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- * MEMBER OF N.J. & N.Y. BAR
- * MEMBER OF N.J., MD. & D.C. BAR
- * MEMBER OF N.J. & PA. BAR
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July 29, 1994

AUG - 8 1994

Wilentz, Goldman & Spitzer, P.C.
90 Woodbridge Center Drive
P.O. Box 10
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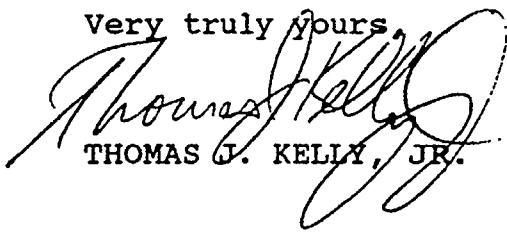
Attn: Philip A. Pahigian, Esq.

Re: Strawn v. The Anchor Packing Company, et al.
Our File No. 75.8083-TJK

Dear Mr. Pahigian:

Enclosed please find a copy of answers to standard
Middlesex County Form Interrogatories on behalf of defendant,
Bird Corporation, in the above-captioned matter.

Very truly yours,


THOMAS J. KELLY, JR.

TJK:ib
cc: All Counsel

- P - Bird - 2 -

HURLEY & VASIOS

A PROFESSIONAL CORPORATION
636 MORRIS TURNPIKE
SHORT HILLS, N.J. 07078
(201) 467-1300

Attorneys for: Defendant, Bird Corporation, improperly pleaded as
Bird Incorporated of Massachusetts
Our File No.: 75.8083-TJK

HAROLD L. STRAWN and NANCY
STRAWN, his wife,

Plaintiffs,

vs.

THE ANCHOR PACKING COMPANY, et
al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO. L-8528-93

Asbestos Litigation

Civil Action

ANSWERS TO MIDDLESEX COUNTY
STANDARD INTERROGATORIES

-
- B-1. Thomas Hartnett, Vice President Sales,
Pleasant Street, Norwood, Massachusetts 02062
- B-2. Bird Corporation is involved in a number of
activities including, but not limited to, the
manufacture and sale of products for the
process industries market and building and
remodeling market.
- B-3. 1795
- B-4. (a) No, as to mining, etc. Bird Corporation
has been named as a defendant in certain cases
as a result of its name appearing on certain

supply sheets for roofing materials such as its 45-pound base sheet. As to sale and distribution of this product, Bird's 45-pound base sheet is an asbestos-based product and not truly an asbestos insulation product. If purchased in the New Jersey area, this product would have been manufactured in Bird's Norwood, Massachusetts, plant from 1970 through 1976, and shipped to the Perth Amboy plant for distribution. The Perth Amboy division is no longer in business. A 15-pound base sheet was similarly processed in the Perth Amboy plant periodically. This base sheet was processed from rolls of roofing felt supplied by GAF or Nicolet and bought by Bird in roll form. The felt was first saturated with asphalt. After saturation, it was coated with a mixture of asphalt and mineral stabilizer and dusted with talc. This product was, therefore, totally encapsulated and non-friable.

(b) Bird & Son, Inc., now Bird Corporation

- B-5. None
- B-6. Asphalt Roofing Manufacturers Association
- B-7. No
- B-8. Annual Reports
- B-9. Not to our knowledge.
- B-10. No
- B-11. Yes
- B-12. Yes
- B-13. Yes, minutes are kept by corporate officers.
- B-14. Yes
- B-15. Objection, improper question; however, for purposes of discovery and not as an all-inclusive list, heat retention, flame rate retardation and strengthening.
- B-16. Not to my knowledge.
- B-17. N/A
- B-18. Impossible to answer with any specificity as to any one product or type of product; however, as a general rule, Bird products would be sold to construction supply, building

supply and lumber supply companies. See B-2 and B-4.

- B-19. No
- B-20. N/A
- B-21. No
- B-22. Objection, irrelevant and unlikely to lead to discoverable information.
- B-23. Objection, irrelevant and unlikely to lead to discoverable information.
- B-24. No
- B-25. No
- B-26. No
- B-27. No
- B-28. To our knowledge, at this time, no. However, tests were run at various Bird plants prior to saturation of felt products with asphalt, which showed asbestos levels to be below acceptable standards even at this point in the production process.
- B-29. See B-28.
- B-30. This defendant did not "manufacture" such products.
- B-31. See B-28.
- B-32. See prior answers.
- B-33. Objection, question is improper and irrelevant.
- B-34. No
- B-35. No
- B-36. Objection, this interrogatory is improper as it calls for expert medical opinion which this defendant is not qualified to give. Without waiving said objection and for the purposes of discovery only, there has never been any evidence or reason to believe that the products referred to above, through normal use, have caused or contributed to any

hazardous condition, potential or otherwise, since they are totally encapsulated and any fibers are non-friable. Further, this defendant has no specific knowledge of a causal relationship between asbestos and diseases other than what was learned from the media.

- B-37. See B-36.
- B-38. No
- B-39. None to this defendant's knowledge at the present time.
- B-40. No
- B-41. N/A
- B-42. N/A
- B-43. All parties to this suit, their agents, servants and employees; all treating and examining physicians; all custodians of relevant records; all persons named in these interrogatories and in all discovery; Frank Anthony, Thomas J. Hartnett, Vice President, J. Jackson, all c/o Bird Corporation, 980 Washington Street, Suite 120, Dedham, Massachusetts; W.B. Rossnagel, P.E.
- B-44. W.B. Rossnagel, P.E., W.B.R. Engineering Inc., 134 Barcroft Drive, Cherry Hill, New Jersey 08034. Further, defendant will rely on any and all expert witnesses retained by any party, including Joint Medical Counsel.
- B-45. Upon advice of counsel, defendant asserts that should plaintiff's alleged illness be proven and it be found that it is directly or indirectly related to exposure to asbestos or asbestos-containing products, then fault, if any may be the responsibility of the manufacturer of the asbestos felt or the plaintiff for failure to take appropriate protective measures where necessary. Further, defendant denies that any of its products caused or could have caused or contributed to any alleged illness of the plaintiff.
- B-46. Unknown at present as plaintiff has not provided sufficient discovery. Bird would rely on all discovery dealing with plaintiff's exposure to all deleterious substances, as

well as the smoking history, if any, of the plaintiff.

- B-47. See B-46.
- B-48. Not at this time.
- B-49. See B-45 and B-46. Defendant will rely on all discovery.
- B-50. Yes. This defendant will rely upon such facts as continuing discovery may reveal and upon such facts as may be educed at the time of trial in order to factually support this contention.
- C-1. See prior answers. Defendant purchased asbestos felt from either GAF or Nicolet for its 45-pound base sheet and its 15-pound base sheet.
- C-2. (a), (b) Defendant operated a facility in Perth Amboy, New Jersey, from about 1961 through 1981. See prior answers.
- C-3. None
- C-4. N/A
- C-5. See prior answers.
- C-6. Not to defendant's knowledge.
- C-7. N/A
- C-8. See prior answers.
- C-9. N/A
- C-10. Objection, question is overbroad and impossible to answer in its present form and irrelevant to this litigation. Without waiving said objection, and for the purposes of discovery, see prior answers.
- C-11. See B-18.
- C-12. N/A
- C-13. See C-10.
- C-14. See C-10.
- C-15. See C-10.
- C-16. See C-10.

- C-17. See prior answers.
- C-18. See C-10.
- C-19. Not to defendant's knowledge.
- C-20. See prior answers.
- C-21. N/A

HURLEY & VASIOS

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636 MORRIS TURNPIKE

SHORT HILLS, N.J. 07078

(201) 467-1300

Attorneys for: Defendant, Bird Corporation, improperly pleaded as
Bird Incorporated of Massachusetts
Our File No.: 75.07577-TJK

RAYMOND C. FOOSE and NANCY
FOOSE, his wife,

Plaintiffs,

vs.

THE ANCHOR PACKING COMPANY; et
al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO. L-1700-93

ASBESTOS LITIGATION

Civil Action

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- C-15. See C-10.
- C-16. See C-10.

- C-17. See prior answers.
- C-18. See C-10.
- C-19. Not to defendant's knowledge.
- C-20. See prior answers.
- C-21. N/A

CERTIFICATION

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.