

IN RE: ASBESTOS LITIGATION

§ IN THE DISTRICT COURTS OF
§
§ TRAVIS COUNTY, TEXAS

COPY

**DEFENDANT ALLIEDSIGNAL INC.'S FIRST SUPPLEMENTAL
RESPONSES TO PLAINTIFFS' MASTER INTERROGATORIES AND
REQUESTS FOR PRODUCTION**

TO: All Plaintiffs represented by Baron & Budd, 3102 Oak Lawn
Avenue, Suite 1100, Dallas, Texas 75219.

INTRODUCTORY STATEMENT

On April 1, 1985, The Bendix Corporation was merged into Allied Corporation and ceased to exist as a legal entity. On September 30, 1987, Allied Corporation was merged into AlliedSignal Inc. and ceased to exist as a legal entity. The Bendix Corporation was incorporated in the State of Delaware and maintained its principal place of business in the State of Michigan. Allied Corporation was incorporated in the State of New York and maintained its principal place of business in the State of New Jersey. AlliedSignal Inc. is incorporated in the State of Delaware and maintains its principal place of business in the State of New Jersey.

AlliedSignal Inc. is the successor in interest to Allied Corporation which, in turn, was the successor in interest to The Bendix Corporation. The Automotive Sector of AlliedSignal Inc. is the business unit within AlliedSignal Inc. which continues the "Bendix" line of automotive friction products.

The following responses are based upon: (a) information supplied by the employees of The Bendix Corporation or documents in the possession of The Bendix Corporation through March 31,

DEFENDANT ALLIEDSIGNAL INC.'S FIRST SUPPLEMENTAL RESPONSES TO
PLAINTIFFS' MASTER INTERROGATORIES AND REQUESTS FOR
PRODUCTION -- PAGE 1

02265 03253 LIT 81868



1985; (b) information or documents acquired by or known to employees of the Automotive Sector of Allied Corporation from April 1, 1985 through September 29, 1987; and (c) information or documents acquired by or known to employees of the Automotive Sector of AlliedSignal Inc. since September 30, 1987.

In its responses this party will be identified as "AlliedSignal" with the understanding that such term refers to: (a) The Bendix Corporation prior to April 1, 1985; (b) the Automotive Sector of Allied Corporation from April 1, 1985 to September 29, 1987; and (c) the Automotive Sector of AlliedSignal Inc. since September 30, 1987.

As the context of particular questions may require, the automotive friction products manufactured by AlliedSignal and its predecessors will be described by reference to their registered trademark, "Bendix." Questions directed to matters of corporate identity (e.g., state of incorporation, principal place of business, etc.) are answered as they apply to AlliedSignal Inc.

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.

ANSWER:

These Interrogatories are answered by AlliedSignal Inc., a corporation, with the assistance of legal counsel. AlliedSignal objects to any disclosure of the nature or content of

communications surrounding preparation of these responses on the basis of attorney-client privilege, party communication privilege and work product protection.

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.

ANSWER:

AlliedSignal Inc. is a corporation.

AlliedSignal Inc.

Delaware.

Morris Township, New Jersey.

C.T. Corporation System, 350 N. St. Paul St., Dallas, TX.

Yes, AlliedSignal Inc. 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.

ANSWER:

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.

ANSWER:

AlliedSignal objects to this Interrogatory on the grounds that it does not focus on any product identified as a product which any Plaintiff in any lawsuit involving AlliedSignal claims exposure and for that reason the formulation of a full and accurate answer is overly broad, unduly burdensome, irrelevant, time consuming and expensive and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, such Interrogatory does not refer to any relevant time period and is thus overly broad.

AlliedSignal further objects to this Interrogatory on the grounds that it is beyond the scope of permissible discovery. It is unreasonable to ask AlliedSignal to name every product it ever sold at any time to anybody in the entire world. Plaintiffs should be required to focus their interrogatories on (1) the places of employment in which they worked and at which they believed they were exposed to asbestos or asbestos products, and (2) the relevant dates during which they worked at such places. Only then can AlliedSignal make a reasonable investigation to determine if it sold any asbestos products to such employer at such time the Plaintiff was employed.

Without waiving these objections, AlliedSignal states that it has manufactured or sold the following asbestos-containing products:

BRAKE LININGS:

"Bendix"
"Marshall"
"Bulls-Eye"
"SL"
"WM"
"Eclipse"
"Master"
"EDF"
"FK"
"Friction King"

DISC BRAKE PADS:

"Bendix"
"Friction King II"

BRAKE BLOCKS:

"Bendix"

CLUTCH FACINGS:

"Bendix"

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.

ANSWER:

See objections and responses in answer to Interrogatory No. 4, which is incorporated herein by reference.

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.

ANSWER:

AlliedSignal has never mined or sold any raw asbestos fiber. Further, see Responses to Interrogatories Nos. 4 and 6, which are incorporated herein by reference.

- B. The names of the companies mining, manufacturing, marketing, and/or selling each product mined, manufactured, marketed, and/or sold.

ANSWER:

AlliedSignal has never mined or sold any raw asbestos fibers. Further, see Introductory Statement, which is incorporated herein by reference.

- C. The trade or brand name of each of those products mined, manufactured, marketed and/or sold.

ANSWER:

AlliedSignal has never mined or sold any raw asbestos fiber. Further, see objections and responses to Interrogatories Nos. 4 and 6, which are incorporated herein by reference.

- D. The date each of the named products was placed on the market.

ANSWER:

AlliedSignal objects to this request as vague, ambiguous and depending upon interpretation, overly broad, burdensome and oppressive. Plaintiffs should be required to identify particular

products to which they claim exposure before such a vague and broad request is allowed.

Without waiving these objections, AlliedSignal provides the following:

BRAKE LININGS:

"Bendix"	1939-Present
"Marshall"	1939-Present
"Bulls-Eye"	1939-1948
"SL"	1939-1971
"WM"	1939-1971
"Eclipse"	1939-1987
"Master"	1945-1987
"EDF"	1946-1987
"FK"	1955-1987
"Friction King"	1960-1987

DISC BRAKE PADS:

"Bendix"	1963-Present
"Friction King II"	1979-1987 (Asbestos-Free Wearing surface)

BRAKE BLOCKS:

"Bendix"	1948-1988
----------	-----------

CLUTCH FACINGS:

"Bendix"	1975-1978 (sold only to the Chicago, Ill. plants of Borg & Beck)
----------	--

- 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.

ANSWER:

AlliedSignal objects to this Interrogatory because the composition of its friction products is a trade secret and, therefore, proprietary information. Without waiving that objection, AlliedSignal states that over the years, motor vehicle

manufacturers have made changes in vehicle design (weight, chassis length, engine performance, etc.) and in brake performance criteria (noise, durability and stopping distance limits) which required modifications in product formulations to meet the changed criteria. As a result, the percentage of processed chrysotile asbestos fiber in asbestos-containing brake linings and disc brake pads varies depending upon the composition of a particular item but on average is approximately 50% (by weight). The percentage of processed chrysotile asbestos fiber in asbestos-containing brake blocks varied depending upon the composition of the particular item but, on average, was approximately 35% (by weight). The percentage of processed chrysotile asbestos fiber in asbestos-containing clutch facings was 44% (by weight). Brake linings and disc brake pads also contain a resin binder system and various friction modifiers and fillers which encapsulate the processed chrysotile asbestos fibers. Asbestos-containing clutch facings (manufactured between 1975 and 1978) and asbestos-containing brake blocks (manufactured between 1948 and 1988) also contained a resin binder system and various friction modifiers and fillers which encapsulated the processed chrysotile asbestos fibers. The only type of asbestos fiber utilized has been processed chrysotile asbestos fiber which AlliedSignal and its predecessors purchased from others.

- F. The date each of the products was removed from the market and no longer sold or distributed and the reason or reasons therefor.

ANSWER:

AlliedSignal objects to this request as vague, ambiguous and depending upon interpretation, overly broad, burdensome and oppressive. Plaintiffs should be required to identify particular products to which they claim exposure before such a vague and broad request is allowed.

- G. The date asbestos was removed from such products, if ever, and the reasons therefor.

ANSWER:

See Response to Interrogatory No. 52, which is incorporated herein by reference.

- H. A description of the physical appearance of each of the named products.

ANSWER:

AlliedSignal objects to this request as vague, ambiguous and depending upon interpretation, overly broad, burdensome and oppressive. Plaintiffs should be required to identify particular products to which they claim exposure before such a vague and broad request is allowed. Without waiving the foregoing, the color of automotive friction products that contain processed chrysotile asbestos fiber varies from tan to light grey, depending on the composition of individual items.

The dimensions of arcuate brake lining segments vary from 5" - 19" in diameter; 1-1½" to 7" in width; ¾" to ½" in thickness; and 57° - 125° in length.

The dimensions of disc brake pads vary from 2" to 8.7" in length; 2" - 3" in width; and $\frac{1}{4}$ " - $\frac{1}{2}$ " in thickness.

The dimensions of brake blocks varied from 12 $\frac{1}{2}$ " to 20" in diameter; 4" - 10" in width; and $\frac{1}{4}$ " to $\frac{3}{4}$ " in thickness.

The dimensions of clutch facings were 10.4" or 11" outside diameter, 6.5" inside diameter and .135" in thickness.

- I. A detailed description of the intended uses of the named products.

ANSWER:

Brake linings, disc brake pads and brake blocks: to stop or slow motor vehicles.

Clutch facings: to connect or disconnect a driving or a driven part of a mechanism smoothly.

- J. Identify the last year that you sold each asbestos-containing product.

ANSWER:

See Response to Interrogatory No. 6(D), which is incorporated herein by reference.

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.

ANSWER:

AlliedSignal objects to this Interrogatory on the grounds that it is vague, ambiguous, and not focused on any product identified as a product to which any plaintiff in any lawsuit involving AlliedSignal claims exposure and, depending upon interpretation or scope, the formulation of a full and accurate response is overly broad, unduly burdensome, oppressive, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Evidently, Plaintiffs are essentially asking for a description of what could conceivably be thousands of documents. This request is unreasonable, unnecessary and unduly burdensome.

AlliedSignal further objects to this Interrogatory on the grounds that it is a request for production dressed in the guise of an interrogatory, a fishing expedition and violates Loftin v. Martin. It is unreasonable to ask AlliedSignal to identify documents relating to the information for every product it ever sold at any time to anybody in the entire world. Plaintiffs should be required to focus their Interrogatories on (1) the places of employment in which they worked and at which they believed they were exposed to asbestos or asbestos products, and (2) the relevant dates during which they worked at such places. Only then can AlliedSignal make a reasonable investigation to determine if it sold any asbestos products to such employer at such time plaintiff was employed and then produce relevant documents if presented with a proper request for production.

Defendant also objects to the extent the inquiry seeks confidential, trade secret and proprietary information.

Without waiving these objections, blueprints, product specifications and manufacturing processed documents are located in Green Island, New York; Troy, Michigan and/or Cleveland, Tennessee. The custodian of these records is the Automotive Sector, AlliedSignal Inc.

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.

ANSWER:

AlliedSignal objects to this Interrogatory because the question seeks irrelevant information and is not calculated to lead to the discovery of relevant, material or admissible evidence. The Interrogatory is overly broad and unduly burdensome. Without waiving these objections, AlliedSignal states that the processed chrysotile asbestos fiber in its friction products is encapsulated in a resin binder matrix and, as a result, does not present a health hazard. The heat

generated during the braking process converts the processed chrysotile asbestos fiber in friction materials into a harmless substance known as forsterite or olivine. Prior to the issuance of OSHA regulations concerning asbestos, published studies indicated that exposure to or the use of friction materials did not present a health risk. Since the issuance of OSHA asbestos regulations, scientific research has consistently demonstrated that time-weighted exposures of brake repair workers to asbestos are below prescribed OSHA limits.

From May, 1971 to March, 1973, The Bendix Corporation, under contract with the Environmental Protection Agency, Office of Air and Water Programs, conducted extensive research into the survivability of asbestos during the braking process. It was found that the great majority of asbestos contained in brake linings was heated to a temperature high enough to cause its chemical conversion to harmless forsterite or olivine. On average, 99.75% of the asbestos in brake linings was converted. The wear debris resulting from the braking process was analyzed and found to contain, on average, only 00.25% asbestos. To provide a systematic, independent check on that analysis, the EPA Project Officer entered into a separate contract with the Battelle Columbus Laboratories to analyze the wear debris. Battelle found that, on average, the wear debris resulting from the braking process contained only 00.17% asbestos.

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.

ANSWER:

AlliedSignal objects to this Interrogatory on the grounds that it is not focused on any product identified as a product to which any plaintiff in any lawsuit involving AlliedSignal claims exposure and for that reason the formulation of a full and accurate response is overly broad, unduly burdensome, oppressive, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiffs are essentially asking for a description of what could conceivably be thousands of documents. This request is unreasonable, unnecessary and unduly burdensome.

AlliedSignal further objects to this Interrogatory on the grounds that it is a request for production dressed in the guise of an interrogatory, a fishing expedition and violates Loftin v. Martin. It is unreasonable to ask AlliedSignal to identify documents relating to the information for every product it ever sold at any time to anybody in the entire world. Plaintiffs should be required to focus their Interrogatories on (1) the places of employment in which they worked and at which they believed they were exposed to asbestos or asbestos products, and

(2) the relevant dated during which they worked at such places. Only then can AlliedSignal make a reasonable investigation to determine if it sold any asbestos products to such employer at such time plaintiff was employed and then produce relevant documents if presented with a proper request for production. Defendant also objects to the extent the inquiry seeks confidential, trade secret and proprietary information.

Without waiving these objections, "Brake and Clutch Emissions Generated During Vehicle Operation," by M. Jacko, R. DuCharme and J. Somers, Society of Automotive Engineers Publication, No. 7305481. Automotive Sector, AlliedSignal Inc. has possession of this document; however, as it is a published document, AlliedSignal has no way of knowing the name, address and job title of each and every person who currently has possession of same.

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.

ANSWER:

No.

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.

ANSWER:

See answer to Interrogatory No. 8. No products were removed from the market as a result of any test.

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.

ANSWER:

AlliedSignal objects to this Interrogatory on the grounds that it is not focused on any product identified as a product to which any plaintiff in any lawsuit involving AlliedSignal claims exposure and for that reason the formulation of a full and accurate response is overly broad, unduly burdensome, oppressive, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving those objections, see objections and responses to Interrogatories Nos. 6, 9(A) and 9(B).

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.

ANSWER:

No.

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.

ANSWER:

See objections and answers in response to Interrogatory No. 6, which are incorporated herein by reference.

B. The exact wording of each warning statement on each printed material.

ANSWER:

Although AlliedSignal does not believe that there is any health hazard associated with the proper use of its friction products, since 1973, in recognition of OSHA regulations concerning asbestos exposure, a warning label has been placed on all cartons and boxes of asbestos-containing friction products shipped to customers. AlliedSignal and its predecessors have complied with OSHA warning regulations even though it has never been determined that exposure to friction products resulted in an exposure to asbestos fibers equal to or in excess of OSHA exposure limits for asbestos fibers. From October, 1973 to August, 1986 the warning label read as follows:

CAUTION
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
BREATHING ASBESTOS DUST MAY CAUSE
SERIOUS BODILY HARM

From September, 1986 until the present the warning label read as follows:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD

- C. A description of the printed material other than the warning statement.

ANSWER:

In 1977, The Bendix Corporation first mailed to its distributors and rebuilder customers copies of the Friction Materials Standards Institute's Brake Lining and Clutch Facing Automotive Data Book which contained a section entitled "Recommended Procedures For Reducing Asbestos Dust During Brake Servicing." Since 1977, subsequent editions of the FMSI data book (also containing a section entitled "Recommended Procedures For Reducing Asbestos Dust During Brake Servicing") have been distributed to customers by The Bendix Corporation and its successors (Allied Corporation's Automotive Section and AlliedSignal Inc.'s Automotive Sector). In March, 1979 The Bendix Corporation, by means of a general bulletin, mailed to its distributors and rebuilder customers a Friction Materials Standards Institute publication (dated October, 1978) entitled "Friction Materials Work Practices Guide." During 1984 and 1985 Allied Corporation's Automotive Section mailed "Product Fact Sheets" to all customers. Beginning July 30, 1986, Allied Corporation's Automotive Sector distributed a Material Safety Data Sheet to all customers. Beginning March 1, 1988 AlliedSignal Inc.'s Automotive Sector distributed a Material Safety Data Sheet to all customers.

- D. The method used to distribute the warning to persons likely to use the product.

ANSWER:

See Responses to Interrogatories Nos. 14(B) and 14(C), which are incorporated herein by reference.

- E. The date each warning was first issued, distributed, or placed on packaging.

ANSWER:

See Responses to sub-parts B and C, above.

- F. The name, address, and job title of each person responsible for having drafted or issued the warning.

ANSWER:

The warning label was modeled after the OSHA regulations. AlliedSignal has no knowledge of the persons who drafted the OSHA regulations.

- G. The current location of any such printed material and the custodian thereof.

ANSWER:

AlliedSignal Inc.

- H. The form in which such literature or printed material can be accessed, i.e., the manner in which such literature is indexed or stored.

ANSWER:

Responsive material or literature located to date upon reasonably diligent search has either been set forth herein or previously produced to Plaintiffs in prior cases. See Responses to Interrogatories 12, 14 (C). As to requests for anything

further, AlliedSignal objects as vague, ambiguous, overly broad and irrelevant.

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.

ANSWER:

No.

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.

ANSWER:

Purchasers of friction products may have incorporated the products into vehicles or as components in or for vehicles.

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

ANSWER:

AlliedSignal objects to this Interrogatory on the grounds that it is not focused on any product identified as a product to which any plaintiff in any lawsuit involving AlliedSignal claims exposure and for that reason the formulation of a full and accurate answer is overly broad, unduly burdensome, irrelevant, time consuming and expensive and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, such Interrogatory does not refer to any relevant time period and is thus overly broad.

AlliedSignal further objects to this Interrogatory on the grounds that it is beyond the scope of permissible discovery. It is unreasonable to ask AlliedSignal to identify distributors and sales representatives for every product it ever sold at any time to anybody in the specified states. Plaintiffs should be required to focus their Interrogatories on (1) the places of employment at which they worked and at which they believed they were exposed to products manufactured by this Defendant, and (2)

the relevant dates during which they worked at such places. Only then can AlliedSignal make a reasonable investigation to determine if it sold any asbestos product to any such employer at such time plaintiff was employed.

Without waiving those objections, with respect to the states of Alabama and Texas, the following information is provided:

Alabama

Birmingham Electric Battery Co.
2230 2nd Avenue, South
Birmingham, AL
November 2, 1967 -- July 10, 1986

Herman J. Downey & Sons
2714 Second Avenue, N.
Birmingham, AL 35203
November 2, 1967 -- February 20, 1977

Assoc. Jobbers Warehouse
601 Oak Street
Attalla, AL
November 18, 1958 -- unknown

Auto Electric Service Co.
P.O. Box 118
Montgomery, AL
February 27, 1963 -- unknown

Auto Electric Service Co.
423 Bibb Street
Montgomery, AL
October 26, 1962

Bell Frame & Brake Service
504 Fortner Street
Dothan, AL 36301
February 6, 1968 -- unknown

Cains, Blue & Combs, Inc. of Albertville
430 N. Broad
Albertville, AL 35950
March 30, 1969 -- unknown

Cains, Blue & Combs
208 S. 2nd Street
Gadsden, AL 35901
October 10, 1968 -- unknown

Cain Steel & Supply Co, Inc.
2650 20th Street
Tuscaloosa, AL
October 13, 1964 -- unknown

Davis Auto & Truck Parts Co.
759 W. Main Street
Centre, AL
September 10, 1968 -- unknown

Dixie Trailer & Brake Service
1961 Bell Street
Montgomery, AL
September 3, 1963 -- unknown

Dunham GMC Co., Inc.
216 South 12th Street
Birmingham, AL
May 13, 1965 -- unknown

Fleet Parts & Equipment Co.
725 Air Base Blvd.
Montgomery, AL 36108
May 13, 1971 -- unknown

Texas

AP&G Sales, Inc.
415 West Marshall, Box 5999
Longview, TX 75601
February 28, 1972 -- November 15, 1978

Ascarate Auto Suppliers, Inc.
1112 N. Stanton
El Paso, TX 79902
November 26, 1969 -- July 9, 1975

Big 4 Auto Supply Co., Inc.
512 S. Jennings Street
Fort Worth, TX 76101
January 17, 1968 -- July 9, 1975

Cobbs Automotive
217 N. 17th
Waco, TX 76702
August 19, 1974 -- March 8, 1977

DEFENDANT ALLIEDSIGNAL INC.'S FIRST SUPPLEMENTAL RESPONSES TO
PLAINTIFFS' MASTER INTERROGATORIES AND REQUESTS FOR
PRODUCTION -- PAGE 24

02265 03253 LIT 81868

Gonzales Auto Parts, Ltd.
1519 San Bernado Avenue
Laredo, TX 78040
April 2, 1975 -- unknown

H.I.B. Automotive Warehouse, Inc.
1301 Magruder Street
El Paso, TX 79925
March 6, 1974 -- unknown

Jobbers Warehouse of Corpus Christi, Inc.
2022 Laredo Street
Corpus Christi, TX 78405
December 3, 1975 -- December 7, 1979

Joe McLure Company
3011 Commerce Street
Dallas, TX 75226
October 23, 1968 -- September 3, 1975

The Perry Shankle Co.
1801 S. Flores Street
San Antonio, TX 78206
January 15, 1970 -- March 24, 1977

Roma Auto Supply Co.
East Highway #83
P.O. Box 945
Roma, TX 78584
February 27, 1973 -- January 7, 1976

Safety Brake Co.
2422 Lake Drive
Texarkana, TX 75501
December 1, 1978 -- July 10, 1986

The Sheridan Landmark Inc.
125 W. Main Street
Humble, TX
July 30, 1976 -- March 2, 1978

Fleet Equipment Co.
301 NW 28th
Fort Worth, TX
March 14, 1963 -- unknown

King Trailers & Equipment Co.
5823 Canyon Drive
Amarillo, TX
March 20, 1963 -- unknown

King Trailers & Equipment Co.
1220 E. 10th Avenue
Amarillo, TX
June 3, 1953 -- unknown

McWharters, Inc.
213 N. Avenue W.
Lubbock, TX
October 15, 1969 -- unknown

Mater Truck Equipment Corp.
2950 Irving Blvd.
Dallas, TX 75247

Ogburn's Brake & Equipment Co.
212 N.W. 24th Street
Fort Worth, TX
July 8, 1965 -- unknown

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.

ANSWER:

AlliedSignal objects to this Interrogatory on the grounds that it is vague, ambiguous, and depending upon interpretation, is overly broad, burdensome, oppressive, is not tied to any time period or product of any relevant and is thus not reasonably calculated to lead to the discovery of admissible evidence, is broad, unduly burdensome, oppressive and harassing.

AlliedSignal further objects to the extent the inquiry seeks the identity of consulting experts whose opinions and expressions have not been reviewed by a testifying expert, in violation of Tex. Rule Civ. Proc. 166b.

DEFENDANT ALLIEDSIGNAL INC.'S FIRST SUPPLEMENTAL RESPONSES TO
PLAINTIFFS' MASTER INTERROGATORIES AND REQUESTS FOR
PRODUCTION -- PAGE 26

01265 01253 LIT 81861

Without waiving these objections, AlliedSignal states that it does not have a medical department, but at various times, AlliedSignal and its predecessors have employed or retained physicians from the local community in which its facilities are/were located to perform routine physical examination and to administer medical treatment to its employees as and when necessary.

AlliedSignal has employed the following industrial hygienists:

Stanford K. Christian
Charles C. Clark
Sondra Johnson Jenkins
Linda Parrish
Thomas Rancour
James Weber
Ben Wong

Industrial hygienists are assigned to the Automotive Sector, AlliedSignal Inc., Southfield, Michigan.

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.

ANSWER:

AlliedSignal objects that this Interrogatory is unduly burdensome and overly broad since it is not related to particular plaintiffs or specific time frame. As all substances may be hazardous depending on the level of exposure or dosage, this Interrogatory is meaningless unless it is related specifically to defendant's products.

AlliedSignal further objects to this Interrogatory on the grounds that it is a request for production dressed in the guise of an interrogatory, is a fishing expedition and violates Loftin v. Martin.

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.

ANSWER:

(A) - (B) AlliedSignal objects to this Interrogatory because the question is overly broad, seeks irrelevant information, and is not calculated to lead to the discovery of relevant, material or admissible evidence. Without waiving those objections, AlliedSignal states that it and its predecessors have been members of the following organization:

- Friction Materials Standards Institute, Inc.
1949 to present

The Bendix Corporation was also a member of the following organizations:

- Asbestos Information Association of North America
1974 to 1984
- Brake Lining Manufacturers Association
1939-1949

(C) AlliedSignal objects to this Interrogatory on the grounds that it is vague and ambiguous and fails to set forth a relevant time period, and depending upon interpretation may be overly broad, burdensome, and seeking information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. AlliedSignal further objects to this Interrogatory on the grounds that it is a request for production dressed in the guise of an interrogatory, is a fishing expedition and violates Loftin v. Martin. Without waiving these objections, see responses to Interrogatories Nos. 14(C) and 23.

(D) See objections and answers in response to Interrogatory No. 20(C), which is incorporated herein by reference.

AlliedSignal retains documents in the ordinary course of its business, and whether a particular document was retained would require a request with a sufficient degree of particularity and specificity as required by Tex. R. Civ. P. 167. Without waiving those objections:

1. See Response to Interrogatory No. 14(C), which is incorporated herein by reference.
2. Depending upon any particular document that may have been retained, Automotive Sector, AlliedSignal Inc., may have custody of it.
3. Depending upon any particular document that may have been retained, Automotive Sector, AlliedSignal Inc., may have custody of it.
4. AlliedSignal maintains documents retained in the ordinary course of business in various ways and means, depending upon any particular document.

INTERROGATORY 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.

ANSWER:

AlliedSignal objects to this Interrogatory because the question is overly broad, burdensome, oppressive and seeks irrelevant information not reasonably calculated to lead to the discovery of relevant, material or admissible evidence. No plaintiff was employed by AlliedSignal or present in its friction product manufacturing plants at any time.

INTERROGATORY NO. 22:

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

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

ANSWER:

AlliedSignal objects to this Interrogatory because the question seeks irrelevant information and is not calculated to lead to the discovery of relevant material or admissible evidence. The Interrogatory is overly broad, unlimited in scope and patently burdensome and unrest. Without waiving these objections, AlliedSignal responds that it and its predecessors have furnished customers over the past 50 years with promotional and advertising material relating to automotive friction products, and have

published numerous advertisements in trade journals and other periodicals. The burden upon AlliedSignal in terms of cost and man hours to respond to this Interrogatory would far outweigh the benefits, if any, that such information would provide to the plaintiffs. Examples of promotional literature have been annexed as attachment No. 1.

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.

ANSWER:

AlliedSignal objects to this Interrogatory on the grounds that it does not focus on any product identified as a product of which any Plaintiff in any lawsuit involving AlliedSignal claims exposure and for that reason the formulation of a full and accurate answer is overly broad, unduly burdensome, irrelevant, time consuming and expensive and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, this

Interrogatory does not refer to any relevant time period and is thus overly broad. The Interrogatory is also overly broad and vague in its reference to persons who "prepared" materials or "assisted in their preparation."

AlliedSignal further objects to this Interrogatory on the grounds that it is beyond the scope of permissible discovery. It is unreasonable to ask AlliedSignal to provide the requested information for every product it ever sold at any time to anybody in the entire world. Plaintiffs should be required to focus their Interrogatories on (1) the places of employment in which they worked and at which they believed they were exposed to asbestos or asbestos products, and (2) the relevant dates during which they worked at such places. Only then can AlliedSignal make a reasonable investigation to determine if it sold any asbestos products to such employer at such time Plaintiff was employed. This Interrogatory is also misleading since it assumes that AlliedSignal has an obligation to provide such "material" or "instructions."

Without waiving those objections, the following information is provided:

(A) The Bendix Corporation, Allied-Corporation's Automotive Sector. AlliedSignal is unable to determine the name, address and job title of each person who prepared such materials or assisted in their preparation.

(B) Depending upon any particular document that may have been retained, Automotive Sector, AlliedSignal Inc. may have custody of it.

(C-D) Since 1973, in recognition of OSHA regulations concerning asbestos exposure, a warning label has been placed on all cartons and boxes of asbestos-containing friction products shipped to customers. In 1977 The Bendix Corporation first mailed to its distributors and rebuilder customers copies of the Friction Materials Standards Institutes Brake Lining and Clutch Facing Automotive Data Book which contained a section entitled "Recommended Procedures for Reducing Asbestos Dust During Brake Servicing." Since 1977, subsequent editions of the FMSI Data Book (also containing a section entitled "Recommended Procedures for Reducing Asbestos Dust During Brake Servicing") have been distributed to customers by The Bendix Corporation and its successors (Allied Corporation's Automotive Sector and AlliedSignal Inc.'s Automotive Sector). In March, 1979 The Bendix Corporation, by means of a general bulletin, mailed to its distributors and rebuilder customers a Friction Materials Standards Institute publication (dated October, 1978) entitled "Friction Materials Work Practices Guide." During 1984 and 1985 Allied-Corporation's Automotive Sector mailed "Product Fact Sheets" to all customers. Beginning July 30, 1986, Allied-Corporation's Automotive Sector distributed a Material Safety Data Sheet to all customers. Beginning March 1, 1988

AlliedSignal Inc.'s Automotive Sector distributed a Material Safety Data Sheet to all customers.

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).

ANSWER:

AlliedSignal objects to this Interrogatory because the question is overly broad, burdensome, oppressive and seeks irrelevant information and is not calculated to lead to the discovery of relevant, material or admissible evidence. Moreover, AlliedSignal's assets are a matter of public record and sufficient to satisfy this contingent liability, irrespective of insurance coverage.

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.

ANSWER:

A. AlliedSignal responds that it is unable to state with a reasonable degree of certainty when any of its many officers or employees first became aware of reported, potential hazards concerning asbestos, but AlliedSignal does acknowledge notice of data concerning the potential hazards of asbestos inhalation which have been published in the Federal Register in the form of OSHA Regulations since 1972.

B. AlliedSignal responds that it is unable to state with a reasonable degree of certainty how any of its many officers or employees became aware of reported, potential hazards concerning asbestos, but AlliedSignal does acknowledge notice of data concerning the potential hazards of asbestos inhalation which have been published in the Federal Register in the form of OSHA Regulations since 1972.

C. AlliedSignal responds that it is impossible to state with a reasonable degree of certainty who among its many officers or employees first became aware of reported, potential hazards of asbestos inhalation.

D. Warning labels were placed on its friction products, even though OSHA regulations did not require warnings for encapsulated products.

E. AlliedSignal retains documents in the ordinary course of its business, and whether a particular document was retained would require a request with a sufficient degree of particularity and specificity as required by Tex. R. Civ. P. 167.

F. Automotive Sector, AlliedSignal Inc.

G. See objections and answers in response to Interrogatory No. 25(A), which is incorporated herein by reference.

INTERROGATORY NO. 26:

As to the disease lung cancer, state:

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

ANSWER:

A. AlliedSignal responds that it is unable to state with a reasonable degree of certainty when any of its many officers or employees first became aware of reported, potential hazards concerning asbestos, but AlliedSignal does acknowledge notice of data concerning the potential hazards of asbestos inhalation which have been published in the Federal Register in the form of OSHA Regulations since 1972.

B. AlliedSignal responds that it is unable to state with a reasonable degree of certainty how any of its many officers or employees became aware of reported, potential hazards concerning asbestos, but AlliedSignal does acknowledge notice of data concerning the potential hazards of asbestos inhalation which have been published in the Federal Register in the form of OSHA Regulations since 1972.

C. AlliedSignal responds that it is impossible to state with a reasonable degree of certainty who among its many officers or employees first became aware of reported, potential hazards of asbestos inhalation.

D. Warning labels were placed on its friction products, even though OSHA regulations did not require warnings for encapsulated products.

E. AlliedSignal retains documents in the ordinary course of its business, and whether a particular document was retained would require a request with a sufficient degree of particularity and specificity as required by Tex. R. Civ. P. 167.

F. Automotive Sector, AlliedSignal Inc.

G. See objections and answers in response to Interrogatory No. 25(A), which is incorporated herein by reference.

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.

ANSWER:

A. AlliedSignal responds that it is unable to state with a reasonable degree of certainty when any of its many officers or employees first became aware of reported, potential hazards concerning asbestos, but AlliedSignal does acknowledge notice of data concerning the potential hazards of asbestos inhalation which have been published in the Federal Register in the form of OSHA Regulations since 1972.

B. AlliedSignal responds that it is unable to state with a reasonable degree of certainty how any of its many officers or employees became aware of reported, potential hazards concerning asbestos, but AlliedSignal does acknowledge notice of data concerning the potential hazards of asbestos inhalation which have been published in the Federal Register in the form of OSHA Regulations since 1972.

C. AlliedSignal responds that it is impossible to state with a reasonable degree of certainty who among its many officers or employees first became aware of reported, potential hazards of asbestos inhalation.

D. Warning labels were placed on its friction products, even though OSHA regulations did not require warnings for encapsulated products.

E. AlliedSignal retains documents in the ordinary course of its business, and whether a particular document was retained would require a request with a sufficient degree of particularity and specificity as required by Tex. R. Civ. P. 167.

F. Automotive Sector, AlliedSignal Inc.

G. See objections and answers in response to Interrogatory No. 25(A), which is incorporated herein by reference.

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.

ANSWER:

A. AlliedSignal responds that it is unable to state with a reasonable degree of certainty when any of its many officers or employees first became aware of reported, potential hazards concerning asbestos, but AlliedSignal does acknowledge notice of data concerning the potential hazards of asbestos inhalation which have been published in the Federal Register in the form of OSHA Regulations since 1972.

B. AlliedSignal responds that it is unable to state with a reasonable degree of certainty how any of its many officers or employees became aware of reported, potential hazards concerning asbestos, but AlliedSignal does acknowledge notice of data concerning the potential hazards of asbestos inhalation which have

been published in the Federal Register in the form of OSHA Regulations since 1972.

C. AlliedSignal responds that it is impossible to state with a reasonable degree of certainty who among its many officers or employees first became aware of reported, potential hazards of asbestos inhalation.

D. Warning labels were placed on its friction products, even though OSHA regulations did not require warnings for encapsulated products.

E. AlliedSignal retains documents in the ordinary course of its business, and whether a particular document was retained would require a request with a sufficient degree of particularity and specificity as required by Tex. R. Civ. P. 167.

F. Automotive Sector, AlliedSignal Inc.

G. See objections and answers in response to Interrogatory No. 25(A), which is incorporated herein by reference.

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.

ANSWER:

A. AlliedSignal responds that it is unable to state with a reasonable degree of certainty when any of its many officers or employees first became aware of reported, potential hazards concerning asbestos, but AlliedSignal does acknowledge notice of data concerning the potential hazards of asbestos inhalation which have been published in the Federal Register in the form of OSHA Regulations since 1972.

B. AlliedSignal responds that it is unable to state with a reasonable degree of certainty how any of its many officers or employees became aware of reported, potential hazards concerning asbestos, but AlliedSignal does acknowledge notice of data concerning the potential hazards of asbestos inhalation which have been published in the Federal Register in the form of OSHA Regulations since 1972.

C. AlliedSignal responds that it is impossible to state with a reasonable degree of certainty who among its many officers or employees first became aware of reported, potential hazards of asbestos inhalation.

D. Warning labels were placed on its friction products, even though OSHA regulations did not require warnings for encapsulated products.

E. AlliedSignal retains documents in the ordinary course of its business, and whether a particular document was retained would require a request with a sufficient degree of particularity and specificity as required by Tex. R. Civ. P. 167.

F. Automotive Sector, AlliedSignal Inc.

G. See objections and answers in response to Interrogatory No. 25(A), which is incorporated herein by reference.

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.

ANSWER:

Yes, with respect to automotive friction materials. As to the remainder of the interrogatory, the request to "explain in detail" is vague, ambiguous, and, depending upon interpretation, overly broad, burdensome and oppressive, neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. The question could even be misconstrued to improperly require AlliedSignal to describe in detail numerous aspects of its defense in one interrogatory. Without waiving the foregoing, see documents, prior testimony and experts' opinions previously

provided to Plaintiffs by AlliedSignal, which are incorporated herein by reference.

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.

ANSWER:

AlliedSignal objects to this Interrogatory on the grounds that it does not focus on any product to which any plaintiff in any lawsuit involving AlliedSignal claims exposure and for that reason is overly broad, burdensome, oppressive, irrelevant, time consuming, expensive and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, such Interrogatory does not refer to any time period and is overly broad.

Without waiving these objections, AlliedSignal states that its products are packaged and distributed in chipboard or corrugated cardboard cartons or boxes. Since October, 1973, all boxes have been imprinted with the version of the labels described in Response to Interrogatory No. 14(B), which is incorporated herein by reference.

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

ANSWER:

No.

INTERROGATORY NO. 33:

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

ANSWER:

AlliedSignal objects to this Interrogatory on the grounds that it does not focus on any product which any Plaintiff in any lawsuit involving AlliedSignal claimed exposure and for that reason is overly broad, unduly burdensome, irrelevant, time consuming, expensive and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, such Interrogatory does not refer to any time period and is overly broad.

AlliedSignal further objects to this Interrogatory on the grounds that it is beyond the scope of permissible discovery. Plaintiffs should be required to focus their Interrogatories on (1) the places of employment in which they worked and at which they believe they were exposed to asbestos or asbestos products, and (2) the relevant dates during which they worked at such

places. AlliedSignal also objects that the term "ultimate disposal" is vague and ambiguous.

Without waiving these objections, AlliedSignal states that it purchased processed chrysotile asbestos fiber from the following companies for use in its friction products:

- Canadian Johns-Manville Ltd. or JM Asbestos Sales, Inc.
Asbestos, Quebec J1T3N2

Processed Chrysotile Asbestos Fiber
1939 to Present

- Vermont Asbestos Group
Hyde Park, Vermont 05655

Processed Chrysotile Asbestos Fiber
1975 to Present

- LAB Chrysotile, Ltd.
P.O. Box 459
Thetford Mines, Quebec G6G525

Processed Chrysotile Asbestos Fiber
1986 to Present

- Lake Asbestos (Lac d' Amiante du Quebec L'tee.)
120 Broadway
New York, New York 10005

Processed Chrysotile Asbestos Fiber
1967 to 1986

- The Ruberoid Company
New York, New York

Processed Chrysotile Asbestos Fiber
1945 to 1975

- Bell Asbestos Mines, Ltd.
P.O. Box 99
Thetford Mines, Quebec G6G524

Processed Chrysotile Asbestos Fiber
1973 to 1983

INTERROGATORY NO. 34:

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

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

ANSWER:

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.

ANSWER:

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.

ANSWER:

AlliedSignal objects to this Interrogatory because the question seeks irrelevant information and is not calculated to lead to the discovery of relevant, material or admissible evidence. The Interrogatory is overly broad and improperly seeks disclosure of proprietary information, confidential data and privileged communications. Without waiving those objections, AlliedSignal states that the Secretary of AlliedSignal Inc. has maintained minutes of corporate meetings, but that there are no minutes which reflect the receipt of warnings concerning any alleged "health hazard" associated with automotive friction products.

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.

ANSWER:

See objections and answers in response to Interrogatories Nos. 4 and 6, which are incorporated herein by reference.

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 accessed, i.e., by state, by product, etc., and if by product, whether kept according to asbestos or non-asbestos.

ANSWER:

AlliedSignal objects to this Interrogatory on the grounds that it does not focus on any product identified as a product to which any plaintiff in any lawsuit involving AlliedSignal claims exposure and for that reason is overly broad, unduly burdensome, oppressive, vague, ambiguous, irrelevant, time consuming, expensive and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, such Interrogatory does not refer to any time period and is thus overly broad.

AlliedSignal further objects to this Interrogatory on the grounds that it is a request for production dressed in the guise of an interrogatory, is a fishing expedition and violates Loftin v. Martin. It is unreasonable to ask AlliedSignal to identify documents relating to the requested information for every product it ever sold at any time to anybody in the entire world.

Plaintiff should be required to focus their Interrogatories on (1) the places of employment in which they worked and that which they believed they were exposed to asbestos or asbestos products, and (2) the relevant dates during which they worked at such places.

Only then can AlliedSignal make a reasonable investigation to determine if it sold any asbestos product to such employer and at such time plaintiff was employed and then produce relevant documents if presented with a proper request for production.

AlliedSignal retains documents in the ordinary course of its business, and whether a particular document was retained would require a request with a sufficient degree of particularity and

specificity as required by Tex. R. Civ. P. 167. Defendant further objects to the extent the inquiry seeks confidential, trade secret and proprietary information.

Without waiving these objections:

- A. Depending upon any particular document that may have been retained, Automotive Sector, AlliedSignal Inc., may have custody of it.
- B. Depending upon any particular document that may have been retained, Automotive Sector, AlliedSignal Inc., may have custody of it.
- C. AlliedSignal retains documents in the ordinary course of its business, and whether a particular document was retained would require a request with a sufficient degree of particularity and specificity as required by Tex. R. Civ. P. 167.
- D. AlliedSignal retains documents in the ordinary course of its business, and whether a particular document was retained would require a request with a sufficient degree of particularity and specificity as required by Tex. R. Civ. P. 167.

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.

ANSWER:

AlliedSignal objects to this Interrogatory to the extent that it requires Defendant to make a global designation of witnesses to be called at all trials in Travis County asbestos cases.

AlliedSignal selects its witnesses on a case specific basis after it has an opportunity to make a thorough investigation into the facts and circumstances surrounding each individual case. Without waiving these objections, AlliedSignal directs Plaintiffs to

(a) AlliedSignal's Objections and Responses to Plaintiffs' First Set of Interrogatories and Requests for Production to Defendants filed in each individual case in which AlliedSignal is a Defendant in Travis County, and (b) the deposition testimony of deceased corporate representative Eugene Rogers, already in the possession of Plaintiffs' counsel, which are fully incorporated by reference.

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;

ANSWER:

See Introductory Statement, which is incorporated herein by reference.

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.

ANSWER:

AlliedSignal's friction materials are solid, firm objects that do not release friable asbestos fibers. The asbestos originally present in the products is encapsulated in a resin-binder matrix. During the braking process, friction materials are subjected to extreme temperature, abrasion and shearing forces which transform the asbestos into a non-fibrous, inert material known as forsterite or olivine.

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 finishers, carpenters, boilermakers, shipwrights and riggers, etc. of any of Defendant's asbestos-containing products.

ANSWER:

AlliedSignal objects to this Interrogatory as improperly seeking a legal opinion or conclusion about the "foreseeability" of undescribed, hypothetical persons, and is vague, ambiguous, overly broad, and, depending upon construction, may be burdensome and oppressive.

INTERROGATORY NO. 43:

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

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

ANSWER:

Yes.

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?

ANSWER:

Yes, as to proper removal or replacement. AlliedSignal objects to the term "stripped" as vague, ambiguous, and depending upon construction, overly broad, burdensome and oppressive.

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.

ANSWER:

No.

INTERROGATORY NO. 46:

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

ANSWER:

See Response to Interrogatory No. 45, which is incorporated herein by reference.

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;

ANSWER:

See Response to Interrogatory No. 14(C), which is incorporated herein by reference.

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 purposes, duties, and responsibilities of such Research Department.

ANSWER:

AlliedSignal objects to answering this Interrogatory because the question is vague and ambiguous, and, depending upon interpretation, seeks irrelevant information, is not calculated to lead to the discovery of admissible evidence, and is overly broad, argumentative, and burdensome and oppressive. Without waiving the foregoing, depending upon interpretation of this question, AlliedSignal has no records from which it could reasonably formulate an answer to subsections (A) or (B) of this Interrogatory. AlliedSignal does have an Engineering Department involved in testing friction materials for passenger cars and

trucks to meet Federal and State Government and customer performance requirements.

INTERROGATORY NO. 49:

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

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

ANSWER:

AlliedSignal objects to this Interrogatory because the question is vague and ambiguous, and evidently seeks irrelevant information not calculated to lead to the discovery of relevant, material or admissible evidence. Without waiving these objections, AlliedSignal states that it does not and has not had a Medical Department. However, at various times, AlliedSignal and its predecessors have employed or retained physicians from the local community in which its facilities are/were located to perform routine physical examination and to administer medical treatment to its employees as and when necessary.

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.

ANSWER:

A warning label was first placed on product packaging in October, 1973. See also answer to Interrogatory No. 14.

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.

ANSWER:

Since 1939 friction materials have reflected their applicable trade name, part number, date code and, if pre-coated with an adhesive, a color code (to designate the latest date on which bonding by a rebuilder should occur). Since 1965, the edges of friction materials have also reflected the applicable trade name or symbol, the formula code and the friction code.

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.

ANSWER:

AlliedSignal's predecessors have manufactured and sold both asbestos-containing and asbestos-free friction products. The development of asbestos-free friction products is an ongoing evolutionary process. Without seriously compromising the critical safety function of brakes, it is not yet possible to eliminate asbestos from all friction products for all vehicular applications. This is particularly true for vehicles in the "aftermarket" where braking systems were designed initially with asbestos-containing linings or pads. AlliedSignal and its predecessors have conducted and continue to conduct research and development to design and produce asbestos-free friction products. This has been accomplished by replacing the fiber reinforcement and bulk volume characteristics of processed chrysotile asbestos fiber with chopped steel wool, iron powder, sponge iron particles and natural or manmade fibers. Asbestos-free brake blocks for super heavy-duty drum brakes (e.g., logging and mining trucks) were introduced in 1966. Asbestos-free disc brake pads for severe-service applications (e.g., ambulance, police cars and taxis) were introduced in 1969. Asbestos-free disc brake pads for passenger cars and light trucks were introduced in 1971. Asbestos-free drum brake lining segments for OEM and OES passenger cars and light trucks were introduced in 1983. Asbestos-free brake blocks for heavy vehicles utilizing air brake systems (e.g., semi-trailers) were introduced in 1983. Asbestos-free motorcycle brake pads (including brake pads for all-terrain vehicles, off-road vehicles

and touring models) were introduced in 1987. Asbestos-free drum brake lining segments and disc brake pads for most passenger car and light truck "aftermarket" applications were introduced in 1988. A full line of asbestos-free brake blocks for heavy vehicles was introduced in 1988.

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.

ANSWER:

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.

ANSWER:

See Response to Interrogatory No. 52, which is incorporated herein by reference. None of the categories of products described could simply be "substituted" for differing categories or

products, without the development process described in responses to Interrogatory No. 52.

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.

ANSWER:

No.

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.

ANSWER:

Plaintiff was neither employed by AlliedSignal nor present in any of its friction product manufacturing plants at any time. Events occurring in those plants during the mass production of friction materials bear no equivalence to the conditions experienced by an end-user of individual units of finished automotive friction products. AlliedSignal objects to this Interrogatory because the question seeks irrelevant information, is not calculated to lead to the discovery of relevant, material or admissible evidence and would be burdensome and oppressive.

Without waiving those objections, AlliedSignal has not performed industrial hygiene studies of mechanics who utilize asbestos-containing friction materials because published

scientific research performed on numerous occasions by others, including NIOSH, has consistently demonstrated that time-weighted exposures of brake repair workers to asbestos are below prescribed OSHA limits. See also Response to Interrogatory No. 59, which is incorporated herein by reference.

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 advice;
- C. How Defendant received notice of such limits or concentrations.

ANSWER:

AlliedSignal objects to this Interrogatory because the question is overly broad, burdensome, oppressive and seeks information irrelevant to suits regarding alleged mechanics or end-users of AlliedSignal's automotive friction products and is not reasonably calculated to lead to discovery of admissible evidence. Without waiving that objection, AlliedSignal currently has no knowledge, nor does it maintain a record of when such information may have become known to any specific employee.

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?

ANSWER:

See Response to Interrogatory No. 57, which is incorporated herein by reference.

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.

ANSWER:

AlliedSignal objects to this Interrogatory because the question is vague, ambiguous, overly broad and seeks irrelevant information and is not calculated to lead to the discovery of relevant, material or admissible evidence. The Interrogatory is overly broad, unduly burdensome and unlimited in scope. Without waiving these objections, see Response to Interrogatory No. 56, which is incorporated herein by reference, as to any industrial hygiene studies. Other potentially-responsive tests are described in Response to Interrogatory No. 8, which answers are incorporated herein by reference.

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.

ANSWER:

AlliedSignal objects to this Interrogatory to the extent that it seeks a global designation of expert witnesses to be called at each and every case in which AlliedSignal is or may be a Defendant in Travis County asbestos cases. AlliedSignal selects its expert witnesses on a case specific basis after it has an opportunity to make a thorough investigation into the facts and circumstances surrounding each individual case and after Plaintiff has disclosed his theories and contentions in the case. Without waiving these objections, AlliedSignal directs Plaintiffs to Defendant

AlliedSignal's Responses and Objections to Plaintiffs' First Set of Interrogatories and Requests for Production of Documents filed in every case in which AlliedSignal is a Defendant in Travis County, and as they may be amended and supplemented, which responses are fully incorporated by reference, in which this information has been provided to Plaintiffs.

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.

ANSWER:

AlliedSignal objects to this Interrogatory as it evidently purports to seek the identification of all persons having knowledge of facts relevant to each and every case in which AlliedSignal is or may be a Defendant in Travis County, and is

thus overly broad, burdensome, oppressive, and seeks information neither relevant nor reasonably calculated to lead to discovery of admissible evidence. AlliedSignal can only answer this Interrogatory on a case-specific basis after a thorough disclosure by Plaintiffs, allowing complete investigation into the facts and circumstances of each individual case. Without waiving these objections, AlliedSignal directs Plaintiffs to Defendant AlliedSignal's Responses and Objections to Plaintiffs' First Set of Interrogatories and Requests for Production of Documents filed in every case in which AlliedSignal is a Defendant in Travis County, and as they may be amended or supplemented, which responses are fully incorporated by reference in which this information has been provided to Plaintiffs.

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.

ANSWER:

AlliedSignal objects to this Interrogatory as it evidently purports to seek the identification of trial documents for each and every case in which AlliedSignal is or may be a Defendant in Travis County, and is thus overly broad, burdensome, oppressive, and seeks information neither relevant nor reasonably calculated to lead to discovery of admissible evidence. AlliedSignal prepares trial documents on a case-specific basis after a thorough disclosure by Plaintiffs, and allowing complete investigation of

the facts and circumstances of each individual case. Further, Texas courts have ruled that requests for exhibit lists are objectionable on the basis of work product protection, attorney-client privilege or otherwise. Without waiving these objections, AlliedSignal directs Plaintiffs to Defendant AlliedSignal's Responses and Objections to Plaintiffs' First Set of Interrogatories and Requests for Production of Documents filed in each case in which AlliedSignal is a Defendant in Travis County, and as they may be amended or supplemented, which responses are fully incorporated by reference in which this information has been provided to Plaintiffs.

INTERROGATORY NO. 63:

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

ANSWER:

AlliedSignal has not received the referenced report.

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.

RESPONSE:

AlliedSignal objects to this Request on the basis that it is overly broad, burdensome and oppressive, seeks information which is not relevant to the subject matter of this litigation and which is not reasonably calculated to lead to the discovery of admissible evidence.

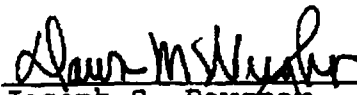
REQUEST FOR PRODUCTION NO. 2: Please produce any diagrams or schematics indicating, stating or detailing the existence of any of your subsidiaries, predecessors, or divisions as defined on Page 1 of these Interrogatories and Request for Production.

RESPONSE:

AlliedSignal objects to this Request on the basis that it is overly broad, burdensome and oppressive, seeks information which is not relevant to the subject matter of this litigation and which is not reasonably calculated to lead to the discovery of admissible evidence. AlliedSignal further objects to this Request because it is not reasonably limited in time and scope. Without waiving these objections, AlliedSignal refers Plaintiff to the Introductory Statement to these responses.

Respectfully submitted,

THOMPSON & KNIGHT
A Professional Corporation

By: 
Joseph S. Pevsner
State Bar No. 15874500

Dawn M. Wright
State Bar No. 12742030

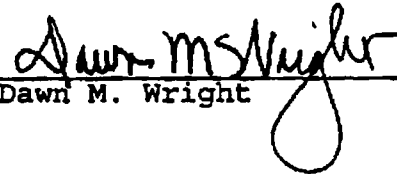
Greg W. Curry
State Bar No. 05270300

3300 First City Center
1700 Pacific Avenue
Dallas, Texas 75201
(214) 969-1262
FAX (214) 969-1466

ATTORNEYS FOR DEFENDANT
ALLIEDSIGNAL INC.

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on this the 31 day of August, 1994, a true and correct copy of the foregoing document was forwarded to Russell W. Budd, Baron & Budd, P.C., The Centrum, 3102 Oak Lawn Avenue, Suite #1100, Dallas, Texas 75219, via certified mail, return receipt requested, and to all other known counsel of record, via first class mail.


Dawn M. Wright

VERIFICATION

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

J. Kenneth Wainwright, Jr., being first duly sworn upon his oath at law, deposes and says:

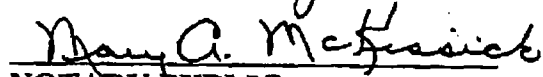
1. I am Assistant General Counsel for AlliedSignal Inc. I am authorized to sign the foregoing Discovery Responses on behalf of AlliedSignal Inc.

2. The responses were prepared with the assistance and advice of counsel and other representatives of AlliedSignal Inc. The information contained in the responses was furnished by various employees of and departments within AlliedSignal Inc. and/or has been derived from business records maintained by AlliedSignal Inc.

3. While I do not have personal knowledge of the facts recited in the responses, they are true to the best of my knowledge, information and belief.


J. Kenneth Wainwright, Jr.

Subscribed and sworn to before me this
22nd day of August, 1994


NOTARY PUBLIC

Oakland County, Michigan
My Commission Expires: March 23, 1998

