

LSK&D #: 140-6031 / BDD0FB68.WPF
 SUPREME COURT OF THE STATE OF NEW YORK
 SEVENTH JUDICIAL DISTRICT

-----X
 In Re Seventh Judicial District
 Asbestos Litigation

**SEVENTH JUDICIAL DISTRICT
ASBESTOS LITIGATION**

-----X
 This Document Applies to:

SUPREME COURT OF THE STATE OF NEW YORK
 COUNTY OF ONTARIO

**ANSWERS TO PLAINTIFFS'
 SECOND SET OF
 INTERROGATORIES ON BEHALF
 OF BEAVER DAM PRODUCTS, INC.**

-----X
 ANNE M. TINKER, Executrix of the
 Estate of TIMOTHY W. TINKER, Deceased,
 and Individually as the Surviving Spouse of
 TIMOTHY W. TINKER,

Index #: 83778

Plaintiff,

-against-

A.E. CLEVITE, INC., ALLIED SIGNAL, INC., individually and as
 successor in interest to ALLIED CORPORATION, as successor
 in interest to THE BENDIX CORPORATION, BEAVER DAM
 PRODUCTS CORPORATION, formerly known as CHRYSLER
 MARINE CORPORATION, BORG-WARNER CORPORATION,
 BRIGGS-STRATTON CORPORATION, BROCKWAY, INC.,
 CARLISLE COMPANIES, INC., CATERPILLAR, INC.,
 CHRYSLER CORP., CUMMINS ENGINE COMPANY, INC.,
 DEERE & CO., INC., DETROIT DIESEL CORPORATION,
 DRESSER INDUSTRIES, INC. (WAUKESHA ENGINES DIVISION),
 FEL-PRO INCORPORATED, FORD MOTOR COMPANY,
 GARLOCK INC., GENERAL MOTORS CORPORATION,
 J.P. INDUSTRIES, INC., KENWORTH TRUCKS, KOHLER CO.,
 LIPE-ROLLWAY CORPORATION, MACK TRUCKS, INC.,
 individually and as successor in interest to BROCKWAY, INC.,
 NAVISTAR INTERNATIONAL TRANSPORTATION CORP., f/k/a
 INTERNATIONAL HARVESTER, OSHKOSH TRUCK CORP.,
 PACCAR, INC., individually and through its division,
 PETERBILT MOTORS CO., PERKINS ENGINES, INC.,
 PNEUMO ABEX CORPORATION, individually and as successor
 in interest to ABEX CORPORATION, TELEDYNE, INC.,
 W.R. GRACE & CO.-CONN., WAGNER ELECTRIC CORP.,
 WIS-CON TOTAL POWER CORP.,

Defendants.

-----X
 ALLIED SIGNAL, INC.,

Third-Party Plaintiff,

-against-

FRED M. TINKER & SONS, INC.,

Third-Party Defendant.

Defendant, BEAVER DAM PRODUCTS CORPORATION (hereinafter "Beaver Dam"), by their attorneys, LESTER SCHWAB KATZ & DWYER, hereby answer plaintiffs' Second Set of Interrogatories dated November 1, 1996 as follows:

Defendant has made a good faith and reasonable effort to respond to plaintiffs' Interrogatories, and based upon that effort, defendant submits the following objects and responses. However, defendant has not completed its investigation relating to this incident, has not completed discovery in this action and has not completed preparation for trial. Accordingly, the following responses are based upon defendant's knowledge, information and belief at this time. Defendant specifically reserves the right to amend any responses to these interrogatories. The responses are limited to the alleged exposure period of 1976 to 1980.

GENERAL OBJECTIONS

1. Defendant objects to the number of interrogatories.
2. Defendant objects to these interrogatories to the extent that terms or phrases contained therein are undefined, vague or ambiguous.
3. Defendant objects to the definitions contained in these interrogatories.
4. Defendant objects to these interrogatories to the extent that they seek information for an indefinite time period or for a time period beyond a reasonable scope of discovery appropriate to this action. Such requests are overly broad, unduly burdensome, immaterial, irrelevant, heresy, and not reasonably calculated to lead to the discovery of admissible evidence.

5. Defendant objects to these interrogatories to the extent that they seek confidential, proprietary, and/or sensitive business information, including confidential information pertaining to third-parties, disclosure of which would violate third-party privacy rights. In the event the disclosure of such information is necessary, defendant objects to such disclosure without entry of an appropriate protective order to safeguard the confidentiality of all such information.

6. Defendant objects to these interrogatories in their entirety to the extent that they seek information protected from discovery by the attorney-client privilege and/or work product doctrine and/or any other privilege.

7. Defendant objects to these interrogatories to the extent that they exceed the scope of discovery permitted under New York CPLR.

8. The production of any document and response to plaintiff's interrogatories and requests to produce is made without waiving any objections defendant may have with respect to the admissibility of any information or a portion thereof. These general objections are continued and therefore applicable to each of the following interrogatories contained in plaintiff's interrogatories and requests to produce, subject to and without waiving the foregoing objections, and to the extent defendant understands each of the individual interrogatories, defendant, Beaver Dam, hereby submits its responses to plaintiff's Second Set of Interrogatories as follows:

INTERROGATORIES

1. DATA SOURCES

- A. Identify each person with whom you consulted or who provided information used in answering these Interrogatories and specify the Interrogatory for which information was given.

B. Identify each person's:

- (1) Address;
- (2) Position with the Defendant.

RESPONSE: I, Donald Berchem, answered these interrogatories with the assistance of Peter Askins, Julie Koslowski, and Thomas J. Force, Esq. Mr. Askins was Sales Manager for Beaver Dam/Acustar, Inc. from 1989-1994. I had worked at Beaver Dam as Vice President of Engineering from approximately 1983 to 1986, and Plant Manager from 1986 to 1994. From 1964 to 1980, I worked in the Engineering Department at Chrysler Marine Corporation and, in this capacity, have obtained knowledge of the business practices of Beaver Dam Products prior to 1983. From 1964 to 1980, I visited the Beaver Dam plant located in Beaver Dam, Wisconsin at least once per week and was in contact with the Plant on a daily basis by telephone. From 1976 to 1980, Beaver Dam operated a machining plant that manufactured component marine parts for outboard boat motors. The parts were used solely by Chrysler Marine Corporation.

Beaver Dam has never manufactured or distributed automobile friction parts such as brakes, clutch assemblies or gasket materials. Beaver Dam did not manufacture or distribute asbestos-containing products.

2. PURCHASE OF ASBESTOS COMPONENT PARTS

List the name, principal place of business of every manufacturer or remanufacturer, and years from whom you purchased the following asbestos-containing component parts for any of your vehicles (except automobiles) or engines during the years 1970-1980.

- A. any clutch products, including, but not limited to, clutches, clutch assemblies and clutch facings;
- B. any brake products, including, but not limited to, brake shoes and brake linings, brake assemblies, or brake pads; and

- C. gaskets.

RESPONSE: Beaver Dam Corporation did not manufacturer or re-manufacture asbestos-containing products. From 1976 to 1980, Beaver Dam operated a machining plant that manufactured component marine parts for outboard boat motors. The parts were used solely by Chrshler Marine Corporation. Beaver Dam has never manufactured or distributed automobile friction parts, such as brakes, clutch assemblies, or gasket materials. Beaver Dam did not manufacture or distribute asbestos-containing products.

3. MANUFACTURE OF ASBESTOS COMPONENT PARTS

State whether and what years defendant manufactured or remanufactured any of the following asbestos-containing parts for any of your vehicles (except automobiles) or engines during the years 1970 - 1980.

- A. any clutch products, including, but not limited to, clutches, clutch assemblies and clutch facings;
- B. any brake products, including, but not limited to, brake shoes and brake linings, brake assemblies, or brake pads; and
- C. gaskets.

RESPONSE: Beaver Dam did not manufacture or re-manufacture clutch products or gaskets containing asbestos.

4. SALE OF ASBESTOS COMPONENT PARTS

State whether Defendant sold any of the asbestos-containing component parts during the years 1970 - 1980 listed in Interrogatory No. 2, either directly or through any of your agents or independent dealers.

If so, state: (1) which component parts you or your agents or independent dealers sold, (2) state the years these component parts were sold, and (3) the trade name(s) under which the component parts were sold.

RESPONSE: See Interrogatory Response No. "2".

5. MANUFACTURE OF VEHICLES/ENGINES CONTAINING ASBESTOS COMPONENT PARTS

Has Defendant engaged from 1970 through 1980 in the manufacture or remanufacture of any vehicle (except automobiles) or engine containing any of the asbestos component parts listed in Interrogatory No. 2? If so, state:

- A. Which asbestos-containing part;
- B. The amount of asbestos (%) and fiber type;
- C. The years during which such activity took place; and
- D. If such activity was terminated, the reason why.

RESPONSE: Beaver Dam has not engaged in the manufacture or re-manufacture of any vehicle or engine containing asbestos component parts from 1970 to 1980.

6. SALE OF VEHICLES/ENGINES CONTAINING ASBESTOS COMPONENT PARTS

Has Defendant engaged from 1970 through 1980 in the sale of any vehicles (except automobiles) or engines containing any of the asbestos component parts listed in Interrogatory No. 2? If so, state:

- A. Which asbestos-containing part;
- B. The amount of asbestos (%) and fiber type;
- C. The date such activity began; and
- D. The date when such activity was terminated.

RESPONSE: Beaver Dam has not engaged in the sale of any vehicle or engine containing asbestos component parts for 1970 to 1980.

7. RELABELLING OF ASBESTOS COMPONENT PARTS

Has Defendant from 1970 through engaged in the relabelling or rebranding of any of the asbestos component parts listed in Interrogatory No. 2 manufactured in whole or in part by an unrelated business entity: If so, state:

- A. Which asbestos-containing part;
- B. The name of the unrelated business entity which manufactured the component part;
- C. The component part's original trade and/or brand name;

- D. Who performed the physical relabelling or rebranding and where it was accomplished;
- E. The years during which such activity took place;
- F. The brand name and/or trade name after the product was rebranded;
- G. The amount of asbestos (%) and fiber type; and
- H. Whether the rebranded or relabelled parts were ever placed in any of the Defendant's vehicles or engines.

RESPONSE: No. See Interrogatory Response No. "2".

8. TESTING

Were any tests conducted on any asbestos-containing component parts identified in Interrogatory Nos. 2, 3, 4, 5, 6 or 7 to determine:

- A. Identify each individual or firm who conducted such tests;
- B. The date, purpose, and result of each such test; and
- C. Identify and produce all documents relating to such tests.

RESPONSE: No. See Interrogatory Response No. "2", "3", "4", "5", "6", and "7".

9. WARNING/DESCRIPTION

For each of the component parts listed in Interrogatory No. 2 which contained asbestos and which were placed in your vehicles (except automobiles) or engines during the period between 1970-80, state whether you placed any caution, warning or hazard statement or explanation involving asbestos on either the component part, the vehicle or engine in which the component part was placed.

If so, provide as to each component part the following information as to the caution, warning or hazard statement:

- A. Its precise wording;
- B. Where was it located on the product, packaging, and what was the size and color of the lettering.
- C. Has the wording or its presentation ever been altered, and if so, how and when?
- D. The years during which each version of a caution, warning or hazard statement appeared on each component part; and
- E. Identify all documents relating to the warning.

RESPONSE: Not applicable. See Interrogatory Response No. "2".

10. WARNING/INSERT

If you sold or resold any of the component parts listed in Interrogatory No. 2 which contained asbestos, either directly or through any of your independent dealers, did you ever place any form of package insert or informative brochure in the container accompanying the component part explaining the hazards of asbestos?

- A. When was it first placed in containers and for what years thereafter;
- B. What products had the insert or brochure included;
- C. Provide a verbatim statement of the insert; and
- D. Identify all documents relating to the warning.

RESPONSE: Not applicable. See Interrogatory Response No. "2".

11. WARNING/MASK

If you sold or manufactured any asbestos containing component parts listed in Interrogatory No. 4 and/or 5, did you ever place any form of disposable face masks or respirator in a container for later use by persons who would handle and/or be exposed to such parts? If so, please state:

- A. The parts covered by the practice;
- B. The year this practice began and the years it was implemented; and
- C. Describe the type of face masks or respirator included in the container.

RESPONSE: Not applicable. See Interrogatory Response No. "2".

Dated: New York, New York
April 11, 1997

TO:

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SUPREME COURT OF THE STATE OF NEW YORK
SEVENTH JUDICIAL DISTRICT

In Re Seventh Judicial District
Asbestos Litigation

SEVENTH JUDICIAL DISTRICT
ASBESTOS LITIGATION

This Document Applies to:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ONTARIO

AFFIDAVIT

ANNE M. TINKER, Executrix of the
Estate of TIMOTHY W. TINKER, Deceased,
and Individually as the Surviving Spouse of
TIMOTHY W. TINKER,

Index #: 83778

Plaintiff,

-against-

A.E. CLEVITE, INC., ALLIED SIGNAL, INC., individually and as
successor in interest to ALLIED CORPORATION, as successor
in interest to THE BENDIX CORPORATION, BEAVER DAM
PRODUCTS CORPORATION, formerly known as CHRYSLER
MARINE CORPORATION, BORG-WARNER CORPORATION,
BRIGGS-STRATTON CORPORATION, BROCKWAY, INC.,
CARLISLE COMPANIES, INC., CATERPILLAR, INC.,
CHRYSLER CORP., CUMMINS ENGINE COMPANY, INC.,
DEERE & CO., INC., DETROIT DIESEL CORPORATION,
DRESSER INDUSTRIES, INC. (WAUKESHA ENGINES DIVISION),
FEL-PRO INCORPORATED, FORD MOTOR COMPANY,
GARLOCK INC., GENERAL MOTORS CORPORATION,
J.P. INDUSTRIES, INC., KENWORTH TRUCKS, KOHLER CO.,
LIPE-ROLLWAY CORPORATION, MACK TRUCKS, INC.,
individually and as successor in interest to BROCKWAY, INC.,
NAVISTAR INTERNATIONAL TRANSPORTATION CORP., f/k/a
INTERNATIONAL HARVESTER, OSHKOSH TRUCK CORP.,
PACCAR, INC., individually and through its division,
PETERBILT MOTORS CO., PERKINS ENGINES, INC.,
PNEUMO ABEX CORPORATION, individually and as successor
in interest to ABEX CORPORATION, TELEDYNE, INC.,
W.R. GRACE & CO.-CONN., WAGNER ELECTRIC CORP.,
WIS-CON TOTAL POWER CORP.,

Defendants.

ALLIED SIGNAL, INC.,

Third-Party Plaintiff,

-against-

FRED M. TINKER & SONS, INC.,

Third-Party Defendant.

STATE OF)
) ss:
COUNTY OF)

I, Donald Berchem, who being duly sworn according to the law, deposes and says that he was Sales Manager for Beaver Dam Corporation from 1989 - 1994 and, as such, is duly authorized to execute this Affidavit on behalf of Beaver Dam Corporation and that the facts set forth in the foregoing Responses to Plaintiffs' Second Set of Interrogatories are true and correct to the best of his knowledge, information and belief.

Dated: _____, Wisconsin
_____, 1997

DONALD BERCHEM

Sworn to and subscribed
before me this _____ day
of _____, 1997.

NOTARY PUBLIC.

LSK&D #: 140-6031 / BDD0FB68.WPF
SUPREME COURT OF THE STATE OF NEW YORK
SEVENTH JUDICIAL DISTRICT

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In Re Seventh Judicial District
Asbestos Litigation

**SEVENTH JUDICIAL DISTRICT
ASBESTOS LITIGATION**

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This Document Applies to:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ONTARIO

**ANSWERS TO PLAINTIFFS'
SECOND SET OF
INTERROGATORIES ON BEHALF
OF BEAVER DAM PRODUCTS, INC.**

-----X
ANNE M. TINKER, Executrix of the
Estate of TIMOTHY W. TINKER, Deceased,
and Individually as the Surviving Spouse of
TIMOTHY W. TINKER,

Index #: 83778

Plaintiff,

-against-

A.E. CLEVITE, INC., ET AL.,

Defendants.

-----X
ALLIED SIGNAL, INC.,

Third-Party Plaintiff,

-against-

FRED M. TINKER & SONS, INC.,

Third-Party Defendant.

-----X

LESTER SCHWAB KATZ & DWYER
ATTORNEYS FOR **BEAVER DAM PRODUCTS CORPORATION**

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SUPREME COURT OF THE STATE OF NEW YORK
SEVENTH JUDICIAL DISTRICT

In Re Seventh Judicial District
Asbestos Litigation

SEVENTH JUDICIAL DISTRICT
ASBESTOS LITIGATION

This Document Applies to:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ONTARIO

ANNE M. TINKER, Executrix of the
Estate of TIMOTHY W. TINKER, Deceased,
and Individually as the Surviving
Spouse of TIMOTHY W. TINKER,

Plaintiff, CASE NO. 83778

vs.

A.E. CLEVITE, INC.;
et al.,

Defendants.

PLAINTIFF'S SECOND SET OF INTERROGATORIES
[VEHICLE AND ENGINE INTERROGATORIES/PRODUCT DEFENDANTS]

TO: Cynthia Weiss Antonucci, Esq.
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Respectfully submitted,

MICHAEL A. PONTERIO, ESQ.
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ATTORNEYS FOR PLAINTIFF
Office & Post Office Address
135 Delaware Avenue
Suite 506
Buffalo, NY 14202-2410
(716) 849-0701

DATED: July __, 1996
Buffalo, New York

INSTRUCTIONS

INTERROGATORIES ARE CONTINUING IN NATURE

These Interrogatories shall be deemed continuing and supplemental responses shall be required promptly if the Defendant directly or indirectly obtains further information.

Pursuant to Civil Practice Law and Rules Section 3132, the Plaintiff demands that the Defendant hereby respond under oath to Plaintiff's Second Set of Interrogatories [Vehicle & Engine Interrogatories/Product Defendants] within sixty (60) days of the service of these documents.

DEFINITIONS

As used in these interrogatories, the following words and terms shall mean and include the following:

1. "Plaintiff" means TIM and ANN TINKER.
2. "Defendant" or any synonym thereof means the defendant corporation answering these interrogatories, as well as all, divisions, predecessors-in-interest, subsidiaries, agents, servants and employees, officers, executives, directors, private investigators, attorneys, representatives or others who are in possession of or who may have obtained information or knowledge for or on behalf of the defendant.
3. "You" or "Your" unless otherwise specified means the responding defendant. Present tense should be construed as also including past tense.
4. "Predecessor" means any corporation, entity, or assets at any time acquired or possessed by the defendant through any means including merger, consolidation, stock purchase, asset purchase, assumption, etc.
5. "Produce" means attach, make available or authorize the obtaining of any materials or documents requested to be produced for the purpose of inspection and/or copying.
6. "Associated Business Entity" or "Business entity associated with you" means any business entity that is and/or was a predecessor in interest, a division and/or a subsidiary of the answering Defendant.
7. "Vehicle" means all vehicles except automobiles.
8. "Component part," as used in these Interrogatories, means: (a) any brake products, including but not limited to brake shoes and brake linings, brake pads and brake assemblies;

(b) clutch products including but not limited to clutches or clutch facings; and (c) gaskets.

9. "Remanufacturer" means any entity which reassembles, rebuilds, or reconstructs any vehicle or engine manufactured by another entity.

10. "Manufacturer of vehicles containing asbestos" means any entity that assembles, puts together, or manufactures any vehicle which contains asbestos or which contains component parts which contain asbestos, regardless of whether that entity actually designs, assembles, or puts together the component part itself, or which in any way processes or packages vehicles containing component parts containing asbestos.

11. "Manufacturer of engines containing asbestos" means any entity that assembles, puts together, or manufactures any engine which contains asbestos or which contains component parts which contain asbestos, regardless of whether that entity actually designs, assembles, or puts together the component part itself, or which in any way processes or packages engines containing component parts containing asbestos.

12. "Distributor of vehicles containing asbestos" means any entity which ships or in any way directs shipments of vehicles containing component parts containing asbestos.

13. "Distributor of engines containing asbestos" means any entity which ships or in any way directs shipments of engines containing component parts containing asbestos.

PLAINTIFF'S SECOND SET OF INTERROGATORIES
[VEHICLE & ENGINE INTERROGATORIES/PRODUCT DEFENDANTS]

1. DATA SOURCES

A. Identify each person with whom you consulted or who provided information used in answering these Interrogatories and specify the Interrogatory for which information was given.

B. Identify each person's:

- (1) Address;
- (2) Position with the Defendant.

2. PURCHASE OF ASBESTOS COMPONENT PARTS

List the name, principal place of business of every manufacturer or remanufacturer, and years from whom you purchased the following asbestos-containing component parts for any of your vehicles (except automobiles) or engines during the years 1970-1980.

- A. any clutch products, including but not limited to clutches, clutch assemblies and clutch facings
- B. any brake products, including, but not limited to brake shoes and brake linings, brake assemblies, or brake pads
- C. gaskets

3. MANUFACTURE OF ASBESTOS COMPONENT PARTS

State whether and what years Defendant manufactured or remanufactured any of the following asbestos-containing parts for any of your vehicles (except automobiles) or engines during the years 1970-1980.

- A. any clutch products, including but not limited to clutches, clutch assemblies and clutch facings
- B. any brake products, including, but not limited to brake shoes and brake linings, brake assemblies, or brake pads

C. gaskets

4. **SALE OF ASBESTOS COMPONENT PARTS**

State whether Defendant sold any of the asbestos-containing component parts during the years 1970-1980 listed in Interrogatory No. 2, either directly or through any of your agents or independent dealers.

If so, state: (1) which component parts you or your agents or independent dealers sold, (2) state the years these component parts were sold, and (3) the trade name(s) under which the component parts were sold.

5. **MANUFACTURE OF VEHICLES/ENGINES CONTAINING ASBESTOS COMPONENT PARTS**

Has Defendant engaged from 1970 through 1980 in the manufacture or remanufacture of any vehicle (except automobiles) or engine containing any of the asbestos component parts listed in Interrogatory No. 2? If so, state:

- A. Which asbestos-containing part;
- B. The amount of asbestos (%) and fiber type.
- C. The years during which such activity took place;
- D. If such activity was terminated, the reason why.

6. **SALE OF VEHICLES/ENGINES CONTAINING ASBESTOS COMPONENT PARTS**

Has Defendant engaged from 1970 through 1980 in the sale of any vehicles (except automobiles) or engines containing any of the asbestos component parts listed in Interrogatory No. 2? If so, state:

- A. Which asbestos-containing part;
- B. The amount of asbestos (%) and fiber type.
- C. The date such activity began;

- D. The date when such activity was terminated.

7. RELABELLING OF ASBESTOS COMPONENT PARTS

Has Defendant from 1970 through 1980 engaged in the relabelling or rebranding of any of the asbestos component parts listed in Interrogatory No. 2 manufactured in whole or in part by an unrelated business entity? If so, state:

- A. Which asbestos-containing part;
- B. The name of the unrelated business entity which manufactured the component part;
- C. The component part's original trade and/or brand name;
- D. Who performed the physical relabelling or rebranding and where it was accomplished;
- E. The years during which such activity took place;
- F. The brand name and/or trade name after the product was rebranded;
- G. The amount of asbestos (%) and fiber type;
- H. Whether the rebranded or relabelled parts were ever placed in any of the Defendant's vehicles or engines.

8. TESTING

Were any tests conducted on any asbestos-containing component parts identified in Interrogatory No. 2, 3, 4, 5, 6, or 7 to determine:

- A. The identify of each individual or firm who conducted such tests;
- B. The date, purpose, and result of each such test;
- C. Identify and produce all documents relating to such tests.

9. WARNING/DESCRIPTION

For each of the component parts listed in Interrogatory No. 2 which contained asbestos and which were placed in your vehicles (except automobiles) or engines during the period between 1970-80, state whether you placed any caution, warning or hazard statement or explanation involving asbestos on either the component part, the vehicle or engine in which the component part was placed.

If so, provide as to each component part the following information as to the caution, warning or hazard statement:

- A. Its precise wording;
- B. Where was it located on the product, packaging, and what was the size and color of the lettering.
- C. Has the wording or its presentation ever been altered, and if so, how and when;
- D. The years during which each version of a caution, warning or hazard statement appeared on each component part;
- E. Identify all documents relating to the warning.

10. WARNING/INSERT

If you sold or resold any of the component parts listed in Interrogatory No. 2 which contained asbestos, either directly or through any of your independent dealers, did you ever place any form of package insert or informative brochure in the container accompanying the component part explaining the hazards of asbestos?

If so, state as to each such insert or brochure:

- A. When was it first placed in containers and for what years thereafter;
- B. What products had the insert or brochure included;
- C. Provide a verbatim statement of the insert;
- D. Identify all documents relating to the warning.

11. WARNING/MASK

If you sold or manufactured any asbestos containing component parts listed in Interrogatory No. 4 and/or 5, did you ever place any form of disposable face mask or respirator in a container for later use by persons who would handle and/or be exposed to such parts? If so, please state:

- A. The parts covered by the practice;
- B. The year this practice began and the years it was implemented;
- C. Describe the type of face mask or respirator included in the container.

STATE OF _____:

COUNTY OF _____:

BEFORE ME, a Notary Public, personally appeared _____
_____, who being duly sworn according to law deposes
and says that he/she is the _____, of _____
_____, and that he/she is authorized to make this
affidavit on its behalf, and that the facts contained in the
foregoing Answers to Plaintiff's Second Set of Interrogatories
are true and correct to the best of his/her knowledge and belief.

SWORN TO AND SUBSCRIBED
before me this _____ day
of _____, 1996.

NOTARY PUBLIC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document, "Plaintiff's Second Set of Interrogatories [Vehicle & Engine Interrogatories/Product Defendants]," was served on the counsel of record listed below by regular U.S. Mail on the ____ day of July, 1996.

TO: Cynthia Weiss Antonucci, Esq.
Lester, Schwab, Katz & Dwyer
Attorneys for Defendant BEAVER DAM PRODUCTS CORPORATION
120 Broadway
38th Floor
New York, NY 10271-0071

MICHAEL A. PONTERIO
ATTORNEY FOR PLAINTIFF