

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

ELDON CLAUDE DICKERSON	:	CASE NO. 398302
AND RUTH VIRGINA DICKERSON,	:	
	:	
Plaintiffs,	:	(JUDGE HARRY A. HANNA)
	:	
-vs-	:	
	:	
A-BEST PRODUCTS COMPANY, ET AL.,	:	
	:	
Defendants.	:	

**DEFENDANT ORR SAFETY CORPORATION'S FIRST SUPPLEMENTAL ANSWERS
AND OBJECTIONS TO PLAINTIFFS' MASTER SET OF INTERROGATORIES
PROPOUNDED TO ORR SAFETY CORPORATION**

Pursuant to Ohio R. Civ. P. 26 and 33, defendant Orr Safety Corporation ("Orr Safety") submits the following supplemental answers and objections to Plaintiffs' Master Set of Interrogatories Propounded to Orr Safety Corporation. These responses are made without a waiver of, and with preservation of:

- (1) All questions as to competency, relevancy, materiality, privilege, and admissibility of the responses and the subject matter thereof as evidence for any purpose in any further proceedings in this action (including the trial of this action) and in any other action;
- (2) The right to object to the use of any such responses, or the subject matter thereof, on any ground in any further proceedings of this action (including the trial of this action) and in any other action;
- (3) The right at any time to revise, correct, add to, supplement, or clarify any of the responses contained herein and to provide information and produce evidence of any subsequently discovered facts; and
- (4) The right to assert additional privileges if warranted by new documents or evidence discovered at a later date.

These supplemental answers are made subject to the general and specific objections asserted in its original answers.

3. State Defendant's complete corporate or business history, including dates of incorporation, mergers, consolidations, reincorporations, and the like. Also provide historical information regarding all predecessors, prior names, asset purchases, acquisitions or spin-offs. In addition:

- (a) if Defendant or any of its predecessors or subsidiaries at any time purchased, assumed, or in any other manner acquired ANY of the assets and/or liabilities of any corporation or entity at any prior time engaged in any aspect of the placing of asbestos-containing products into the stream of commerce or the insuring of asbestos-related risks, then please state the following as to each acquisition:
- (b) the name or description of each corporation, entity or assets acquired by Defendant, that entity's state of incorporation and principal place of business, its date of incorporation, and the name of Defendant at the time of acquisition;
- (c) the manner by which each such corporation, entity or interest therein, was acquired (e.g., merger, consolidation, change of name, stock sale, transfer or purchase of assets or product line);
- (d) the date of each such acquisition;
- (e) the state in which each such acquisition was effected;
- (f) the state law governing each such acquisition if specified by contract;
- (g) whether Defendant became legally responsible for the past torts of each such corporation or entity;
- (h) identify each document reflecting or related to the history and/or transaction(s) set forth in answer to this Interrogatory.

ANSWER:

Objection. Orr Safety objects to this interrogatory and all subparts on the grounds that it is overbroad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving these objections, Orr Safety states that Orr Safety Corporation was incorporated on June 2, 1952 in the state of Kentucky as Orr Safety Equipment Company. The company changed its name to the present name on December 14, 1990.

Orr Safety Supply Company, which appears on the invoices produced by plaintiffs' counsel, was incorporated in Kentucky on February 6, 1952. The company was dissolved effective March 10, 1987.

Orr Safety Corporation is not a successor to Orr Safety Supply Company.

8. Have any of the asbestos-containing products listed in response to Interrogatory No. 5 ever been marketed, distributed, packaged, labeled, and/or sold by any other company or business? If so, please state the following:

- (a) The name and address of each such company.
- (b) The names and address of Defendant's distributors in Ohio, West Virginia, Pennsylvania and Kentucky since 1940.
- (c) The date of each sale.
- (d) The name of the person at each location with whom you primarily dealt.
- (e) A list of all asbestos-containing products that you sold to each location from 1945 to 1980.
- (f) The amount of each asbestos product sold to each location during this period.
- (g) Please identify all documents relating to this distributor for the particular location.

ANSWER:

Objection. Orr Safety objects to this interrogatory and all subparts on the grounds that it is vague and ambiguous. Orr Safety further objects to this interrogatory and all subparts on the grounds that it is overbroad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, in particular because it is virtually unlimited as to time and is not limited to the job sites, activities, and products to

which plaintiffs were exposed. Orr Safety also objects to this interrogatory and all subparts on the ground that it seeks information that is not in the possession, custody, or control of Orr Safety.

Subject to and without waiving these objections, see answer to Interrogatory No. 8.06.

8.06 Did Defendant ever market or distribute any asbestos-containing product manufactured in whole or in part by someone else? If so, please state the following for each such product:

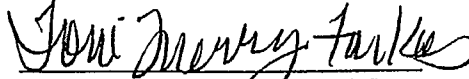
- (a) the name and address of the manufacturer;
- (b) the product's trade and brand name;
- (c) the organizational unit of Defendant who did so;
- (d) date(s) beginning, ending and during which the marketing or distributing took place;
- (e) whether the product was distributed through the same channels as those used for products manufactured by Defendant, and if not, please explain the exact channels of distribution;
- (f) identify all documents relating the marketing or distribution.

ANSWER:

Objection. Orr Safety objects to this interrogatory and all subparts on the grounds that it is vague and ambiguous. Orr Safety further objects to the interrogatory and all subparts on the grounds that it is overbroad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, in particular because it is virtually unlimited as to time and is not limited to the job sites, activities, and products to which plaintiffs were exposed.

Subject to and without waiving these objections, Orr Safety did not manufacture any asbestos-containing products. Orr Safety has no records or other information demonstrating that it sold any asbestos-containing products to any location at which plaintiff claims to have been exposed. With respect to the products listed in the invoices produced by plaintiffs' counsel to counsel for Orr Safety, upon information and belief, those products were manufactured by Industrial Gloves Company, 700 Garfield, Danville, Illinois 61832. Upon information and belief, Steel Grip, Inc. is the current name of the entity located at that address.

Signing as to objections:



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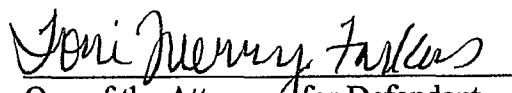
CERTIFICATE OF SERVICE

A copy of the foregoing was served via regular U.S. mail, postage prepaid, on the following this 5th day of February, 2003:

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February 5, 2003

VIA FACSIMILE AND U.S. MAIL

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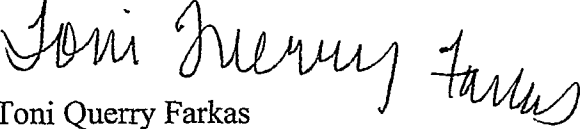
Re: *Eldon Claude Dickerson, et al. v. A-Best Products Co., et al.*
Cuyahoga County Court of Common Pleas
Case Number 398302

Dear Counsel:

Orr Safety Corporation has recently uncovered additional information regarding the manufacturer of the gloves and mittens referenced in the invoices you previously provided to me. Accordingly, Orr Safety Corporation encloses supplemental answers to plaintiffs' interrogatories providing this information.

Please call me if you have any questions.

Very truly yours,


Toni Querry Farkas

Encl.

cc w/o encl.: Keith A. Ashmus, Esq.