

C A N T E Y & H A N G E R, L L P.

ATTORNEYS AT LAW

THOMAS PATRICK GORDON III
DIRECT DIAL 817-877-2861
E-MAIL tgonlon@canteyhanger.com

801 CHERRY STREET, SUITE 2100
FORT WORTH, TEXAS 76102-6821
817-877-2800 • METRO 817-429-3815
FAX 817-877-2807



March 20, 2000

Ben K. DuBose
Baron & Budd, P.C.
3102 Oak Lawn Avenue, Suite 1100
Dallas, TX 75219

RE: Cause No. CC-99-08033-B
Malcom Lee Murphy, Jr. and Annette Harbert Murphy
vs. Owens Corning, et al.
Our File No. 86613

Dear Ben:

Please find enclosed Defendant Henry Vogt Machine Co.'s Objections and Responses to Plaintiffs' Master Interrogatories and Requests for Production in the above-referenced case.

By copy of this letter, all counsel of record are being furnished with a copy of same.

Best regards,

Thomas Patrick Gordon, III

TPGIII/lk
Encl.

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Ben K. DuBose
March 20, 2000
Page 2

cc: Robert Adams
Mel D. Bailey
Robert H. Bass
David P. Blanke
Mary Kathryn Braza
Susan A. Carstens
Alex E. Cosceulluela
Thomas F. Dougall
Joanne Early
Gary D. Elliston
James T. Foley
Rachelle Hoffman Glazer
Donald E. Godwin
Paul E. Hanson
Raymond P. Harris, Jr.
Kathryn Oakes Hermes
John L. Hill
J. Michael Jordan
Rodney H. Lawson
David W. Ledyard
Jackie W. Miller
Lewis C. Miltenberger
Jeffery Mundy
E. Russell Nunnally
James R. Old
James H. Powers
Josephine Randall
Gregory M. Sullivan
David M. Taylor
Robert E. Thackston
James M. Tompkins
Todd N. Wade
Clay M. White
R. Mark Willingham

CAUSE NO. CC-99-08033-B

MALCOM LEE MURPHY, JR. and	§	IN THE COUNTY COURT
ANNETTE HARBERT MURPHY	§	
	§	
VS.	§	AT LAW NUMBER TWO
	§	
OWENS CORNING, et al	§	DALLAS COUNTY, TEXAS

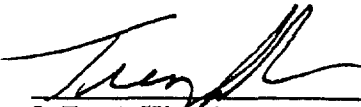
**DEFENDANT HENRY VOGT MACHINE CO.'S
OBJECTIONS AND RESPONSES TO PLAINTIFFS'
MASTER INTERROGATORIES AND REQUESTS FOR PRODUCTION**

TO: Malcolm Lee Murphy, Jr. and Annette Harbert Murphy, Plaintiffs, by and through their attorney of record, Mr. Ben K. DuBose, Baron & Budd, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219-4281.

NOW COMES, Henry Vogt Machine Co., one of the Defendants in the above listed cause of action, and makes and files this its Objections and Responses to Plaintiffs' Master Interrogatories and Request for Production, in accordance with Rule 197 of the Texas Rules of Civil Procedure.

Respectfully submitted,

CANTEY & HANGER, L.L.P.
2100 Burnett Plaza
801 Cherry Street
Fort Worth, Texas 76102
(817) 877-2800
FAX: (817) 877-2807

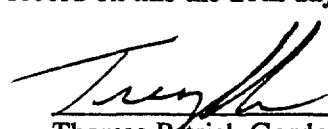
BY: 

J. Frank Kinsel, Jr.
State Bar No. 11488700
Thomas Patrick Gordon, III
State Bar No. 08212750

ATTORNEYS FOR DEFENDANT,
HENRY VOGT MACHINE CO.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant Henry Vogt Machine Co.'s Objections and Responses to Plaintiffs' Master Interrogatories and Request for Production has been forwarded to all known counsel of record on this the 20th day of March, 2000.


Thomas Patrick Gordon, III

PRELIMINARY STATEMENT

The responses of Vogt to the Discovery Requests are based on a review of available records and from recollections of employees and former employees of Vogt. Many records of Vogt which might have been relevant to the issues in this action were destroyed in the ordinary course of business before this action or any similar litigation had been filed, and some individuals who might have had personal knowledge of matters relevant to the issues in this action are deceased or otherwise unavailable. Vogt formerly manufactured products through three divisions: Heat Transfer, Valve & Fitting and Refrigeration. During 1996, Vogt sold all of the assets of the Heat Transfer Division and the Valve & Fitting Division, and such sales may have an impact on Vogt's ability to respond to the Discovery Requests. The information available to Vogt in response to the Discovery Requests is accurate, to the best information and belief of the representative of Vogt who signed this pleading. Vogt will continue to investigate the matters relevant to the issues in this action. Vogt may acquire more complete or different information relevant to the issues in this action in the future, and Vogt reserves the right to supplement its responses to the Discovery Requests in the future if additional information is acquired. This Preliminary Statement is incorporated by reference into each response to the Discovery Requests.

1. GENERAL OBJECTIONS

Vogt hereby objects to the Discovery Requests upon the following grounds:

1. Vogt objects to the Discovery Requests to the extent that they attempt to impose obligations other than those imposed upon Vogt by the Texas Rules of Civil Procedure and Orders of this Court.
2. Vogt objects to the Discovery Requests to the extent that they attempt to invade the attorney-client privilege and/or the attorney work product doctrine.
3. Vogt further objects to the Discovery Requests on the grounds that they are in large part overbroad and therefore oppressive, burdensome, harassing and not reasonably calculated to lead to the discovery of admissible evidence.
4. Vogt further objects to the instructions and definitions supplied by plaintiffs with regard to the Discovery Requests, on the basis that the definitions are overbroad, vague, and often inconsistent with the normal usage and meanings of such words, and the instructions are overbroad, burdensome, and constitute an unreasonable expansion of the Discovery Requests themselves. Vogt therefore gives notice that it does not consider itself bound by the instructions and definitions propounded by the plaintiff, and instead shall answer the Discovery Requests in a manner consistent with a normal understanding of the language used in the Discovery Requests and to the extent necessary to fairly and fully answer the Discovery Requests.

5. Vogt's responses are made without in any way waiving: [1] the right to object on the grounds of competency, relevancy and materiality, hearsay, or any other proper ground to the use of any such information, for any purpose, in whole or in part, in any action, and [2] the right to object on any and all grounds, at any time, to any other discovery procedure involving or relating to the subject matter of the Discovery Requests.

6. Vogt objects to the Discovery Requests to the extent that they seek to obtain information pertaining to sales of any products to any company, plant or location other than the companies, plants or locations at which the plaintiffs were employed on the grounds that such information is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, is unduly burdensome and oppressive and is otherwise not within the realm of permissible discovery.

7. Vogt objects to the Discovery Requests to the extent that they seek proprietary and confidential information, and Vogt reserves the right to file a motion for protective order requesting that the court impose safeguards adequate to protect the confidential and proprietary nature of any such information sought hereby.

8. Vogt objects to the Discovery Requests to the extent that they do not designate a time period for the information sought in response to most questions.

The General Objections are incorporated by reference into each response to the Discovery Requests.

**I. SPECIFIC OBJECTIONS AND RESPONSES OF
HENRY VOGT MACHINE CO. TO PLAINTIFFS'
MASTER INTERROGATORIES AND REQUEST FOR PRODUCTION**

INTERROGATORY NO. 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.

DEFENDANT'S RESPONSE:

Margaret S. Culver, Corporate Secretary, Henry Vogt Machine Co., 1000 West Ormsby Avenue, Louisville, Kentucky 40210. Employed by Henry Vogt Machine Co. (hereinafter "Vogt") from July 1942 to the present date]. From July 1942 to February 1953, secretary to G.A. Heuser and L.D. Schlegel; from February 1953 to September 1972, administrative assistant; from September 1972 to January, 1994 employee and Corporate Secretary; from January, 1994 to the present date, Corporate Secretary.

Wayne T. Klein, retired employee of Vogt, 2510 Paddock Lane, Louisville, Kentucky 40216. Employed by the former Heat Transfer Division of Vogt in various engineering positions; from 1952 to 1993.

Guy A. Jolly, former employee of Vogt, 7410 Cross Creek Boulevard, Louisville, Kentucky 40228. Employed by the former Valve and Fitting Division of Vogt in various engineering positions, on and of from 1957 to 1996.

INTERROGATORY NO. 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.

DEFENDANT'S RESPONSE:

Yes. Henry Vogt Machine Co., a Kentucky corporation, 1000 West Ormsby Avenue, Louisville, Kentucky 40210. CT Corporation System, Dallas, Texas, is authorized to accept service of process on behalf of Vogt in the State of Texas. Vogt has held a certificate of authority to do business in the State of Texas.

INTERROGATORY NO. 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.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 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.

DEFENDANT'S RESPONSE:

Boilers and valves.

INTERROGATORY NO. 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.

DEFENDANT'S RESPONSE:

The boilers and valves identified in the response to Interrogatory No. 5.

INTERROGATORY NO. 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 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Vogt's former Heat Transfer Division has engaged in the resale of products containing asbestos-containing components manufactured by other suppliers, such as insulating products and gaskets. As part of its boiler assemblies, Vogt furnished high temperature fiber insulation, refractory materials and gasket materials which occasionally contained asbestos-containing components. Such boiler assemblies were produced, to the best of Vogt's knowledge, starting in the early 1900s. Vogt does not

have records which identify the type or chemical composition of the asbestos fibers in such boiler assemblies. Such boiler assemblies typically had a manufacturer's nameplate identifying Vogt as the manufacturer. Such boiler assemblies had the physical appearance of a typical boiler assembly, and were intended for the typical uses of boilers in manufacturing plants and other customer locations. Vogt discontinued the use of asbestos-containing components in boiler assemblies in the early or mid-1980s after Vogt began receiving material specification sheets from suppliers and OSHA documents concerning health problems from asbestos-containing products, and suppliers of asbestos-containing components to Vogt announced their intention to discontinue the use of asbestos.

Vogt's former Valve and Fitting Division produced high temperature, high pressure, and high performance valves (gate, globe and check valves) containing encapsulated asbestos packing and metal sheathed gaskets containing latex-filled asbestos manufactured by other suppliers. Such valves were produced, to the best of Vogt's knowledge, starting in the late 1930s. The gaskets in the valves were metal sheathed gaskets with spiral wound gasket design. The gaskets were metal wound with latex-filled white chrysotile asbestos encapsulated between each of the metal windings. Such valves were identified with a unique logo forged onto the valve body as well as a manufacturer's nameplate identifying Vogt as the manufacturer. Such valves were intended for the typical uses of valves in manufacturing plants and other customer locations at temperatures from -20 degrees F. to approximately 1,200 degrees F. Vogt's former Valve and Fitting Division systematically phased out asbestos packing and gaskets from its valves commencing in September 1985 and ending September 1986.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Any documents responsive to these interrogatories, if any, will be made available for review at a mutually agreeable time and place in Louisville, Kentucky.

INTERROGATORY NO. 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.
- 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue

burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Any documents responsive to these interrogatories, if any, will be made available for review at a mutually agreeable time and place in Louisville, Kentucky.

INTERROGATORY NO. 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.

DEFENDANT'S RESPONSE:

Not applicable.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate

discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Any documents responsive to these interrogatories, if any, will be made available for review at a mutually agreeable time and place in Louisville, Kentucky.

INTERROGATORY NO. 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. 8 or 11? 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.

DEFENDANT'S RESPONSE:

Not applicable.

INTERROGATORY NO. 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 working 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Any documents responsive to these interrogatories, if any, will be made available for review at a mutually agreeable time and place in Louisville, Kentucky.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No. Asbestos suits were not filed against Vogt until after 1970.

INTERROGATORY NO. 16:

Were your asbestos products distributed, marketed, 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

The products of Vogt's former Valve and Fitting Division were sold by Vogt to distributors. Any records concerning such distributors that are responsive to these Interrogatories, if any, will be made available for review at a mutually agreeable time and place in Louisville, Kentucky.

INTERROGATORY NO. 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 names 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

See response to Interrogatory No. 16.

INTERROGATORY NO. 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.

DEFENDANT'S RESPONSE:

None.

INTERROGATORY NO. 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 beings? 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Any documents responsive to these interrogatories, if any, will be made available for review at a mutually agreeable time and place in Louisville, Kentucky.

INTERROGATORY NO. 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 names 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 publications.
 - 4. The method or manner in which such publications are maintained.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal,

constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S REPOSE :

Vogt was a member of the American Petroleum Institute, National Safety Council and National Society of Testing and Materials. Any documents concerning these organizations that are relevant and responsive to these Interrogatories, if any, will be made available for review at a mutually agreeable time and place in Louisville, Kentucky.

INTERROGATOR NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

The products listed in the responses to Interrogatory No. 6 were manufactured in Vogt's plant in Louisville, Kentucky during the time periods identified in the responses to Interrogatory No. 6.

INTERROGATORY NO. 22:

Have printed sales materials been prepared by Defendant or any of its subsidiary or predecessor companies or their agents for purposes or 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Any documents responsive to these interrogatories, if any, will be made available for review at a mutually agreeable time and place in Louisville, Kentucky.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Any documents responsive to these interrogatories, if any, will be made available for review at a mutually agreeable time and place in Louisville, Kentucky.

INTERROGATORY NO. 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.)

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible

evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Any documents responsive to these interrogatories, if any, will be made available for review at a mutually agreeable time and place in Louisville, Kentucky.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible

evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Vogt believes that it obtained general awareness of the impact of asbestos fibers on human health in mid-1979 or the early 1980s. Vogt is not able to provide the exact dates when various individuals, whose personal knowledge might legally be attributed to the corporate entity, first obtained such awareness.

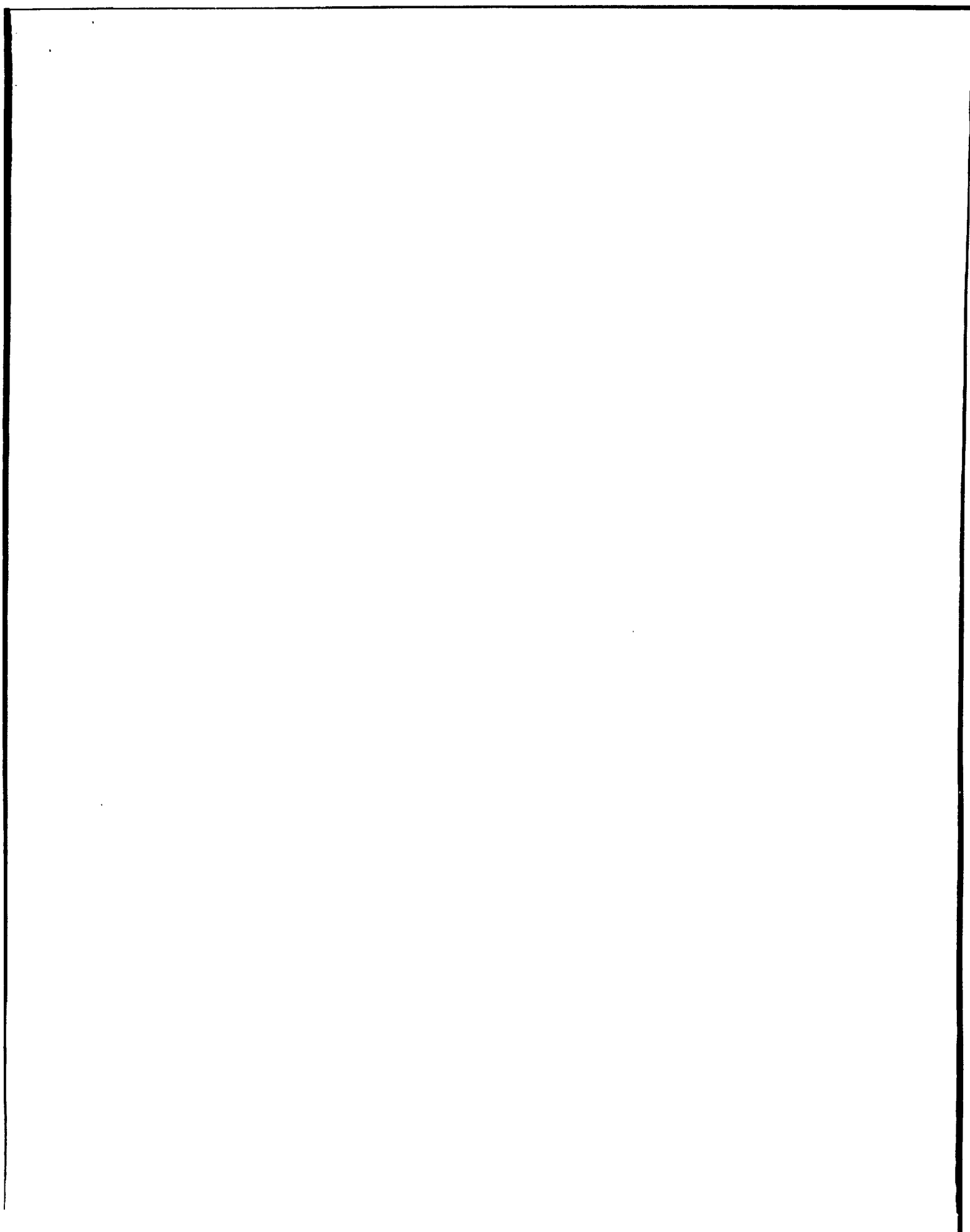
INTERROGATORY NO. 26:

As to the disease lung cancer, state:

- A. The date on which Defendant or its subsidiary or predecessors first learned that such disease was caused by inhalation of asbestos fibers in 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.



Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

See response to Interrogatory No. 25.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate

discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

See response to Interrogatory No. 25.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

See response to Interrogatory No. 25.

INTERROGATORY NO. 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.**

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

See response to Interrogatory No. 25.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Interrogatory because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant objects to this Interrogatory because it seeks information on which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this cause.

Defendant objects to this Interrogatory to the extent that it is an attempt to require the Defendant to state each and every contention that it has at this time for the reason that such request is an unfair attempt to unduly limit this Defendant as to what testimony and contentions may be elicited by this Defendant at the time of trial. Defendant asserts that Interrogatories are not the proper method of discovery in order to require a Defendant to set out each and every contention that it may ever have in a case, and Defendant objects to doing so at this time. Defendant would also point out that investigation and discovery continues, and such contentions may not

be completely determined until after investigation and discovery has been completed. In addition, it invades the thought processes of Defendant's attorney.

DEFENDANT'S RESPONSE:

Vogt does not have the knowledge or expertise to respond to this Interrogatory.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

During the time periods identified in the responses to Interrogatory No. 6, Vogt's products were shipped in wooden crates and/or cardboard boxes. Such crates and/or boxes may have contained Vogt's corporate name.

INTERROGATORY NO. 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.

- 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 33:

List the names 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue

burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Vogt's former Heat Transfer Division: Louisville Insulating & Supply; Owens-Corning Fiberglas Corp.; J. Gordon English; Refractory & Insulation Corp.; Louisville Firebrick Co.; Insulation & Specialties, Inc.; General Insulation & Roofing Co.; Allan K. Cook Co.; Edward F. Heimbrock Co.; The Clark-Reliance Corp.; A.P. Green Refractories Co.; Flexitalic Gasket Co.; Garlock Packing Co.; and Johns-Manville Corp.

Vogt's former Valve and Fitting Division: John Crane Packing Co.; Garlock Packing Co.; Flexitalic Gasket Co.

Documents concerning these suppliers that are responsive to this interrogatory, if any, will be made available at a mutually convenient time and place in Louisville, Kentucky.

INTERROGATORY NO. 34:

Does Defendant or any of its subsidiaries or predecessors currently have possession of any writings or contracts on those rebranding agreement 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.

DEFENDANT'S RESPONSE:

Not applicable.

INTERROGATORY NO. 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 claims, 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 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 assessed, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Any documents responsive to these interrogatories, if any, will be made available for review at a mutually agreeable time and place in Louisville, Kentucky.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue

burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

This lawsuit has only recently commenced. At this time, Vogt has not decided what witnesses may be called by Vogt at the trial of this case. Vogt reserves the right to supplement this interrogatory answer at a later date.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Many boiler assemblies were shipped by Vogt unassembled, with the final assembly and installation at the purchaser's job site (including the purchase and installation of asbestos-containing insulation) to be completed by the purchaser or a contractor employed by the purchaser.

INTERROGATORY NO. 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 finisher, carpenters, boilermakers, shipwrights and riggers, etc. of any of Defendant's asbestos-containing products.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Any employee or independent contractor of the end-user of the products who was authorized to work with the products in the course of his employment.

INTERROGATORY NO. 43:

Based on 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 different 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue

burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Vogt does not have the knowledge or expertise to respond to this interrogatory.

INTERROGATORY NO. 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?

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Yes.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 46:

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

DEFENDANT'S RESPONSE:

Not applicable.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 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 purpose, duties, and responsibilities of such Research Department.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 49:

Does your company have, or has it every 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 Director or Medical Department, and the last known address and phone number of each;
- D. State the duties and responsibilities of such Medical Department.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

See response to Interrogatory No. 6.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

See response to Interrogatory No. 6.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

See response to Interrogatory No. 6.

INTERROGATORY NO. 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? Please list all such products that have not performed as intended.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Vogt has no information that is responsive to this Interrogatory.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

No.

INTERROGATORY NO. 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 advise;
- C. How Defendant received notice of such limits or concentrations.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal,

constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Vogt has no information responsive to this Interrogatory.

INTERROGATORY NO. 58:

Were the threshold limit values or maximum allowable concentrations inquired about in Interrogatory No. 57 for total dust, and not asbestos dust alone?

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Vogt has no information responsive to this Interrogatory.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

None.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

This lawsuit has only recently commenced. Defendant reserves the right to supplement this interrogatory answer with a designation of expert witnesses at a later point in time.

INTERROGATORY NO. 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.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

See response to Interrogatory No. 1. This lawsuit has only recently commenced. Vogt reserves the right to supplement this response with additional names at a later date.

INTERROGATORY NO. 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 defenses in Defendant's last filed Answer.

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure. Furthermore, the interrogatory improperly invades the thought process of Defendant's counsel.

DEFENDANT'S RESPONSE:

Any documents responsive to these interrogatories, if any, will be made available for review at a mutually agreeable time and place in Louisville, Kentucky.

INTERROGATORY NO. 63:

When, if ever, did Defendant or any of its predecessor-in-interest first receive a copy of the article entitled "A Health Survey of Pipe Covering Operations in Constructing Naval Vessels", published in January, 1946 in the Journal of Industrial Hygiene & Toxicology, and authored by W. Fleischer and P. Drinker, et al ("the Fleischer-Drinker Report")?

- a. Identify the name and position of the employee or officer who received same;
- b. please produce all documents generated by Defendant which discuss or in any way reference the "Fleischer-Drinker" study prior to 1968;
- c. please produce all documents upon which your responses above are based;
- d. please identify the name(s) and address(es) of any person(s) who can verify your above response;
- e. did Defendant ever rely on the Fleischer-Drinker Report in whole or in part as a basis that Defendant's asbestos products could be used in the workplace without risk of asbestos-related health impacts to the consumer and/or bystander;
- f. if so, please produce every document which evidences in any way that Defendant relied on the Fleischer-Drinker Report in whole or in part for the proposition stated in Interrogatory No. 63(a) above;
- g. if your answer to 63(e) is yes, when was the first date Defendant relied on the Fleischer-Drinker report in whole or in part for the proposition stated in 63(e) above?

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Vogt has no information responsive to this Interrogatory.

INTERROGATORY NO. 64:

When, if ever, did Defendant or any of its predecessors-in-interest first received a copy of the article entitled "A Study of Asbestos in the Asbestos Textile Industry", published in 1938 in Public Health Bill, No. 241, U.S. Public Health Service and authored by W.C. Dreessen ("the Dreessen Report")?

- a. Identify the name and position of the employee or officer who received same?
- b. please produce all documents generated by Defendant which discuss or in any way reference the "Dreessen" study prior to 1968;
- c. please produce all documents upon which your responses above are based;
- d. please identify the name(s) and address(es) of any person(s) who can verify your above response;
- e. did Defendant ever rely on the Dreessen Report in whole or in part as a basis that Defendant's asbestos products could be used in the workplace without risk of asbestos-related health impacts to the consumer and/or bystander;
- f. if so, please produce every document which evidences in any way that Defendant relied on the Dreessen Report in whole or in part for the proposition stated in Interrogatory 63(a) above;
- g. if your answer to 63(e) is yes, when was the first date Defendant relied on the Dreessen Report in whole or in part for the proposition stated in 63(e) above?

DEFENDANT'S OBJECTIONS:

Defendant objects to this Request because it is vague, overbroad, unduly burdensome, and not reasonably limited in time and scope.

Defendant further objects to this Interrogatory to the extent that it inquires into matters that are not reasonably calculated to lead to the discovery of admissible evidence and is otherwise not relevant to any issue in this case. It is an inappropriate discovery request. Defendant also objects that the Interrogatory constitutes an undue

burden, unnecessary expense, harassment or annoyance, or invasion of personal, constitutional, or property rights as provided under the Texas Rules of Civil Procedure.

DEFENDANT'S RESPONSE:

Vogt has no information responsive to this Interrogatory.

**II. DEFENDANT HENRY VOGT MACHINE CO.'S
OBJECTIONS AND RESPONSES TO PLAINTIFFS'
MASTER REQUEST FOR PRODUCTION**

REQUEST FOR PRODUCTION NO. 1:

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

DEFENDANT'S RESPONSE:

Any documents responsive to this request for production, if any, will be produced at a mutually agreeable time and location in Louisville, Kentucky.

REQUEST FOR PRODUCTION NO. 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.

DEFENDANT'S RESPONSE:

Any documents responsive to this request for production, if any, will be produced at a mutually agreeable time and location in Louisville, Kentucky.

VERIFICATION

The State of Kentucky)
)
The County of Jefferson)

Before me, the undersigned notary public, on this day personally appeared Margaret S. Culver, who being by me duly sworn on her oath deposed and said that she is a duly authorized agent for Henry Vogt Machine Co, Defendant in the above entitled and numbered cause; that she has read Defendant Henry Vogt Machine Co's Objections and Responses to Plaintiffs' Master Interrogatories and Requests for Production and believes the same to be true and correct to the best of her information and belief.

Margaret S. Culver

Subscribed and Sworn to before me by the said Margaret S. Culver on this the 20th day of March, 2000.

Courtney Cluey

Notary Public, State of Kentucky
My commission expires June 7, 2000

Notary Public, State of Kentucky