvent Tex. R. Civ. P. 167.

INTERROGATORY 63

Please state when you first received a copy of the Fleischer/Drinker Report published in 1945/1946.

ANSWER 63

Grace-Conn states that it is unaware of when it first became aware of this article, except that it appears to have been in recent years.

REQUEST FOR PRODUCTION

REQUEST 1

Please produce a true and correct copy of each photograph of each asbestos-containing product identified in answer to Interrogatory No. 4.

RESPONSE 1

Subject to the General Objections interposed above, Grace-Conn states that to the extent they exist, relevant, non-privileged, non-trade secret documents responsive to this request will be made available to the plaintiffs in Boston, Massachusetts at a mutually agreeable time.

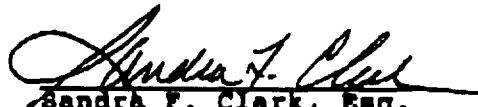
REQUEST 2

Please produce any diagrams or schematics indicating, stating or detailing the existence of any of your subsidiaries, predecessors, or divisions as defined on Page 1 of these Interrogatories and Request for Production.

RESPONSE 2

Subject to the General Objections interposed above, Grace-Conn states that to the extent they exist, relevant, non-privileged, non-trade secret documents responsive to this request will be made available to plaintiffs in Boston, Massachusetts at a mutually agreeable time.

W.R. GRACE & CO.-CONN.
By its attorney,


Sandra F. Clark, Esq.
State Bar No. 04294520
Mehaffy & Weber
Interfirst Tower
2615 Calder Avenue
P.O. Box 16
Beaumont, TX 77704
(409) 835-5011

DATED:

PRODUCT APPENDIX

COMMERCIAL ASBESTOS-CONTAINING PRODUCTS

1. a. Econo-White 65 and Econo-White 70.
- b. Zonolite Company (1956-1963); Grace-Conn (1963 until approximately 1970).
- c. 1956 by Zonolite Company; 1963 by Grace-Conn.
- d. Chemical Composition: Short fiber chrysotile asbestos, Perlite, Bentonite (Montmorillonite type), Titanium dioxide, Sodium lauryl sulfate. Contained approximately 14.97 percent and 14.43 percent 7M asbestos, respectively, by weight.
- e. Approximately 1970.
- f. Lack of market.
- g. White acoustical plaster.
- h. Acoustical plaster for walls and ceilings.
- i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) North Little Rock, Arkansas; 1956-1968.
 - (2) Sacramento, California.
 - (3) Dearborn, Michigan.
 - (4) Omaha, Nebraska.
 - (5) Trenton, New Jersey.
 - (6) Albany, New York.
 - (7) Ellwood City, Pennsylvania; made for a two-year period, late 1950's or early 1960's.
 - (8) Travelers Rest, South Carolina.
 - (9) Kearney, South Carolina.
 - (10) Dallas, Texas.
- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
- k. Grace-Conn did not manufacture an asbestos free substitute for this product.

2. a. Zono-Coustic 2 and Zono-Coustic Z.
- b. Zonolite Company (1960-1963); Grace-Conn (1963 until approximately 1973).
- c. 1960 by Zonolite Company; 1963 by Grace-Conn.
- d. Chemical Composition: Short fiber chrysotile asbestos, Vermiculite, Titanium dioxide, Sodium lauryl sulfate, Plaster of Paris, Hydrated lime. Contained approximately 12.64 percent 7M asbestos by weight.
- e. Approximately 1973.
- f. Lack of market.
- g. Off-white acoustical plaster.
- h. Acoustical base coat for walls and ceilings.
- i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
- (1) North Little Rock, Arkansas; 1961-1962.
 - (2) Los Angeles, California.
 - (3) Newark, California; 1970-1973.
 - (4) Sacramento, California.
 - (5) Wilder, Kentucky.
 - (6) Dearborn, Michigan.
 - (7) St. Louis, Missouri.
 - (8) Omaha, Nebraska.
 - (9) Trenton, New Jersey.
 - (10) Albany, New York.
 - (11) Portland, Oregon; 1960's.
 - (12) Ellwood City, Pennsylvania.
 - (13) Travelers Rest, South Carolina, 1959-1963.
 - (14) Kearney, South Carolina.
 - (15) Dallas, Texas.
 - (16) Spokane, Washington; 1959-1962.
- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
- k. Grace-Conn did not manufacture an asbestos free substitute for this product.

3. a. Zonolite Acoustical Plastic/Plaster.
- b. Zonolite Company (approximately 1945 until 1963); Grace-Conn (1963 until approximately 1972).
- c. 1945 by Zonolite Company; 1963 by Grace-Conn.
- d. Chemical Composition: (Standard) Short fiber chrysotile asbestos, Vermiculite, Bentonite (montmorillonite type), Sodium lauryl sulfate. Contained approximately 17.11 percent 7M asbestos in standard acoustical plaster. Bermuda Tan: Short fiber chrysotile asbestos, Vermiculite, Bentonite (montmorillonite type), Sodium lauryl sulfate, Dowicide, Sodium nitrite. Contained approximately 18.69 percent 7M asbestos by weight in Bermuda Tan.
- e. Approximately 1972.
- f. Lack of market.
- g. Light beige acoustical plastic.
- h. Acoustical coating for ceilings.
- i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) Birmingham, Alabama.
 - (2) Phoenix or Glendale, Arizona; 1959-early 1970's.
 - (3) North Little Rock, Arkansas; 1951-mid 1960's.
 - (4) Los Angeles, California; 1951-early 1970's.
 - (5) Sacramento, California.
 - (6) Denver, Colorado; 1952-1959.
 - (7) Tampa, Florida; 1950's-1967.
 - (8) Easthampton, Massachusetts.
 - (9) North Billerica, Massachusetts.
 - (10) Dearborn, Michigan.
 - (11) Minneapolis, Minnesota; 1949-1962.
 - (12) St. Louis, Missouri.
 - (13) Omaha, Nebraska; 1962-1970.
 - (14) Trenton, New Jersey; 1964.
 - (15) Albany, New York.
 - (16) Portland, Oregon.
 - (17) Ellwood City, Pennsylvania; 1948-1960.
 - (18) Travelers Rest, South Carolina; 1948-1963.
 - (19) Kearney, South Carolina.
 - (20) Dallas, Texas; 1973.
 - (21) Spokane, Washington; 1945-early 1970's.
 - (22) Milwaukee, Wisconsin; made until 1971, beginning date unknown.

- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
- k. Grace-Conn did not manufacture an asbestos free substitute for this product.
- 4. a. Zonolite Finish Coat (Decorator's White).
- b. Zonolite Company (1950-1963). First produced by Grace-Conn in 1963; the product may have been produced until 1974.
- c. 1950 by Zonolite Company; 1963 by Grace-Conn.
- d. Chemical Composition: Short fiber chrysotile asbestos, Vermiculite, Bentonite (montmorillonite type), Titanium dioxide, Sodium lauryl sulfate. Contained approximately 13.11 percent 7M asbestos by weight.
- e. Product may have been produced by Grace-Conn until 1974; information indicates that asbestos was deleted by 1973.
- f. Lack of market.
- g. White textured cementitious finish.
- h. Decorative textured cementitious finish.
- i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) Los Angeles, California.
 - (2) Sacramento, California.
 - (3) Denver, Colorado; 1952-1965.
 - (4) Pompano Beach, Florida; 1971-1974.
 - (5) Wilder, Kentucky.
 - (6) Easthampton, Massachusetts.
 - (7) Dearborn, Michigan.
 - (8) Trenton, New Jersey.
 - (9) Albany, New York.
 - (10) Portland, Oregon.
 - (11) Travelers Rest, South Carolina; 1950's.
 - (12) Dallas, Texas; 1973.
 - (13) Spokane, Washington.
- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft

paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.

- k. Grace-Conn did not manufacture an asbestos-free substitute for this product.
- 5. a. Zonolite Finish Coat (Decorator's White)(Extra Hard).
- b. Zonolite Company (1961-1963). First produced by Grace-Conn in 1963; product may have been produced until approximately 1974.
- c. 1961 by Zonolite Company, 1963 by Grace-Conn.
- d. Chemical Composition: Short fiber chrysotile asbestos, Vermiculite, Bentonite (montmorillonite type), Titanium dioxide, Sodium lauryl sulfate. Contained approximately 12.78 percent 7M asbestos by weight.
- e. Product may have been produced by Grace-Conn until 1974; information indicates that asbestos was deleted by 1973.
- f. Lack of market.
- g. White textured cementitious finish.
- h. Decorative textured cementitious finish.
- i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) Los Angeles, California.
 - (2) Sacramento, California.
 - (3) Denver, Colorado.
 - (4) Pompano Beach, Florida; 1971-1974.
 - (5) Wilder, Kentucky.
 - (6) Easthampton, Massachusetts.
 - (7) Dearborn, Michigan.
 - (8) Trenton, New Jersey.
 - (9) Albany, New York.
 - (10) Portland, Oregon.
 - (11) Travelers Rest, South Carolina.
 - (12) Dallas, Texas.
 - (13) Spokane, Washington.
- j. This product was packaged in multi-walled, pasted valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.

- k. Grace-Conn did not manufacture an asbestos-free substitute for this product.
- 6. a. Zonolite Spra-Tex (Regular).
- b. Zonolite Company (approximately 1955 to 1963); Grace-Conn (1963-1972).
- c. 1955 by Zonolite Company; 1963 by Grace-Conn.
- d. Chemical Composition: Short fiber chrysotile asbestos, Vermiculite, Kaolin clay, Titanium dioxide, Sodium lauryl sulfate. Contained approximately 33.045 percent 7M asbestos by weight.
- e. 1972.
- f. Lack of market.
- g. White decorative ceiling finish.
- h. Decorative textured finish.
- i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) North Little Rock, Arkansas; may have been made after 1961.
 - (2) Los Angeles, California.
 - (3) Sacramento, California.
 - (4) Pompano Beach, Florida.
 - (5) Wilder, Kentucky.
 - (6) New Orleans, Louisiana.
 - (7) Omaha, Nebraska.
 - (8) Trenton, New Jersey.
 - (9) Albany, New York.
 - (10) Ellwood City, Pennsylvania; 1957-1963.
 - (11) Travelers Rest, South Carolina.
 - (12) Kearney, South Carolina.
 - (13) Spokane, Washington.
- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
- k. Grace-Conn did not manufacture an asbestos free substitute for this product.

7.
 - a. Zonolite Spra-Tex (Extra-Hard).
 - b. Zonolite Company (1961-1963); Grace-Conn (1963-1972).
 - c. 1961 by Zonolite Company; 1963 by Grace-Conn.
 - d. Chemical Composition: Short fiber chrysotile asbestos, Kaolin clay, Titanium dioxide, Sodium lauryl sulfate, Vermiculite, ZOD concentrate. Contained approximately 32.09 percent 7M asbestos by weight.
 - e. 1972.
 - f. Lack of market.
 - g. White textured ceiling finish.
 - h. Decorative textured finish.
 - i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) North Little Rock, Arkansas.
 - (2) Los Angeles, California.
 - (3) Sacramento, California.
 - (4) Pompano Beach, Florida.
 - (5) Wilder, Kentucky.
 - (6) New Orleans, Louisiana.
 - (7) Omaha, Nebraska.
 - (8) Trenton, New Jersey.
 - (9) Albany, New York.
 - (10) Ellwood City, Pennsylvania; 1961-1963.
 - (11) Travelers Rest, South Carolina; 1961-1963.
 - (12) Kearney, South Carolina.
 - (13) Spokane, Washington.
 - j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
 - k. Grace-Conn did not manufacture an asbestos free substitute for this product.
8.
 - a. Z-Tex, may also be marketed as EZ-Tex, Z-Tex 2 and Z-Tex 2 Super White.
 - b. The Zonolite Company (from approximately 1958 to approximately 1962).

- c. 1958.
 - d. Chemical Composition: Exact composition unknown at this time. The product contained approximately 14.3 percent short fiber chrysotile asbestos. Investigation continues.
 - e. 1962.
 - f. Lack of market.
 - g. White or beige sprayed texture product.
 - h. Sprayed texture product.
 - i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) North Little Rock, Arkansas.
 - (2) Sacramento, California.
 - (3) Pompano Beach, Florida.
 - (4) Wilder, Kentucky.
 - (5) St. Louis, Missouri.
 - (6) Trenton, New Jersey.
 - (7) Albany, New York.
 - (8) Travelers Rest, South Carolina.
 - j. This product was packaged in multi-walled, pasted valve bags constructed of two 60-pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
 - k. Grace-Conn did not manufacture an asbestos free substitute for this product.
9. a. Perltext Super-40 Fog. The product may have been sold under the following name at various times: Perltext Fog. Grace-Conn believes that the product may have been produced and sold under the alternative name prior to 1968.
- b. Western Mineral Products until 1966; Grace-Conn (1966 until approximately 1973).
 - c. This was a Western Mineral Products product. Grace-Conn manufactured the product from the time it acquired Western Mineral Products in 1966.
 - d. Chemical Composition: Short fiber chrysotile asbestos, Talc, Whiting, Staramic, Dowicil, Methocel, NTA, Daxad-

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17, Titanium dioxide, Ultramarine blue. Contained approximately 5.5 percent short fiber chrysotile asbestos by weight.

- e. 1973.
 - f. This product was discontinued in 1973 in accordance with Grace-Conn's decision to discontinue production of all Perltext textured products containing commercial asbestos.
 - g. White or beige base coat.
 - h. Base coat for decorative textured finish.
 - i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) Pompano Beach, Florida; after 1971.
 - (2) Omaha, Nebraska; before 1972.
 - j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
 - k. Grace-Conn produced and sold Zonolite Super-40 FOG, a texture product formulated without commercial asbestos.
10. a. Perltext Super-40 Perlite.
- b. Western Mineral Products until 1966; Grace-Conn (1966 until approximately 1973).
 - c. This was a Western Mineral Products product. Grace-Conn manufactured the product from the time it acquired Western Mineral Products in 1966.
 - d. Chemical Composition: Short fiber chrysotile asbestos, Casein, Trisodium phosphate, Dowicil, Sodium nitrite, Methocel, Whiting, Perlite aggregate, Lithopone, NTA, Staramic. Contained approximately 7 percent short fiber chrysotile asbestos by weight.
 - e. 1973.
 - f. The product was discontinued in 1973 in accordance with Grace-Conn's decision to discontinue production of all Perltext textured products containing commercial asbestos.
 - g. White or beige textured finish product.

- h. Decorative textured finish.
- i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) Pompano Beach, Florida; 1972-1973.
 - (2) Omaha, Nebraska; mid-sixties.
 - (3) Dallas, Texas.
- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
- k. Grace-Conn produced and sold Zonolite Super-40 Perlite, a texture product formulated without commercial asbestos.
- 11. a. Perltext Super-40 Polycoarse. The product may have been sold under the following alternative trade name: Perltext Polycoarse. Grace-Conn believes that the product may have been produced and sold under the alternative name prior to 1968.
- b. Western Mineral Products until 1966; Grace-Conn (1966 until approximately 1973).
- c. This was a Western Mineral Products product. Grace-Conn manufactured the product from the time it acquired Western Mineral Products in 1966.
- d. Chemical Composition: Short fiber chrysotile asbestos, Whiting, Talc, Staramic, Lithopone, Methocel, Dowicil, Daxad-17, Ultramarine blue, Polystyrene aggregate, NTA. Contained approximately 5 percent short fiber chrysotile asbestos by weight.
- e. 1973.
- f. This product was discontinued in 1973 in accordance with Grace-Conn's decision to discontinue production of all Perltext textured products containing commercial asbestos.
- g. White or beige textured product.
- h. Sprayed texture product.
- i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.

- (1) Pompano Beach, Florida; 1972-1973
 - (2) Omaha, Nebraska; mid-sixties-1972.
 - j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60-pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
 - k. Grace-Conn produced and sold Zonolite Super-40 Polycoarse, a texture product formulated without commercial asbestos.
12. a. Perltext Super-40 SAV.
- b. Western Mineral Products until 1966; Grace-Conn (1966 until approximately 1973).
 - c. This was a Western Mineral Products product. Grace-Conn manufactured the product from the time it acquired Western Mineral Products in 1966.
 - d. Chemical Composition: Short fiber chrysotile asbestos, Casein, Trisodium phosphate, Dowicil, Methocel, Sodium nitrite, Whiting, South African vermiculite aggregate, Lithopone, Staramic, NTA. Contained approximately 6.0 percent short fiber chrysotile asbestos by weight.
 - e. 1973.
 - f. This product was discontinued in 1973 in accordance with Grace-Conn's decision to discontinue production of all Perltext textured products containing commercial asbestos.
 - g. White or beige textured finish.
 - h. Decorative textured finish.
 - i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) Pompano Beach, Florida; 1971-1973.
 - (2) Omaha, Nebraska, mid-sixties-1972.
 - j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60-pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.

- k. Grace-Conn produced and sold Zonolite Super-40 SAV, a texture product formulated without commercial asbestos.
- 13. a. Perltext Spray Surfacers. This product may have been sold under the following alternative trade names: Plastertext, Perltext Super-40 Spray Surfacers or Perltext Super 40.
- b. Western Mineral Products until 1966; Grace-Conn (1966 until approximately 1973).
- c. This was a Western Mineral Products product. Grace-Conn manufactured the product from the time it acquired Western Mineral Products in 1966.
- d. Chemical Composition: Chrysotile Asbestos, Lithopone, Pyrophyllite, Whiting, Casein, Mica AA, Mica XX, Kaoloid Clay, Soya Flour, Tri Sodium Phosphorous, RA 47 Titanium, Snow Flake Lime, Dovicide G., Calcium Sterrate, Sodium Nitrate, Perlite. Contained approximately 6-11% 7TF1 or 7RF9 chrysotile asbestos by weight.
- e. Approximately 1973.
- f. This product was discontinued in 1973 in accordance with Grace-Conn's decision to discontinue production of all Perltext textured products containing commercial asbestos.
- g. Product was a texture product, applied over board, concrete, metal or plaster, white in color.
- h. Spray texture coating.
- i. The product was manufactured at one or both of the plants listed below. Approximate dates of manufacture are also listed.
 - (1) Pompano Beach, Florida; 1971-1973.
 - (2) Omaha, Nebraska; before 1972.
- j. This product was packaged in multi-walled, pasted valve bags constructed of two 60-pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight classification 100-1.
- k. Unknown.
- 14. a. Perl-Coustic
- b. Western Mineral Products until 1966; Grace-Conn (1966-date unknown; Grace-Conn currently has no evidence that this product was manufactured after 1973).

- c. This was a Western Mineral Products product. Grace-Conn manufactured the product from the time it acquired Western Mineral Products in 1966.
 - d. Chemical Composition: Short fiber chrysotile asbestos, Perlite, Solka-Floc BW-20, Bentonite, Sodium Nitrite, Dowicide G, Naconal DB Beads. Contained approximately 15-17% 7M asbestos by weight.
 - e. Unknown. However, Grace-Conn currently has no evidence that the product was manufactured after 1973, when Grace-Conn ceased the production of all acoustical plaster products containing commercial asbestos.
 - f. Unknown. However, Grace-Conn currently has no evidence that the product was manufactured after 1973, when Grace-Conn ceased the production of all acoustical plaster products containing commercial asbestos.
 - g. Acoustical Plaster.
 - h. Acoustical Finish Coat.
 - i. The product was manufactured at the plants listed below: Approximate dates of production are unknown.
 - (1) Omaha, Nebraska.
 - (2) Milwaukee, Wisconsin.
 - j. This product was packaged in multi-walled, pasted valve bags constructed of two 60-pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
 - k. Unknown.
15. a. Prep-Coat #3
- b. Western Mineral Products until 1966; Grace-Conn (1966-date unknown; Grace-Conn currently has no evidence that this product was manufactured after 1973).
 - c. This was a Western Mineral Products product. Grace-Conn manufactured the product from the time it acquired Western Mineral Products in 1966.
 - d. Chemical Composition: Short fiber chrysotile asbestos, White cement, Calcium Carbonate, Vermiculite, Finish Lime Double Hydrated, Perlite. Contained approximately 4-5% asbestos by weight.

- e. Unknown. However, Grace-Conn believes that the date was approximately 1972.
 - f. Unknown. However, Grace-Conn currently has no evidence that the product was manufactured after 1973, when Grace-Conn ceased the production of all sprayed textured products containing commercial asbestos.
 - g. Investigation continues.
 - h. Believed to be a decorative exterior finish.
 - i. The product was manufactured at the plant listed below. Approximate dates of production are unknown.
 - (1) Omaha, Nebraska.
 - j. This product was packaged in multi-walled, pasted valve bags constructed of two 60-pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
 - k. Unknown.
16. a. Versakote or Prep Coat #4.
- b. Western Mineral Products until 1966; Grace-Conn (1966 to present).
 - c. This was a Western Mineral Products product. Grace-Conn manufactured the product from the time it acquired Western Mineral Products in 1966.
 - d. Chemical Composition: Short fiber chrysotile asbestos, Aluminum stearate, Gelvatol, Hamaco, Daxad-17, Darex set accelerator, Nopco PD-1, Aluminum hydrate, Dowicil, Whiting, White portland cement, Perlite aggregate, Titanium dioxide, Hydrated lime. Contained approximately 4.52 percent short fiber chrysotile asbestos by weight.
 - e. This product has not been withdrawn from the market; since 1974, no asbestos has been used in this product.
 - f. Not applicable.
 - g. White or beige textured finish.
 - h. Very hard, decorative textured exterior finish.
 - j. The product was manufactured at some or all of the plants

listed below. Where approximate dates of production are known, they are also listed.

- (1) Pompano Beach, Florida; 1972-1973.
- (2) Omaha, Nebraska; 1972.

- k. This product was packaged in multi-walled, pasted valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
- l. A product called Versakote has been manufactured without commercial asbestos since 1974.

17. a. Spra-Wyt.

- b. Western Mineral Products until 1966. Manufactured by Grace-Conn from 1966 until a time unknown, but believed to be not later than 1973.
- c. This was a Western Mineral Products product. Grace-Conn manufactured the product from the time it acquired Western Mineral Products in 1966.
- d. Chemical Composition: 7M Asbestos, Bentonite, Titanium dioxide, Hydrated lime, Duponol, Perlite. The percentage of asbestos is unknown at this time.
- e. Exact discontinuance date unknown, but not later than 1973.
- f. Unknown.
- g. Acoustical plaster, color unknown.
- h. Acoustical finish coat.
- i. The product was manufactured at some or all of the plants listed below. Approximate dates of production are not known. Investigation continues.
 - (1) Denver, Colorado.
 - (2) Minneapolis, Minnesota.
 - (3) Omaha, Nebraska.
- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.

18. a. Hi-Sorb Acoustical Plaster.

- b. Western Mineral Products until 1966. Manufactured by Grace-Conn from 1966 until a date unknown, but believed to be not later than 1973.
- c. Originally produced by Western Mineral Products under license from Highland Stucco and Lime Products, Inc., Van Nuys, California. First manufactured under license by Grace-Conn in 1966.
- d. Chemical Composition: (XX White Hi-Sorb) Short fiber chrysotile asbestos, South African Vermiculite, Perlite, Plaster of Paris, Bentonite, Cal. Concentrate, Titanium, Drywall Additive. Contained approximately 8-10% 7M asbestos by weight in XX White Hi-Sorb. (Oyster White Hi-Sorb) Short fiber Chrysotile asbestos, South African Vermiculite, Vermiculite, Plaster of Paris, Bentonite, Cal. Concentrate, Drywall Additive. Contained approximately 8-10% 7M asbestos by weight in Oyster White Hi-Sorb.
- e. Exact discontinuance date unknown, but not later than 1973.
- f. Unknown.
- g. Textured ceiling plaster, oyster white; also available in color variations.
- h. Acoustical plaster.
- i. The product was manufactured at some or all of the plants listed below. Approximate dates of production are not known. Investigation continues.
 - (1) Denver, Colorado.
 - (2) Minneapolis, Minnesota.
 - (3) Omaha, Nebraska.
- j. This product was packaged in multi-walled, pasted valve bags constructed of two 60-pound plies of natural kraft paper, which is prescribed by the transportation industry. Specifically, National Motor Freight Classification 100-1.
- k. Unknown.

19. a. High Temperature Insulating Cement.

- b. Zonolite Company (approximately 1938-1963); Grace-Conn (1963 until 1971).
- c. Approximately 1938 by Zonolite Company; 1963 by Grace-Conn.
- d. Chemical Composition: Short fiber chrysotile asbestos, Vermiculite, Bentonite (montmorillonite type), Sodium lauryl sulfate, Sodium Nitrate. Contained approximately 17.11 percent asbestos by weight or approximately 18.69 percent asbestos by weight.
- e. 1971.
- f. Lack of market.
- g. Light beige insulating cement.
- h. High temperature insulating cement.
- i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) Birmingham, Alabama.
 - (2) Phoenix or Glendale, Arizona; 1959-early 1970's.
 - (3) North Little Rock, Arkansas; 1951-mid 1960's.
 - (4) Los Angeles, California; 1951-1971.
 - (5) Sacramento, California.
 - (6) Denver, Colorado.
 - (7) Tampa, Florida; 1950's-1967.
 - (8) Chicago, Illinois; 1970-1971.
 - (9) Wilder, Kentucky; 1970-1971.
 - (10) Easthampton, Massachusetts.
 - (11) North Billerica, Massachusetts.
 - (12) Dearborn, Michigan.
 - (13) Minneapolis, Minnesota; 1949-1962.
 - (14) St. Louis, Missouri; ?-mid-1960's.
 - (15) Omaha, Nebraska; 1955-1970.
 - (16) Trenton, New Jersey; 1964.
 - (17) Albany, New York.
 - (18) Portland, Oregon.
 - (19) Ellwood City, Pennsylvania; 1948-1960.
 - (20) New Castle, Pennsylvania; 1969-1971.
 - (21) Travelers Rest, South Carolina; 1948-1963.
 - (22) Kearney, South Carolina; 1963-1964.
 - (23) Dallas, Texas.
 - (24) Spokane, Washington; 1945-early 1970's.
 - (25) Milwaukee, Wisconsin; made until 1971, beginning date unknown.
- j. This product was packaged in strong paper bags weighing 25 pounds each.

- k. Grace-Conn did not manufacture an asbestos-free substitute for this product.
- 20. a. Zonolite Mono-Kote (MK-1).
 - b. Produced by Zonolite Company from December 1958. Virtually all sales ended by 1962, although there may have been some sales until approximately 1969.
 - c. December 1958 by the Zonolite Company, 1963 by Grace-Conn.
 - d. Chemical Composition: approximately 11.9% short fiber chrysotile asbestos, vermiculite, plaster of paris, portland cement, ZOD concentrate.
 - e. Virtually all sales ended by the end of 1962, although there may have been some sales by Grace-Conn until approximately 1969.
 - f. Lack of market.
 - g. Cementitious light beige fireproofing material.
 - h. Cementitious fireproofing.
 - i. The product was manufactured at some or all of the plants listed below. Approximate dates of production are not known.
 - (1) Phoenix, Arizona.
 - (2) Los Angeles, California.
 - (3) Sacramento, California.
 - (4) Denver, Colorado.
 - (5) Tampa, Florida.
 - (6) Wilder, Kentucky.
 - (7) New Orleans, Louisiana.
 - (8) Dearborn, Michigan.
 - (9) Minneapolis, Minnesota.
 - (10) Omaha, Nebraska.
 - (11) Trenton, New Jersey.
 - (12) Albany, New York.
 - (13) Portland, Oregon.
 - (14) Travelers Rest, South Carolina.
 - (15) Dallas, Texas.
 - (16) Spokane, Washington.
 - j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.

- k. Grace-Conn did not manufacture an asbestos-free substitute for this product.
- 21. a. Zonolite Spra-Insulation (MK-2).
- b. Zonolite Company from (1960 - 1963); Grace-Conn (1963 until approximately 1972).
- c. 1960 by Zonolite Company; 1963 by Grace-Conn.
- d. Chemical Composition: Short fiber chrysotile asbestos, Vermiculite, White Portland Cement, Plaster of Paris, ZOD concentrate. Contained approximately 11.78 percent 7M asbestos by weight.
- e. Approximately 1972.
- f. Lack of market.
- g. Dark beige cementitious material.
- h. Insulation and acoustical material for application to metal building interiors.
- i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) Sacramento, California.
 - (2) Denver, Colorado.
 - (3) Wilder, Kentucky.
 - (4) Minneapolis, Minnesota.
 - (5) Omaha, Nebraska.
 - (6) Trenton, New Jersey.
 - (7) Weedsport, New York.
 - (8) North Little Rock, Arkansas; a small amount may have been made at this plant some time after 1960.
 - (9) Portland, Oregon.
 - (10) Traveler's Rest, South Carolina; 1960.
 - (11) Dallas, Texas.
 - (12) Spokane, Washington; 1960-1962.
 - (13) Milwaukee, Wisconsin; discontinued about 1967.
 - (14) Los Angeles, California.
- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
- k. Grace-Conn did not manufacture an asbestos-free substitute for this product.

22. a. Zonolite Mono-Kote (MK-3).
- b. Zonolite Company (1959 - 1963); Grace-Conn (1963 - 1973).
- c. 1959 by Zonolite Company. 1963 by Grace-Conn.
- d. Chemical Composition: Short fiber chrysotile asbestos, Vermiculite, Plaster of Paris, Sodium lauryl sulfate. Contained approximately 13.23 percent 7M or 12.18 7R short fiber chrysotile asbestos by weight.
- e. 1973.
- f. Discontinued to comply with federal regulations.
- g. Light beige cementitious material.
- h. Cementitious fireproofing.
- i. The product was manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.
- (1) Phoenix, Arizona (Glendale); 1960-1973.
 - (2) North Little Rock, Arkansas; 1959-1973.
 - (3) Los Angeles, California; 1959-1973.
 - (4) Newark, California; 1965-1973.
 - (5) Sacramento, California.
 - (6) Santa Ana, California; 1972-1973.
 - (7) Denver, Colorado; 1959-1973.
 - (8) Jacksonville, Florida; 1968-1973.
 - (9) Tampa, Florida; 1960-1967.
 - (10) Chicago, Illinois (W. Chicago); 1959-1973.
 - (11) Wilder, Kentucky.
 - (12) New Orleans, Louisiana; some MK-3 was made at this plant for a short period in the early 1960's.
 - (13) Easthampton, Massachusetts; 1964-1973.
 - (14) Dearborn, Michigan.
 - (15) Minneapolis, Minnesota; 1960-1972.
 - (16) Kansas City, Missouri.
 - (17) St. Louis, Missouri; 1959-1973.
 - (18) Omaha, Nebraska; 1962-1973.
 - (19) Trenton, New Jersey; 1964.
 - (20) Albany, New York.
 - (21) Weedsport, New York; 1965-1973.
 - (22) Portland, Oregon; 1963-1973.
 - (23) Ellwood City, Pennsylvania; mid-1960's.
 - (24) New Castle, Pennsylvania; 1969-1973.
 - (25) Travelers Rest, South Carolina; 1959-1965.
 - (26) Kearney, South Carolina; 1966 or 1967-1973.
 - (27) Dallas, Texas.

- (28) Spokane, Washington; 1959-1973.
- (29) Milwaukee, Wisconsin.

- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
- k. While Mono-Kote (MK-3) was never reformulated, it was replaced by two new products, Mono-Kote (MK-4) and (MK-5), neither of which contains commercial asbestos. MK-4 was first marketed by Grace-Conn in or around 1970. MK-5 was first marketed by Grace-Conn in or around October, 1972.

PRODUCTS WHICH DO NOT CONTAIN COMMERCIAL ASBESTOS

- 23. a. Zonolite Mono-Kote (MK-4).
- b. W. R. Grace & Co. - Conn (1970 to the present, in Southern California and Arizona only).
- c. 1970, in California; 1971, elsewhere.
- d. Chemical Composition: Grace-Conn objects to providing the chemical composition of this product because the composition is a trade secret. Further answering, this product contains expanded vermiculite.
- e. This product is sold only in Southern California and Arizona.
- f. Not applicable.
- g. Cementitious beige fireproofing product.
- h. Cementitious fireproofing.
- i. The product has been approved for manufacture or manufactured at the plants listed below. Where approximate dates of production are known, they are also listed.
 - (1) Los Angeles, California; 1977.
 - (2) Santa Ana, California; 1977 to present.
 - (3) Newark, California; 1972 to 1974.
 - (4) Phoenix, Arizona; present.
 - (5) Trenton, New Jersey; 1972.
 - (6) New Castle, Pennsylvania; 1972.

- (7) Omaha, Nebraska.
- (8) Muirkirk, Maryland.
- (9) Portland, Oregon.
- (10) West Chicago, Illinois.
- (11) Dallas, Texas.
- (12) Easthampton, Massachusetts.
- (13) Kearney, South Carolina.
- (14) Irondale, Alabama.
- (15) Wilder, Kentucky.
- (16) Little Rock, Arkansas; ? - 1989.
- (17) Milwaukee, Wisconsin; ? - 1991.
- (18) Minneapolis, Minnesota; ? - 1989.
- (19) New Orleans, Louisiana; ? - 1989.
- (20) Dearborn, Michigan; ? - 1990.
- (21) Jacksonville, Florida; ? - 1990.
- (22) St. Louis, Missouri; ? - 1990.
- (23) Denver, Colorado; ? - 1990.

j. This product is packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.

k. This product has never contained commercial asbestos.

24. a. Zonolite Mono-Kote (MK-5).

b. W. R. Grace & Co. - Conn (July, 1972 to the present).

c. 1972.

d. Chemical Composition: Grace-Conn objects to providing the chemical composition of this product because the composition is a trade secret. Further answering, this product contains expanded vermiculite.

e. This product has not been withdrawn from the market.

f. Not applicable.

g. Cementitious beige fireproofing product.

h. Cementitious fireproofing.

i. The product has been approved for manufacture or manufactured at some or all of the plants listed below. Where approximate dates of production are known, they are also listed.

- (1) Irondale, Alabama
- (2) Phoenix, Arizona

- (3) North Little Rock, Arkansas
- (4) Newark, California
- (5) Santa Ana, California
- (6) Denver, Colorado
- (7) Jacksonville, Florida
- (8) W. Chicago, Illinois
- (9) Wilder, Kentucky
- (10) Muirkirk, Maryland
- (11) Easthampton, Massachusetts
- (12) Dearborn, Michigan
- (13) Minneapolis, Minnesota
- (14) St. Louis, Missouri
- (15) Omaha, Nebraska
- (16) Trenton, New Jersey
- (17) Portland, Oregon
- (18) New Castle, Pennsylvania
- (19) Kearney, South Carolina
- (20) Dallas, Texas
- (21) New Orleans, Louisiana; 7-1989
- (22) Milwaukee, Wisconsin; 7-1991

- 1. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
- k. This product has never contained commercial asbestos.
- 25. a. Plaster Aggregate.
- b. Zonolite Company (1942 to 1963); Grace-Conn (1963 to the present).
- c. 1942 by the Zonolite Company; 1963 by Grace-Conn.
- d. Chemical Composition: Grace-Conn objects to providing the chemical composition of this product because the composition is a trade secret. Further answering, this product contains expanded vermiculite.
- e. This product has not been withdrawn from the market.
- f. Not applicable.
- g. Beige.
- h. When used with gypsum in plaster, it results in a lightweight, insulating, fire resistant, plaster for application to surfaces, such as masonry metal lathes, gypsum lathes, or monolithic concrete surfaces.

i. This product was manufactured at the plants listed below.

- (1) Dallas, Texas.
- (2) San Antonio, Texas.
- (3) North Little Rock, Arkansas.
- (4) New Orleans, Louisiana.
- (5) Nashville, Tennessee.
- (6) Trenton, New Jersey.
- (7) Weedsport, New York.
- (8) Easthampton, Massachusetts.
- (9) Kansas City, Missouri.
- (10) New Castle, Pennsylvania.
- (11) Dearborn, Michigan.
- (12) Newark, California.
- (13) Portland, Oregon.
- (14) Phoenix, Arizona.
- (15) Santa Ana, California.
- (16) Kearney, South Carolina.
- (17) Jacksonville, Florida.
- (18) Pompano Beach, Florida.
- (19) Tampa, Florida.
- (20) High Point, North Carolina.
- (21) Irondale, Alabama.
- (22) West Chicago, Illinois.
- (23) Omaha, Nebraska.
- (24) Minneapolis, Minnesota.
- (25) Wilder, Kentucky.
- (26) Denver, Colorado.
- (27) St. Louis, Missouri.

j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1. In early 1987, a change was made to poly-lined bags.

k. This product has never contained commercial asbestos.

26. a. Concrete Aggregate.

b. Zonolite Company (1942-1963); Grace-Conn (1963 to the present).

c. 1942.

d. Chemical Composition: Grace-Conn objects to providing the chemical composition of this product because the composition is a trade secret. Further answering, this product contains expanded vermiculite.

- e. This product has not been withdrawn from the market.
- f. Not applicable.
- g. Tan expanded vermiculite.
- h. Added to concrete to make light weight concrete.
- i. This product was manufactured at the plants listed below.

- (1) Dallas, Texas.
- (2) San Antonio, Texas.
- (3) North Little Rock, Arkansas.
- (4) New Orleans, Louisiana.
- (5) Nashville, Tennessee.
- (6) Trenton, New Jersey.
- (7) Weedsport, New York.
- (8) Easthampton, Massachusetts.
- (9) New Castle, Pennsylvania.
- (10) Dearborn, Michigan.
- (11) Newark, California.
- (12) Portland, Oregon.
- (13) Phoenix, Arizona.
- (14) Santa Ana, California.
- (15) Kearney, South Carolina.
- (16) Jacksonville, Florida.
- (17) Pompano Beach, Florida.
- (18) Tampa, Florida.
- (19) Kansas City, Missouri.
- (20) High Point, North Carolina.
- (21) Irondale, Alabama, 1980 to present.
- (22) West Chicago, Illinois.
- (23) Omaha, Nebraska.
- (24) Minneapolis, Minnesota.
- (25) Wilder, Kentucky.
- (26) Denver, Colorado.
- (27) St. Louis, Missouri.
- (28) Los Angeles, California, 1975-6.
- (29) Milwaukee, Wisconsin.
- (30) Muirkirk, Maryland.
- (31) Oklahoma City, Oklahoma.
- (32) Traveler's Rest, South Carolina.

- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1. In early 1987, a change was made to poly-lined bags.
- k. This product has never contained commercial asbestos.

27. a. Stabilised Concrete Aggregate.
- b. Zonolite Company (from some time no earlier than 1942 until 1963); Grace-Conn (1963 to present).
- c. Produced by Zonolite Company from some time no earlier than 1942.
- d. Chemical Composition: Grace-Conn objects to providing the chemical composition of this product because the chemical composition is a trade secret. Further answering, this product contains expanded vermiculite and an air-entraining agent.
- e. This product has not been withdrawn from the market.
- f. Not applicable.
- g. Dark gray expanded vermiculite.
- h. Added to concrete to make light weight concrete.
- i. This product was manufactured at the plants listed below from 1976 to the present. Investigation continues with regard to pre-1976 manufacture.
- (1) Dallas, Texas.
 - (2) San Antonio, Texas.
 - (3) North Little Rock, Arkansas.
 - (4) New Orleans, Louisiana.
 - (5) Nashville, Tennessee.
 - (6) Trenton, New Jersey.
 - (7) Weedsport, New York, 1975 to present.
 - (8) Easthampton, Massachusetts.
 - (9) New Castle, Pennsylvania.
 - (10) Dearborn, Michigan.
 - (11) Newark, California.
 - (12) Portland, Oregon.
 - (13) Phoenix, Arizona.
 - (14) Santa Ana, California.
 - (15) Kearney, South Carolina.
 - (16) Jacksonville, Florida.
 - (17) Pompano Beach, Florida.
 - (18) Tampa, Florida.
 - (19) High Point, North Carolina.
 - (20) Irondale, Alabama, 1980 to present.
 - (21) West Chicago, Illinois.
 - (22) Omaha, Nebraska.
 - (23) Minneapolis, Minnesota.
 - (24) Wilder, Kentucky.
 - (25) Denver, Colorado.

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- (26) St. Louis, Missouri.
- (27) Los Angeles, California, 1975.
- (28) Milwaukee, Wisconsin.
- (29) Muirkirk, Maryland.
- (30) Oklahoma City, Oklahoma.
- (31) Traveler's Rest, South Carolina.

- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1. In early 1987, a change was made to poly-lined bags.
- k. This product has never contained commercial asbestos.
- 28. a. Masonry Fill (also manufactured as Masonry Insulation).
 - b. Zonolite Company (1958 or 1959 to 1963); Grace-Conn (1963 to the present).
 - c. 1958 or 1959.
 - d. Chemical Composition: Grace-Conn objects to providing the chemical composition of this product because the chemical composition is a trade secret. Further answering, this product is a fill for concrete blocks which contains expanded vermiculite which is coated, among other reasons, to make the fill water repellant.
 - e. This product has not been withdrawn from the market.
 - f. Not applicable.
 - g. Dark gray vermiculite fill.
 - h. Used to fill concrete blocks.
 - i. The product has been manufactured at the plants listed below.
 - (1) Dallas, Texas.
 - (2) San Antonio, Texas.
 - (3) Oklahoma City, Oklahoma.
 - (4) Little Rock, Arkansas.
 - (5) New Orleans, Louisiana.
 - (6) Nashville, Tennessee.
 - (7) Trenton, New Jersey.
 - (8) Weedsport, New York.
 - (9) Easthampton, Massachusetts.
 - (10) Muirkirk, Maryland.
 - (11) New Castle, Pennsylvania.

- (12) Dearborn, Michigan.
- (13) Newark, New Jersey.
- (14) Portland, Oregon.
- (15) Phoenix, Arizona.
- (16) Santa Ana, California.
- (17) Kearney, South Carolina.
- (18) Jacksonville, Florida.
- (19) Pompano Beach, Florida.
- (20) Tampa, Florida.
- (21) High Point, North Carolina.
- (22) Irondale, Alabama.
- (23) Chicago, Illinois.
- (24) Omaha, Nebraska.
- (25) Minneapolis, Minnesota.
- (26) Wilder, Kentucky.
- (27) Denver, Colorado.
- (28) St. Louis, Missouri.

- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1. In early 1987, a change was made to poly-lined bags.
 - k. This product has never contained commercial asbestos.
29. a. Z-Crete.
- b. Zonolite Company (from the mid-1940's until approximately 1959).
 - c. Mid-1940's.
 - d. Chemical Composition: Grace-Conn objects to providing the chemical composition of this product because the chemical composition is a trade secret. Further answering, this product contained expanded vermiculite.
 - e. Approximately 1959.
 - f. Patent sold to another company.
 - g. Dark gray expanded vermiculite.
 - h. Structural underground pipe insulation.
 - i. Grace-Conn is unable to answer this interrogatory on the basis of its current knowledge.
 - j. This product was packaged in strong paper bags weighing 31 pounds each.

- k. This product never contained commercial asbestos.
- 30. a. Top Crete.
 - b. W. R. Grace & Co. - Conn (November, 1980 to the present).
 - c. November, 1980.
 - d. Chemical Composition: Grace-Conn objects to providing the chemical composition of this product because the chemical composition is a trade secret. Further answering, this product contains expanded vermiculite.
 - e. This product has not been withdrawn from the market.
 - f. Not applicable.
 - g. Dull gray overcoat for Mono-Kote fireproofing.
 - h. Overcoat for Mono-Kote fireproofing.
 - i. The product has been approved for manufacture or manufactured at the plants listed below.
 - (1) West Chicago, Illinois
 - (2) Dallas, Texas
 - (3) Easthampton, Massachusetts
 - (4) Kearney, South Carolina
 - (5) Irondale, Alabama
 - (6) Newark, California
 - (7) Phoenix, Arizona
 - (8) Santa Ana, California
 - (9) Trenton, New Jersey
 - j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1. In early 1987, a change was made to poly-lined bags.
 - k. This product has never contained commercial asbestos.
- 31. a. Top Crete 210.
 - b. W. R. Grace & Co. - Conn (July, 1981 to June, 1983).
 - c. July, 1981.
 - d. Chemical Composition: Grace-Conn objects to providing

(15) Denver, Colorado; ? - 1990

- j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1. In early 1987, a change was made to poly-lined bags.
- k. This product has never contained commercial asbestos.

the chemical composition of this product because the chemical composition is a trade secret. Further answering, this product contained expanded vermiculite.

- e. June, 1983. Product was identical to Top Crete, and was replaced by Top Crete.
 - f. Replaced by Top Crete, an identical product.
 - g. Dull gray spray overcoat for Mono-Kote fireproofing.
 - h. Overcoat for Mono-Kote fireproofing.
 - i. The product has been approved for manufacture or manufactured at the plants listed below.
 - (1) West Chicago, Illinois
 - (2) Dallas, Texas
 - (3) Easthampton, Massachusetts
 - (4) Kearney, South Carolina
 - (5) Newark, California
 - j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.
 - k. This product never contained commercial asbestos.
32. a. Top Kote.
- b. W. R. Grace & Co. - Conn. (June, 1979 to June, 1983).
 - c. June, 1979.
 - d. Chemical Composition: Grace-Conn objects to providing the chemical composition of this product because the chemical composition is a trade secret. Further answering, this product contained expanded vermiculite.
 - e. June, 1983.
 - f. Lack of market.
 - g. Dull gray overcoat.
 - h. Overcoat for Mono-Kote fireproofing.
 - i. The product has been approved for manufacture or manufactured at the plants listed below.

- (1) West Chicago, Illinois
- (2) Dallas, Texas
- (3) Easthampton, Massachusetts
- (4) Kearney, South Carolina
- (5) Newark, California
- (6) Portland, Oregon
- (7) Trenton, New Jersey

j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1.

k. This product never contained commercial asbestos.

33. a. Zonolite 105.

b. W. R. Grace & Co. - Conn (August, 1980 to the present) (currently inactive).

c. August, 1980.

d. Chemical Composition: Grace-Conn objects to providing the chemical composition of this product because the composition is a trade secret. Further answering, this product contains expanded vermiculite.

e. This product has not been withdrawn from the market.

f. Not applicable.

g. Dull gray cementitious material.

h. Fireproofing.

i. The product has been approved for manufacture or manufactured at the plants below.

- (1) West Chicago, Illinois
- (2) Dallas, Texas
- (3) Easthampton, Massachusetts
- (4) Kearney, South Carolina
- (5) Irondale, Alabama
- (6) Muirkirk, Maryland
- (7) Newark, California
- (8) Phoenix, Arizona
- (9) Portland, Oregon
- (10) Santa Ana, California
- (11) Trenton, New Jersey
- (12) St. Louis, Missouri; ? - 1990
- (13) Denver, Colorado; ? - 1990

j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1. In early 1987, a change was made to poly-lined bags.

k. This product has never contained commercial asbestos.

34. a. Spatterkote.

b. W. R. Grace & Co. - Conn (1984 to the present) (currently inactive).

c. 1984.

d. Chemical Composition: Grace-Conn objects to providing the chemical composition of this product because the composition is a trade secret. Further answering, this product contains expanded vermiculite.

e. This product has not been withdrawn from the market.

f. Not applicable.

g. Dull gray cementitious material.

h. Spatterkote is to be applied to all cellular steel floor units with flat plate on the bottom before the application of Mono-Kote. Spatterkote is optional on other steel surfaces.

i. The product has been approved for manufacture or manufactured at the plants listed below. Where approximate dates of production are known, they are also listed.

- 1) Irondale, Alabama
- 2) Phoenix, Arizona
- 3) North Little Rock, Arkansas
- 4) Newark, California
- 5) Santa Ana, California
- 6) Denver, Colorado
- 7) Jacksonville, Florida
- 8) W. Chicago, Illinois
- 9) Wilder, Kentucky
- 10) Murkirk, Maryland
- 11) Easthampton, Massachusetts
- 12) Dearborn, Michigan; ?-1990
- 13) Minneapolis, Minnesota
- 14) St. Louis, Missouri; ?-1990

- 15) Omaha, Nebraska; ?-1989
- 16) Trenton, New Jersey
- 17) Portland, Oregon
- 18) New Castle, Pennsylvania
- 19) Kearney, South Carolina
- 20) Dallas, Texas

j. This product was packaged in multi-walled, pasted-valve bags constructed of two 60 pound plies of natural kraft paper, which is prescribed by the transportation industry, specifically, National Motor Freight Classification 100-1. In early 1987, a change was made to poly-lined bags.

k. This product has never contained commercial asbestos.

35. a. Zonolite 3300 Thermal Barrier.

b. W. R. Grace & Co. - Conn (April, 1975 to the present).

c. April, 1975.

d. Chemical Composition: Grace-Conn objects to providing the chemical composition of this product because the composition is a trade secret. Further answering, this product contains expanded vermiculite.

e. This product has not been withdrawn from the market.

f. Not applicable.

g. Dull gray overcoat for polyurethane insulation.

h. Overcoat for polyurethane insulation.

i. The product has been approved for manufacture or manufactured at the plants listed below.

- (1) Dallas, Texas.
- (2) Trenton, New Jersey.
- (3) Chicago, Illinois.
- (4) Newark, California.
- (5) Portland, Oregon.
- (6) Phoenix, Arizona.
- (7) Santa Ana, California.
- (8) Easthampton, Massachusetts.
- (9) Kearney, South Carolina.
- (10) Irondale, Alabama.
- (11) Muirkirk, Maryland.
- (12) New Castle, Pennsylvania.
- (13) Wilder, Kentucky.
- (14) St. Louis, Missouri; ? - 1990

CERTIFICATION

STATE OF FLORIDA)

COUNTY OF PALM BEACH, SS.)

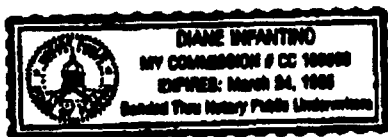
Terri L. Pike, being first duly sworn, on oath deposes and says she is Controller, Office of Environmental Policy of W. R. Grace & Co. - Conn., defendant in the above-entitled action; that she has read the foregoing answers to interrogatories and knows the contents thereof; that said answers were prepared by and with the assistance of employees and representatives of the corporation, with the assistance and advice of counsel, upon which she has relied; that the answers set forth herein, subject to inadvertent or undiscovered errors, are based on and therefore necessarily limited by the records and information still in existence, presently recollected and thus far discovered in the course of the preparation of these answers; that consequently W. R. Grace & Co. - Conn. reserves the right to make any changes in the answers if it appears at any time that omissions or errors have been made therein or that more accurate information is available; and that subject to the limitations set forth herein the said answers are true to the best of her present knowledge, information and belief.

Terri L. Pike

TERRI L. PIKE

Subscribed and sworn to before me
this 22nd day of May, 1992.

Diane Infantino
NOTARY PUBLIC



1181SFC

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the
above and foregoing instrument has been forwarded by regular
mail to all counsel of record on this the 26th day
of May, 1992.

for Thomas H. Walston
SANDRA F. CLARK