

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

EUGENE ELMER SOULE,
and WILHELMINA G. SOULE,

Plaintiffs,

v.

A.P. GREEN REFRACTORIES, INC.,
et al.

Defendants.

Case No. 00-CV-227315

Division 14

DEFENDANT T H AGRICULTURE & NUTRITION, L.L.C.'S
SUPPLEMENTATION OF ITS RESPONSES TO
PLAINTIFFS' THIRD SET OF INTERROGATORIES

Defendant T H Agriculture & Nutrition, L.L.C. ("THAN"), formerly known as Thompson-Hayward Chemical Company ("THCC"), submits its Supplemental Responses to Plaintiffs' Third Set of Interrogatories.

INTRODUCTION

THAN notes that the terms "soapstone" and "talc" are not defined in Plaintiffs' Third Set of Interrogatories. The definitions for those two terms vary depending on the context. Some of THAN's documents and some reported decisions use the two terms interchangeably. *See, e.g., Robertson v. Allied Signal*, 914 F.2d 360 (3d Cir. 1990) (terms talc and soapstone used interchangeably.). Accordingly, in responding to these interrogatories, THAN assumes that the two terms, as used in plaintiffs' interrogatories, are synonymous and notes for purposes of responding that it is using the two terms interchangeably. THAN will describe the product as "talc/soapstone."

THAN also notes that virtually all of the information provided herein is outside the personal knowledge of any current THAN employee. THAN's response to these interrogatories is, therefore, based primarily on a review of old and often incomplete THCC records. These records include:

- 1) database printouts, preserved on microfiche, fall 1972 - 1981
- 2) invoices, reflecting talc/soapstone sales to THCC's customers, 1970-1980
- 3) paid vouchers, reflecting talc/soapstone purchases from THCC's vendors, 1970-81
- 4) incomplete correspondence files from the early 1950s until 1981.

THAN's response is also partially premised on a review of a variety of secondary sources, the accuracy of which THAN cannot independently verify. These sources include corporate filings with the Alabama, Delaware, Georgia, Texas, and North Carolina secretaries of state; Securities Exchange Commission ("SEC") filings; state geologic surveys; and trade publications.

THAN continues to undertake its own investigation and will further supplement these interrogatories if it discovers additional responsive information.

SUPPLEMENTAL RESPONSE TO INTERROGATORY 2:

2. If your answer to Interrogatory No. 1 is in the affirmative, please state:

a. the type of soapstone and/or soapstone talc which you distributed and/or sold;

RESPONSE: [NOTE: Because the phrase "type of soapstone and/or soapstone talc" is unclear, for purposes of responding to this interrogatory THAN assumes it means trade or brand name.] Based upon the foregoing assumption, THAN states that, founded upon the review of documents previously produced to plaintiff, at various times and from various branches located around the country, THCC distributed the following "types" of talc/soapstone: Talc Beaver White 200; Talc Beaver White 200 50#; Talc Beaver White 325 50#; Talc C 400; Talc C 400 50#; Talc C 500 50#;

Talc Cascade 200, Talc Cascade 200 Rice 50#; Talc Emtal #43; Talc Emtal #43 50#; Talc Fibrene C 300 50#; Talc Fibrene C 400 50#; Talc Fibrene C 500 50#; Talc French Non Pareil 50#; Talc Furnace Creek Coarse 50#; Talc Furnace Creek 50#; Talc Glacier 200; Talc Glacier 200 50#; Talc Glacier 325 50#; Talc Grey 50# (a/k/a "Grey Talc (Soapstone)"); Talc Import; Talc Microtalc CP 14 35 50#; Talc Mistron F128 50#; Talc Milslip NW, Talc Milslip Regular, Talc Mistron Frost 50#; Talc Mistron HGO 55 50#; Talc Mistron HGO 75 50#; Talc Mistron M139 50#; Talc Mistron Mono Mix 50#; Talc Mistron MSC 50#; Talc Mistron RCS 50#; Talc Mistron T076; Talc Mistron T076 50#; Talc Mistron Vapor OSG 50#; Talc Mistron Vapor R/Compact 50 #50; Talc Mistron Vapor 50#; Talc Mistron ZSC 50#; Talc Mistron 139 50#; Talc Monark 50#; Talc Monomix 50#; Talc Powdered USP 50# a/k/a #127 USP Talc; Talc Scotch Brand 50#; Talc Sierra Cloud 50#; Talc Sierra Higlow 50#; Talc Sierra White 200 50#; Talc Silverbow 50#; Talc Soapstone; Talc Soapstone 1910A 50#; Talc Soapstone 901 50#; Talc SPB 20; Talc Supreme USP #325 50#; Talc Supreme USP Dense 50#; Talc Supreme USP 200 50#; Talc Texas 650 50# (a/k/a/ Talc Soapstone 650); Talc TH Special 500 50#; Talc Trinity Superfine 50#, Talc SPB 20 a/k/a TP Blend and TP-1 Blend.

[Product by Customer List: Paid Vouchers]

Before 1973 THAN may have distributed the following types of talc/soapstone:

- Alatalc #982, Alatalc #150, Alatalc #993 [THAN production Bates-stamp page numbers (hereinafter "THAN" followed by a number or numbers in brackets) 8521-25, 8526-28, 8530-31, 8534, 8535, 8536-37, 8538, 8539]
- Microtalc CP 10-40; Microtalc MP 12-50; Talcron 1089; Talcron 1090; Talcron 1065; Talcron CF 40-20; Talcron CP 34-24; Talcron CP 34-34; Talcron CP 43-25; Talcron 233 C; Talcron 10-20; Talcron 14-14; Talcron CF 40-20; Talcron 1084 USP; Talcron MP 50-26; Talcron

MP 50-30; Talcron MP 50-35; Talcron MP 70-22; Talcron 1200; Talcron MP 70-22; Talcron MP 70-30; Talcron 1087; Talcron 399; Talcron 1325; Talcron 1200; Talcron 1060; Talcron MP 45-26.

[Amongst others. THAN 1293-94, 1442-63, 1574-96, 1597-99, 1600-04]

- Montana 325, Fibrene White, Fibrene Dust, Sierra Fibrene. [THAN: 1554]
- Talc 961. Clatal Talc [THAN: 8498]
- Talc #2 [THAN: 8520]

Many vendors referred to their talc/soapstone generically as, e.g., "Georgia talc," "Arkansas talc," "Montana talc," "Texas talc," or "Alabama talc." [THAN: 8492-93, 8495, 8498-8500, 8503-05, 8515-16, 8518, 8521-25, 8526-28, 8530-31, 8534, 8535, 1418, 1478-79, 1554, 1560] Additional information concerning some of these types of talc/soapstone is contained in documents previously produced to plaintiffs.

Different vendors supplied THAN with talc/soapstone sold under the same trade or brand name. For instance both the Georgia Talc Company ("GTC") and the Southern Talc Company ("STC"), and perhaps others, distributed "Soapstone 901," which was described as soapstone ground coarser than 99% through 200 mesh. [STC Correspondence THAN 8498 (1953); GTC paid vouchers: THAN 7400-11 (1971), 7456-76 (1972), 7424-36 (1973); STC paid vouchers: THAN: 7530-33 (1973), 7499-7519 (1974), STC Interrogatory 7] The American Talc Company also sold soapstone ground coarser than 99% through 200 mesh. [THAN 8540]

THAN notes that although THCC records categorized "Pyrax" as a talc product, it is actually pyrophyllite, a related but distinct mineral. The United States Geologic Survey describes talc as "a hydrous magnesium silicate" and pyrophyllite as "a hydrous aluminum silicate with a structure similar to talc." These products included Pyrax ABB, B, and WA.

- b. *the identity of the company from whom you purchased or otherwise obtained the soapstone and/or soapstone talc for distribution and/or sale and identify all documents concerning your purchase or receipt of such material;*

RESPONSE: THAN states that, based upon review of documents previously produced to plaintiff, it distributed talc/soapstone supplied by numerous vendors, that it used numerous vendors simultaneously, and that it changed vendors repeatedly.

THCC obtained talc/soapstone from the following vendors. United Sierra; Pioneer Talc Company; Southern Talc Company; Sierra Talc Company; Sierra Talc & Clay Company; Cyprus Mines Corporation; Cyprus Minerals, Inc.; Milwhite, Inc.; American Talc Company; Imperial Products Company, Inc.; L.A. Salomon & Brothers; Georgia Talc Company; Engelhard Mineral and Chemicals Corp; Eastern Magnesia Talc, Co.; Cohutta Talc Company; Charles Pfizer & Company, Inc., and Pfizer Inc. [Paid Vouchers, Correspondence]

THAN cannot determine with certainty the vendor associated with many types of talc. Generally, however, it appears upon information and belief that:

- "Mistron," "Beaver White," "C," "Cascade," "Fibrene," "Furnace Creek," "Glacier," "Sierra," "Supreme," "Trinity," and "TH Special" were talc/soapstone distributed by Sierra Talc & Clay Co., Sierra Talc Co., United Sierra, Cyprus Minerals and/or Cyprus Mines. [Paid Vouchers, correspondence. THAN 1416-17, 1423, 1424, 1480-83, 1597-99, 1605-17]
- "Talcron" "Cercron," and "Microtalc" were talc/soapstone distributed by Charles Pfizer & Co. and Pfizer, Inc. [THAN: 1293-94, 1443-63, 1574-96, 1597-99, 1600-04]
- "SPB" a/k/a "TP Blend" were talc/soapstone distributed by the Pioneer Talc Company. [paid vouchers: THAN 8730-54 (1976), 8757-84 (1977)]

- “#127 USP Talc” a/k/a “USP Powdered Talc” were talc/soapstone distributed by the American Talc Company and/or Imperial Products Company. [THAN 8790-95]
- “Talc #2” was a talc/soapstone distributed by the Cohutta Talc Company [THAN 8520]
- “Alatale” was a talc/soapstone distributed by Imperial Products Company. [THAN 8521-25, 8526-28, 8530-31, 8534, 8535, 8536-37, 8538, 8539]
- “Milslip” a/k/a “Soapstone” were talc/soapstone distributed by Milwhite, Inc. [correspondence, paid vouchers: THAN 8512, 8513, 8541-2, 8543, 8544-60, 8561-76 (1970), 8577-80 (1971), 8581-8601 (1972), 8602-42 (1973), 8643-72 (1974), 8692-8719 (1976), 8720-29 (1977)]
- “Emtal” was a talc/soapstone distributed by Engelhard Minerals and Chemicals Corp. and/or Eastern Magnesite Talc Company. [Vendor book]
- “Soapstone 901, 901-A, 1910-A” a/k/a “Grey talc” were talc/soapstone distributed by both the Southern and Georgia Talc Companies. [THAN 8498; 7400-11, 7456-76, 7424-36; 7530-33, 7499-7519, STC Interrogatory 7.]
- “# 650 soapstone” a/k/a “Texas Talc 650” were talc/soapstone distributed by the Southern Talc Company. [THAN 7534-42.]

Upon information and belief, it appears that, many of the foregoing companies were closely related through interlocking joint ventures and other common business interests, common ownership of stock, common officers and directors, and were, through merger or purchase successor corporations to each other. THAN, therefore, cannot state with reasonable certainty that an invoice received from one company indicates that the invoicing company actually mined or processed the

talc/soapstone distributed by THCC. Upon information and belief it appears that the following may have been linked companies. to wit:

- *Georgia - Southern - Cohutta - American - Pioneer Talc Companies.* This is

premised on the following:

- M. Woodard "Woody" Glenn was the president of the Georgia, Southern, Pioneer, and American Talc Companies, [THAN 8515-16 (Pioneer), 8492-93 (Georgia), 8495 (Southern), 8540 (American)] and a Director of the American Talc and Pioneer Talc Companies. [Texas, Alabama and Georgia Secretary of State corporate records]
- Francis T. Glenn was the corporate agent for the Georgia, Southern, Cohutta, and American Talc Companies: the President of the Georgia Talc Company; a Director and Vice-President of the American Talc Company; and a Director of the Pioneer Talc Company. [Texas, Alabama and Georgia Secretary of State corporate records]
- "PO Drawer F. Chatsworth, GA" was the mailing address for the Georgia, Southern, Cohutta, and Pioneer Talc Companies. [Paid Vouchers, correspondence, Alabama and Georgia Secretary of State corporate records] Chatsworth, Georgia was a mailing address for the American Talc Company. [THAN 8540]
- "Box 278, Chatsworth, GA" was the mailing address for Southern and Pioneer Talc Companies. [THAN 8515-16 (Pioneer), 8495 (Southern)]
- Pioneer Talc Company corresponded re: a product called "chatclay" and attached Georgia Talc Company's chemical analysis for the same product. [THAN 8518-17]
- Southern Talc Company was a principal shareholder of Cohutta Talc Company. [Georgia Secretary of State corporate records]

- There were formal joint ventures between the Southern and Georgia Talc Companies between 1945-52 and 1957-68. [Southern Talc Company's ("STC") Interrogatory 7:]
- Georgia Talc correspondence attached Southern Talc's chemical analysis of various talc/soapstone products. [THAN 8493-5]
- American Talc Company correspondence indicates its Alabama talc/soapstone was handled through its facilities in Chatsworth, Georgia. [THAN 8540]
- Trade journals indicate that the Pioneer Talc and Southern Talc Companies were "associated" companies and that Pioneer Talc operated facilities in Georgia. Southern Talc Company sold a talc/soapstone called "Texas Talc 650." [THAN 7534-42.]
- Georgia Talc Company withdrew its Georgia foreign corporate status in 1985 [Georgia Secretary of State corporate records] and North Carolina administratively dissolved it in 1995. [North Carolina Secretary of State corporate records]
- In 1986 United Catalysts, Inc., purchased the Southern Talc and Cohutta Talc Companies and dissolved them. [STC Interrogatory 13, Georgia Secretary of State corporate records] In 1988 United Catalysts incorporated a new Southern Talc Company. [Georgia Secretary of State corporate records] United Catalysts, Inc., was recently renamed Sud-Chemie, Inc., and is a subsidiary of Sud-Chemie, AG. Secondary sources indicate that the Southern Talc Company discontinued all its Georgia talc/soapstone operations in early 1991.

- *American Talc – Imperial Products – Cyprus:* During the same time period Peter Bixby was the president of the American Talc Company and signed letters on behalf of Imperial

Products offering talc/soapstone mined in Alabama. [THAN 8526, 8534-39 and Alabama Secretary of State records] When the American Talc Company was dissolved in 1980 Imperial Products, Inc., was a substantial shareholder, and both companies had the same president. [Alabama Secretary of State records] "American" was lined out on records and "Imperial Products" substituted. [THAN 8790-95] There was a notation on THAN 8789 stating "They are being billed under a different name now." Secondary sources indicate that Cyprus Industrial Minerals acquired the American Talc Companies's Alabama operations in the late 1970s.

- *Pfizer - Pioneer Talc Company:* Potential relationship due to "Pfizer" being lined out and "Pioneer" substituted on 1976 and 1977 paid voucher documents. [THAN 8750, 53, 59, 62, 65, 68, 71, 74, 77, 80] Texas Secretary of State Corporate records indicate that in 1994 the Pioneer Talc Company dissolved. SEC filings indicate that in 1994 Zemex Corporation and Suzorite Mineral Products purchased the assets of Pioneer Talc Company, which was indirectly owned by Whitaker, Clark & Daniels, Inc. Secondary sources indicate that the Suzorite Mineral Products currently mines and processes talc, in the vicinity of Allamore, Texas, and along with the Feldspar Corporation markets, a talc/soapstone known as "Pioneer Talc." Suzorite and Feldspar are fully owned subsidiaries of Zemex Corporation.

- *Sierra Talc & Clay Co. - Sierra Talc Co. - United Sierra - Cyprus Mines - Cyprus Minerals:* Before 1959 the company was known as Sierra Talc & Clay Company and around 1960 changed its name to the Sierra Talc Company. In 1964, it became the United Sierra Division of Cyprus Mines Corporation. In 1979, Cyprus was acquired by and became a wholly-owned subsidiary of Amoco. In 1980, Amoco transferred all of its shares of Cyprus to Amoco Minerals Company, an existing wholly-owned subsidiary. In 1985, Amoco Mineral Company was spun-off

and changed its name to Cyprus Minerals Corporation. In 1992, Luzenac America, Inc. acquired Cyprus' talc/soapstone operations.

- *Engelhard Minerals and Chemicals Corp - Eastern Magnesia Talc, Co.:* Secondary sources indicate that in 1967 the Minerals and Chemicals Phillip Corp purchased Eastern Magnesia Talc, Co. Shortly thereafter, that entity merged into Engelhard Industries, Inc., and the resulting corporate entity was renamed Engelhard Minerals and Chemicals Corporation.

c. *the location of the mine where the soapstone was obtained;*

RESPONSE: THAN states that, based upon review of documents already produced to plaintiff and secondary sources, the talc/soapstone obtained by THCC could have come from mines located in:

- Various locations in California: Numerous documents from Sierra/Cyprus and Pfizer indicate that they operated talc/soapstone mines in California. [THAN 1423, 1424, 1597-99.] Secondary sources indicate that Sierra/Cyprus operated six mines in Death Valley California and that Pfizer operated mines in San Bernadino County, California.

- Various locations in Montana: Numerous documents from Sierra/Cyprus and Pfizer indicate that they operated talc/soapstone mines in Montana. [THAN 1423, 1424, 1597-99.] Secondary sources indicate that Sierra/Cyprus operated mines near Ennis, Montana (including the Beaverhead and Yellowstone mines) and that Pfizer operated mine(s) near Barretts, Montana.

- Vicinity of Murray County, Georgia (a/k/a Chatsworth District): The Southern Talc Company operated numerous talc/soapstone mines in Murray County, Georgia. [THAN 8499, 8503 and STC Interrogatory 7] The Georgia Talc Company mined talc/soapstone in Murray County, Georgia. [THAN 8492-93, secondary sources] The Cohutta Talc Company operated talc/soapstone

mines in Murray County, Georgia. [STC Interrogatory 7, secondary sources] The American Talc Company had facilities in Murray County, Georgia. [THAN 8540] Secondary sources indicate that there were many talc/soapstone mines in Murray County, Georgia, and that the Pioneer Talc Company operated facilities in Georgia.

- Vicinity of Talladega County, Alabama (a/k/a Winterboro District): The Southern Talc Company mined talc/soapstone in Alabama but shipped the processed talc/soapstone from Chatsworth, GA. [THAN 8498] Some Southern Talc Company talc/soapstone originated from Alabama. [THAN 8500, 8504] The Georgia Talc Company did business near Alpine, Alabama. [THAN 8492-93] The American Talc Company operated a talc/soapstone mine in Alabama but processed and shipped this talc/soapstone from Chatsworth, Georgia. [THAN 8540] The Pioneer Talc Company shipped Alabama talc/soapstone from Georgia. [THAN 8515-16] Imperial Products operated at least one talc/soapstone mine near Alpine, Alabama. [THAN 8521-25, 8526-28, 8530-31, 8534, 8535, 8538]

Secondary sources indicate that the American Talc Company and Cyprus Industrial Minerals mined talc/soapstone in Talladega County, Alabama; that United Feldspar and Minerals leased the land containing the talc/soapstone deposits to the American Talc Company; that talc/soapstone was mined in the Winterboro district between approximately 1953 and 1975 and the talc/soapstone was often sent to Georgia for processing.

- Vicinity of Culbertson and Hudspeth Counties, Texas (a/k/a Allamoore District): The Georgia Talc Company obtained and shipped talc/soapstone from the vicinity of Allamoore or Van Horn, Texas. [THAN 8492-93] The Pioneer Talc Company operated talc/soapstone mine(s) in Allamoore, Texas. [THAN 8515-16] Milwhite, possibly through a subsidiary Westex Minerals

Co., operated talc/soapstone mine(s) in Van Horn, Texas, and possibly other locations in the southwest. [THAN 8541-42, 8543] Sierra/Cyprus also operated talc/soapstone mines in Texas. [THAN 1478-79] Southern Talc Company sold a talc/soapstone called "Texas Talc 650." [THAN 7534-42]

Secondary sources indicate the Pioneer Talc Company opened a talc/soapstone mine circa 1960 near Allamore, Hudspeth County, Texas, and that Sierra/Cyprus operated two mines near Van Horn, Texas.

- Vicinity of Saline County, Arkansas: The Southern Talc Company sold talc/soapstone mined in Arkansas. [THAN 8505] Milwhite operated talc/soapstone mines near Bryant, Arkansas. [THAN 8541-42, 8543] Secondary sources indicate that Milwhite operated soapstone mines at various open pits along a narrow 4-mile-long belt in northeastern Saline County and processed the rock at a grinding plant at Bryant, Saline County.

- Vicinity of Johnson, Vermont: Secondary sources indicate that Engelhard Minerals and Chemicals Corp. operated a talc/soapstone mine near Johnson, Vermont.

- Possibly North Carolina: The Georgia Talc Company incorporated in North Carolina in 1905. [Secretary of State Records] Secondary sources indicate that the American Talc Company at one time operated a mine in Moore County, North Carolina.

Most vendors operated mines in several states and THAN has no knowledge of what type of talc/soapstone may have come from which mine at what time. Those vendors that formed interlocking business relationships with other vendors may have sold products mined in various states by other vendors. See Response to Interrogatory 1(b) above. Over time the merger of different

vendors and the purchase or sale of mines appears to have altered the number and location of mines that any particular vendor operated.

- d. *describe the type of package(s) in which the soapstone and/or soapstone talc was contained, give the name of the product appearing on each package, and state the colors on which the package and any writings appeared;*

RESPONSE: THAN currently has no independent knowledge of the appearance or color of the containers in which the talc/soapstone may have been placed. Based upon information and belief, talc/soapstone was sometimes shipped directly to the customer by train and was often packaged in 100 or 50-pound multi-layered paper bags. Upon information and belief some bags were plain bags, some bags were marked with the vendor's name, other bags may have been marked with the grade of talc, and other bags may have been marked with the customer's code number.

[THAN 1427-34, STC Interrogatory 7, all shipping documents]

- e. *the inclusive dates in which you distributed and/or sold soapstone and/or soapstone talc;*

RESPONSE: THAN states that, based upon review of documents already produced to plaintiff, it is unable to determine when it started to distribute talc/soapstone. Based upon a review of these documents THCC may have been distributing talc/soapstone by the mid 1950s. [See, e.g., THAN 8492-8505] THCC has records indicating it distributed talc/soapstone from 1970, and THCC ceased distribution of talc/soapstone in 1980/81.

- j. *the reason why you stopped distributing/selling soapstone and/or soapstone talc;*

RESPONSE: THAN stopped distributing talc/soapstone when it sold certain assets to Harcross in 1981.

- g. *the identity of each defendant in this action to whom you distributed and/or sold soapstone and/or soapstone talc and further describe each such sale of material including date, quantity, place of distribution/delivery, persons with the defendant with whom you dealt, etc.;***

RESPONSE: A search of the records already produced to plaintiffs indicates that THAN sold talc/soapstone to the following defendants during the designated years. [Invoice File; Product by Customer List]

McKesson Chemical Co:	1970-71, 1977-78
PPG Industries:	1975-1980
Van Waters & Rogers Inc.:	1972, 1979
W.R. Grace & Co-Conn:	1971-1978

The details of each relevant transaction can be found on either the invoice or on the various database reports preserved on microfiche. All these documents have been produced to plaintiffs.

- h. *the identity of each and every document relating to the sale, distribution, or use of soapstone and/or soapstone talc to any defendant in this action;***

RESPONSE: The only responsive documents are invoices, which THAN has only from 1970-1981, and entries on database printouts, which THAN has, recorded on microfiche, as follows:

IC-90	1972-1981
Product by Customer	1975-1980
Customer by Product	1974-1980
Monthly Inventory List	1972-1981.

- i. *the identity of each employer of the plaintiff in this action to whom you distributed and/or sold soapstone and/or soapstone talc and further describe each such sale of such material including date, quantity, place of distribution/delivery, persons with the defendant with whom you dealt, etc.;*

RESPONSE: THAN distributed soapstone/talc to Standard Asbestos. All sales to Standard Asbestos were shipped from Speaker Road, Kansas City, Kansas to 410 N. Olive Street, Kansas City, Missouri. THAN incorporates its response to (j) below. THAN has no knowledge of individuals at Standard Asbestos with whom it may have dealt.

- j. *the identity of each and every document relating to the sale, distribution, or use of soapstone and/or soapstone talc to any employer of the plaintiff.*

RESPONSE: The only responsive documents are invoices [THAN 967-980] and entries on the IC-90 reports, recorded on microfiche. The Monthly Inventory List (MIL) may also contain the entries reflected on the IC-90.

THAN 968	June 23, 1970	2500 lbs Talc Soapstone 901	THCC Invoice: 18596
THAN 970	Feb 9, 1971	1750 lbs Talc Soapstone 901	THCC Invoice: 006957
THAN 972	Feb 26, 1971	800 lbs Talc Soapstone 901	THCC Invoice: 008397
THAN 971	Sept. 22, 1971	2500 lbs Talc Soapstone 901 50#	THCC Invoice: 033184
THAN 975	May 19, 1972	2500 lbs Talc Soapstone 50 # 1910 A	THCC Invoice: 060480
THAN 974	Oct 20, 1972	2500 lbs Talc Soapstone 901 50#	THCC Invoice: 073916

THAN 977	Apr 18, 1973	2500 lbs Talc Soapstone 901 50 #	THCC Invoice: 011759 IC-90 entry
THAN 978-79	May 18, 1973	Return for credit 1700 lbs Talc Soapstone 901 50 #	THCC Invoice: 003636 IC-90 entry note re: return of 4/18 shipment

SUPPLEMENTAL RESPONSE TO INTERROGATORY 4

4. *Did you distribute or sell products of Georgia Talc Company? If so, please identify all products purchased by you for resale or distribution from Georgia Talc Company and identify all documents concerning or relating to such purchases and sales.*

RESPONSE: THAN states that it still lacks knowledge confirming that it distributed products from the Georgia Talc Company. Relevant records, all of which have been produced to plaintiff, include:

- A September 1956 letter [THAN 8492-94] with Georgia Talc letterhead that offers talc/soapstone to THCC but indicates that high freight rates may preclude THCC's purchase.
- The master vendor book (1974-80) lists the Georgia Talc Company as a THCC vendor. This is not conclusive on whether THCC distributed or sold actual Georgia Talc products- see next bullet point.
- THAN has produced to plaintiffs all paid vouchers indicating receipt of talc/soapstone from the Georgia Talc Company. These paid vouchers span the 1971-1973 time period. [THAN 7400-11, 7456-76, 7424-36] The purported products reflected on these paid vouchers include "Soapstone 901," "Soapstone 901-A," and "Soapstone 1910-A." all a/k/a "Grey Talc Soapstone." The following are the Georgia Talc Paid Vouchers in THAN's possession:

1971 THAN 7400-7411

7403	3/29/71	35 tons	901 Soapstone	to St Louis
7406	12/11/70	30 tons	1910-A Soapstone	to Springfield
7410	7/20/71	35 tons	901-A Soapstone	to St Louis

1972 THAN 7456-7476

7458	11/20/72	2.5 tons	1910-A Soapstone	to Springfield
7462	7/21/72	35 tons	901 Soapstone	to St Louis
7465	5/23/72	27.5 tons	901 Soapstone	to Kansas City
		7.5 tons	1910-A Soapstone	to Kansas City
(Notation indicates Sante Fe delivery: THAN 7466)				
7469	3/10/72	35 tons	901 Soapstone	to St Louis
7473	2/4/72	12 tons	901 Soapstone	to Prescott, AR
7476	1/13/72	35 tons	901 Soapstone	to St Louis

1973 THAN 7424-7436

7427	6/13/73	35 tons	901 Soapstone	to St Louis
7430	2/27/73	35 tons	901 Soapstone	to St Louis
7433	1/4/73	2.5 tons	1910-A Soapstone	to Springfield
7436	11/2/72	35 tons	901 Soapstone	to St Louis

All sales documents describe the talc/soapstone as: "ground coarser than 99 through 200 mesh."

Based on information and belief, however, the actual Georgia Talc Company ceased operations in 1968 after a fire destroyed its facilities. [Interview with Michael Carter] If true, the paid vouchers captioned as Georgia Talc Company documents could not represent purchases of actual Georgia Talc Company products.

Upon information and belief, it is believed by THAN that the Georgia Talc Company formed interlocking joint ventures, had overlapping ownership, and similar business arrangements with the American Talc Company, Pioneer Talc Company, Southern Talc Company, Cohutta Talc Company, and perhaps others. See Response to Interrogatory 1(b) above. Under these arrangements these

companies appear to have processed and distributed each others' talc/soapstone and used each other's trade names.

THAN notes, that Southern Talc Company distributed products with the same trade names as Georgia Talc Company. [see, e.g., THAN 7530-42 (1973), 7499-7519 (1974), STC Interrogatory 10; THAN 8498 (1953)] THAN also notes that other vendors sold talc/soapstone with different trade names but the same product description, i.e., talc/soapstone "ground coarser than 99 through 200 mesh." [See, e.g., THAN 8540 (American), 7591, 7525 (Southern), 8512, 8513 (Milwhite)]

THAN attempted to locate the former presidents of Georgia Talc Company but learned they were deceased: Francis T. Glenn, 257-03-4837, passed away in 1996, and M. Woodard Glenn, 254-05-8798, passed away in 1998. [Social Security death records]

SUPPLEMENTAL RESPONSE TO INTERROGATORY 8

8. *State whether or not you have ever had an agreement, whether written or oral, relating to the distribution and/or sale of soapstone and/or soapstone talc with any person, firm or corporation. If your answer to this interrogatory is in the affirmative, please state:*

RESPONSE: [Note: The term "agreement" is vague since any sale could be construed as an "agreement." THAN will interpret the term "agreement" as referring to a contract establishing an ongoing relationship between a talc/soapstone vendor and THCC as a distributor.]

THAN has already produced to plaintiffs the only "agreement" it has located in its records. The relevant documents reflect an agreement with United Sierra Division Cyprus Mines Corporation and is bates labeled THAN 1419-25.

THAN 1275 refers to an apparent agreement between THCC and Pfizer.

- a. *the name and address of the person, firm or corporation with whom you had such agreement;*

RESPONSE: United Sierra Division Cyprus Mines Corporation, Bx 1201 Trenton, NJ 08606.

- b. *the period of time during which such agreement was in force;*

RESPONSE: July 1, 1967, for five years, terminable on one year's notice

- c. *identify each and every asbestos product which was subject to such agreement;*

RESPONSE: None

- d. *state the name and address of the present custodian of each such written agreement;*

RESPONSE: James W. Smith, P.E., THAN, 15313 W 95th St, Lenexa, KS 66219

- e. *state the name and last known address and employment of each and every person known to you to have knowledge concerning such agreement; and*

RESPONSE: Max Mason of Thompson Hayward Chemical Co. and H. T. Mulryan of United

Sierra.

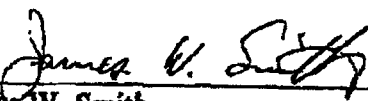
- f. *attach a copy of each such agreement to your answers to these interrogatories.*

RESPONSE: The relevant documents were already produced and are bates labeled THAN

1419-23.

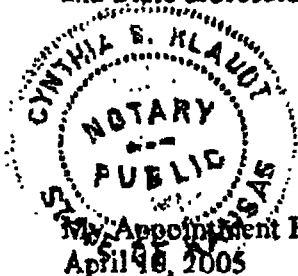
VERIFICATION

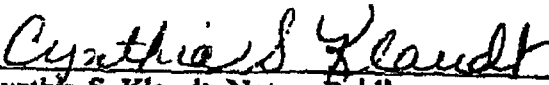
I, James W. Smith, hereby verify that Defendant T H Agriculture & Nutrition, L.L.C.'s Response to Plaintiffs' Third Interrogatories is true and correct, based upon THAN's review of the materials referenced in its Supplementary Responses to Plaintiffs' Third Set of Interrogatories.


James W. Smith

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

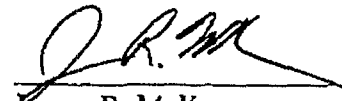
Subscribed and sworn to before me, a Notary Public within and for the County and State aforesaid, on this 3rd day of January 2002.




Cynthia S. Klaudt, Notary Public

Respectfully submitted.

SPENCER FANE BRITT & BROWNE LLP



James R. McKown

MO Bar #44728

1000 Walnut Street, Suite 1400
Kansas City, Missouri 64106-2140
Tele. No.: (816) 474-8100
Fax No.: (816) 474-3216

ATTORNEYS FOR DEFENDANT
T H AGRICULTURE & NUTRITION, L.L.C.

CERTIFICATE OF SERVICE

This is to certify that on this 4th day of January, 2002, a copy of the above was duly sent by hand delivery to Steven E. Crick and by regular mail to all other counsel of record, postage prepaid, to the following:

Steven E. Crick
Scott A. Britton-Mehlisch
Humphrey, Farrington, McClain
& Edgar, P.C.
221 West Lexington, Suite 400
PO Box 900
Independence, MO 64051

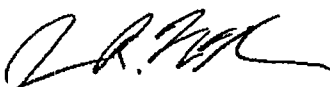
AND

John M. Klamann
Klamann & Hubbard, P.A.
7101 College Blvd., Suite 130
Overland Park, KS 66210
Attorneys for Plaintiffs

Charles J. Kalinoski
Margaret M. Chaplinsky
Kalinoski & Chaplinsky
100 Court Avenue, Suite 315
Des Moines, IA 50309-2200
AND

William F. Ford
Steven J. Brady
Lathrop & Gage, L.C.
2345 Grand Blvd., Suite 2800
Kansas City, MO 64108-2612
*Attorneys for Defendant Pfizer, Inc. and
Quigley Company, Inc.*

Virginia M. Giokaris
Brian W. Fields
Polsinelli Shalton & Welte, P.C.
700 W. 47th Street. Suite 1000
Kansas City, MO 64112
Attorneys for Defendant Owens Illinois, Inc.



Attorney for Defendant T H Agriculture
& Nutrition, L.L.C.