



SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

DONALD NOLL and CANDACE NOLL,
husband and wife,

Plaintiffs,

v.

UNION CARBIDE CORPORATION, et al.,

Defendants.

No. 13-2-06781-1 SEA

**J-M MANUFACTURING
COMPANY, INC.'S OBJECTIONS
AND RESPONSES TO
PLAINTIFFS'
INTERROGATORIES**

Defendant, J-M Manufacturing Company, Inc. (hereafter "JMM" or "Defendant"), hereby responds to Plaintiffs' Interrogatories (hereafter "Interrogatories") propounded by Plaintiffs Donald and Candace Noll (hereafter "Plaintiffs"), as follows:

PRELIMINARY STATEMENT

JMM last sold asbestos-containing cement pipe ("A/C pipe") over two decades ago. Since that time, the company has relocated and most of the individuals involved with the sale of A/C pipe are no longer employed with the company. Further, many of the documents relating to A/C pipe no longer exist. As a result, collecting the detailed information requested in these Interrogatories requires the company to rely on the best recollections of those witnesses with personal knowledge who are still available and the historical documents that still exist. The

1 responses herein are made after reasonable search and investigation. However, JMM's
2 investigation of the facts relating to this case and its discovery in this action are ongoing. Further
3 discovery, independent investigation, legal research and analysis may supply additional facts,
4 add meaning to known facts, and establish new factual conclusions and legal contentions, all of
5 which may lead to additions, changes and or variations from the present response. Therefore,
6 these responses are made without prejudice to JMM's right to rely upon facts, documents,
7 witnesses or other information discovered or developed after the date of these responses. The
8 responses are based on information and belief of the person verifying the response.

9 The responses contained herein are made in a good faith effort to supply as much factual
10 information and as much specification of legal contentions as is presently known, but shall in no
11 way lead to the prejudice of JMM in relation to further discovery, research, or analysis.

12 GENERAL OBJECTIONS

13 1. JMM objects to Plaintiffs' Interrogatories to the extent that Plaintiffs have sought
14 to impose upon JMM duties and obligations in excess of those expressly set forth in the
15 *Washington Code of Civil Procedure*.

16 2. JMM objects to Plaintiffs' Interrogatories on the grounds they contain sub-parts,
17 are compound, are conjunctive, are disjunctive, are not full and complete in and of themselves,
18 contain unauthorized definitions and instructions, and are otherwise violative of the rules of civil
19 procedure of Washington.

20 3. JMM also objects to Plaintiffs' Interrogatories in that they are vague, ambiguous,
21 overbroad and excessively burdensome.

22 4. Further, although JMM has made a good faith effort to respond to these
23 Interrogatories to which it has not objected, in making such response, JMM does not purport to

1 have adopted or applied any definitions set forth at the outset of or at places in Plaintiffs'
2 Interrogatories, nor has JMM assumed the improper, unproved, and hypothetical facts proffered
3 by Plaintiffs. Additionally, JMM has not accepted the terminology or substance of Plaintiffs'
4 claims incorporated in, implied in, or alluded to within Plaintiffs' Interrogatories.

5 5. The responses made herein are made without in any way waiving or intending to
6 waive, but on the contrary expressly reserving: the right to object on the grounds of competency,
7 privilege, relevancy, and materiality, or any other proper ground, to the use of such information,
8 for any purpose, in whole or in part, in any subsequent proceeding in this action, or any other
9 action; and the right to object on any grounds at any time, to any other discovery procedure
10 involving or relating to the subject matter of this request.

11 6. JMM further objects to Plaintiffs' Interrogatories on the grounds and to the extent
12 that said Interrogatories seek information protected by the attorney-client privilege, the attorney
13 work-product privilege and any and all additional protections and privileges pursuant to
14 Washington case and statutory law.

15 7. JMM objects to Plaintiffs' Interrogatories to the extent they are not limited in
16 scope to the specific product or products to which Plaintiffs were allegedly exposed.

17 These general objections are applicable to JMM's response herein, whether or not
18 specifically stated in such response and are hereby incorporated into such response by this
19 reference.

1 **RESPONSES AND OBJECTIONS TO INTERROGATORIES**

2 **INTERROGATORY NO. 1:**

3 Identify the person answering these interrogatories on behalf of Defendant.

4 **RESPONSE:**

5 JMM incorporates herein its Preliminary Statement and General Objections.
6 Subject to and without waiving any objections, JMM states that no single officer, employee
7 or agent of JMM has direct knowledge of each and every answer requested. The answers
8 are derived from numerous sources, persons and documents over an extended period, and
9 are verified by **Barry Lin, Special Assistant to the President**, in order to comply with
10 applicable legal requirements. Mr. Lin possesses no particularized information concerning
11 the matters encompassed by these answers.

12 **INTERROGATORY NO. 2:**

13 Has the person answering these interrogatories made reasonable inquiry of all available
14 sources of information such that Plaintiff may rely upon these answers as the truthful and
15 complete answers made on behalf of Defendant? List any and all such sources of information
16 relied upon, including, but not limited to, identifying any and all records or documents reviewed
17 and persons providing information.

18 **RESPONSE:**

19 JMM incorporates herein its Preliminary Statement and General Objections and
20 further objects to this interrogatory on the following specific grounds: the request is vague,
21 overbroad, and overly burdensome. Subject to and without waiving any objections, JMM
22 refers Plaintiffs to its answer to Interrogatory No. 1.

23 **INTERROGATORY NO. 3:**

 State the following concerning this Defendant:

- a. Full and correct name;
- b. The form in which Defendant presently conducts business (i.e. corporation, partnership, proprietorship, etc.);
- c. Identify any and all predecessors and related companies as defined above;
- d. Any and all other forms in which defendant has conducted business at any time, and the date(s) when business was conducted in each form;
- e. Any and all names by which Defendant has been known or has conducted business, at any time, and the date(s) during which Defendant has been known by and/or conducted business, under each such name;
- f. Defendant's principal place of business;

- 1 g. Defendant's present state of incorporation or state in which Defendant is registered as
2 a partnership, association, etc., whichever is applicable; if Defendant has, at any time,
3 been incorporated or registered in a different state, identify which state and when;
4 h. Most recent date of incorporation or reincorporation, and any and all prior date(s) of
5 incorporation or reincorporation;
6 i. Whether this Defendant is authorized to transact business in the State of Washington
7 and, if so, the date such authority was first issued and last renewed;
8 j. If this Defendant has an agent, representative or place of business in Washington,
9 identify such agent, representative, or place of business; and,
10 k. If this Defendant has an agent for service in the State of Washington, identify the
11 registered agent.

12 **RESPONSE:**

13 JMM incorporates herein its Preliminary Statement and General Objections and
14 further objects to this interrogatory on the following specific grounds: the interrogatory is
15 overbroad, overly burdensome, lacks foundation and is not reasonably tailored to the facts
16 of this case, and seeks documents and information that are not relevant or reasonably
17 calculated to lead to the discovery of admissible evidence. JMM further objects to this
18 interrogatory to the extent that it seeks documents or information which are a matter of
19 public record and which, therefore, are as equally accessible to Plaintiffs as to JMM.
20 Subject to and without waiving any objections, JMM states that its full and correct name is
21 J-M Manufacturing Company, Inc. It conducts business as a corporation and has no
22 predecessors, as it understands that term. It was incorporated in Delaware on December
23 28, 1982. Its principle place of business is 5200 W. Century Boulevard, Los Angeles,
California 90045. JMM is authorized to conduct business in the State of Washington, and
at certain times, sold product in the State of Washington.

24 **INTERROGATORY NO. 4:**

25 State the first and last dates on which any asbestos-containing product was manufactured
26 by:

- 27 a. Defendant;
28 b. Each and every predecessor; and,
29 c. Each and every related company.

30 **RESPONSE:**

31 JMM incorporates herein its Preliminary Statement and General Objections and
32 further objects to this interrogatory on the following specific grounds: the interrogatory is
33 overbroad, overly burdensome, lacks foundation and is not reasonably tailored to the facts
of this case, and seeks information that is not relevant or reasonably calculated to lead to
the discovery of admissible evidence. JMM further objects to this interrogatory to the
extent that it seeks information that is protected by the attorney client privilege,
work product doctrine or is otherwise protected. Subject to and without waiving any
objections, JMM states that it never manufactured any asbestos-containing products.

1 **INTERROGATORY NO. 5:**

2 Identify by full and complete trade name, any and all asbestos-containing products as
3 defined above, which this Defendant, any related company, or any predecessor(s) has, at any
time:

- 4 a. Designed;
5 b. Manufactured;
6 c. Processed;
7 d. Sold;
8 e. Distributed;
9 f. Applied;
10 g. Installed;
11 h. Patented;
12 i. Specified; or
13 j. Re-labeled.

14 **RESPONSE:**

15 JMM incorporates herein its Preliminary Statement and General Objections and
16 further objects to this interrogatory on the following specific grounds: the interrogatory is
17 vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to
18 the facts of this case, and seeks information that is not relevant or reasonably calculated to
19 lead to the discovery of admissible evidence. JMM further objects to this interrogatory to
20 the extent that it seeks information that is protected by the attorney client privilege,
work product doctrine or is otherwise protected. Subject to and without waiving any
objections, JMM states that it sold A/C pipe and couplings manufactured by J-M A/C Pipe
Corporation ("JMAC").

21 **INTERROGATORY NO. 6:**

22 With respect to each asbestos-containing product listed for each subpart of Interrogatory
23 No. 5:

- a. Identify the specific company (Defendant, predecessor, related company) which
designed, manufactured, processed, specified, sold, distributed, applied, installed,
patented or re-labeled such product;
b. State the year in which Defendant, its related company or its predecessor first
designed, manufactured, processed, specified, sold, distributed, applied, installed,
patented or re-labeled such product; and,
c. State the year in which the Defendant, its related company or predecessor last
designed, manufactured, processed, specified, sold, distributed, applied, installed
patented or re-labeled such product.

24 **RESPONSE:**

25 JMM incorporates herein its Preliminary Statement and General Objections and
26 further objects to this interrogatory on the following specific grounds: the interrogatory is
27 vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to
the facts of this case, and seeks information that is not relevant or reasonably calculated to

1 lead to the discovery of admissible evidence. Subject to and without waiving any
2 objections, JMM refers Plaintiffs to its objections and answer to Interrogatory No. 5, which
3 are incorporated herein by reference. By way of further response, JMM states that it sold
4 A/C pipe and couplings manufactured by JMAC between 1983 and 1988.

5 **INTERROGATORY NO. 7:**

6 Identify each and every source from which Defendant, any predecessor or related
7 company, obtained raw asbestos and/or asbestos-containing material used by Defendant, any
8 predecessor or related company, to manufacture or process any product listed in response to
9 Interrogatory No. 6.

10 **RESPONSE:**

11 JMM incorporates herein its Preliminary Statement and General Objections and
12 further objects to this interrogatory on the following specific grounds: the interrogatory is
13 vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to
14 the facts of this case, and seeks information that is not relevant or reasonably calculated to
15 lead to the discovery of admissible evidence. Subject to and without waiving any
16 objections, JMM states that it facilitated the purchase of raw asbestos, pursuant to an
17 Operations Management Agreement with JMAC for use by JMAC in manufacturing the
18 A/C pipe sold by JMM between 1983 and 1988. The raw asbestos used in JMAC pipe
19 between 1983 and 1988 came from Johns-Manville, Calaveras, Cassiar, Bell, Cape, and
20 possible other entities. By way of a further response, JMM states that its investigation for
21 information responsive to this interrogatory is continuing. JMM reserves the right to
22 supplement its responses if and when additional information is ascertained.

23 **INTERROGATORY NO. 8:**

With respect to each and every product listed in response to Interrogatory No. 6, provide
a full and complete description of the package in which the product was sold, including, but not
limited to, type of package, size, color and writings thereon.

RESPONSE:

JMM incorporates herein its Preliminary Statement and General Objections and
further objects to this interrogatory on the following specific grounds: the interrogatory
is overbroad, overly burdensome, lacks foundation and is not reasonably tailored to the
facts of this case, and seeks information that is not relevant or reasonably calculated to
lead to the discovery of admissible evidence. Subject to and without waiving any
objections, JMM states that A/C pipe and couplings sold by JMM did not come in
packages as JMM understands that term. By way of further response, JMM refers
Plaintiffs to its objections and answer to Interrogatory No. 10, which are incorporated
herein by reference.

1 **INTERROGATORY NO. 9:**

2 For each subpart below, state whether or not, to Defendant's knowledge, any items as
3 described therein presently exist and, if so, identify any and all such existing items and state the
4 present location of each:

- 5 a. Any product listed in response to Interrogatory No 6, including, but not limited to,
6 any sample, part or piece thereof;
7 b. Any package of the type in which any or all of the products listed in response to
8 Interrogatory No. 6 were or would have been sold, including, but not limited to, any
9 partial package;
10 c. Any catalogue, brochure, sales literature or like item referring to, relating to or
11 reflecting any or all of the products listed in response to Interrogatory No. 6;
12 d. Any picture, drawing, photograph or like representation of the items described in
13 subparts a, b and/or c of this Interrogatory.

14 **RESPONSE:**

15 JMM incorporates herein its Preliminary Statement and General Objections and
16 further objects to this interrogatory on the following specific grounds: the interrogatory is
17 vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to
18 the facts of this case, and seeks information and documents that are not relevant or
19 reasonably calculated to lead to the discovery of admissible evidence. JMM further objects
20 to this request to the extent that it seeks information or documents that are protected by
21 the attorney client privilege, work product doctrine or are otherwise protected.

22 **INTERROGATORY NO. 10:**

23 With respect to each product listed in response to Interrogatory No. 6, state:

- a. The type of asbestos contained in the product as it was first manufactured;
b. The percentage of asbestos contained in the product as it was first manufactured;
c. Any modification to the product which altered the percentage or type of asbestos in
the product and the dates of such modification;
d. The source of asbestos in each product;
e. The color, physical characteristics, and appearance of each product;
f. Any and all other names under which the product was sold, at any time;
g. The number and date of each patent or patent application for each product;
h. If the product continued to be produced after the deletion of asbestos, all reasons why
the asbestos was deleted, the identity of the person(s) who made the decision to delete
the asbestos, and the date the product was first produced without asbestos;
i. If the product is no longer produced, all reasons it was discontinued, the identity of
the person(s) who made the decision to discontinue the product, the brand name of
the replacement product, and the date the replacement product first went into
production; and
j. The reasons why asbestos was used in an ingredient in each such product.

RESPONSE:

JMM incorporates herein its Preliminary Statement and General Objections and further objects to this interrogatory on the following specific grounds: the interrogatory is vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to the facts of this case, and seeks information that is not relevant or reasonably calculated to lead to the discovery of admissible evidence. JMM further objects to this interrogatory to the extent that it seeks information that is protected by the attorney client privilege, work product doctrine or is otherwise protected. Subject to and without waiving any objections, JMM states that the A/C pipe JMM sold contained chrysotile fiber and certain classes of pipe also contained crocidolite asbestos. The exact ingredients and percentage varied over time and between pipe type, but the A/C pipe generally contained 12-20% asbestos fiber. The A/C pipe sold by JMM had a rough cement gray exterior and a smooth interior. The pipe came in various diameters and lengths and was sold in various configurations including with machined ends and attached couplings on some product. The pipe had information stenciled and adhered to it that varied depending on pipe type. JMM did not manufacture the products, and therefore, had no patents.

INTERROGATORY NO. 11:

Identify any and all facilities at which Defendant, any predecessor or any related company, at any time, manufactured or processed asbestos-containing products, or processed raw asbestos. For each such facility identified:

- a. State the date(s) which said facility was owned and/or operated by Defendant, any predecessor or any related company;
- b. State the, date(s) during which asbestos-containing products and/or raw asbestos were manufactured or processed, at said facility; and,
- c. Identify each person serving as the manager or supervisor of said facility during any time which the facility has been owned and/or operated by Defendant, any predecessor or any related company, and state the date(s) of the tenure as manager or supervisor for each.

RESPONSE:

JMM incorporates herein its Preliminary Statement and General Objections and further objects to this interrogatory on the following specific grounds: the interrogatory is overbroad, overly burdensome, lacks foundation and is not reasonably tailored to the facts of this case, and seeks information and documents that are not relevant or reasonably calculated to lead to the discovery of admissible evidence. JMM further objects to this interrogatory to the extent that it seeks information or documents that are protected by the attorney client privilege, work product doctrine or are otherwise protected. Subject to and without waiving any objections, JMM states that it did not manufacture the A/C pipe and couplings it sold. JMM facilitated the purchase of raw asbestos, pursuant to an Operations Management Agreement with JMAC for use by JMAC in manufacturing the A/C pipes in plants owned by JMM in Stockton, CA and Denison, TX. By way of further response,

1 JMM refers Plaintiffs to its objections and answer to Interrogatory No. 7, which are
2 incorporated herein by reference.

3 **INTERROGATORY NO. 12:**

4 Identify any and all persons known by you to have any knowledge concerning the
5 manufacture, sale, distribution, possession, application, installation or use of the products listed
6 in response to Interrogatory No. 6.

7 **RESPONSE:**

8 JMM incorporates herein its Preliminary Statement and General Objections and
9 further objects to this interrogatory on the following specific grounds: the interrogatory is
10 vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to
11 the facts of this case, and seeks information that is not relevant or reasonably calculated to
12 lead to the discovery of admissible evidence. JMM further objects to this interrogatory to
13 the extent that it seeks information that is protected by the attorney client privilege,
14 work product doctrine or is otherwise protected. Subject to and without waiving any
15 objections, JMM states that its corporate representative Jim Reichert may have knowledge
16 regarding information responsive to this interrogatory.

17 **INTERROGATORY NO. 13:**

18 With respect to the products listed in response to Interrogatory No. 6, did Defendant, any
19 predecessor or related company or the manufacturer of the products ever conduct tests of any
20 kind on any or all of said products concerning possible or potential health hazards involved in its
21 use or in the use of materials contained therein?

22 **RESPONSE:**

23 JMM incorporates herein its Preliminary Statement and General Objections and
further objects to this interrogatory on the following specific grounds: the interrogatory is
vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to
the facts of this case, and seeks information that is not relevant or reasonably calculated to
lead to the discovery of admissible evidence. JMM further objects to this interrogatory to
the extent that it seeks information that is protected by the attorney client privilege,
work product doctrine or is otherwise protected. Subject to and without waiving any
objections, JMM states that its investigation to date has not indicated that JMM itself
commissioned any laboratory tests on the products relating to the health consequences of
asbestos or the dust generated by any use of the products.

INTERROGATORY NO. 14:

If your answer to Interrogatory No. 1 is "Yes," with respect to each product test:

- a. State the location where the test was performed;
- b. Identify each and every individual who conducted or participated in said test;
- c. Describe the results of said test;
- d. State the date upon which said test was conducted;
- e. Identify any and all documents referring to, relating to or reflecting said test or the results thereof; and
- f. Identify each and every individual who received a copy of any document referring to, relating to or reflecting the results of said test.

RESPONSE:

Not Applicable.

INTERROGATORY NO. 15:

Did any person, including but not limited to, an officer, agent or employee of Defendant, any predecessor or related company recommend any design changes as a result of any test referenced in your response to the preceding interrogatory?

RESPONSE:

JMM incorporates herein its Preliminary Statement and General Objections and further objects to this interrogatory on the following specific grounds: the interrogatory is vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to the facts of this case, and seeks information that is not relevant or reasonably calculated to lead to the discovery of admissible evidence. JMM further objects to this interrogatory to the extent that it seeks information that is protected by the attorney client privilege, work product doctrine or is otherwise protected. Subject to and without waiving any objections, JMM states no. By way of further response, JMM states that its investigation to date has not indicated that JMM itself commissioned any laboratory tests on the products relating to the health consequences of asbestos or the dust generated by any use of the products.

INTERROGATORY NO. 16:

If your answer to Interrogatory No. 15 is "Yes," with respect to each such recommended design change:

- a. State the product or products involved;
- b. State the test or tests involved;
- c. State the nature of the change recommended;
- d. Identify the person(s) making the recommendation;
- e. State the nature and effective date of any change made; and
- f. Identify each and every person who participated in the decision to make or not make the recommended design change.

1 **RESPONSE:**

2 Not Applicable.

3 **INTERROGATORY NO. 17:**

4 Identify any and all persons employed by Defendant, its predecessor or related company
5 at any time from 1983 to the present date as an industrial hygienist or in a similar position.

6 **RESPONSE:**

7 JMM incorporates herein its Preliminary Statement and General Objections and
8 further objects to this interrogatory on the following specific grounds: the interrogatory is
9 vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to
10 the facts of this case, and seeks information that is not relevant or reasonably calculated to
11 lead to the discovery of admissible evidence. JMM further objects to this interrogatory to
12 the extent that it seeks information that is protected by the attorney client privilege,
work product doctrine or is otherwise protected. Subject to and without waiving any
13 objections, JMM states that JMM was first incorporated in December, 1982 and sold A/C
14 pipes and couplings only from 1983 to 1988. At some point after its incorporation, Dr. E.
15 E. Wang became Manager of Environmental Control until his employment ended in 1990.

16 **INTERROGATORY NO. 18:**

17 Has Defendant, any predecessor or any related company, or any person or entity acting
18 on behalf thereof, including but not limited to any insurance company, at any time, gone into any
19 area where any product identified in response to Interrogatory No. 6 was being manufactured,
20 used, applied or installed to perform a dust level count or similar test?

21 **RESPONSE:**

22 JMM incorporates herein its Preliminary Statement and General Objections and
23 further objects to this interrogatory on the following specific grounds: the interrogatory is
vague, overbroad, overly burdensome, duplicative, lacks foundation and is not reasonably
tailored to the facts of this case, and seeks information that is not relevant or reasonably
calculated to lead to the discovery of admissible evidence. JMM further objects to this
request to the extent that it seeks information that is protected by the attorney client
privilege, work product doctrine or is otherwise protected. Subject to and without waiving
any objections, JMM refers Plaintiffs to its objections and answer to Interrogatory No. 13,
which are incorporated herein by reference.

1 **INTERROGATORY NO. 19:**

2 If your answer to Interrogatory No. 18 is "Yes," identify each such count or test
3 performed, by stating when and where it was conducted, and with respect to each count or test so
4 identified:

- 5 a. Identify the product being manufactured, used, applied, or installed;
6 b. Identify each and every person who conducted, participated in conducting, or
7 analyzed the results of, said count or test;
8 c. State the purpose of said count or test;
9 d. State what, if any, actions were taken in response to the results of said count or test;
10 and
11 e. Identify any and all documents referring to, relating to or reflecting said count or test,
12 including, but not limited to, any actions taken in response to the results of such count
13 or test.

14 **RESPONSE:**

15 Not Applicable.

16 **INTERROGATORY NO. 20:**

17 Did Defendant, any predecessor or any related company, at any time, place any warning
18 signs or labels on the containers in which any of the products listed in response to Interrogatory
19 No. 6 were packaged?

20 **RESPONSE:**

21 JMM incorporates herein its Preliminary Statement and General Objections and
22 further objects to this interrogatory on the following specific grounds: the interrogatory is
23 vague, overbroad, duplicative, lacks foundation and is not reasonably tailored to the facts
of this case, and seeks information that is not relevant or reasonably calculated to lead to
the discovery of admissible evidence. JMM further objects to this interrogatory to the
extent that it seeks information that is protected by the attorney client privilege,
work product doctrine or is otherwise protected. Subject to and without waiving any
objections, JMM states that the A/C pipe and couplings sold by JMM did not come in
containers, as JMM understands that term. By way of further response, JMM states that
the following warning and work practice recommendation was placed on the A/C pipe
manufactured by JMAC.

1 **CAUTION**

2 Do not use power saws to cut this pipe. Breathing dust created by improper work
3 practices may cause serious bodily harm. When cutting, machining or tapping, refer to the
4 recommended work practice guide furnished by your employer.

5 **AVISO**

6 No use herramientas automaticas para cortar tuberia. Respirar el polvo producido por
7 cordes con herramientas automaticas puede traer consecuencias graves a la salud.
8 Consulte la informacion suministrada por su supervisor antes de cortar tornear o roscar el
9 material.

10 * * * * *

11 Other information may have included the AWWA Manual No. M16 – Work Practices for
12 Asbestos-Cement Pipe, The recommended Work Practices for A/C Pipe, A/C Pipe and
13 Health, an A/C & Health audio visual presentation, as well as information which may have
14 been provided orally by field representatives. When JMM began selling A/C pipe in 1983,
15 warnings and cautions were already being utilized for the A/C pipe. JMM continued the
16 practice of providing the warnings and cautions between 1983 and 1988. JMM further
17 refers Plaintiffs to its objections and answer to Interrogatory No. 10, which are
18 incorporated herein by reference.

19 **INTERROGATORY NO. 21:**

20 If your answer to Interrogatory No. 20 is "Yes," identify each and every product upon
21 which such a warning was placed, and with respect to each such product identified:

- 22 a. State the date on which any order directing that a warning be placed on said product
23 first issued;
- 24 b. Identify any and all persons participating in the decision to issue that order;
- 25 c. State the first date on which such warning was actually placed on said product;
- 26 d. State the first date on which such product accompanied by such warning was first
27 sold, distributed or installed;
- 28 e. State the exact wording of this first warning;
- 29 f. State the exact location and size of this first warning as it appeared on said product;
- 30 g. Identify any and all persons who participated in any phase of the drafting or design of
31 said first warning, including, but not limited to those who performed the actual
32 drafting and design work, those who reviewed the work, those who edited the work
33 and those who approved the warning;
- 34 h. State why you placed such warning on said product, including, but not limited to,
35 whether you placed such warning on said product because you received a directive,
36 command, suggestion, legal opinion, or any type of communication (written or
37 otherwise) from any person, firm, corporation, governmental agency, committee,
38 association, attorney or institute; and
- 39 i. Identify any and all documents referring to, relating to or reflecting said warning, its
40 drafting, and/or the decision to place the warning on said product, including, but not

1 limited to, any communication as described in subpart h of this interrogatory.

2 **RESPONSE:**

3 JMM incorporates herein its Preliminary Statement and General Objections and
4 further objects to this interrogatory on the following specific grounds: the interrogatory is
5 vague, overbroad, overly burdensome, duplicative, lacks foundation and is not reasonably
6 tailored to the facts of this case, and seeks information and documents that are not relevant
7 or reasonably calculated to lead to the discovery of admissible evidence. JMM further
8 objects to this interrogatory to the extent that it seeks information or documents that are
9 protected by the attorney client privilege, work product doctrine or are otherwise
10 protected. Subject to and without waiving any objections, JMM refers Plaintiffs to its
11 objections and answer to Interrogatory No. 20, which are incorporated herein by reference.
12 By way of further response, JMM states that copies of the warning and cautions are
13 already in Plaintiffs' counsel's possession.

9 **INTERROGATORY NO. 22:**

10 With respect to each product identified in response to Interrogatory No. 21 as having
11 been accompanied by a warning, state whether, subsequent to the first warning described above,
12 any different warning was ever placed upon said product. Any alteration, change or modification
13 in the language, wording, capitalization, punctuation, style of type or printing, size, color, or
14 location on the package or container, of the warning constitutes a different warning.

13 **RESPONSE:**

14 JMM incorporates herein its Preliminary Statement and General Objections and
15 further objects to this interrogatory on the following specific grounds: the interrogatory is
16 vague, overbroad, overly burdensome, duplicative, lacks foundation and is not reasonably
17 tailored to the facts of this case, and seeks information that is not relevant or reasonably
18 calculated to lead to the discovery of admissible evidence. JMM further objects to this
19 interrogatory to the extent that it seeks information that is protected by the attorney client
20 privilege, work product doctrine or is otherwise protected. Subject to and without waiving
21 any objections, JMM refers Plaintiffs to its objections and answers to Interrogatory Nos.
22 20-21, which are incorporated herein by reference. By way of further response, JMM
23 states that copies of the warning and cautions are already in Plaintiffs' counsel's
possession.

20 **INTERROGATORY NO. 23:**

21 With respect to each different warning which accompanied each product listed in
22 response to Interrogatory No. 21:

- 22 a. State the date on which any order directing that such different warning be placed on
23 said product first issued;
- 23 b. Identify any and all persons participating in the decision to issue that order;

- c. State the first date on which such different warning was actually place on said product;
- d. State the first date on which such product accompanied by such different warning was sold, distributed or installed;
- e. Describe, with specificity, any and all changes, modifications or differences between the different warning and the prior warnings(s);
- f. Identify any and all persons who participated in any phase of the drafting or design of such different warning, including, but not limited to, those who performed the actual drafting and design work, those who received the work, those who edited the work and those who approved the different warning;
- g. State why you placed such different warning on said product, including, but not limited to, whether you placed such different warning on said product because you received a directive, command, suggestion, legal opinion, or any type of communication (written or otherwise) from any person, firm, corporation, governmental agency, committee association, attorney or institute; and
- h. Identify any and all documents referring to, relating to or reflecting, said different warning, its drafting, and/or the decision to place the different warning on said product.

RESPONSE:

JMM incorporates herein its Preliminary Statement and General Objections and further objects to this interrogatory on the following specific grounds: the interrogatory is vague, overbroad, overly burdensome, duplicative, lacks foundation and is not reasonably tailored to the facts of this case, and seeks information and documents that are not relevant or reasonably calculated to lead to the discovery of admissible evidence. JMM further objects to this interrogatory to the extent that it seeks information or documents that are protected by the attorney client privilege, work product doctrine or are otherwise protected. Subject to and without waiving any objections, JMM refers Plaintiffs to its objections and answers to Interrogatory Nos. 20-22, which are incorporated herein by reference. By way of further response, JMM states that copies of the warning and cautions are available for inspection at Plaintiffs' request.

INTERROGATORY NO. 24:

State the date on which any official of Defendant or its predecessor(s) first had knowledge, notice, information or understanding that exposure to asbestos would, could or might cause each of the following diseases:

- a. Pleural disease;
- b. Asbestosis;
- c. Mesothelioma;
- d. Lung cancer; and
- e. Any other forms of cancer.

RESPONSE:

J-M MANUFACTURING COMPANY, INC.'S OBJECTIONS AND
RESPONSES TO PLAINTIFFS' INTERROGATORIES - 16

Williams, Kastner & Gibbs PLLC
601 Union Street, Suite 4100
Seattle, Washington 98101-2380
(206) 628-6600

1 JMM incorporates herein its Preliminary Statement and General Objections and
2 further objects to this interrogatory on the following specific grounds: the interrogatory is
3 vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to
4 the facts of this case, and seeks information that is not relevant or reasonably calculated to
5 lead to the discovery of admissible evidence. JMM further objects to this interrogatory to
6 the extent that it seeks information that is protected by the attorney client privilege,
7 work product doctrine or is otherwise protected and to the extent it improperly calls for a
8 medical opinion and/or expert opinion. The interrogatory fails to distinguish between
9 different fiber types and ignores important factors such as differences in the friability of
10 asbestos fibers in different products, different uses of asbestos-containing products,
11 different exposures of individuals at different work sites, engaged in different crafts and
12 the frequency, proximity, regularity and duration of particular exposures. Subject to and
13 without waiving any objections, JMM states that JMM employed numerous persons
14 throughout the course of its business, any one of whom may have obtained varying degrees
15 of knowledge regarding asbestos and asbestos-related diseases at varying points in time.
16 When JMM, as a corporation, obtained any particular knowledge cannot be determined
17 with accuracy.

18 INTERROGATORY NO. 25:

19 With respect to each disease set forth in Interrogatory No. 24:

- 20 a. Identify the official who first obtained the knowledge, notice, information or
21 understanding to which the interrogatory refers;
- 22 b. Identify any and all documents referring to, relating to or reflecting such knowledge,
23 notice, information or understanding; and,
- 24 c. Describe what, if any, action said official, Defendant, any predecessor or any related
25 company took in response to such knowledge, notice, information or understanding.

26 RESPONSE:

27 JMM incorporates herein its Preliminary Statement and General Objections and
28 further objects to this interrogatory on the following specific grounds: the interrogatory is
29 vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to
30 the facts of this case, and seeks information and documents that are not relevant or
31 reasonably calculated to lead to the discovery of admissible evidence. JMM further objects
32 to this interrogatory to the extent that it seeks information or documents that are protected
33 by the attorney client privilege, work product doctrine or are otherwise protected and to
34 the extent it improperly calls for a medical opinion and/or expert opinion. The
35 interrogatory fails to distinguish between different fiber types and ignores important
36 factors such as differences in the friability of asbestos fibers in different products, different
37 uses of asbestos-containing products, different exposures of individuals at different work
38 sites, engaged in different crafts and the frequency, proximity, regularity and duration of
39 particular exposures. Subject to and without waiving any objections, JMM refers Plaintiffs

1 to its objections and answer to Interrogatory No. 24, which are incorporated herein by
2 reference.

3 **INTERROGATORY NO. 26:**

4 Did Defendant, any predecessor or any related company, or any workers' compensation
5 insurance carrier thereof, ever have any claims for lung diseases or death from lung disease,
whether directly or indirectly attributed to asbestosis, mesothelioma, lung cancer, or exposure to
asbestos-containing products?

6 **RESPONSE:**

7 JMM incorporates herein its Preliminary Statement and General Objections and
8 further objects to this interrogatory on the following specific grounds: the interrogatory is
9 overbroad, overly burdensome, lacks foundation and is not reasonably tailored to the facts
10 of this case, and seeks information that is not relevant or reasonably calculated to lead to
11 the discovery of admissible evidence. JMM further objects to this interrogatory to the
extent that it seeks information that is protected by the attorney client privilege,
work product doctrine or is otherwise protected. Subject to and without waiving any
objections, JMM states that Plaintiffs' counsel are already in possession of documents and
information responsive to this interrogatory.

12 **INTERROGATORY NO. 27:**

13 If your answer to original Interrogatory No. 26 was "Yes," please provide the following
14 information for each of the first five (5) claims.

- 15 a. Identify the claimant;
- 16 b. Identify the entity against which the claim was filed;
- 17 c. State the date upon which the claim was filed;
- 18 d. List the locations(s) at which claimant was exposed to asbestos;
- 19 e. Identify each and every board, administrative body, commission or court which
20 handled or reviewed said claim and state the state the style and cause number
applicable to said claim before each such body;
- 21 f. Identify the disease alleged by claimant;
- 22 g. State the final disposition of the claim including any and all benefits paid, and the
entity making such payments;
- 23 h. If different from the date on which the claim was filed, state the date on which
defendant first had notice of the claim; and
- i. Identify any and all documents referring to, relating to or reflecting said claim.

21 **RESPONSE:**

22 JMM incorporates herein its Preliminary Statement and General Objections and
23 further objects to this interrogatory on the following specific grounds: the interrogatory is
overbroad, overly burdensome, lacks foundation and is not reasonably tailored to the facts

1 of this case, and seeks information and documents that are not relevant or reasonably
2 calculated to lead to the discovery of admissible evidence. JMM further objects to this
interrogatory to the extent that it seeks information or documents that are protected by the
attorney client privilege, work product doctrine or are otherwise protected.

3 **INTERROGATORY NO. 28:**

4 Identify any and all material safety data sheets concerning the products listed in response
5 to Interrogatory No. 6 prepared, at any time, by, or on behalf of, Defendant, any predecessor or
any related company.

6 **RESPONSE:**

7 JMM incorporates herein its Preliminary Statement and General Objections and
8 further objects to this interrogatory on the following specific grounds: the interrogatory is
overbroad, lacks foundation and is not reasonably tailored to the facts of this case, and
9 seeks information that is not relevant or reasonably calculated to lead to the discovery of
admissible evidence. JMM further objects to this interrogatory to the extent that it seeks
10 information that is protected by the attorney client privilege, work product doctrine or is
otherwise protected. Subject to and without waiving any objections, JMM states that JMM
11 did not manufacture the A/C pipes and couplings and investigation to date has not
indicated that JMM ever prepared material safety data sheets concerning such products.

12 **INTERROGATORY NO. 29:**

13 Identify any and all trade organizations, associations, or other entities, including but not
14 limited to American Textile Institute (ATI), Asbestos Information Association (AIA), Industrial
Health Foundation or Industrial Hygiene Foundation (IHF), National Insulation Manufacturers
15 Association (NIMA), National Insulation Contractors Association (NICA), National Safety
Council (NSC), American Ceramics Society (ACS), National Building Materials Distributors
16 Association (NBMDA), Sprayed Mineral Fiber Manufacturers Association (SMFMA), Thermal
Insulation Manufacturers Association (TIMA), Quebec Asbestos Mining Association (QAMA),
17 to which Defendant, any predecessor or any related company has belonged or in which any or all
of the same have participated since 1925, and state the applicable dates of such membership or
participation.

18 **RESPONSE:**

19 JMM incorporates herein its Preliminary Statement and General Objections and
20 further objects to this interrogatory on the following specific grounds: the interrogatory is
vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to
21 the facts of this case, and seeks information that is not relevant or reasonably calculated to
lead to the discovery of admissible evidence. JMM further objects to this interrogatory to
22 the extent that it seeks information that is protected by the attorney client privilege,
work product doctrine or is otherwise protected and to the extent it seeks information
23 which is as equally accessible to Plaintiffs as to JMM. Subject to and without waiving any

1 objections, JMM states that at certain times it has belonged or participated in the following
2 organizations: American Gas Association, American Society for Testing Materials,
3 American Waterworks Association, International Association of Plumbing and Mechanical
4 Official, Factory Mutual Research Corporation, National Electrical Manufacturers
5 Association, National Sanitation Foundation, Plastic Pipe and Fitting Association, Plastic
6 Pipe Institute, Underwriters Laboratories, Uni-Bell PVC Pipe Association, and The Vinyl
7 Institute.

8
9
10 **INTERROGATORY NO. 30:**

11 Identify any and all present or former directors, officers, employees, or agents of
12 defendant, any predecessor or related company, who have testified in any manner whatsoever
13 including a discovery or evidence deposition, or in a trial, in the last 20 years on behalf of or
14 against the defendant, any predecessor, or related company, in any lawsuits involving a claim or
15 claims based upon allegations of personal injury or property damage caused by exposure to, the
16 use of, the application of, the installation of, or the presence of any asbestos or asbestos-
17 containing product, other than persons who testified as plaintiffs in their own cases. Specifically
18 included within the scope of this request are any suits involving the issue of insurance coverage
19 for claims of personal injury or property damage resulting from the exposure to, the use,
20 application, installation or presence of asbestos or asbestos-containing products.

21 **RESPONSE:**

22 JMM incorporates herein its Preliminary Statement and General Objections and
23 further objects to this interrogatory on the following specific grounds: the interrogatory is
overbroad, overly burdensome, lacks foundation and is not reasonably tailored to the facts
of this case, and seeks information that is not relevant or reasonably calculated to lead to
the discovery of admissible evidence. JMM further objects to this interrogatory to the
extent that it seeks information that is protected by the attorney client privilege,
work product doctrine or is otherwise protected. Subject to and without waiving any
objections, JMM states that its corporate representative Jim Reichert may have knowledge
regarding information responsive to this interrogatory. Jim Reichert has been deposed on
(i) November 14, 2000 in *Hardcastle v. Advocate Mines*; (ii) May 6, 2008 in *Bradford v. A.W.
Chesterton Company, et al.*; (iii) May 7, 2008 in *Paul Placencia v. American Standard, Inc.*;
(iv) August 19, 2008 in *Larry Stewart v. A.W. Chesterton, et al.*; (v) July 8, 2008 in *Kermit
Kelly, et al. v. American Cast Iron Pipe Company, et al.*; (vi) September 4, 2008 in *Wallace
Davis v. A. W. Chesterton Company, et al.*; (vii) on July 22, 2009 in *William Church, et al. v.
Asbestos Corporation, et al.*; (viii) September 29, 2009 in *Ralph Miller v. A.W. Chesterton
Company, et al.*; (ix) July 7, 2010 in *Roberta K. Echaves, et al. v. 3M Company, et al.*; (x)
October 19, 2011 in *Byron George, et al. v. Amcord, Inc., et al.*; (xi) April 23, 2012 in *Donald
Mendel v. Ameron International Corp., et al.*; (xii) September 19, 2012 in *Elizama Langer, et
al. v. 3M Company, et al.*; (xiii) February 11, 2013 in *Ernest Ornellas, et al. v. A.H. Voss
Company, et al.*; (ixv) February 15, 2013 in *John Milton Stephens, et al. v. AC and S, Inc., et*

1 *al.*; (xv) April 15, 2013 in *Marguerite Bloom, et al. v. Calportland Company, et al.*; and (xvi)
2 April 16, 2013 in *Kerry Kanonas, et al. v. Amcord, Inc., et al.*

3 **INTERROGATORY NO. 31:**

4 With respect to your answers to Interrogatory No. 30, identify any and all documents,
5 including, but not limited to, transcripts or notes of testimony, referring to, relating to or
6 reflecting the testimony of such expert witnesses or employees, directors, officers, or agents.

7 **RESPONSE:**

8 JMM incorporates herein its Preliminary Statement and General Objections and
9 further objects to this interrogatory on the following specific grounds: the interrogatory is
10 premature, vague, overbroad, overly burdensome, lacks foundation and is not reasonably
11 tailored to the facts of this case, and seeks information and documents that are not relevant
12 or reasonably calculated to lead to the discovery of admissible evidence. JMM further
13 objects to this interrogatory to the extent that it seeks information that is protected by the
14 attorney client privilege, work product doctrine or is otherwise protected.

15 **INTERROGATORY NO. 32:**

16 Has Defendant, any predecessor or any related company, ever been cited, warned, fined,
17 sanctioned or otherwise officially written up for, any violation of a federal, state or local statute,
18 law, rule, ordinance, code, administrative order, executive order, or the like, by any federal, state
19 or local governmental entity, which violation concerned asbestos in any way?

20 **RESPONSE:**

21 JMM incorporates herein its Preliminary Statement and General Objections and
22 further objects to this interrogatory on the following specific grounds: the interrogatory is
23 vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to
the facts of this case, and seeks information that is not relevant or reasonably calculated to
lead to the discovery of admissible evidence. JMM further objects to this interrogatory to
the extent that it seeks information that is protected by the attorney client privilege,
work product doctrine or is otherwise protected.

INTERROGATORY NO. 33:

If your answer to Interrogatory No. 32 is "Yes," with respect to each such violation:

- a. Identify the governmental entity issuing the citation, warning, fine, sanction or write-up;
- b. State the date of the citation, warning, fine, sanction or write-up;
- c. Describe the violation and state the date(s) during which it occurred;
- d. Identify the statute, law, rule, ordinance, code or order to which the violation related;

- e. State what, if any, specific fine, penalty, or sanction was imposed;
- f. State the date and the manner in which said violation was corrected;
- g. Identify any and all officials of Defendant, its predecessor or its related company having knowledge or notice of said violation and state the date on which said knowledge or notice was received; and,
- h. Identify any and all documents referring to, relating to or reflecting said violation.

RESPONSE:

JMM incorporates herein its Preliminary Statement and General Objections and further objects to this interrogatory on the following specific grounds: the interrogatory is vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to the facts of this case, and seeks information that is not relevant or reasonably calculated to lead to the discovery of admissible evidence. JMM further objects to this interrogatory to the extent that it seeks information that is protected by the attorney client privilege, work product doctrine or is otherwise protected.

INTERROGATORY NO. 34:

Is the defendant, any predecessor or related company, claiming any document responsive to any interrogatory or any request for production filed by Simmons Browder Gianaris Angelides & Barnard LLC as being protected from disclosure because of a privilege claimed for any reason? If yes, please list each document being claimed as protected from disclosure in a privilege log providing the date of the document, the identity of the author, what individual or entity the document was addressed to, the identity of any individuals or entities provided copies of the document, a brief description of the nature of the document, and the particular privilege claimed as shielding the document from disclosure.

RESPONSE:

JMM will identify by privilege log on a continuous basis any document it determines should be withheld on the basis of privilege.

INTERROGATORY NO. 35:

State whether this defendant has ever generated reports in compliance with the Asbestos Information Act of 1988, Pub. L. 100-577, 15 U.S.C. Section 2607, and if so for each such document, please state;

- a. The date said documents were generated and filed;
- b. The location of any copies of said reports under the control of this defendant;
- c. The location of any draft reports, memos or any other notes concerning the preparation of said reports; and
- d. The name, address and phone number of the individual having custody and control of each said report.

1 **RESPONSE:**

2 JMM incorporates herein its Preliminary Statement and General Objections and
3 further objects to this interrogatory on the following specific grounds: the interrogatory is
4 vague, overbroad, overly burdensome, and seeks information that is not relevant or
5 reasonably calculated to lead to the discovery of admissible evidence. JMM further objects
6 to this request to the extent that it seeks information that is protected by the attorney client
privilege, work product doctrine or is otherwise protected. JMM further objects to this
interrogatory to the extent that it seeks information which is a matter of public record and
which, therefore, is as equally accessible to Plaintiffs as to JMM. Subject to and without
waiving any objections, JMM states not to its knowledge.

7 **INTERROGATORY NO. 36:**

8 State whether Defendant, any related company or predecessor, sold or delivered any
9 asbestos-containing products, including, but not limited to, any asbestos-cement pipe, to Pacific
Water Works Supply Co. within the State of Washington during the years of 1983 through 1986.

10 **RESPONSE:**

11 JMM incorporates herein its Preliminary Statement and General Objections and
12 further objects to this interrogatory on the following specific grounds: the interrogatory is
13 vague, overbroad, overly burdensome, lacks foundation and is not reasonably tailored to
14 the facts of this case, and seeks information that is not relevant or reasonably calculated to
15 lead to the discovery of admissible evidence. JMM further objects to this interrogatory to
16 the extent that it seeks information that is protected by the attorney client privilege,
17 work product doctrine or is otherwise protected. Subject to and without waiving any
objections, JMM states that Plaintiffs have presented evidence that Mr. Noll worked with
and around A/C pipe supplied by Pacific Water Works Supply Co. located in Seattle,
Washington. JMM has conducted a reasonable search and diligent inquiry for information
related to Pacific Waster Works Supply Co. in Seattle, Washington and has found no
information responsive to this interrogatory.

18 **INTERROGATORY NO. 37:**

19 If your answer to the preceding interrogatory was in the affirmative, state:

- 20 a. The date any asbestos-containing products, including but not limited to any asbestos-
21 cement pipe were sold or delivered to said location(s);
22 b. The type or trade name and specifications of the asbestos-containing products,
23 including but not limited to any asbestos-cement pipe so sold or delivered;
c. The model number, serial number, part number and/or any other identifying
information of the asbestos-containing products, including but not limited to any
asbestos-cement pipe; and
d. Whether the Defendant, any related company or predecessor, at any time, gave
warnings, instructions and/or cautions regarding asbestos to the persons who would

1 be installing, servicing, or removing the asbestos-containing products, including but
2 not limited to any asbestos-cement pipe and, if so, describe the same, state to whom
3 they were given, the dates they were given, and describe the manner in which they
4 were given.

5 **RESPONSE:** Not Applicable.

6 **INTERROGATORY NO. 38:**

7 If your answer to Interrogatory No. 36 was in the affirmative, for each asbestos-
8 containing product, including but not limited to any asbestos-cement pipe, state:

- 9 a. The type of asbestos contained in the product as it was first manufactured;
10 b. The percentage of asbestos contained in the product as it was first manufactured;
11 c. Any modification to the product which altered the percentage or type of asbestos in
12 the product and the dates of such modification;
13 d. The source or supplier of asbestos in each product and/or of the asbestos-containing
14 product;
15 e. The color, physical characteristics, and appearance of each product;
16 f. Any and all other names under which the product was sold, at any time;
17 g. The number and date of each patent or patent application for each product;
18 h. If the product continued to be produced after the deletion of asbestos, all reasons why
19 the asbestos was deleted, the identity of the person(s) who made the decision to delete
20 the asbestos, and the date the product was first produced without the asbestos;
21 i. If the product is no longer produced, all reasons it was discontinued, the identity of
22 the person(s) who made the decision to discontinue the product, the brand name of
23 the replacement product, and the date the replacement product first went into
production; and
j. The reasons why asbestos was used as an ingredient in each such product.

RESPONSE:

Not Applicable.

Responses to INTERROGATORIES submitted this 30th day of July, 2013.

WILLIAMS, KASTNER, & GIBBS PLLC

By: David A. Shaw

David A. Shaw, WSBA #08788

Amanda L. Spencer, WSBA #42023

Attorneys for Defendant

J-M Manufacturing Company

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VERIFICATION

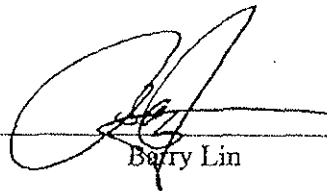
DONALD NOLL, et al. v. UNION CARBIDE CORPORATION, et al.
Cause No. 13-2-06781-1

I have read the foregoing DEFENDANT J-M MANUFACTURING COMPANY, INC.'S
OBJECTIONS AND RESPONSES TO PLAINTIFFS' INTERROGATORIES and know its
contents.

I am Special Assistant to the President of J-M MANUFACTURING COMPANY, INC.,
a party to this action, and am authorized to make this verification for and on its behalf, and I
make this verification for that reason. I am informed and believe and on that ground allege that
the matters stated in the foregoing document are true.

Executed on this 29 day of July 2013, at Los Angeles, California.

I declare under penalty of perjury under the laws of the States of California and
Washington and that the foregoing is true and correct.


Barry Lin

Please see attached for
Notarization.

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 0202

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

1. _____
 2. _____
 3. _____
 4. _____
 5. _____
 6. _____

Signature of Document Signer No. 1 _____ Signature of Document Signer No. 2 (if any) _____

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me

on this 29 day of July, 2013,
 by _____
 Date Month Year

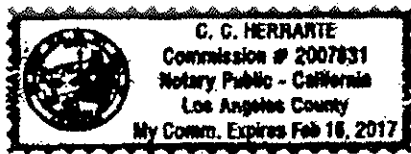
(1) Barry Lin
 Name of Signer

proved to me on the basis of satisfactory evidence
 to be the person who appeared before me (.) (X)
 (and

(2) _____
 Name of Signer

proved to me on the basis of satisfactory evidence
 to be the person who appeared before me.)

Signature [Signature]
 Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable
 to persons relying on the document and could prevent fraudulent removal
 and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Verification

Document Date: 07-25-13 Number of Pages: 1

Signer(s) Other Than Named Above: NONE

RIGHT THUMBPRINT
OF SIGNER #1

Top of thumb here

RIGHT THUMBPRINT
OF SIGNER #2

Top of thumb here

CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws of the State of Washington that on the below date, I caused to be served via email, messenger, and/or U.S. Mail, postage pre-paid, a true and correct copy of the foregoing document to the following:

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7 *Attorneys for Kaiser Gypsum Company, Inc.*

8 Signed at Seattle, Washington this 30th day of July, 2013.

9 s/Diane M. Bulis
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