

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: ASBESTOS PERSONAL
INJURY LITIGATION

Civil Action No. 03-C-9600
January 2005 Trial Group
Honorable Ronald E. Wilson

DOLORES L. BURKE,
Deceased

Plaintiff,

v.

Civil Action No. 03-C-3182

ADIENCE, INC., et al.,

Defendants.

**DEFENDANT GENERAL ELECTRIC COMPANY'S
OBJECTIONS AND ANSWERS TO PLAINTIFF'S INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS TO ALL
DEFENDANTS WHO INSTALLED OR DISTRIBUTED ASBESTOS PRODUCTS**

GENERAL OBJECTIONS

1. GE is not a miner, miller or manufacturer of raw asbestos fiber. GE was incorporated in the 1890s and over the years has bought and sold hundreds of companies around the world. Given its size and decentralized structure, there is no central repository for information relating to these various businesses. GE no longer has, or maybe never had, documents relating to many of these businesses that would be needed to answer this discovery for all such businesses. Further, GE states that it objects to plaintiff's discovery on the grounds that it seeks information relating to Weirton Steel Facility in Weirton, West Virginia, over an extended time period without specifying GE or any of its product(s) by size, serial number or other distinguishing characteristic, and is thus overly broad, unduly burdensome, not reasonably tailored to the issues in the case, and not reasonably calculated to lead to the discovery of admissible evidence. Consequently, plaintiff needs to identify the GE product to which they are claiming exposure at particular job site(s) so GE can look for files of the subject business to the extent such files are in GE's possession. GE therefore objects to the discovery requests as set forth below where plaintiff has not identified specific GE products and/or businesses, has not limited the discovery requests to information relevant to plaintiff's husband's employment and corresponding time periods, and has not otherwise provided sufficient information for GE to conduct a reasonable investigation.

Subject to and without waiving the foregoing, GE states that it appears that plaintiff may contend exposure to land-based steam turbines at the time of trial. GE has thus limited its answers to these requests. Because discovery, including depositions of co-workers in the above-captioned trial group, is continuing, GE reserves the right to supplement its

**PLAINTIFF'S
EXHIBIT**

79315.00

**PLAINTIFF'S
EXHIBIT**

WV-021948

responses if additional information becomes available. To the extent that plaintiff's discovery goes beyond the scope of the exposure that plaintiff has alleged, GE objects. GE further objects to the requests as set forth below, as it appears that plaintiff is alleging exposure to asbestos fibers from "household exposure."

GE objects to any characterization of GE's land-based steam turbines as "asbestos-containing" products as that term is commonly understood. GE's land-based steam turbines are mechanical devices made predominantly of metal. Moreover, GE objects to these interrogatories as misleading to the extent that they assume that GE's land-based steam turbines pose a risk to human health. GE is not aware of any clinical, epidemiological, toxicological, industrial hygiene, medical and/or scientific literature demonstrating that such products cause asbestos-related disease.

In light of the breadth of plaintiff's inquiries, it is essentially impossible for GE to conduct a complete search for the information sought and GE therefore objects to the discovery requests as being vague, overly broad, and unduly burdensome. Consequently, plaintiff's discovery should be limited to plaintiff's husband's places of employment and corresponding time periods, and, further, should be limited to the GE product(s) to which plaintiff is claiming exposure.

2. GE objects to the requests as set forth below to the extent plaintiff has not provided sufficient information for GE to conduct a reasonable investigation and to the extent that they go beyond plaintiff's (or plaintiff's husband's) alleged exposure. GE objects to each discovery request seeking information that relates to time periods, geographical locations, or activities outside the scope of the allegations of the claims made, on the basis that such request is irrelevant, overly broad, not reasonably calculated to lead to the discovery of admissible evidence, and would impose an unnecessary burden on GE to seek out, review, organize, and produce information and documents which are not relevant to any issue in this lawsuit. Further, it would be harassing and oppressive to require GE to do so.

3. GE objects in that plaintiff or her counsel have failed to substitute an appropriate party representative for the allegedly deceased plaintiff in this matter.

4. GE objects to the extent the discovery requests set forth below are repetitive.

5. GE reserves the right to object to each and every interrogatory to the extent that any interrogatory calls for information which was prepared in anticipation of litigation or for trial, or calls for information and materials covered by the attorney-client privilege, the confidential trade secrets privilege, or the work product doctrine, and GE reserves the right not to supply or render any information or materials protected from discovery by virtue of the attorney-client privilege, the confidential trade secrets privilege, or the work product doctrine.

6. GE incorporates these general objections into each and every answer and response below. To the extent that there is a specific citation or reference to one of these general

objections in GE's answers and responses below, it is done only to highlight the particular relevance of a particular objection and is in no way intended as a waiver of any of its other general objections.

7. GE reserves the right to supplement and amend its responses, as discovery is ongoing in this litigation.

8. Without waiving any of these general objections, which are incorporated by reference in each response to these interrogatories, GE responds as follows:

ANSWERS TO INTERROGATORIES

INTERROGATORY NO. 1:

1) Has Defendant ever engaged in the **installation** of asbestos-containing products?

If so, identify the following:

- (a) The name of the Company engaged in the activity (whether it is Defendant, defendant's predecessor, or Defendant's subsidiary);
- (b) As to each product installed, please identify the following:
 - i. Name and type of asbestos or asbestos-containing materials (e.g. Kaylo insulation);
 - ii. Site of installation, including address and location at that site;
 - iii. The time period during which it was installed by this defendant;
 - iv. Description of the asbestos or asbestos-containing material packaging used and a description of any printed material or trademarks that appeared thereon.
 - v. The total percent of asbestos the product contained and the percentage by asbestos type (amosite, crocidolite, tremolite, anthophyllite).
 - vi. How each of these asbestos-containing products can be distinguished from similar products.
 - vii. Whether such products were ever installed at Weirton Steel, Weirton, West Virginia.

ANSWER TO INTERROGATORY NO. 1:

Objection: This Interrogatory is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. GE objects to this Interrogatory to the extent that it is not limited to plaintiff's alleged exposure and is not product-, site- or time- specific. In light of the breadth of plaintiff's inquiries, it is essentially impossible for GE to conduct a complete search for the information sought and GE therefore objects.

Answer: GE notes that it is a large, decentralized company comprised of numerous separate businesses with over 300,000 employees. GE operates in more than 100 countries around the world and since 1979, GE has bought and/or sold thousands of businesses. See <http://www.ge.com/investor/annuals.htm>. As a multi-national corporation that manufactured countless products over the last century, GE possesses millions of documents, the great majority of which have no bearing on asbestos or this litigation whatsoever. These documents are not organized by asbestos or whether or not the products contained asbestos or were used in connection with asbestos. Furthermore, many of GE's businesses have changed over the years, have been sold, or are no longer operational. Moreover, there are no persons with knowledge to fully answer this Interrogatory.

Subject to and without waiving the foregoing or any of its objections, as indicated *supra*, in GE's Preliminary Statement and General Objections, GE answers this Interrogatory with respect to land-based steam turbines at the Weirton Steel facility in Weirton, West Virginia during the relevant time period. However, GE's land-based steam turbines are not asbestos or asbestos-containing products as those terms are

commonly understood. Rather, they are mechanical devices made of metal. It is possible that portions of land-based steam turbines may have been insulated with thermal insulation that may have contained some quantity of asbestos during a period of time that may or may not be relevant to this litigation. This thermal insulation material would have been manufactured and installed by others, however, and not by GE. Many small steam turbines did not use thermal insulation. The nature and type of thermal insulation to be applied at any given site typically remained the prerogative of the utility or facility that purchased the turbine(s), and/or its consulting architect-engineers. Some other materials may have been used in connection with GE's land-based steam turbines, during a period of time that may or may not be relevant to this litigation, and those other materials may have contained some quantity of asbestos. These materials were manufactured by outside vendors, not by GE. The TBO division began recommending to its customers that insulation materials applied by others on its land turbines be of asbestos-free materials in the early 1970s. Whether asbestos-containing materials were used in such applications, and their type, if any, may, in some instances, be determined from individual records pertaining to a particular site and the steam turbines installed there, to the extent such records are available.

GE's records indicate that it supplied two large and eight medium-sized turbines to the Weirton Steel Plant in Weirton, West Virginia, between 1917 and 1951. GE states that to the extent that the plaintiff claims exposure to asbestos-containing materials in connection with GE land-based steam turbines, GE will make any such records available to plaintiff's counsel at a mutually convenient time and place after collection has been completed, to the extent that such records are existing, relevant and responsive.

Additionally, GE states that there may be technical drawings and specifications relating to its land-based steam turbines on microfiche at GE Power Systems offices in Schenectady and Atlanta, which can be made available at these locations upon entry of an appropriate protective order.

INTERROGATORY NO. 2:

2) Has Defendant ever engaged in the **distribution** of asbestos-containing products? If so, identify the following:

- (a) The name of the company engaged in the activity (whether it is Defendant, Defendant's predecessor, or Defendant's subsidiary);
- (b) As to each product distributed, please identify the following:
 - i. Name and type of asbestos or asbestos-containing materials (e.g. Kaylo42-1958);
 - ii. Customers to whom the product was distributed;
 - iii. The time period during which it was distributed by this defendant;
 - iv. Description of the asbestos or asbestos-containing material packaging used and a description of any printed material or trademarks that appeared thereon.
 - v. The total percent of asbestos the product contained and the percentage by asbestos type (amosite, crocidolite, tremolite, anthophyllite).
 - vi. How each of these asbestos-containing product can be distinguished from similar products.
 - vii. Whether such products were distributed to Weirton Steel, Weirton, West Virginia.

ANSWER TO INTERROGATORY NO. 2:

Objection/Answer: GE directs plaintiff to its objections and answer to Interrogatory

No. 1, *supra*, incorporated fully herein.

INTERROGATORY NO. 3:

3) Has Defendant ever engaged in the **sale** of asbestos-containing products? If so, state the following:

- (a) The name of the company engaged in the activity (whether it is Defendant, Defendant's predecessor, or Defendant's subsidiary);
- (b) As to each product sold, please state the following:
 - i. Name and type of asbestos or asbestos-containing materials (e.g. Kaylo Insulation);
 - ii. Names of customers who purchased the product;
 - iii. The time period during which it was sold by this defendant;
 - iv. Description of the asbestos or asbestos-containing material packaging used and a description of any printed material or trademarks that appeared thereon.
 - v. The total percent of asbestos the product contained and the percentage by asbestos type (amosite, crocidolite, tremolite, anthophyllite).
 - vi. How each of these asbestos-containing product can be distinguished from similar products.
 - vii. Whether such products were sold to Weirton Steel, Weirton, West Virginia.

ANSWER TO INTERROGATORY NO. 3:

Objection/Answer: GE directs plaintiff to its objections and answer to Interrogatory No. 1, *supra*, incorporated fully herein.

INTERROGATORY NO. 4:

4) Please identify all of your suppliers of asbestos and/or asbestos-containing products.

For each supplier, please identify:

- (a) Name;
- (b) Name and type of asbestos or asbestos-containing products purchased from the supplier;
- (c) Dates of purchase of asbestos and/or asbestos-containing products from the supplier.

ANSWER TO INTERROGATORY NO. 4:

Objection/Answer: GE directs plaintiff to its objections and answer to Interrogatory No. 1, *supra*, incorporated fully herein.

INTERROGATORY NO. 5:

5) Did you sell asbestos-containing products, either directly or as part of installation, to any co-Defendant? If the answer is yes, please identify the following:

- (a) Each co-Defendant to whom this Defendant sold any asbestos or asbestos containing product;
- (b) Each product sold to each co-Defendant;
- (c) Dates of sale of asbestos-containing products to each co-defendant.

ANSWER TO INTERROGATORY NO. 5:

Objection/Answer: GE directs plaintiff to its objections and answer to Interrogatory No. 1, *supra*, incorporated fully herein.

INTERROGATORY NO. 6:

6) Please list the names, titles, current address and current positions of each of your past and present sales managers and sales personnel responsible for asbestos installation sales and/or product sales to businesses, corporations and/or entities located in West Virginia,

Ohio and/or Kentucky including, but not limited to, Weirton Steel, Weirton, West Virginia.

ANSWER TO INTERROGATORY NO. 6:

Objection: GE objects to this Interrogatory on the grounds that it is vague, ambiguous, overly broad, not time-, site- or product- specific, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. GE further objects to this Interrogatory to the extent plaintiff's discovery seeks information beyond that relevant to the plaintiff's (or plaintiff's husband's) alleged exposure to land-based steam turbines at the job site at issue in this case.

Answer: Subject to and without waiving the foregoing, GE states that this Interrogatory is not applicable to its land-based steam turbines. GE land-based steam turbines are not "asbestos products" as that term is commonly understood. GE land-based steam turbines are mechanical devices made of metal. See GE's answer to Interrogatory No. 1, *supra*, incorporated fully herein by reference. Further, GE is not, and has never been, a miner, miller or manufacturer of raw asbestos fiber. GE is a large, decentralized company comprised of numerous separate businesses with over 300,000 employees. GE operates in more than 100 countries around the world. Since 1979, GE has bought and/or sold thousands of businesses. See <http://www.ge.com/investor/annuals.htm>. Therefore, GE is unable to identify each sales employee who may have worked in West Virginia.

Subject to and without waiving the foregoing or any of its objections, to the extent that GE understands this Interrogatory, GE states that it had and still has sales agents, representatives or offices in West Virginia.

INTERROGATORY NO. 7:

7) Does Defendant have records related to its distribution, sales or installation of asbestos-containing products to job sites in West Virginia, Ohio and/or Kentucky including, but not limited to, Weirton Steel, Weirton, West Virginia? If so, please identify the following:

- (a) All such records;
- (b) The names and last known addresses of those people with such knowledge;
- (c) The location of such records;
- (d) How the records were organized.

ANSWER TO INTERROGATORY NO. 7:

Objection/Answer: GE directs plaintiff to its objections and answer to Interrogatory No. 1, *supra*, incorporated fully herein by reference.

INTERROGATORY NO. 8:

8) Did Defendant engage in the business of removing asbestos-containing products? IF so, please identify:

- (a) Each location in West Virginia, Ohio and/or Kentucky, including, but not limited to, Weirton Steel, Weirton, West Virginia, where you removed asbestos-containing products;
- (b) The dates of removal of asbestos containing products of each location identified in response to (a.);
- (c) The type and name of asbestos-containing products that were removed at each location identified in response to (a.).
- (d) The name and address of all divisions, agents or contractors of Defendant engaged in the removal of asbestos-containing products at each location identified in response to (a).

- (e) Whether or not defendant removed asbestos-containing at Weirton Steel, Weirton, WV.

ANSWER TO INTERROGATORY NO. 8:

Objection/Answer: GE directs plaintiff to its objections and answer to Interrogatory No. 1, *supra*, incorporated fully herein by reference.

INTERROGATORY NO. 9:

9) Identify all “rebranding” agreements between Defendant and any other company either as a buyer or a seller, concerning any asbestos-containing products and identify

- (a) The name of the company which manufactured the asbestos-containing precuts under such agreement;
- (b) The trade name affixed to such products;
- (c) The periods of time covered by each such agreement; and
- (d) Whether Defendant currently possesses any documents concerning such rebranding agreement.

ANSWER TO INTERROGATORY NO. 9:

Objection: GE objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. GE objects to this Interrogatory to the extent that it is not limited to Plaintiff’s (or Plaintiff’s husband’s) alleged exposure.

Answer: GE is a large, decentralized company that has no central repository for the information which is sought without time limit, and it is impossible for GE to conduct a complete search for the information sought. GE no longer has, or never had, many of the documents required to answer this interrogatory.

Subject to and without waiving the foregoing or any of its objections, as discussed *supra*, in GE's Preliminary Statement and General Objections, GE answers this discovery with respect to its land-based steam turbines. However, GE's land-based steam turbines are not asbestos-containing products, as that term is commonly understood. Rather, they are mechanical devices made predominantly of metal. See GE's answer to Interrogatory No. 1, *supra*, incorporated fully herein by reference. Notwithstanding the above, GE states that it has not been able to locate any documents reflecting any such rebranding agreements with respect to the GE's land-based steam turbines. Investigation continues.

INTERROGATORY NO. 10:

10) As to each asbestos-containing product installed, distributed and/or sold by Defendant, identify all documents published and/or distributed by Defendant containing warnings, cautions, caveats or directions concerning possible health hazards associated with asbestos.

ANSWER TO INTERROGATORY NO. 10:

Objection: GE objects to this Interrogatory on the grounds that it is vague, overly broad, not product-, site- or time- specific, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Further, GE objects to this Interrogatory to the extent that plaintiff's discovery seeks information beyond that relevant to the plaintiff's (or the plaintiff's husband's) alleged exposure in this case -- land-based steam turbines at the job sites at issue in this case. To the extent that this Interrogatory asks about any warnings on the premises of plaintiff's husband's job sites, GE objects to this Interrogatory as misleading in that it assumes GE had the duty, right or opportunity to post warnings or notices at the workplace of plaintiff's husband's employers. GE's land-based

steam turbines were under the control of sophisticated users responsible for the safety of their worksite.

Answer: Subject to and without waiving the foregoing or any of its objections, as indicated in GE's answer to Interrogatory No. 1, *supra*, GE's land-based steam turbines are not asbestos or asbestos-containing products as those terms are commonly understood. They are mechanical devices made predominantly of metal, and any asbestos insulation placed on them was manufactured and installed by others. It is possible that portions of land-based steam turbines may have been insulated with thermal insulation that may have contained some quantity of asbestos during a period of time that may or may not be relevant to this litigation. This thermal insulation material would have been manufactured and installed by others, however, and not by GE. Some other materials may have been used in connection with GE's land-based steam turbines, during a period of time that may or may not be relevant to this litigation, and those other materials may have contained some quantity of asbestos. At some point in time, the manufacturers and installers of these other manufacturers' products may have provided warnings or other information on or with their insulation products. GE would not have been involved in the preparation of such warnings. To the best of its knowledge, no warnings regarding these other companies' products were placed on the metal surfaces of GE's steam turbines. In the 1970s, the Turbine Business Operations division began recommending to its customers that insulation materials applied by others on its land turbines be of asbestos-free materials.

INTERROGATORY NO. 11:

11) Did you participate in or receive any reports or documents concerning statistical or other studies conducted by Metropolitan Life Insurance Company from 1929 to 1960 on

asbestos workers and health or more generally on the health effects on humans or animals form inhalation or ingestion of asbestos? If so, identify:

- (a) This Defendant's participating in each such study;
- (b) The documents received by the Defendant;
- (c) The current location of the documents identified in response to (b).

ANSWER TO INTERROGATORY NO. 11:

Objection: This Interrogatory is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Answer: GE notes that it is a large, decentralized company comprised of numerous separate businesses with over 300,000 employees. GE operates in more than 100 countries around the world and since 1979, GE has bought and/or sold thousands of businesses. *See* <http://www.ge.com/investor/annuals.htm>. As a multi-national corporation that manufactured countless products over the last century, GE possesses millions of documents, the great majority of which have no bearing on asbestos or this litigation whatsoever. These documents are not organized by asbestos or whether or not the products contained asbestos or were used in connection with asbestos. Furthermore, many of GE's businesses have changed over the years, have been sold, or are no longer operational. Further, because GE is a large, decentralized company with facilities in numerous states and foreign countries, and because there is no central repository for information of the type sought by way of this Interrogatory, GE may no longer have, or never have had, the documents required to fully answer this Interrogatory. There is no possible way to determine whether or not, during the period between 1929 and 1960, any GE employee received a copy or any portion of a study or test conducted by an insurance company, including but not limited to Metropolitan Life

Insurance Company, "on asbestos workers and health or more generally on the health effects on humans or animals from inhalation or ingestion of asbestos."

Notwithstanding the above, GE states that it has conducted a reasonably thorough and diligent search and has not been able to locate any documents or records reflecting receipt of any such documents prior to 1960.

INTERROGATORY NO. 12:

12) Identify all industrial hygiene, safe working practice, air monitoring or dust monitoring programs or other internal controls instituted by defendant at each location owned or operated by Defendant.

ANSWER TO INTERROGATORY NO. 12:

Objection: GE objects to this Interrogatory on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Answer: Subject to and without waiving the foregoing or any of its general and specific objections, GE states that it is not now, and has never been, a miner, miller or manufacturer of asbestos. GE further states that it has adopted and administered many programs addressing employee health and safety. Given the breadth of the time period covered, the size and decentralized nature of the company and the number of facilities owned or managed, it would be impossible to answer this Interrogatory, and as such it is overly broad and unduly burdensome. GE's investigation continues, however, with respect to any such programs administered by the TBO, and reserves its right to supplement this response at a later date. However, insofar as GE's land-based steam turbines were mechanical devices made predominantly of metal, and any thermal insulation to be applied

to them after installation was manufactured and installed by others, not by GE, such GE employees typically would not have had responsibility for any asbestos insulation products manufactured and installed by others.

By way of further response, GE states that it, at all times, kept itself informed of the prevailing standard of medical art and the prevailing standards of the industry relating to its products. In or about 1972, when OSHA began mandating medical surveillance for certain employees, GE would have complied with such regulations. Further, prior to the formation of OSHA, in cooperation with the Massachusetts Department of Health, certain of its Lowell, MA employees may have participated in a medical surveillance program; such examinations were not required by regulation. GE has not been able to locate documents relating to this medical surveillance program in its own files, but has obtained copies of certain documents with information about this program from the government through a FOIA request. These documents are as available to plaintiff as to this defendant. GE further states that because it is a large, decentralized company with facilities in numerous states and foreign countries, because there is no central repository for information of the type sought by way of this Interrogatory, and because GE no longer has, or never had, many of the documents required to answer this Interrogatory, GE is unable to fully respond to this Interrogatory. Nonetheless, GE's investigation is continuing, and GE reserves the right to supplement its responses.

INTERROGATORY NO. 13:

13) Identify all chemical, industrial, medical or trade associations to which you have belonged since 1936.

ANSWER TO INTERROGATORY NO. 13:

Objection: This Interrogatory is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. GE objects to this Interrogatory to the extent that it is not limited to plaintiff's alleged exposure and is not time-, site- or product- specific. In light of the breadth of plaintiff's inquiries, it is essentially impossible for GE to conduct a complete search for the information sought and GE therefore objects.

Answer: GE is a large, decentralized company comprised of numerous separate businesses with over 300,000 employees. GE operates in more than 100 countries around the world, and since 1979, GE has bought and/or sold thousands of businesses. *See* <http://www.ge.com/investor/annuals.htm>. GE states that because it is a large, decentralized company with facilities in numerous states and foreign countries, and because there is no central repository for information of the type sought by way of this interrogatory, GE no longer has, or never had, the documents required to fully answer this interrogatory.

Further, GE has never been a miner, miller or supplier of raw asbestos fiber and has never been a member of the asbestos industry as that term is commonly used, nor has it ever been a member of the trade organizations of the asbestos industry.

Subject to and without waiving the foregoing or any of its objections, GE states that upon information and belief, it was a charter member of the National Safety Council ("NSC") in approximately 1913. It has also been brought to GE's attention through documents produced by other parties in asbestos-related litigation that some of its employees may have been members of the NSC at some points in their individual careers. However, GE has not been able to locate any documents in its own files demonstrating this

and, therefore, cannot attest to the authenticity of the documents or the information contained therein relating to membership in the NSC. GE has not been able to locate historical materials in its possession received from the NSC or which relate to the NSC during the time period at issue in this discovery.

Upon information and belief, in 1947, GE became a member of the Industrial Hygiene Foundation ("IHF"), an association of industrial hygiene professionals from government, academia, and industry that shared technical information relating to current industrial hygiene topics about numerous industrial materials among its members. GE has not been able to locate historical materials in its possession received from the IHF.

It has been brought to GE's attention through documents produced by other parties in asbestos-related litigation that some of its employees were members of the American Ceramics Society at some points in their individual careers. However, GE has not been able to locate these documents in its own files and, therefore, cannot attest to the authenticity of documents received from outside sources.

GE further states upon information and belief that certain GE businesses were at various points in time members of the National Electrical Manufacturers Association ("NEMA").

Additionally, some of GE's employees may have been members of the American Conference of Governmental Industrial Hygienists ("ACGIH") at some points in their individual careers. GE has not been able to locate historical materials in its possession received from the ACGIH during the relevant time period.

Upon information and belief, some of GE's employees are currently members of the American Industrial Hygiene Association. However, GE has not been able to

determine whether any of its employees previously may have been members of the American Industrial Hygiene Association at some points in their individual careers or whether GE received any historical materials from the American Industrial Hygiene Association.

INTERROGATORY NO. 14:

14) Identify whether Defendant ever conducted, participated in or received the results of any tests to determine the nature and extent of airborne asbestos dust or fiber where asbestos-containing products were applied, used or removed. If so, for each test please identify:

- (a) The date, place and nature of the test;
- (b) The asbestos-containing products involved;
- (c) The results of the test, including air sample results and dust counts; and
- (d) Each person who received the results indicated in the answers to (c).

ANSWER TO INTERROGATORY NO. 14:

Objection: GE objects to this Interrogatory on the grounds that it is vague, overly broad, not site-, product- or time- specific, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Further, GE objects to this Interrogatory to the extent that plaintiff's discovery seeks information beyond that relevant to the plaintiff's (or plaintiff's husband's) alleged exposure in this case -- land-based steam turbines at the Weirton Steel Facility in Weirton, West Virginia. To the extent that this Interrogatory asks about any tests, studies, investigations or analyses performed at plaintiff's husband's job sites, GE objects to this Interrogatory as misleading in that it assumes GE had the duty, right or opportunity to conduct such inspections of the workplace of plaintiff's

husband's employers. GE's land-based steam turbines were under the control of sophisticated users responsible for the safety of their worksite.

Answer: Subject to and without waiving the foregoing and any of its general and specific objections, GE further states that this Interrogatory is not applicable to GE's land-based steam turbines. As stated above in its Answer to Interrogatory No. 1, GE's land-based steam turbines are not asbestos or asbestos-containing products as those terms are commonly understood. They are mechanical devices made predominantly of metal, and any asbestos insulation placed on them was manufactured and installed by others. Moreover, GE is not currently, nor has it ever been aware of any clinical, epidemiological, toxicological, industrial hygiene, medical and/or scientific tests or studies indicating that GE land-based steam turbines pose a risk to human health.

GE further states that it has conducted thousands of industrial hygiene surveys at hundreds of facilities over its one hundred plus years of existence. If surveys can be located that are relevant to plaintiff's claims of exposure, GE will endeavor to supplement its response accordingly. GE objects, however, to an unlimited request for unspecified industrial hygiene surveys that are unrelated to the sites at which exposure to GE products is alleged by plaintiff, or to the specific products to which exposure is alleged.

GE states that because it is a large, decentralized company, with facilities in numerous states and foreign countries, because there is no central repository for any information of the type sought by way of the instant Interrogatory, and because GE no longer has, or never had, any documents, required to answer this Interrogatory, a comprehensive answer is not possible, and GE reserves the right to supplement its answer.

INTERROGATORY NO. 15:

15) Please identify whether or not Defendant ever obtained any knowledge of whether asbestos may be hazardous to human health. If so, please identify;

- (a) When Defendant first became aware of the hazardous potential of asbestos dust and asbestos fibers;
- (b) The manner in which the Defendant first obtained this knowledge;
- (c) When information was disseminated within Defendant's company regarding this knowledge;
- (d) Whether any such information is still maintained by Defendant in any witness form;
- (e) Whether any such information is still maintained by Defendant in any written form;
- (f) The name, address and job classification of the custodian of such information.
- (g) When this Defendant first learned of the "Dressen Report", Dressen, W.C., et al. A Study of Asbestos in-the Asbestos Textile Industry, Public Health Bull. No. 241, Washington, D.C.: U.S. Public Health Service, 1938.
- (h) Which person (by occupation or otherwise) have been identified that could potentially be at risk, including, but not limited to, those in the home of occupationally exposed individuals.

ANSWER TO INTERROGATORY NO. 15:

Objection: This Interrogatory is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. GE objects to this Interrogatory to the extent that it is not limited to plaintiff's alleged exposure and is not time-, site- or product- specific. In light of the breadth of plaintiff's inquiries, it is essentially impossible for GE to conduct a complete search for the information sought and GE therefore objects.

Answer: Subject to and without waiving the foregoing or any of its objections, GE notes that the amount of materials published in both the technical and popular press that discuss possible correlation between exposure to asbestos at sufficient levels, especially friable, amphibole asbestos, and human health consequences is voluminous and GE is unable to state on what specific date it first became aware of a possible correlation between exposure to asbestos at sufficient levels and human health. GE further states that because it is a large, decentralized company with facilities in numerous states and foreign countries, and because there is no central repository for information of the type sought by way of this Interrogatory, GE may no longer have, or never have had, many of the documents required to fully answer this Interrogatory. GE reserves the right to supplement its response.

However, at all times GE's respective businesses and the personnel of the respective businesses kept apprised of the government standards, regulations, and laws, as well as prevailing safety standards, industry standards, and standards of medical art as they related to the operation of GE's respective businesses. GE notes that the term "asbestosis" was first coined in 1928 and that in the 1930's GE medical personnel and consultants would have been aware of the ability of exposure to certain dusts, such as silica, coal, cotton, and asbestos at sufficient levels to cause pneumoconiosis. By the early 1950's, Dr. Irving R. Sax of its Schenectady office was aware of the risk of asbestosis from high levels of exposure to asbestos dust and Dr. Sax made this information publicly available in his book, *Handbook of Dangerous Materials* (Reinhold Publishing 1951). Likewise, Dr. John Grimaldi, a consultant for health and safety for GE from 1956 to 1967, published in 1956 a treatise on industrial hazards (entitled "Safety Management") which included a caution on the hazards of asbestos. (A second edition of this treatise was published in

1963). Further, GE would have been aware of the threshold limit values ("TLVs") first promulgated by the American Conference of Governmental Industrial Hygienists ("ACGIH") and adopted by ACGIH at or about 1946 and permissible exposure limits ("PELs") when first enacted by OSHA in the early 1970's for a variety of substances. GE would have been aware of state industrial codes adopting TLVs and the Walsh-Healy requirements that all federal government contractors meet the ACGIH standards. GE also would have been aware of the "Minimum Standards" issued by the U.S. Navy in 1943. Likewise, customers for GE steam turbines are sophisticated entities such as the government, utilities, ship owners, shipbuilders, and industrial manufacturers who also would have been aware of TLVs, maximum allowable concentrations ("MACs"), PELs, and other standards promulgated by various governmental organizations and professional associations. A copy of Dr. Sax's book can be made available upon request at a mutually convenient time and place.

Further, GE states, upon information and belief, that it would have been aware of the substance of the Dreesen report at or near the time it was published. Investigation continues.

INTERROGATORY NO. 16:

16) Have you ever been investigated or cited by OSHA or any other governmental agency for any matter related to asbestos or asbestos exposure? If so, for each investigation and/or citation, please identify the dates, the site and the result.

ANSWER TO INTERROGATORY NO. 16:

Objection/Answer: This Interrogatory is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. GE objects to

this Interrogatory to the extent that it is not limited to plaintiff's alleged exposure and is not time-, site- or product- specific.

INTERROGATORY NO. 17:

17) Has Defendant ever been compelled or requested because of the presence of asbestos, to institute any industrial hygiene controls, safe working practice or exposure monitoring? If so, please identify the date, place and circumstance of each such compulsion or request and identify all documents relevant thereto.

ANSWER TO INTERROGATORY NO. 17:

Objection: GE objects to this Interrogatory on the grounds that it is vague, overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Answer: Subject to and without waiving the foregoing and any of its general and specific objections, GE states that it has adopted and administered many programs addressing employee health and safety. Given the breadth of the time period covered, the size and decentralized nature of the company and the number of facilities owned or managed, it would be impossible to answer this Interrogatory, and as such it is overly broad and unduly burdensome. However, insofar as GE's land-based steam turbines were mechanical devices made predominantly of metal, and any thermal insulation to be applied to them after installation was manufactured and installed by others, not by GE, GE's own employees typically would not have had responsibility for any asbestos insulation products manufactured and installed by others.

GE states that it, at all times, kept itself informed of the prevailing standard of medical art and the prevailing standards of the industry relating to its products. In or about

1972, when OSHA began mandating medical surveillance for certain employees, GE would have complied with such regulations. Further, prior to the formation of OSHA, in cooperation with the Massachusetts Department of Health, certain of its Lowell, MA employees may have participated in a medical surveillance program; such examinations were not required by regulation. GE has not been able to locate documents relating to this medical surveillance program in its own files, but has obtained copies of certain documents with information about this program from the government through a FOIA request. These documents are as available to plaintiff as to this defendant.

By way of further response, GE states that it has conducted thousands of industrial hygiene surveys at hundreds of facilities over its one hundred plus years of existence. To the extent that such surveys can be located, and to the extent such surveys are relevant to the specific sites and products, if any, alleged by plaintiff, GE will make them available for inspection by plaintiff upon request at a mutually convenient time. GE objects, however, to an unlimited request for unspecified industrial hygiene surveys that are unrelated to the sites at which exposure to GE products is alleged by plaintiff, or to the specific products to which exposure is alleged.

INTERROGATORY NO. 18:

18) Please identify all physicians, medical advisors, industrial hygienists and others (including their names, titles and addresses) employed, retained or otherwise engaged by Defendant for research, investigation or study concerning asbestos dust control or asbestos-related diseases.

ANSWER TO INTERROGATORY NO. 18:

Objection: This Interrogatory is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. GE objects to this Interrogatory to the extent that it is not limited to plaintiff's alleged exposure and is not time-, site- or product- specific. In light of the breadth of plaintiff's inquiries, it is essentially impossible for GE to conduct a complete search for the information sought and GE therefore objects.

Answer: Subject to and without waiving the foregoing or any of its objections, GE and its various businesses and numerous facilities have employed many industrial hygienists and physicians over the years that have had responsibility for employee health and safety. Given the breadth of the time period covered, the historical nature of the information requested, the large size and decentralized nature of the company, the number of facilities owned or managed by GE (many of which may have employed physicians and/or industrial hygienists at various times), and the lack of any centralized location for such information, GE is unable to provide a complete listing of all such individuals employed by GE over the years.

GE states that upon information and belief, the following physicians, medical directors and/or industrial hygienists were employed by GE with job responsibilities including areas such as employee health and safety / occupational medicine / industrial hygiene at the corporate level:

- Casey, M.D., Thomas (c. early 1970's: Associate Medical Director and Manager Corporate Medical operation) (c. early/mid-1970's to early-1980's: Company Medical Director);

- Chase, M.D., James A. (c. 1979 to 1983: Associate Medical Director; c. 1960 to 1979 and 1983 to 1988: Medical Director in Fort Wayne, IN);
- Culp, Dale (C. early/mid 1970's to early/mid 1980's: Director, Industrial Hygiene);
- Ege, John (c. early-1970's to early-1980's: Consultant, Industrial Hygiene; Consultant, Industrial Hygiene, Occupational Medicine and Environmental Health, Corporate Medical Operation);
- Fabius, M.D., Ray (c. early 2000's to date: Global Medical Director or Leader);
- Galvin, M.D., Robert (c. 1999 to date: Director of Corporate Healthcare and Medical Programs);
- Grimaldi, Ph.D., John (c. mid-1950's to early 1960's: Consultant, Occupational Health, Safety and Plant Protection);
- Jaffe, M.D., Dan (c. 1980's: GE Bridgeport Medical Director) (c. 1989 to 1993: Associate Company Medical Director);
- Kerr, M.D., Vine (c. early 1990's to 2000: Associate Company Medical Director);
- Kline, M.D., Edward (c. mid-1960's: Medical Director and Medical Consultant for the Western Region) (c. mid/late-1960's to early/mid-1970's: Company Medical Director);

- Kline, M.D., Susan (c. early-1980's to mid-1980's: Manager, Occupational Health Programs);
- Lenci, M.D., T. Dexter (c. mid-1970's to 1983: Associate Company Medical Director, Clinical Medicine, Corporate Medical Operation);
- Martelon, M.D., George F. (c. mid-1970's to late-1970's: Manager, Environmental Health Support Services, Occupational Medicine and Environmental Health, Corporate Medical Operation; Consultant, Occupational Health Programs and Practices);
- Milles, M.D., Saul (c. 1984 to 1989: Associate Medical Director) (c. 1989 to 1998: Company Medical Director);
- Pocock, M.D., Herman (c. mid-1960's to late-1970's: Medical Consultant, Central Region; Associate Medical Director, Medical Programs; Associate Company Medical Director, Occupational Medicine & Environmental Health, Corporate Medical Operation);
- Stempien, M.D., Dennis (c. 1977 to 1983: Attending Physician) (c. 1984-1989: Manager Occupational Health Programs) (c. 1989 to 1999: Associate Company Medical Director); and
- Thompson, M.D., R. (c. mid-1960's to mid/late-1970's: Medical Consultant, Northeastern Region; Associate Medical Director, Occupational Health; Consultant – Occupational Health, Occupational Medicine, and Environmental Health, Corporate Medical Operation; Consulting Physician).

Upon information and belief, the following individuals were employed by GE as physicians/medical directors with job responsibilities covering employee health and safety for the Schenectady, NY facility, historically one of GE's largest facilities and its former headquarters and principal place of business:

- Sandroni, M.D., Robert (c. early-1960's to mid-1960's: MD, Industrial Clinic; Specialist, Preventative Medicine for General Electric Industrial Clinic) (c. mid-1970's: Medical Director, Medical and Environmental Health) (c. early 1980's: Medical Director of the turbine business group).
- Vosburgh, M.D., Beverly (c. late-1920's to 1950's).

INTERROGATORY NO. 19:

19) Were you notified or named as a defendant in any lawsuit prior to 1975 by any person who claimed to have been injured by asbestos-containing products installed, distributed or sold by you or at any location owned or operated by Defendant? If so, provide the date on which each lawsuit was filed against you, the court in which said suit was filed and the name of the plaintiff in each suit.

ANSWER TO INTERROGATORY NO. 19:

Objection: This Interrogatory is overly broad, unduly burdensome, not narrowly tailored to the issues of the case, and not reasonably calculated to lead to the discovery of admissible evidence. GE further objects to the extent this Interrogatory calls for confidential medical information regarding its employees.

Answer: Subject to and without waiving the foregoing or any of its objections, GE states that it is unaware of any such claims.

INTERROGATORY NO. 20:

20) Please identify whether you ever commissioned, relied upon, contracted with and/or permitted any insurance company to investigate the possible hazards or health effects of exposure to asbestos, and if so please identify the following:

- (a) The name of the insurance company;
- (b) The nature of each such the investigations;
- (c) The results of each such investigation; and
- (d) The name, affiliation and address of each individual involved in each such investigation.

ANSWER TO INTERROGATORY NO. 20:

Objection: This Interrogatory is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. As explained in GE's Preliminary Statement and General Objections, GE objects to this Interrogatory to the extent that it is not limited to plaintiff's alleged exposure and is not time-, site- or product- specific. In light of the breadth of plaintiff's inquiries, it is essentially impossible for GE to conduct a complete search for the information sought and GE therefore objects.

Answer: GE notes that it is a large, decentralized company comprised of numerous separate businesses with over 300,000 employees. GE operates in more than 100 countries around the world and since 1979, GE has bought and/or sold thousands of businesses. See <http://www.ge.com/investor/annuals.htm>. As a multi-national corporation that manufactured countless products over the last century, GE possesses millions of documents, the great majority of which have no bearing on asbestos or this litigation whatsoever. These documents are not organized by asbestos or whether or not the products contained asbestos or were used in connection with asbestos. Furthermore,

many of GE's businesses have changed over the years, have been sold, or are no longer operational. Moreover, there are no persons with knowledge to fully answer this Interrogatory.

Subject to and without waiving the foregoing or any of its objections, GE is not a miner, miller or manufacturer of raw asbestos fiber. GE states that insurance inspectors may have conducted such tests or counts at sites where GE products were being used but these would have been initiated by these organizations and/or the facility owners or operators, and not by GE. GE further states that it has conducted thousands of industrial hygiene surveys at hundreds of facilities over its one hundred plus years of existence.

INTERROGATORY NO. 21:

21) Identify whether you are and have been insured for product liability or personal injury liability, including "excess or umbrella" policies, and/or worker's compensation claims, and if so, for each applicable insurance policy please identify,

- (a) The limits of coverage;
- (b) The name of the insurance company;
- (c) Whether this claim has been accepted or whether a letter of intent to deny coverage has been received.

ANSWER TO INTERROGATORY NO. 21:

Objection: This Interrogatory is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Answer: Subject to and without waiving the foregoing or any of its objections, GE states that it is currently insured under multiple liability policies and has assets or coverage

sufficient to satisfy the amounts claimed by plaintiff in this suit. GE additionally states that it previously purchased primary insurance from EMLICO for the years 1952-1985.

INTERROGATORY NO. 22:

22) Identify any agreement Defendant has entered into with any other Defendant in this action regarding settlement or non-settlement and/or allocation of damages.

ANSWER TO INTERROGATORY NO. 22:

Objection: This Interrogatory is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. GE further objects to this Interrogatory on the grounds that it is vague and ambiguous.

Answer: Subject to and without waiving any of its objections, GE states that it has not entered into any agreement with any other Defendant in this action regarding settlement or/non-settlement and/or allocation of damages.

INTERROGATORY NO. 23:

23) Other than any insurance policies identified in response to any other interrogatories herein, are you now or have you ever been an indemnitee under any contract or agreement providing for your indemnification for any claims or judgments of personal injury or property damage arising after 1965? If so, please identify

- (a) The name and address of the indemnitor;
- (b) The contract or agreement under which such indemnity is claimed;
- (c) The nature and terms of the indemnifying agreement; and,
- (d) The identity of all documents related to the subject matter of this interrogatory.

ANSWER TO INTERROGATORY NO. 23:

Objection/Answer: GE objects to the discovery of this information. GE is currently insured under multiple liability policies and has assets or coverage sufficient to satisfy the amounts claimed by plaintiffs in any particular suit.

INTERROGATORY NO. 24:

24) To the best of your knowledge are you an additional insured, or have you been an additional insured, since 1965, under any liability insurance policy providing liability insurance coverage for the operation or ownership of your business or the acts alleged in Plaintiffs' Complaint? If so, please identify the following:

- (a) The identity of any such policies or documents;
- (b) The name and address of the underwriting insurance company;
- (c) The name and address of the insurance agency or broker through whom the insurance coverage was procured;
- (d) The dates of initiating, inspection renewal and expiration of the policy;
- (e) The nature of coverage provided;
- (f) The liability policy limit or limits; and
- (g) Whether or not, in your opinion, that liability insurance policy provides coverage for the acts alleged in Plaintiffs' Complaint or any judgment which may be entered against Defendant in this lawsuit.

ANSWER TO INTERROGATORY NO. 24:

Objection/Answer: GE objects to the discovery of this information. GE is currently insured under multiple liability policies and has assets or coverage sufficient to satisfy the amounts claimed by plaintiffs in any particular suit.

INTERROGATORY NO. 25:

25) What warnings or other notice did you provide to employees, business invitees, and/or their family members, including employees of outside contractors, about the location and any potential health hazard of asbestos at any location to which you distributed or installed asbestos-containing product in West Virginia, Ohio or Kentucky including, but not limited to Weirton Steel, Weirton, West Virginia?

ANSWER TO INTERROGATORY NO. 25:

Objection: GE objects to this Interrogatory on the grounds that it is vague, overly broad, not product-, site- or time- specific, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Further, GE objects to this Interrogatory to the extent that plaintiff's discovery seeks information beyond that relevant to the plaintiff's (or the plaintiff's husband's) alleged exposure in this case -- land-based steam turbines at the job sites at issue in this case. To the extent that this Interrogatory asks about any warnings on the premises of plaintiff's husband's job sites, GE objects to this Interrogatory as misleading in that it assumes GE had the duty, right or opportunity to post warnings or notices at the workplace of plaintiff's husband's employers. GE's land-based steam turbines were under the control of sophisticated users responsible for the safety of their worksite.

Answer: Subject to and without waiving the foregoing or any of its objections, as indicated in GE's answer to Interrogatory No. 1, *supra*, GE's land-based steam turbines are not asbestos or asbestos-containing products as those terms are commonly understood. They are mechanical devices made predominantly of metal, and any asbestos insulation placed on them was manufactured and installed by others. It is

possible that portions of land-based steam turbines may have been insulated with thermal insulation that may have contained some quantity of asbestos during a period of time that may or may not be relevant to this litigation. This thermal insulation material would have been manufactured and installed by others, however, and not by GE. Some other materials may have been used in connection with GE's land-based steam turbines, during a period of time that may or may not be relevant to this litigation, and those other materials may have contained some quantity of asbestos. At some point in time, the manufacturers and installers of these other manufacturers' products may have provided warnings or other information on or with their insulation products. GE would not have been involved in the preparation of such warnings. To the best of its knowledge, no warnings regarding these other companies' products were placed on the metal surfaces of GE's steam turbines. In the 1970s, the Turbine Business Operations division began recommending to its customers that insulation materials applied by others on its land turbines be of asbestos-free materials.

INTERROGATORY NO. 26:

26) If this defendant has not been sued under its correct name, please identify the correct name and provide the following corporate information:

- (a) Company's corporate name;
- (b) Address and corporate headquarters;
- (c) Identify of incorporation;
- (d) Date of incorporation; and
- (e) Address of any branch offices operating in West Virginia.

ANSWER TO INTERROGATORY NO. 26:

Answer: No response necessary.

INTERROGATORY NO. 27:

27) Has this defendant ever acquired through purchase, reorganization or merger another corporation, company or business which manufactured, sold, processed, distributed, tested or contracted to install products containing asbestos? If the answer is “Yes”, then identify the following concerning such predecessor:

- (a) Full and correct name;
- (b) The principal place of business
- (c) Identify of incorporation;
- (d) Date of acquisition by Defendant; and
- (e) Manner of date of acquisition by Defendant.

ANSWER TO INTERROGATORY NO. 27:

Objection: This Interrogatory is overly broad, unduly burdensome, not narrowly tailored to the issues of the case, and not reasonably calculated to lead to the discovery of admissible evidence.

Answer: GE was incorporated in the 1890s and over the years has bought and sold hundreds of companies around the world. GE is a large, decentralized company comprised of numerous separate businesses with over 300,000 employees. GE operates in more than 100 countries around the world. Since 1979, GE has bought and/or sold thousands of businesses. See <http://www.ge.com/investor/annuals.htm>. Because GE is a large, decentralized company with facilities in numerous states and foreign countries, and because there is no central repository for information of the type sought by way of this

Interrogatory, GE may no longer have, or never have had, the documents required to provide a complete answer to this Interrogatory. However, to the best of GE's knowledge, GE did not purchase or otherwise acquire any asbestos-containing product lines from another person or entity. Investigation continuing.

INTERROGATORY NO. 28:

28) As to any product containing asbestos in any form, has this defendant designed, manufactured, processed, sold, distributed, patented such a product or relabeled such a product which was manufactured, sold or distributed by another company?

ANSWER TO INTERROGATORY NO. 28:

Objection/Answer: GE directs plaintiff to its answer to Interrogatory No. 1, *supra*, incorporated fully herein by reference.

INTERROGATORY NO. 29:

29) If you answer to any part of the preceding interrogatory is "Yes", then please provide the following information:

- (a) Trade name of each product (ex: Unibestos, One-Coat, etc.);
- (b) Date each such product was first sold or distributed and last sold or distributed (ex: 1942-1958);
- (c) Date each such product was first sold or distributed and last sold or distributed (ex: 1942-1958) in West Virginia;
- (d) Type of product (ex: pipecovering, mud, gasket material);
- (e) Percentage of asbestos content;
- (f) Type of asbestos used in the product (ex: amosite);
- (g) Supplier of asbestos fiber, and if more than one supplier, please list all supplier.

ANSWER TO INTERROGATORY NO. 29:

Objection: This Interrogatory is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. As explained in GE's Preliminary Statement and General Objections, GE objects to this Interrogatory to the extent that it is not limited to plaintiff's alleged exposure and is not site-, time- or product- specific. Further, defendant objects to this Interrogatory to the extent that plaintiff seeks the production of confidential and proprietary business information and/or trade secrets, including the composition of named products. GE also objects on the grounds that plaintiff has not identified any particular GE products that she alleges may have exposed her to asbestos. In light of the breadth of plaintiff's inquiries, it is essentially impossible for GE to conduct a complete search for the information sought and GE therefore objects.

Answer: Subject to and without waiving the foregoing or any of its objections, as indicated *supra*, in GE's Preliminary Statement and General Objections, GE responds to this Interrogatory with respect to its land-based steam turbines at the job site allegedly at issue in this case during the relevant time period. However, GE's land-based steam turbines are not asbestos or asbestos-containing products as those terms are commonly understood. Rather, they are mechanical devices made of metal. See GE's answer to Interrogatory No. 1, *supra*, incorporated fully herein by reference. The generic name of this product is land-based steam turbine; the brand name is General Electric Company. GE has been manufacturing and selling land-based steam turbines for approximately the last one hundred years. Whether asbestos-containing materials were used in connection with GE's land-based steam turbines may, in some instances, be determined from individual records pertaining to a particular site and the steam turbines installed there, to

the extent such records are available. To date, GE, through its national counsel, Sidley Austin Brown & Wood, has produced certain of these records for review by members of the law firm of Motley, Rice, plaintiff's counsel in this case. By way of further response, GE directs plaintiff to its answer to Interrogatory No. 1, *supra*, which is incorporated fully herein by reference.

INTERROGATORY NO. 30:

30) Identify the names and addresses of all lay witnesses whom you presently intend to call to testify at trial, and briefly identify the subject matter of their testimony and what connection each such person has with matters relevant to this lawsuit (e.g., former co-workers of Plaintiff, former plant manager of plant X, etc.).

ANSWER TO INTERROGATORY NO. 30:

Answer: GE directs Plaintiff to its designation of fact and expert witnesses. GE reserves the right to supplement this response as investigation and discovery are continuing.

INTERROGATORY NO. 31:

31) Please identify all present or past employees of Defendant who have ever testified under oath in connection with any asbestos-related lawsuit or claim.

ANSWER TO INTERROGATORY NO. 31:

Objection: GE objects to this Interrogatory on the grounds that it is vague, overly broad, not product-, site- or time- specific, unduly burdensome, not narrowly tailored to the issues of the case, and not reasonably calculated to lead to the discovery of admissible evidence. Further, GE objects to this Interrogatory to the extent that plaintiff's discovery seeks information beyond that relevant to the plaintiff's (or plaintiff's husband's) alleged exposure in this case.

Answer: As indicated *supra*, in GE's Preliminary Statement and General Objections, GE responds with respect to its land-based steam turbines. Subject to and without waiving the foregoing, GE states that Paul Banaszewski has testified regarding GE land-based steam turbines in connection with asbestos related lawsuits and/or claims.

INTERROGATORY NO. 32:

32) Please identify the names, addresses, and telephone numbers of all current or former employees of Defendant who have any knowledge concerning customers, contractors, distributors, manufacturers, or wholesalers of asbestos-containing products installed, distributed or sold by Defendant.

ANSWER TO INTERROGATORY NO. 32:

Objection: This Interrogatory is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. GE objects to this Interrogatory to the extent that it is not product-, site- or time- specific. In light of the breadth of plaintiff's inquiries, it is essentially impossible for GE to conduct a complete search for the information sought and GE therefore objects.

Answer: Subject to and without waiving the foregoing or any of its objections, as indicated *supra*, in GE's Preliminary Statement and General Objections, GE answers this Interrogatory with respect to land-based steam turbines at the Weirton Steel facility in Weirton, West Virginia during the relevant time period. However, GE's land-based steam turbines are not asbestos or asbestos-containing products as those terms are commonly understood. Rather, they are mechanical devices made predominantly of metal. GE notes that it is a large, decentralized company comprised of numerous separate businesses with over 300,000 employees. GE operates in more than 100

countries around the world and since 1979, GE has bought and/or sold thousands of businesses. See <http://www.ge.com/investor/annuals.htm>. As a multi-national corporation that manufactured countless products over the last century, GE possesses millions of documents, the great majority of which have no bearing on asbestos or this litigation whatsoever. These documents are not organized by asbestos or whether or not the products contained asbestos or were used in connection with asbestos. Furthermore, many of GE's businesses have changed over the years, have been sold, or are no longer operational. Moreover, there are no persons with knowledge to fully answer this Interrogatory.

By way of further response, GE directs plaintiff to its answer to Interrogatory No. 31, *supra*, and Interrogatory No. 33, *infra*, incorporated herein.

INTERROGATORY NO. 33:

33) Please identify each person who was consulted or who provided information to answer these interrogatories.

ANSWER TO INTERROGATORY NO. 33:

Answer: The responses to this discovery were prepared by GE's legal counsel based upon counsel's investigation. Because GE is a large, decentralized corporation with facilities in numerous states and foreign countries, GE is unable to identify every other person, including current and former employees, who, over the years, may have supplied information, no matter how indirectly or remotely, that ultimately was used in the answers to this discovery. GE states that the information supplied in these Responses includes some information assembled by and/or within the knowledge of GE's authorized agents, representatives, and, unless privileged, attorneys.

INTERROGATORY NO. 34:

34) Please identify any witness who has testified on behalf of defendant in regard to household exposures to asbestos resulting from occupationally-exposed workers.

ANSWER TO INTERROGATORY NO. 34:

Objection: This Interrogatory is overly broad, unduly burdensome, not time-, site- or product- specific and not reasonably calculated to lead to the discovery of admissible evidence. GE further objects to this Interrogatory on the grounds that it is vague, because the term "household exposures" is not defined.

Answer: Subject to and without waiving the foregoing or any of its objections, GE answers as follows: GE is presently unaware of any witnesses that have testified on its behalf concerning this subject. Investigation continues.

REQUESTS FOR PRODUCTION OF DOCUMENTS

1. All documents sent or received by this Defendant to or from consumers, contractors, installers, employees and unions concerning the use of asbestos or any asbestos-containing product.

Objection: This Request for Production of Documents is overly broad, unduly burdensome, not reasonably tailored to the issues of the case, and not reasonably calculated to lead to the discovery of admissible evidence. GE further objects to this Request to the extent that it is not limited to plaintiff's (or plaintiff's husband's) alleged exposure and is not time-, site- or product- specific. GE further objects to this Request on the grounds that the term "documents" is undefined, vague, and ambiguous, and requires guesswork and speculation as to its intended meaning and scope. In light of the breadth of plaintiff's

inquiries, it is essentially impossible for GE to conduct a complete search for the information sought and GE therefore objects.

Response: GE is a large, decentralized company comprised of numerous separate businesses with over 300,000 employees. GE operates in more than 100 countries around the world. Since 1979, GE has bought and/or sold thousands of businesses. See <http://www.ge.com/investor/annuals.htm>. Because GE is a large, decentralized company with facilities in numerous states and foreign countries, and because there is no central repository for information of the type sought by way of this Interrogatory, GE may no longer have, or never have had, the documents required to provide a complete answer to this Request.

Subject to and without waiving the foregoing, as indicated *supra*, in GE's Preliminary Statement and General Objections, GE responds to this Request with respect to its land-based steam turbines at the job site allegedly at issue in this case, Weirton Steel in Weirton, West Virginia. However, GE states that to the extent this Request seeks information about GE's land-based steam turbines this Request is not applicable. As indicated *supra*, in GE's Answer to Interrogatory No. 1, GE land-based steam turbines are not asbestos or asbestos-containing products as those terms are commonly understood. They are mechanical devices made predominantly of metal. See Answer to Interrogatory No. 1, *supra* incorporated fully herein by reference. GE states that to the extent that the plaintiff claims exposure to asbestos-containing materials in connection with GE land-based steam turbines, GE will make any such records available to plaintiff at a mutually convenient time and place after collection has been completed, to the extent that such records are existing, relevant and responsive. Additionally, GE states that there

may be technical drawings and specifications relating to its land-based steam turbines on microfiche at GE Power Systems offices in Schenectady and Atlanta, which can be made available at these locations upon entry of an appropriate protective order.

2. All records, minutes and other documents reflecting any meetings of your product safety committee, industrial hygiene committee, or any other safety or health-related committee within the organization of this Defendant, including all subsidiaries, divisions, and predecessor entities, wherein the potential health hazards of asbestos were discussed.

Objection: GE objects to this Request on the grounds that it is overly broad, unduly burdensome, not narrowly tailored to the issues of the case and not reasonably calculated to lead to the discovery of admissible evidence.

Response: GE is a large, decentralized company comprised of numerous separate businesses with over 300,000 employees. GE operates in more than 100 countries around the world. Since 1979, GE has bought and/or sold thousands of businesses. See <http://www.ge.com/investor/annuals.htm>. GE further states that because GE is a large, decentralized company with facilities in numerous states and foreign countries, because there is no central repository for information of the type sought by way of this Interrogatory, and because GE may no longer have, or never have had, the documents required to provide a complete answer to this Request, its response may not be comprehensive at this time, and GE reserves the right to supplement its response.

3. All invoices and other documents relating to the sale, distribution and/or installation of asbestos or asbestos-containing products by you in West Virginia, Ohio or Kentucky, including, but not limited to, Weirton Steel, Weirton, West Virginia.

Objection: GE objects to this Request on the grounds that is overly broad, unduly burdensome, not narrowly tailored to the issues of the case, and not reasonably calculated to lead to the discovery of admissible evidence. Further, this request is not time-, site- or product- specific.

Response: GE directs plaintiff to its Response to Request No. 1, *supra*, incorporated fully herein by reference.

4. All documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character relating to the installation of your asbestos-containing products at all premises or worksites in West Virginia, Ohio or Kentucky, including, but not limited to, Weirton Steel, Weirton, West Virginia.

Objection/Response: GE directs plaintiff to its Response to Request No. 1, *supra*, incorporated fully herein by reference.

5. All documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character relating to the maintenance, repair or removal of asbestos-containing products at all premises or work site in West Virginia, Ohio or Kentucky, including, but not limited to, Weirton Steel, Weirton, West Virginia.

Objection/Response: GE directs plaintiff to its Response to Request No. 1, *supra*, incorporated fully herein by reference.

6. All documents sent or received by this Defendant or its agents concerning the need for and/or use of respirators, dust masks etc, when working in the presence of asbestos.

Objection: GE objects to this Request on the grounds that it is vague, ambiguous, overly broad, unreasonably burdensome, not reasonably tailored to the issues of the case, and not reasonably calculated to lead to the discovery of admissible evidence. Further, this Request is not time-, site- or product- specific. GE further objects to this Request on the grounds that the term “documents” is undefined, vague, and ambiguous, and requires guesswork and speculation as to its intended meaning and scope. Further, GE is a large decentralized company which operates in more than one hundred countries around the world. This Request unrealistically assumes that GE has routinely segregated all information relating to “asbestos.” To the contrary, there is no central repository for the type of documents in question.

Response: Subject to and without waiving the foregoing or any of its general and specific objections, GE states that to the extent this Request seeks information about GE’s land-based steam turbines, this Request is not applicable. GE’s land-based steam turbines are not asbestos or asbestos-containing products as those terms are commonly understood. They are mechanical devices made predominantly of metal. *See Answer to Interrogatory No. 1, supra*, incorporated fully herein by reference. GE states that it is not currently, nor has it ever been, aware of any clinical or epidemiological, toxicological, industrial hygiene, medical and/or scientific literature demonstrating that GE’s land-based steam turbines cause asbestos-related disease. By way of further response, GE directs plaintiff to its Answer and Objection to Interrogatory No. 1 and its Response and Objection to Request No. 1, *supra*, incorporated fully herein by reference.

7. All documents, reports, records, writings, photographs, diagrams, and films which you may introduce into evidence during the trial of this civil action.

Response: GE directs Plaintiff to its Pre-Trial Disclosures. GE also directs Plaintiff to its Exhibit List that will be filed and served on July 23, 2004. In addition, GE has previously produced documents to plaintiff's counsel, Motley Rice, pertaining to the expected testimony of Marjorie Drucker. Moreover, GE has deposited certain of its exhibits at the W.Va. repository in regard to prior trial settings. To the extent applicable herein, GE directs counsel for Plaintiff to said documents. GE reserves the right to supplement this response as investigation and discovery are continuing. By way of further response, GE directs plaintiff to its answer to Interrogatory No. 1, *supra*, incorporated fully herein by reference.

8. All exhibits, documents, models, or other physical evidence which you may use as demonstrative aids during the trial of this civil action.

Response: GE directs Plaintiff to its Pre-Trial Disclosures. GE also directs Plaintiff to its Exhibit List that will be filed and served on July 23, 2004. In addition, GE has previously produced documents to plaintiff's counsel, Motley Rice, pertaining to the expected testimony of Marjorie Drucker. Moreover, GE has deposited certain of its exhibits at the W.Va. repository in regard to prior trial settings. To the extent applicable herein, GE directs counsel for Plaintiff to said documents. GE reserves the right to supplement this response as investigation and discovery are continuing. By way of further response, GE directs plaintiff to its answer to Interrogatory No. 1, *supra*, incorporated fully herein by reference.

9. All documents used to respond to plaintiffs' interrogatories in this case.

Response: The responses hereto were prepared by counsel for GE based upon counsel's investigation. GE is a large decentralized corporation, with facilities in

numerous states and foreign countries. It is impossible to identify and to discover all documents which, over the years, may have supplied information that ultimately was used in these Answers to Interrogatories. By way of further response, GE directs plaintiff to its answers to Interrogatories, *supra*.

10. All documents not produced in response to any of the foregoing in which the hazards of asbestos or asbestos-containing products are discussed.

Objection/Response: GE objects to this Request on the grounds that it is overly broad, unduly burdensome, not narrowly tailored to the issues of the case, and not reasonably calculated to lead to the discovery of admissible evidence. GE further objects to this Request to the extent that it seeks documents unrelated to GE's products or the alleged exposure in this litigation. Given the breadth of time covered, the size of the company, and the number of facilities owned and managed by GE, it would be impossible to respond to this Request, and, as such, it is overly broad and unduly burdensome.

11. All documents relative to air sampling, tests or other procedures conducted at any facility in West Virginia, Ohio or Kentucky, including, but not limited to, Weirton Steel, Weirton, West Virginia to determine the amount of asbestos dust released during the handling, fabrication, application, installation, removal or any other activity involving asbestos-containing products.

Objection: GE objects to this request on the grounds that it is overly broad, not product-, time- or job site- specific, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Response: Subject to and without waiving the foregoing or any of its general and specific objections, GE states that it has conducted thousands of industrial hygiene surveys at hundreds of facilities over its one hundred plus years of existence. To the extent that such surveys can be located, and to the extent such surveys are relevant to the specific sites and products, if any, alleged by plaintiff, GE will make them available for inspection by plaintiff upon request at a mutually convenient time. GE objects, however, to an unlimited request for unspecified industrial hygiene surveys that are unrelated to the sites at which exposure to GE products is alleged by plaintiff, or to the specific products to which exposure is alleged.

GE further states that it is not currently, nor has it ever been, aware of any clinical, epidemiological, toxicological, industrial hygiene, medical and/or scientific literature demonstrating that GE land-based steam turbines cause adverse health consequences. (See also Answer to Interrogatory No. 1, supra, incorporated herein.)

12. All Warnings, cautions, notices or other writings relative to the hazards of asbestos that you provided to persons who may have come in contact with asbestos, including employees or contractors or other business invitees at any facility in West Virginia, Ohio or Kentucky, including but not limited to, Weirton Steel, Weirton, West Virginia.

Objection: GE objects to this Request on the grounds that it is vague, ambiguous, overly broad, unreasonably burdensome, not reasonably tailored to the issues of the case, and not reasonably calculated to lead to the discovery of admissible evidence. Further, this Request is not time-, site- or product- specific. GE further objects to this Request on the grounds that the term “warnings, cautions, notices, or other writings” is undefined,

vague, and ambiguous, and requires guesswork and speculation as to its intended meaning and scope.

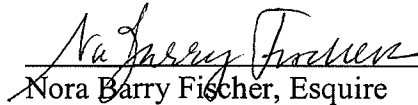
Response: Subject to and without waiving any of its general and specific objections, GE states that to the extent this Request seeks information about GE's land-based steam turbines, this Request is not applicable. GE's land-based steam turbines are not asbestos or asbestos-containing products as those terms are commonly understood. They are mechanical devices made predominantly of metal. *See Answer to Interrogatory No. 1, supra.* incorporated fully herein by reference. GE states that it is not currently, nor has it ever been, aware of any clinical or epidemiological, toxicological, industrial hygiene, medical and/or scientific literature demonstrating that GE's land-based steam turbines pose a risk to human health.

13. All documents in defendants' possession discussing, evidencing knowledge of, or in any way referencing the potential of, occurrence of, or information relevant to household exposures to asbestos resulting from occupationally-exposed workers.

Objection/Response: GE objects to this Request on the grounds that it is vague, overly broad, unduly burdensome, not narrowly tailored to the issues of the case, and not reasonably calculated to lead to the discovery of admissible evidence. Further, this Request is not time-, site- or product- specific. Subject to and without waiving the foregoing or any of its objections, GE directs plaintiff to its response and objection to Request Nos. 1 and 10.

Respectfully submitted,

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