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GENERAL CABLE CORPORATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SOLANO

IN RE: SOLANO COMPLEX ASBESTOS) No. 2830
LITIGATION)
GENERAL CABLE'S RESPONSES
TO PLAINTIFFS' STANDARD
INTERROGATORIES

General Cable Corporation responds to plaintiffs' standard interrogatories in conjunction with Fontella Thomas, et al. v. Abex Corp., et al., Solano County Superior Court Case No. 22089.

I. PRELIMINARY STATEMENT

General Cable Corporation ("General Cable") was incorporated in New Jersey in 1902 for the purpose of manufacturing wire and cable products. What later came to be known as its Power and Control Operation manufactured substantially all of its products containing asbestos. The Power and Control Operation, including its plants, employees, and research facilities, was sold to Pirelli Cable Corporation on March 31, 1978. Documents relating to the Power and Control Operation were also sold to the buyer.

1 Following a series of acquisitions and divestitures,
2 General Cable Corporation changed its name to GK Technologies on
3 April 25, 1979. Thereafter, GK Technologies was merged into a
4 1981 New Jersey corporation as part of a tax reorganization.
5 Immediately following the merger, the surviving corporation
6 changed its name to GK Technologies, Incorporated.

7 At the time of the name change in 1979, a Delaware
8 Corporation named General Cable Corporation was created to
9 protect the General Cable name. The Defendant named in this
10 action, the Delaware General Cable Corporation, has never
11 manufactured products containing asbestos.

12 Without waiving any right or objection, these answers
13 are made upon information and belief with respect to the products
14 manufactured by the former Power and Control Operation of General
15 Cable Corporation, now named GK Technologies, Incorporated. For
16 purposes of these interrogatories the name General Cable is
17 intended to refer to the original 1902 New Jersey corporation
18 prior to its name change.

19
20 II. GENERAL OBJECTIONS

21 Defendant General Cable objects to plaintiffs' entire
22 set of interrogatories on the basis that the interrogatories
23 conflict with the provisions of the Code of Civil Procedure and
24 therefore are unenforceable as beyond the court's jurisdiction.
25 Code of Civil Procedure section 2030 sets forth the legislature's
26 governing provisions pertaining to interrogatories, and absent a
27 subsequent legislative enactment, cannot be overruled by a local
28 court rule. See Shadle v. City of Corona, 96 Cal.App.3d 173, 177

1 (1979) (where local rule conflicts with the Code of Civil
2 Procedure, then legislative enactment prevails as higher form of
3 law); Government Code section 68070.

4 Defendant General Cable further objects to plaintiffs'
5 entire set of interrogatories on the basis that General Cable
6 never received notice of an application for consolidated
7 discovery, was never provided an opportunity to appear at any
8 hearing on the motion for an order consolidating discovery and
9 has had no opportunity to be heard whatsoever with regard to that
10 order or to the form of discovery propounded under it. In
11 addition, General Cable has never stipulated to adoption of these
12 interrogatories by the Solano Superior Court. As such, General
13 Cable asserts that any obligation to respond to plaintiffs'
14 standard interrogatories is unenforceable under the Code of Civil
15 Procedure and is a denial of due process of law.

16 General Cable further objects to plaintiffs' entire set
17 of interrogatories on the basis that it exceeds the scope of
18 permissive discovery set forth in Code of Civil Procedure
19 section 2030 and is not accompanied by a declaration for
20 additional discovery. In addition, General Cable objects to
21 these interrogatories as not in compliance with Code of Civil
22 Procedure section 2030 because they are compound, disjunctive and
23 contain impermissive subparts. In addition, General Cable
24 objects to these interrogatories as overly broad and therefore
25 burdensome and oppressive. These interrogatories request
26 detailed information not reasonably calculated to lead to
27 admissible evidence, and which falls outside the scope of

28

1 Fontella Thomas, et al. v. Abex Corp., et al., Solano County
2 Superior Court Case No. V22089.
3

4 III. SPECIFIC RESPONSES AND OBJECTIONS

5 Without waiving the foregoing objections, General Cable
6 responds as follows:
7

8 INTERROGATORY NO. 1:

9 With respect to the individual verifying these answers on
10 your behalf, state the following:

- 11 a. their name;
- 12 b. their present business address;
- 13 c. their present job title;
- 14 d. their date of first employment with you, and the dates
15 and titles of each job position they have held while they were
16 employed by you.

17 ANSWER:

18 General Cable objects to this interrogatory on the
19 grounds that it is compound, disjunctive, contains impermissive
20 subparts and contains terms not defined in the question. Without
21 waiving the foregoing objections, General Cable responds as
22 follows:

- 23 a. Gerald Magarik
- 24 b. One Cragwood Road, S. Plainfield, NJ 07080
- 25 c. Director of Environmental Affairs
- 26 d. 7/2/79 - GK Technologies - Manager, Safety Program
27 1/28/80 - General Cable Company - Manager, Safety
28 & Health

1 12/12/83 - General Cable Company - Manager,
2 Safety/Health & Environmental Affairs
3 12/8/86 - Penn Central Telecommunications - Risk
4 Manager
5 7/3/89 - Penn Central Telecommunications -
6 Director of Risk Management and Environmental
7 Affairs
8 1/1/90 - Penn Central Corporation - Director of
9 Environmental Affairs

10 INTERROGATORY NO. 2:

11 State whether YOU are a corporation. If so, state:

- 12 a. YOUR full corporate name;
13 b. the state of incorporation;
14 c. the date of incorporation;
15 d. the address of YOUR principal place of business;
16 e. if YOU are wholly-owned or if more than five (5)
17 percent of the ownership interest of YOUR COMPANY is owned by
18 another business entity, state that entity's name and principal
19 place of business.

20 ANSWER:

21 General Cable objects to this interrogatory on the
22 grounds that it is compound, disjunctive, contains impermissive
23 subparts and contains terms not defined in the question. Without
24 waiving the foregoing objections, General Cable responds as
25 follows:

- 26 a.-d. Please see the preliminary statement.
27 e. The G.K. Technologies, Incorporated (New Jersey)

28 / / /

1 INTERROGATORY NO. 3:

2 Has THIS DEFENDANT ever been identified, know, or done
3 business under any other name? If so, please state such name or
4 names and the time period during which THIS DEFENDANT was so
5 known or identified.

6 ANSWER:

7 General Cable objects to this interrogatory on the
8 grounds that it is compound, disjunctive, contains impermissive
9 subparts and contains terms not defined in the question. Without
10 waiving the foregoing objections, General Cable responds as
11 follows:

12 Please see the preliminary statement.

13 INTERROGATORY NO. 4

14 State whether YOU have ever been registered or qualified to
15 do business in the State of California. If so, state the date
16 YOU became qualified to conduct business in the State of
17 California.

18 ANSWER:

19 General Cable objects to this interrogatory on the
20 grounds that it is compound, disjunctive, contains impermissive
21 subparts and contains terms not defined in the question. Without
22 waiving the foregoing objections, General Cable responds as
23 follows:

24 This information is equally available to plaintiffs by
25 inquiry to the California Secretary of State.

26 INTERROGATORY NO. 5

27 Does THIS DEFENDANT currently have, or has THIS DEFENDANT
28 had a department, division, subdivision, branch or group

1 responsible for the design, development, manufacture, testing and
2 use of ASBESTOS-CONTAINING PRODUCT(S)? If so, state:

3 a. the name of each present or former corporate
4 department, division, subdivision, branch or group;

5 b. the IDENTITY of the person most knowledgeable about
6 such department, division, subdivision, branch or group.

7 ANSWER:

8 General Cable objects to this interrogatory on the
9 grounds that it is compound, disjunctive, contains impermissive
10 subparts and contains terms not defined in the question. General
11 Cable further objects to this interrogatory as overly broad and
12 therefore burdensome and oppressive. Without waiving the
13 foregoing objections, General Cable responds that it never had a
14 department specifically for the "design, development,
15 manufacture, testing and use of asbestos-containing products."

16 INTERROGATORY NO. 6:

17 Has THIS DEFENDANT engaged in the MARKETing of ASBESTOS-
18 CONTAINING PRODUCT(S) comprised in whole or in part of amosite
19 asbestos fibers? If so, please state:

20 a. the trade, brand name and/or generic name of each type
21 of product;

22 b. the date(s) THIS DEFENDANT first MARKETed each type of
23 product;

24 c. the date(s) THIS DEFENDANT ceased MARKETing each type
25 of product;

26 d. a general description of the chemical composition of
27 each type of product, including:

28

- 1 (i) the type(s) and/or grade(s) of RAW ASBESTOS FIBER
2 contained in each type of product;
- 3 (ii) the quantitative percentage of the type(s) of RAW
4 ASBESTOS FIBER in each type of product;
- 5 (iii) any change(s) in the quantitative percentages of
6 the type(s) of RAW ASBESTOS FIBER in each type of product;
- 7 e. the NATURE of each type of product;
- 8 f. a description of any wording, markings and/or logo on
9 each type of product;
- 10 g. the recommended use(s) of each type of product,
11 including temperature limits;
- 12 h. the name(s) of the manufacturer(s) of each type of
13 product;
- 14 i. the name(s) and address(es) of the supplier(s) of the
15 amosite asbestos fiber used in each type of product;
- 16 j. the IDENTITY of the person(s) most knowledgeable
17 concerning the purchase of amosite asbestos fiber by THIS
18 DEFENDANT.

19 ANSWER:

20 General Cable objects to this interrogatory on the
21 grounds that it is compound, disjunctive, contains impermissive
22 subparts and contains terms not defined in the question. General
23 Cable further objects to this interrogatory as overly broad and
24 therefore burdensome and oppressive. These interrogatories
25 request detailed information not reasonably calculated to lead to
26 the discovery of admissible evidence and which falls outside the
27 scope of this litigation. Without waiving the foregoing
28 objections, General Cable responds as follows: No.

1 INTERROGATORY NO. 7

2 Has THIS DEFENDANT engaged in the MARKETing of amosite
3 asbestos fiber? If so, please state:

4 a. the name and location of each amosite asbestos mine
5 which THIS DEFENDANT presently operates, has operated, or in
6 which THIS DEFENDANT has or had an ownership interest, including
7 the dates of such ownership, and the grade of amosite asbestos
8 fiber mined;

9 b. the date(s) THIS DEFENDANT first MARKETed amosite
10 asbestos fiber;

11 c. the date(s) THIS DEFENDANT ceased MARKETing amosite
12 asbestos fiber;

13 d. the grade(s) of such amosite asbestos fiber MARKETed by
14 THIS DEFENDANT.

15 ANSWER:

16 General Cable objects to this interrogatory on the
17 grounds that it is compound, disjunctive, contains impermissive
18 subparts and contains terms not defined in the question. General
19 Cable further objects to this interrogatory as overly broad and
20 therefore burdensome and oppressive. These interrogatories
21 request detailed information not reasonably calculated to lead to
22 the discovery of admissible evidence and which falls outside the
23 scope of this litigation. Without waiving the foregoing
24 objections, General Cable responds as follows: No.

25 INTERROGATORY NO. 8

26 Has THIS DEFENDANT engaged in the MARKETing of ASBESTOS-
27 CONTAINING PRODUCTS comprised in whole or in part of chrysotile
28 asbestos fiber? If so, please state:

- 1 a. the trade, brand name and/or generic name of each type
2 of product;
- 3 b. the date(s) THIS DEFENDANT ceased MARKETed each type of
4 product;
- 5 c. the date(s) THIS DEFENDANT ceased MARKETing each type
6 of product;
- 7 d. a general description of the chemical composition of
8 each type of product, including:
- 9 (i) the type(s) and grade(s) of asbestos fiber
10 contained in each type of product;
- 11 (ii) the quantitative percentage of the types of
12 asbestos fiber in each type of product;
- 13 (iii) any change(s) in the quantitative percentages of
14 the type(s) of asbestos fiber in each type of product;
- 15 e. the NATURE of each type of product;
- 16 f. a description of any wording, marketing, and/or logo on
17 each type of product;
- 18 g. the recommended use(s) of each type of product,
19 including temperature limits;
- 20 h. the name of the manufacturer of each type of product;
- 21 i. the name(s) and address(es) of the supplier(s) of the
22 chrysotile asbestos fiber used in each type of product;
- 23 j. the IDENTITY of the person(s) most knowledgeable
24 concerning the purchase of chrysotile asbestos fiber by THIS
25 DEFENDANT.

26 ANSWER:

27 General Cable objects to this interrogatory on the
28 grounds that it is compound, disjunctive, contains impermissive

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1 subparts and contains terms not defined in the question. General
2 Cable further objects to this interrogatory as overly broad and
3 therefore burdensome and oppressive. These interrogatories
4 request detailed information not reasonably calculated to lead to
5 the discovery of admissible evidence and which falls outside the
6 scope of this litigation. Without waiving the foregoing
7 objections, General Cable responds as follows: Yes.

- 8 a. Electrical wire and cable;
- 9 b. Unknown;
- 10 c. Unknown.
- 11 d. To the best of its knowledge, the only type of
12 asbestos utilized in General Cable wire and cable
13 that contained asbestos was chrysotile asbestos
14 fibers.
- 15 e. Electrical wire and cable.
- 16 f. No markings appeared on the wire and cable.
- 17 g. The conducting of electrical current.
- 18 h. General Cable Corporation.
- 19 i. Harco, Raybestos-Manhattan and possibly Johns-
20 Manville.
- 21 j. Currently unknown but discovery is continuing.

22 INTERROGATORY NO. 9:

23 Has THIS DEFENDANT engaged in the MARKETING of chrysotile
24 asbestos fiber? If so, please state:

- 25 a. the name of location of each chrysotile asbestos mine
26 which THIS DEFENDANT presently operates, has operated, or in
27 which THIS DEFENDANT has or had an ownership interest, including

1 dates of such ownership, and the grade of chrysotile asbestos
2 fiber mined;
3 b. the date(s) THIS DEFENDANT first MARKETed chrysotile
4 asbestos fiber;
5 c. the date(s) THIS DEFENDANT ceased MARKETing chrysotile
6 asbestos fiber;
7 d. the grade(s) of such chrysotile asbestos fiber MARKETed
8 by THIS DEFENDANT;
9 e. the recommended use(s) of each grade of such chrysotile
10 asbestos fiber, including temperature limits;
11 f. the name(s) and address(es) of the suppliers(s) of
12 chrysotile asbestos fiber to THIS DEFENDANT.

13 ANSWER:

14 General Cable objects to this interrogatory on the
15 grounds that it is compound, disjunctive, contains impermissive
16 subparts and contains terms not defined in the question. General
17 Cable further objects to this interrogatory as overly broad and
18 therefore burdensome and oppressive. These interrogatories
19 request detailed information not reasonably calculated to lead to
20 the discovery of admissible evidence and which falls outside the
21 scope of this litigation. Without waiving the foregoing
22 objections, General Cable responds as follows: No.

23 INTERROGATORY NO. 10:

24 Has this defendant engaged in the MARKETing of ASBESTOS-
25 CONTAINING PRODUCTS comprised in whole or in part of crocidolite
26 asbestos fiber? If so, please state:

27 a. the trade, brand name and/or generic name of each type
28 of product;

- 1 b. the date(s) THIS DEFENDANT first MARKETed each type of
2 product;
3 c. the date(s) THIS DEFENDANT ceased MARKETing each type
4 of product;
5 d. a general description of the chemical composition of
6 each type of product, including:
7 (i) the type(s) and grade(s) of asbestos fiber
8 contained in each type of product;
9 (ii) the quantitative percentage of the type(s) of
10 fiber in each type of product;
11 (iii) any change(s) in the quantitative percentages of
12 the type(s) of asbestos fiber in each type of product;
13 e. the NATURE of each type of product;
14 f. a description of any wording, markings and/or logo on
15 each type of product;
16 g. the recommended use(s) of each type of product,
17 including temperature limits;
18 h. the name of the manufacturer of each type of product;
19 i. the name(s) and address(es) of the supplier(s) of the
20 crocidolite asbestos fiber used in each type of product;
21 j. the IDENTITY of the person(s) most knowledgeable
22 concerning the purchase of crocidolite asbestos fiber by THIS
23 DEFENDANT.

24 ANSWER:

25 General Cable objects to this interrogatory on the
26 grounds that it is compound, disjunctive, contains impermissive
27 subparts and contains terms not defined in the question. General
28 Cable further objects to this interrogatory as overly broad and

1 therefore burdensome and oppressive. These interrogatories
2 request detailed information not reasonably calculated to lead to
3 the discovery of admissible evidence and which falls outside the
4 scope of this litigation. Without waiving the foregoing
5 objections, General Cable responds as follows: No.

6 INTERROGATORY NO. 11:

7 Has THIS DEFENDANT engaged in the MARKETING of crocidolite
8 asbestos fiber? If so, please state:

9 a. the name of location of each crocidolite asbestos mine
10 which THIS DEFENDANT presently operates, has operated, and/or in
11 which THIS DEFENDANT presently operates, has or had an ownership
12 interest, including the dates of such ownership, and the grade of
13 asbestos fiber mined;

14 b. the date(s) THIS DEFENDANT first MARKETed crocidolite
15 asbestos fiber;

16 c. the date(s) THIS DEFENDANT ceased MARKETING crocidolite
17 asbestos fiber;

18 d. the grade(s) of such crocidolite asbestos fiber
19 MARKETed by THIS DEFENDANT;

20 e. the recommended use(s) of each grade of such
21 crocidolite asbestos fiber, including temperature limits;

22 f. the name(s) and address(es) of the supplier(s) of
23 crocidolite asbestos fiber to THIS DEFENDANT.

24 ANSWER:

25 General Cable objects to this interrogatory on the
26 grounds that it is compound, disjunctive, contains impermissive
27 subparts and contains terms not defined in the question. General
28 Cable further objects to this interrogatory as overly broad and

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1 therefore burdensome and oppressive. These interrogatories
2 request detailed information not reasonably calculated to lead to
3 the discovery of admissible evidence and which falls outside the
4 scope of this litigation. Without waiving the foregoing
5 objections, General Cable responds as follows: No.

6 INTERROGATORY NO. 12:

7 Does or did THIS DEFENDANT have a controlling ownership
8 interest in any COMPANY which MARKETed ASBESTOS-CONTAINING
9 PRODUCT(S)? If so, please state:

- 10 a. the name of such COMPANY;
- 11 b. the date of incorporation of such COMPANY;
- 12 c. the state of incorporation of such COMPANY
- 13 d. the date such interest was acquired;
- 14 e. the date such interest was changed or terminated, if
15 applicable;
- 16 f. the name and location of each facility of such COMPANY;
- 17 g. the name of each type of ASBESTOS-CONTAINING PRODUCT(S)
18 manufactured, processed, and/or assembled by such COMPANY.

19 ANSWER:

20 General Cable objects to this interrogatory on the
21 grounds that it is compound, disjunctive, contains impermissive
22 subparts and contains terms not defined in the question. General
23 Cable further objects to this interrogatory as overly broad and
24 therefore burdensome and oppressive. These interrogatories
25 request detailed information not reasonably calculated to lead to
26 the discovery of admissible evidence and which falls outside the
27 scope of this litigation. Without waiving the foregoing
28 objections, General Cable responds as follows: No.

1 INTERROGATORY NO. 13:

2 Does or did THIS DEFENDANT have a controlling ownership
3 interest in any COMPANY that MARKETed RAW ASBESTOS FIBER? If so,
4 please state:

- 5 a. the name of such COMPANY;
6 b. the date of incorporation or character of such COMPANY;
7 c. the state or country of incorporation of such COMPANY;
8 d. the date such interest was acquired;
9 e. the dates such interest changed or terminated, if
10 applicable;
11 f. the name and location of each asbestos mine owned by
12 such COMPANY;
13 g. the grade and type of RAW ASBESTOS FIBER mined at each
14 mine.

15 ANSWER:

16 General Cable objects to this interrogatory on the
17 grounds that it is compound, disjunctive, contains impermissive
18 subparts and contains terms not defined in the question. General
19 Cable further objects to this interrogatory as overly broad and
20 therefore burdensome and oppressive. These interrogatories
21 request detailed information not reasonably calculated to lead to
22 the discovery of admissible evidence and which falls outside the
23 scope of this litigation. Without waiving the foregoing
24 objections, General Cable responds as follows: No.

25 INTERROGATORY NO. 14:

26 Has THIS DEFENDANT warehoused any RAW ASBESTOS FIBER or
27 ASBESTOS-CONTAINING PRODUCT(S) in the State of California? If
28 so, please state:

- 1 a. the address of warehouse facility;
2 b. the year(s) THIS DEFENDANT utilized each facility;
3 c. the IDENTITY of the custodian of warehousing records.
4

5 ANSWER:

6 General Cable objects to this interrogatory on the
7 grounds that it is compound, disjunctive, contains impermissive
8 subparts and contains terms not defined in the question. General
9 Cable further objects to this interrogatory as overly broad and
10 therefore burdensome and oppressive. These interrogatories
11 request detailed information not reasonably calculated to lead to
12 the discovery of admissible evidence and which falls outside the
13 scope of this litigation. Without waiving the foregoing
14 objections, General Cable responds that General Cable never
15 warehoused raw asbestos fiber in California or in any state. As
16 of May 5, 1970, General Cable maintained California distribution
17 centers in Colusa, Los Angeles, Pomona, San Francisco and Sanger
18 and one or more of these centers may have warehoused asbestos-
19 containing wire and cable although the whereabouts of records to
20 confirm or refute this are unknown.

21 INTERROGATORY NO. 15:

22 Has THIS DEFENDANT owned or operated facilities anywhere in
23 the United States in which ASBESTOS-CONTAINING PRODUCT(S) have
24 been manufactured, processed and/or assembled? If so, pleased
25 state:

- 26 a. the address of each such facility including city and
27 state.

28 ANSWER:

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1 General Cable objects to this interrogatory on the
2 grounds that it is compound, disjunctive, contains impermissive
3 subparts and contains terms not defined in the question. General
4 Cable further objects to this interrogatory as overly broad and
5 therefore burdensome and oppressive. These interrogatories
6 request detailed information not reasonably calculated to lead to
7 the discovery of admissible evidence and which falls outside the
8 scope of this litigation. Without waiving the foregoing
9 objections, General Cable responds as follows:

10 a. As of May 5, 1970, General Cable maintained the
11 following manufacturing facilities in the United
12 States: Kingman, AZ; Hot Springs, AK; Colusa,
13 Goleta, Lindsay, San Carlos and Sanger, CA;
14 Denver, CO; St. Petersburg, Tampa, FL; Dixon,
15 Montecello, IL; Muncie, IN; Baltimore, Elkton,
16 Frederick, MD; Williamstown, MA; Cass City,
17 Corunna, Niles, Quincy, MI; Brandon, MS; St.
18 Louis, MO; Bayonne, Garwood, Hackensack, New
19 Brunswick, Perth Amboy, NJ; Coplague, Rome, NY;
20 Abbeville, SC; Memphis, TN, Bonham, TX; Pownae,
21 VT; Buena Vista, VA.

22 Whether or not any or all of these facilities involved
23 the manufacture of "asbestos-containing products" is currently
24 unknown.

25 INTERROGATORY NO. 16:

26 If THIS DEFENDANT owned or operated facilities in which
27 ASBESTOS-CONTAINING PRODUCT(S) have been manufactured, processed
28 and/or assembled, please state:

- 1 a. the date said facilities began operation;
2 b. the date said facility ceased operation; and
3 c. the name of each type of ASBESTOS-CONTAINING PRODUCT(S)
4 manufactured, processed or assembled at each such facility.

5 ANSWER:

6 General Cable objects to this interrogatory on the
7 grounds that it is compound, disjunctive, contains impermissive
8 subparts and contains terms not defined in the question. General
9 Cable further objects to this interrogatory as overly broad and
10 therefore burdensome and oppressive. These interrogatories
11 request detailed information not reasonably calculated to lead to
12 the discovery of admissible evidence and which falls outside the
13 scope of this litigation. Without waiving the foregoing
14 objections, General Cable responds as follows: Please see the
15 response to Interrogatory No. 15, incorporated herein by
16 reference.

17 INTERROGATORY NO. 17:

18 Has THIS DEFENDANT purchased or otherwise acquired any
19 rights to the manufacture of ASBESTOS-CONTAINING PRODUCT(S) from
20 another COMPANY? If so, please state:

- 21 a. the date of purchase or acquisition of such rights;
22 b. the trade, brand, and/or generic name of such ASBESTOS-
23 CONTAINING PRODUCT(S);
24 c. the name and location of any COMPANY from which such
25 rights were purchased or acquired;
26 d. the IDENTITY of the custodian of records of such
27 purchase(s) or acquisition(s).

28 / / /

1 ANSWER:

2 General Cable objects to this interrogatory on the
3 grounds that it is compound, disjunctive, contains impermissive
4 subparts and contains terms not defined in the question. General
5 Cable further objects to this interrogatory as overly broad and
6 therefore burdensome and oppressive. These interrogatories
7 request detailed information not reasonably calculated to lead to
8 the discovery of admissible evidence and which falls outside the
9 scope of this litigation. Without waiving the foregoing
10 objections, General Cable responds as follows: Unknown but
11 discovery is continuing.

12 INTERROGATORY NO. 18:

13 Has THIS DEFENDANT applied for and/or received any patent(s)
14 for any patent(s) for any ASBESTOS-CONTAINING PRODUCT(S)? If so,
15 state for each such ASBESTOS-CONTAINING PRODUCT(S):

- 16 a. the product for which each patent was applied and/or
17 issued;
18 b. the date(s) of application;
19 c. the date(s) of issuance of the patent(s), if granted;
20 d. the date(s) of renewal, if any;
21 e. the patent number(s);
22 f. the name of the individual or COMPANY to whom each
23 patent was issued;
24 g. the IDENTITY of the custodian of patent records of THIS
25 DEFENDANT.

26 ANSWER:

27 General Cable objects to this interrogatory on the
28 grounds that it is compound, disjunctive, contains impermissive

1 subparts and contains terms not defined in the question. General
2 Cable further objects to this interrogatory as overly broad and
3 therefore burdensome and oppressive. These interrogatories
4 request detailed information not reasonably calculated to lead to
5 the discovery of admissible evidence and which falls outside the
6 scope of this litigation. Without waiving the foregoing
7 objections, General Cable responds as follows: This information
8 is equally available to plaintiffs by inquiry to the United
9 States Patent and Trademark Office in Washington D.C..

10 INTERROGATORY NO. 19:

11 Has THIS DEFENDANT registered any trademark(s) for any
12 ASBESTOS-CONTAINING PRODUCT(S)? If so, state for each such
13 ASBESTOS-CONTAINING PRODUCT(S):

- 14 a. the product for which trademark was registered;
- 15 b. whether the registration was State or Federal;
 - 16 (i) if State, name the State;
- 17 c. the date(s) of registration;
- 18 d. the term(s) thereof;
- 19 e. the date(s) of renewal;
- 20 f. the name of the individual or COMPANY to whom each
21 trademark was registered;
- 22 g. the IDENTITY of the custodian of such trademark records
23 of THIS DEFENDANT .

24 ANSWER:

25 General Cable objects to this interrogatory on the
26 grounds that it is compound, disjunctive, contains impermissive
27 subparts and contains terms not defined in the question. General
28 Cable further objects to this interrogatory as overly broad and

1 therefore burdensome and oppressive. These interrogatories
2 request detailed information not reasonably calculated to lead to
3 the discovery of admissible evidence and which falls outside the
4 scope of this litigation. Without waiving the foregoing
5 objections, General Cable responds as follows: This information
6 is equally available to plaintiffs by inquiry to the United
7 States Patent and Trademark Office in Washington D.C..

8 INTERROGATORY NO. 20:

9 Did THIS DEFENDANT contract with the General Services
10 Administration and/or other federal government agency for the
11 sale, anywhere in the United States, of RAW ASBESTOS FIBER
12 between 1930 and 1980? If so, state for each such sale:

- 13 a. the grade(s) and type(s) of RAW ASBESTOS FIBER;
- 14 b. the quantity;
- 15 c. the date(s) of delivery;
- 16 d. the location(s), including the address(es) of delivery;
- 17 e. the name(s) of the agency with which THIS DEFENDANT
18 contracted;
- 19 f. the date(s) of execution of such contract(s);
- 20 g. the IDENTITY of the custodian of such contract records
21 of THIS DEFENDANT .

22 ANSWER:

23 General Cable objects to this interrogatory on the
24 grounds that it is compound, disjunctive, contains impermissive
25 subparts and contains terms not defined in the question. General
26 Cable further objects to this interrogatory as overly broad and
27 therefore burdensome and oppressive. These interrogatories
28 request detailed information not reasonably calculated to lead to

1 the discovery of admissible evidence and which falls outside the
2 scope of this litigation. Without waiving the foregoing
3 objections, General Cable responds as follows: No.

4 INTERROGATORY NO. 21:

5 Did THIS DEFENDANT contract with the General Services
6 Administration and/or other federal government agency for the
7 sale, anywhere in the United States, of ASBESTOS-CONTAINING
8 PRODUCT(S) between 1930 and 1980? If so, please state for each
9 such sale:

- 10 a. the type of product;
- 11 b. the quantity;
- 12 c. the date(s) of delivery;
- 13 d. the location(s), including the address(es) of delivery;
- 14 e. the name(s) of the agency with which THIS DEFENDANT
- 15 contracted;
- 16 f. the date(s) of execution of such contract(s);
- 17 g. the IDENTITY of the custodian of such contract records
- 18 of THIS DEFENDANT.

19 ANSWER:

20 General Cable objects to this interrogatory on the
21 grounds that it is compound, disjunctive, contains impermissive
22 subparts and contains terms not defined in the question. General
23 Cable further objects to this interrogatory as overly broad and
24 therefore burdensome and oppressive. These interrogatories
25 request detailed information not reasonably calculated to lead to
26 the discovery of admissible evidence and which falls outside the
27 scope of this litigation. Without waiving the foregoing
28 objections, General Cable responds as follows: Yes.

- 1 a. Electrical wire and cable.
2 b.-d. Unknown.
3 e. U.S. Navy
4 f.-g. Unknown.

5 INTERROGATORY NO. 22:

6 Does THIS DEFENDANT have any records of the MARKETing,
7 advertisement, or delivery of its RAW ASBESTOS FIBER and/or
8 ASBESTOS-CONTAINING PRODUCT(S) in or to NORTHERN CALIFORNIA? If
9 so, state:

- 10 a. the manner in which the records are kept (e.g., in
11 boxes, files, or microfilm, microfiche or computer tape or disk);
12 b. the location(s) and address(es) where such records are
13 maintained;
14 c. the IDENTITY of the custodian of such records.

15 ANSWER:

16 General Cable objects to this interrogatory on the
17 grounds that it is compound, disjunctive, contains impermissive
18 subparts and contains terms not defined in the question. General
19 Cable further objects to this interrogatory as overly broad and
20 therefore burdensome and oppressive, and vague as to the use of
21 "records". These interrogatories request detailed information
22 not reasonably calculated to lead to the discovery of admissible
23 evidence and which falls outside the scope of this litigation.
24 Without waiving the foregoing objections, General Cable responds
25 as follows: No.

26 INTERROGATORY NO. 23:

27 If THIS DEFENDANT has in its possession any records of the
28 MARKETing, advertisement, or delivery of its RAW ASBESTOS FIBER

1 and/or ASBESTOS-CONTAINING PRODUCT(S) (including microfilm,
2 microfiche, computer tape or disk, or any other system in which
3 data is taken from other records), state whether THIS DEFENDANT
4 has retained the original DOCUMENTS from which the data entered
5 into these modes of storage was obtained. If THIS DEFENDANT has
6 not retained such original DOCUMENT, state:

7 a. the date(s) when and location(s) where the original
8 DOCUMENTS were disposed of;

9 b. the IDENTITY of the custodian of the original DOCUMENTS
10 at the time of their disposal.

11 ANSWER:

12 General Cable objects to this interrogatory on the
13 grounds that it is compound, disjunctive, contains impermissive
14 subparts and contains terms not defined in the question. General
15 Cable further objects to this interrogatory as overly broad and
16 therefore burdensome and oppressive. These interrogatories
17 request detailed information not reasonably calculated to lead to
18 the discovery of admissible evidence and which falls outside the
19 scope of this litigation.

20 INTERROGATORY NO. 24:

21 Does THIS DEFENDANT have in its possession any exemplar(s)
22 of advertisements or brochures describing its RAW ASBESTOS FIBER
23 and/or ASBESTOS-CONTAINING PRODUCT(S)? If so, please state:

24 a. the location of each exemplar;

25 b. the year(s) in which said exemplar(s) was utilized;

26 c. the IDENTITY of the custodian of such exemplar(s).

27 / / /

28 / / /

1 ANSWER:

2 General Cable objects to this interrogatory on the
3 grounds that it is compound, disjunctive, contains impermissive
4 subparts and contains terms not defined in the question. General
5 Cable further objects to this interrogatory as overly broad and
6 therefore burdensome and oppressive. These interrogatories
7 request detailed information not reasonably calculated to lead to
8 the discovery of admissible evidence and which falls outside the
9 scope of this litigation. Without waiving the foregoing
10 objections, General Cable responds as follows: General Cable
11 does not have any exemplars of advertisements or brochures
12 describing raw asbestos fiber.

13 INTERROGATORY NO. 25:

14 State the following:

- 15 a. the address(es) where the corporate records of THIS
16 DEFENDANT (including minutes from the Board of Directors meetings
17 and corporation annual reports), are currently located;
18 b. the IDENTITY of the custodian of such records.

19 ANSWER:

20 General Cable objects to this interrogatory on the
21 grounds that it is compound, disjunctive, contains impermissive
22 subparts and contains terms not defined in the question. In
23 addition, the interrogatories are not reasonably designed to lead
24 to the discovery of relevant evidence. Without waiving the
25 foregoing objections, General Cable responds as follows: Please
26 see preliminary statement.

27 / / /

28 / / /

1 INTERROGATORY NO. 26:

2 Describe the packaging or containers in which THIS DEFENDANT
3 sold and/or distributed RAW ASBESTOS FIBER, including
4 composition, dimension, shape and color.

5 ANSWER:

6 General Cable objects to this interrogatory on the
7 grounds that it is compound, disjunctive, contains impermissive
8 subparts and contains terms not defined in the question. General
9 Cable further objects to this interrogatory as overly broad and
10 therefore burdensome and oppressive. These interrogatories
11 request detailed information not reasonably calculated to lead to
12 the discovery of admissible evidence and which falls outside the
13 scope of this litigation. Without waiving the foregoing
14 objections, General Cable responds as follows: Not applicable.

15 INTERROGATORY NO. 27:

16 Describe any logo, design, marking or printing, including
17 size and color, which appeared on the packaging or containers in
18 which THIS DEFENDANT sold and/or distributed RAW ASBESTOS FIBER.

19 ANSWER:

20 General Cable objects to this interrogatory on the
21 grounds that it is compound, disjunctive, contains impermissive
22 subparts and contains terms not defined in the question. General
23 Cable further objects to this interrogatory as overly broad and
24 therefore burdensome and oppressive. These interrogatories
25 request detailed information not reasonably calculated to lead to
26 the discovery of admissible evidence and which falls outside the
27 scope of this litigation. Without waiving the foregoing
28 objections, General Cable responds as follows: Not applicable.

1 INTERROGATORY NO. 28:

2 Describe the packaging or containers in which THIS DEFENDANT
3 sold and/or distributed ASBESTOS-CONTAINING PRODUCT(S), including
4 composition, dimension, shape and color.

5 ANSWER:

6 General Cable objects to this interrogatory on the
7 grounds that it is compound, disjunctive, contains impermissive
8 subparts and contains terms not defined in the question. General
9 Cable further objects to this interrogatory as overly broad and
10 therefore burdensome and oppressive. These interrogatories
11 request detailed information not reasonably calculated to lead to
12 the discovery of admissible evidence and which falls outside the
13 scope of this litigation. Without waiving the foregoing
14 objections, General Cable responds that this information may be
15 contained in General Cable's product catalogs which will be made
16 available at a mutually agreeable time.

17 INTERROGATORY NO. 29:

18 Describe any logo, design, marking or printing, including
19 size and color, which appeared on the packaging or containers in
20 which THIS DEFENDANT sold and/or distributed ASBESTOS-CONTAINING
21 PRODUCT(S).

22 ANSWER:

23 General Cable objects to this interrogatory on the
24 grounds that it is compound, disjunctive, contains impermissive
25 subparts and contains terms not defined in the question. General
26 Cable further objects to this interrogatory as overly broad and
27 therefore burdensome and oppressive. These interrogatories
28 request detailed information not reasonably calculated to lead to

1 the discovery of admissible evidence and which falls outside the
2 scope of this litigation. Without waiving the foregoing
3 objections, General Cable responds that this information may be
4 contained in General Cable's product catalogs which will be made
5 available at a mutually agreeable time.

6
7 INTERROGATORY NO. 30:

8 Does THIS DEFENDANT have any exemplar(s) of packaging or
9 containers in which its RAW ASBESTOS FIBER and /or ASBESTOS-
10 CONTAINING PRODUCT(S) were sold and/or distributed? If so,
11 state:

- 12 a. the location of each exemplar;
13 b. the year(s) in which said exemplar(s) was utilized;
14 c. the IDENTITY of the custodian of such exemplars.

15 ANSWER:

16 General Cable objects to this interrogatory on the
17 grounds that it is compound, disjunctive, contains impermissive
18 subparts and contains terms not defined in the question. General
19 Cable further objects to this interrogatory as overly broad and
20 therefore burdensome and oppressive. These interrogatories
21 request detailed information not reasonably calculated to lead to
22 the discovery of admissible evidence and which falls outside the
23 scope of this litigation. Without waiving the foregoing
24 objections, General Cable responds as follows: No.

25 INTERROGATORY NO. 31:

26 Did THIS DEFENDANT put warnings of asbestos-related health
27 hazards on bags of RAW ASBESTOS FIBER? If so, please state:

- 1 a. the wording of such warning(s), including size,
2 location and color;
3 b. whether the warning was put on a tag attached to the
4 bags;
5 c. the date such warning(s) was first used;
6 d. whether any change was made in the wording of such
7 warnings, the date(s) of such change, and the reasons for such
8 change.

9 ANSWER:

10 General Cable objects to this interrogatory on the
11 grounds that it is compound, disjunctive, contains impermissive
12 subparts and contains terms not defined in the question. General
13 Cable further objects to this interrogatory as overly broad and
14 therefore burdensome and oppressive. These interrogatories
15 request detailed information not reasonably calculated to lead to
16 the discovery of admissible evidence and which falls outside the
17 scope of this litigation. Without waiving the foregoing
18 objections, General Cable responds as follows: Not applicable.

19 INTERROGATORY NO. 32:

20 Did THIS DEFENDANT put warnings of asbestos-related health
21 hazards on the packaging or containers of ASBESTOS-CONTAINING
22 PRODUCT(S)? If so, please state:

- 23 a. the wording of such warning(s), including size,
24 location on the packaging or containers, and color;
25 b. the date such warning(s) was first used;
26 c. whether any change was made in the wording of such
27 warning(s), the date(s) of such change, and the reason(s) for
28 such change.

1 ANSWER:

2 General Cable objects to this interrogatory on the
3 grounds that it is compound, disjunctive, contains impermissive
4 subparts and contains terms not defined in the question. General
5 Cable further objects to this interrogatory as overly broad and
6 therefore burdensome and oppressive. These interrogatories
7 request detailed information not reasonably calculated to lead to
8 the discovery of admissible evidence and which falls outside the
9 scope of this litigation. Without waiving the foregoing
10 objections, General Cable responds that no such warnings were
11 necessary because its products posed no asbestos health hazard
12 whatsoever.

13 INTERROGATORY NO. 33:

14 Has THIS DEFENDANT distributed any brochures or pamphlets
15 that contain warnings of any asbestos-related health hazards? If
16 so, please state:

- 17 a. the wording of such warning(s);
18 b. the method used to distribute such brochures or
19 pamphlets;
20 c. the date(s) such brochures or pamphlets were first
21 issued;
22 d. whether THIS DEFENDANT has exemplar(s) of such
23 brochures or pamphlets;
24 e. the IDENTITY of the custodian of such exemplar(s).

25 ANSWER:

26 General Cable objects to this interrogatory on the
27 grounds that it is compound, disjunctive, contains impermissive
28 subparts and contains terms not defined in the question. General

1 Cable further objects to this interrogatory as overly broad and
2 therefore burdensome and oppressive. These interrogatories
3 request detailed information not reasonably calculated to lead to
4 the discovery of admissible evidence and which falls outside the
5 scope of this litigation. Without waiving the foregoing
6 objections, General Cable responds that it distributed no such
7 brochures or pamphlets because its products posed no asbestos
8 health hazard whatsoever.

9 INTERROGATORY NO. 34:

10 Did THIS DEFENDANT warn its employees and/or CONTRACT
11 UNIT(S), anywhere in the United States, that exposure to asbestos
12 could be hazardous to human health? If so, state:

13 a. whether copies of DOCUMENTS containing such warnings
14 exist;

15 b. the IDENTITY of the custodian of such DOCUMENTS.

16 ANSWER:

17 General Cable objects to this interrogatory on the
18 grounds that it is compound, disjunctive, contains impermissive
19 subparts and contains terms not defined in the question. General
20 Cable further objects to this interrogatory as overly broad and
21 therefore burdensome and oppressive. These interrogatories
22 request detailed information not reasonably calculated to lead to
23 the discovery of admissible evidence and which falls outside the
24 scope of this litigation. Without waiving the foregoing
25 objections, General Cable responds that its asbestos-containing
26 products posed no health hazard whatsoever.

27 / / /

28 / / /

1 INTERROGATORY NO. 35:

2 State the IDENTITY of medical directors and/or industrial
3 hygienist retained by THIS DEFENDANT in the United States.

4 ANSWER:

5 General Cable objects to this interrogatory on the
6 grounds that it is compound, disjunctive, contains impermissive
7 subparts and contains terms not defined in the question. General
8 Cable further objects to this interrogatory as overly broad and
9 therefore burdensome and oppressive and because it improperly
10 seeks information protected by the attorney work-product
11 privilege. These interrogatories request detailed information
12 not reasonably calculated to lead to the discovery of admissible
13 evidence and which falls outside the scope of this litigation.
14 Without waiving the foregoing objections, General Cable responds
15 that it retained no medical directors or industrial hygienists.
16 In 1972 or 1973, a "safety" department was created under the
17 Industrial Relations Division. Discovery is continuing as to the
18 identity of the person or persons in charge of the "safety"
19 department.

20 INTERROGATORY NO. 36:

21 Has any employee of THIS DEFENDANT testified by deposition
22 on behalf of THIS DEFENDANT in a third-party case, brought in the
23 United States, wherein the plaintiff has alleged an asbestos-
24 related injury? If so, for each such third party case, please
25 state:

- 26 a. the caption and case number;
27 b. the court of filing including state and county;
28 c. the date of the deposition;

1 d. the name and address of plaintiff's counsel of record.

2 ANSWER:

3 General Cable objects to this interrogatory on the
4 grounds that it is compound, disjunctive, contains impermissive
5 subparts and contains terms not defined in the question. General
6 Cable further objects to this interrogatory as overly broad and
7 therefore burdensome and oppressive. These interrogatories
8 request detailed information not reasonably calculated to lead to
9 the discovery of admissible evidence and which falls outside the
10 scope of this litigation. In addition, General Cable objects to
11 this interrogatory on the grounds that it exceeds the scope of
12 permissive discovery set forth in Code of Civil Procedure section
13 2030 and is not accompanied by a declaration for additional
14 discovery and therefore is burdensome and oppressive.

✓ 15 INTERROGATORY NO. 37:

16 Has THIS DEFENDANT been a member of the following?

- 17 a. Asbestos Textile Institute (ATI);
18 b. Industrial Hygiene Foundation and/or Industrial Health
19 Foundation (IHF);
20 c. Mineral Wool Institute;
21 d. Industrial Mineral Insulation Manufacturers Institute;
22 e. Magnesia Silica Insulation manufacturers Association;
23 f. National Insulation Manufacturers Association (NIMA);
24 g. Thermal Insulation Manufacturers Association (TIMA);
25 h. Asbestos Information Association (AIA);
26 i. Quebec Asbestos Mining Association (QAMA);
27 j. National Safety Council;
28 k. Asbestos Cement Producers Association;

1 l. Refactories Institute;
2 m. any other organizations or associations of
3 manufacturers, miners, distributors, importers, labelers,
4 suppliers, and/or sellers of ASBESTOS-CONTAINING PRODUCT(S);
5 (i) please state the name(s) of such organizations or
6 associations.

7 ANSWER:

8 General Cable objects to this interrogatory on the
9 grounds that it is compound, disjunctive, contains impermissive
10 subparts and contains terms not defined in the question. General
11 Cable further objects to this interrogatory as overly broad and
12 therefore burdensome and oppressive. These interrogatories
13 request detailed information not reasonably calculated to lead to
14 the discovery of admissible evidence and which falls outside the
15 scope of this litigation. In addition, General Cable objects to
16 this interrogatory on the grounds that it exceeds the scope of
17 permissive discovery set forth in Code of Civil Procedure section
18 2030 and is not accompanied by a declaration for additional
19 discovery and therefore is burdensome and oppressive. Without
20 waiving the foregoing objections, General Cable responds that to
21 the best of its knowledge it has never been a member of any of
22 these organizations except the National Safety Council. General
23 Cable believes it has been a member of the National Safety
24 Council since 1947 or 1949.

25 INTERROGATORY NO. 38:

26 For each organization, association or other entity
27 identified in your Response to Interrogatory No. 37, please
28 state:

- 1 a. the dates during which THIS DEFENDANT was a member;
2 b. the name(s) of any publication(s) received by THIS
3 DEFENDANT from such association or organization;
4 c. the name of such committee or subcommittee of which
5 THIS DEFENDANT was a member, and the dates of such committee or
6 subcommittee membership.

7
8 ANSWER:

9 General Cable objects to this interrogatory on the
10 grounds that it is compound, disjunctive, contains impermissive
11 subparts and contains terms not defined in the question. General
12 Cable further objects to this interrogatory as overly broad and
13 therefore burdensome and oppressive. These interrogatories
14 request detailed information not reasonably calculated to lead to
15 the discovery of admissible evidence and which falls outside the
16 scope of this litigation. In addition, General Cable objects to
17 this interrogatory on the grounds that it exceeds the scope of
18 permissive discovery set forth in Code of Civil Procedure section
19 2030 and is not accompanied by a declaration for additional
20 discovery and therefore is burdensome and oppressive. Without
21 waiving the foregoing objections, General Cable responds as
22 follows: Please see response and objections to Interrogatory No.
23 38, incorporated herein by reference.

24 INTERROGATORY NO. 39:

25 Has THIS DEFENDANT received an DOCUMENT(S) containing
26 results or conclusions of any studies and/or tests conducted by
27 the Saranac Laboratory at the Trudeau Foundation relating to the
28 human health consequences of asbestos? If so, please:

- 1 a. IDENTIFY all such DOCUMENT(S);
2 b. state the date upon which THIS DEFENDANT first received
3 such DOCUMENT(S);
4 c. the IDENTITY of the custodian of such DOCUMENT(S).

5 ANSWER:

6 General Cable objects to this interrogatory on the
7 grounds that it is compound, disjunctive, contains impermissive
8 subparts and contains terms not defined in the question. General
9 Cable further objects to this interrogatory as overly broad and
10 therefore burdensome and oppressive. These interrogatories
11 request detailed information not reasonably calculated to lead to
12 the discovery of admissible evidence and which falls outside the
13 scope of this litigation. In addition, General Cable objects to
14 this interrogatory on the grounds that it exceeds the scope of
15 permissive discovery set forth in Code of Civil Procedure section
16 2030 and is not accompanied by a declaration for additional
17 discovery and therefore is burdensome and oppressive. Without
18 waiving the foregoing objections, General Cable responds that it
19 does not have such documents.

20 INTERROGATORY NO. 40:

21 State whether THIS DEFENDANT has ever maintained a library
22 (or libraries) in the United States which contains books,
23 articles, periodicals, journals and/or reference materials that
24 relate to the subjects of asbestos, industrial hygiene, medicine,
25 safety, occupational disease and/or engineering. If so, state:

- 26 a. the date each such library was established;
27 b. the location of each such library;

28

1 c. the IDENTITY of each librarian or other person in
2 charge of such library.

3 ANSWER:

4 General Cable objects to this interrogatory on the
5 grounds that it is compound, disjunctive, contains impermissive
6 subparts and contains terms not defined in the question. General
7 Cable further objects to this interrogatory as overly broad and
8 therefore burdensome and oppressive. These interrogatories
9 request detailed information not reasonably calculated to lead to
10 the discovery of admissible evidence and which falls outside the
11 scope of this litigation. In addition, General Cable objects to
12 this interrogatory on the grounds that it exceeds the scope of
13 permissive discovery set forth in Code of Civil Procedure section
14 2030 and is not accompanied by a declaration for additional
15 discovery and therefore is burdensome and oppressive. As of
16 1978, General Cable had twenty-one plants in fifteen states and
17 three countries and it is therefore impossible to respond to this
18 interrogatory.

19 INTERROGATORY NO. 41:

20 Has THIS DEFENDANT exchanged documents containing the
21 results of or communicated with any individual or other COMPANY
22 regarding tests and/or studies of the relationship between the
23 inhalation of asbestos fibers and development of disease(s)? If
24 so, please state:

25 a. each individual or COMPANY with whom the information
26 was exchanged or to whom it was communicated;

27 b. the date(s) of any such exchanges or communications;

28 c. the IDENTITY of the custodian of such documents.



1 ANSWER:

2 General Cable objects to this interrogatory on the
3 grounds that it is compound, disjunctive, contains impermissive
4 subparts, contains terms not defined in the question and seeks
5 information protected by the attorney work product privilege.
6 General Cable further objects to this interrogatory as overly
7 broad and therefore burdensome and oppressive. These
8 interrogatories request detailed information not reasonably
9 calculated to lead to the discovery of admissible evidence and
10 which falls outside the scope of this litigation. In addition,
11 General Cable objects to this interrogatory on the grounds that
12 it exceeds the scope of permissive discovery set forth in Code of
13 Civil Procedure section 2030 and is not accompanied by a
14 declaration for additional discovery and therefore is burdensome
15 and oppressive.

16 INTERROGATORY NO. 42:

17 Has any employee of THIS DEFENDANT testified before the
18 Occupational Safety and Health Administration, the National
19 Institute of Occupational Safety and Health, or any committee or
20 subcommittee of the United States Congress on the inhalation of
21 asbestos dust and the development of disease? If so, please
22 state:

- 23 a. the entity before whom such testimony was given;
24 b. the date(s) and location(s) of such testimony;
25 c. the IDENTITY of the individual(s) who so testified;
26 d. whether any DOCUMENTS were presented to the entity
27 before which testimony was given;

28

e. whether copies of DOCUMENTS presented were retained by
THIS DEFENDANT ;

(i) if so, state the IDENTITY of the custodian of the
DOCUMENT(S).

ANSWER:

General Cable objects to this interrogatory on the
grounds that it is compound, disjunctive, contains impermissive
subparts and contains terms not defined in the question. General
Cable further objects to this interrogatory as overly broad and
therefore burdensome and oppressive. These interrogatories
request detailed information not reasonably calculated to lead to
the discovery of admissible evidence and which falls outside the
scope of this litigation. In addition, General Cable objects to
this interrogatory on the grounds that it exceeds the scope of
permissive discovery set forth in Code of Civil Procedure section
2030 and is not accompanied by a declaration for additional
discovery and therefore is burdensome and oppressive. Without
waiving the foregoing objections, General Cable responds that, to
its knowledge, no such testimony has been given by any General
Cable employee.

INTERROGATORY NO. 43:

At any of the physical facilities identified in the response
to Interrogatory No. 15, has THIS DEFENDANT conducted, or caused
to be conducted, tests and/or studies of ambient asbestos dust
created during the manufacture, processing and/or assembling of
ASBESTOS-CONTAINING PRODUCT(S)? If so, please state:

a. each manufacturing facility, including location and
address, at which any test and/or study was conducted.

- b. the date of each such test and/or study;
- c. the individual(s) or entity conducting each such test and/or study;
- d. whether THIS DEFENDANT has any documents containing the results and/or conclusions of each such study;
- e. the IDENTITY of the custodian of the documents.

ANSWER:

General Cable objects to this interrogatory on the grounds that it is compound, disjunctive, contains impermissive subparts and contains terms not defined in the question. General Cable further objects to this interrogatory as overly broad and therefore burdensome and oppressive. These interrogatories request detailed information not reasonably calculated to lead to the discovery of admissible evidence and which falls outside the scope of this litigation. In addition, General Cable objects to this interrogatory on the grounds that it exceeds the scope of permissive discovery set forth in Code of Civil Procedure section 2030 and is not accompanied by a declaration for additional discovery and therefore is burdensome and oppressive. Without waiving the foregoing objections, General Cable responds that it is unaware of any such studies.

INTERROGATORY NO. 44:

Has THIS DEFENDANT conducted, or caused to be conducted, any tests and/or studies on ambient asbestos dust levels at any location or job site where its ASBESTOS-CONTAINING PRODUCTS were utilized in the United States? If so, please state:

- a. the location, including name and address, at which each such test and/or study was conducted;

- b. the individual or entity conducting each such test and/or study;
- c. the date of each such test and/or study;
- d. whether THIS DEFENDANT has any DOCUMENTS containing the results and/or conclusions of each such test and/or study;
- e. the IDENTITY of the custodian of these DOCUMENTS.

ANSWER:

General Cable objects to this interrogatory on the grounds that it is compound, disjunctive, contains impermissive subparts and contains terms not defined in the question. General Cable further objects to this interrogatory as overly broad and therefore burdensome and oppressive. These interrogatories request detailed information not reasonably calculated to lead to the discovery of admissible evidence and which falls outside the scope of this litigation. In addition, General Cable objects to this interrogatory on the grounds that it exceeds the scope of permissive discovery set forth in Code of Civil Procedure section 2030 and is not accompanied by a declaration for additional discovery and therefore is burdensome and oppressive. Without waiving the foregoing objections, General Cable responds that it is unaware of any such studies.

INTERROGATORY NO. 45:

Did THIS DEFENDANT have any laboratory or other facility anywhere in the United States at which it conducted, or caused to be conducted, any tests and/or studies of its ASBESTOS-CONTAINING PRODUCTS to measure the amount of asbestos dust generated by any use for which such products were designed? If so, please state:

- 1 a. the location, including name and address, at which each
2 such test and/or study was conducted;
3 b. the individual(s) or entity conducting each such test
4 and/or study;
5 c. the date of each such test and/or study;
6 d. whether THIS DEFENDANT has any DOCUMENTS containing the
7 results and/or conclusions of each such test and/or study;
8 e. the IDENTITY of the custodian of such DOCUMENTS.

9 ANSWER:

10 General Cable objects to this interrogatory on the
11 grounds that it is compound, disjunctive, contains impermissive
12 subparts and contains terms not defined in the question. General
13 Cable further objects to this interrogatory as overly broad and
14 therefore burdensome and oppressive. These interrogatories
15 request detailed information not reasonably calculated to lead to
16 the discovery of admissible evidence and which falls outside the
17 scope of this litigation. In addition, General Cable objects to
18 this interrogatory on the grounds that it exceeds the scope of
19 permissive discovery set forth in Code of Civil Procedure section
20 2030 and is not accompanied by a declaration for additional
21 discovery and therefore is burdensome and oppressive. Without
22 waiving the foregoing objections, General Cable responds as
23 follows: No.

24 INTERROGATORY NO. 47:

25 Has THIS DEFENDANT notified in writing any individuals or
26 COMPANIES to whom it MARKETed RAW ASBESTOS FIBER and/or ASBESTOS-
27 CONTAINING PRODUCT(S), anywhere in the United States, of the

1 potential relationship between exposure to asbestos and disease?

2 If so, please state:

3 a. the date(s) THIS DEFENDANT provided this information;

4 b. the means used for transmittal of such information;

5 c. whether THIS DEFENDANT has any copies of an DOCUMENTS
6 transmitting such information;

7 d. the IDENTITY of the custodian of such documents.

8 ANSWER:

9 General Cable objects to this interrogatory on the
10 grounds that it is compound, disjunctive, contains impermissive
11 subparts and contains terms not defined in the question. General
12 Cable further objects to this interrogatory as overly broad and
13 therefore burdensome and oppressive. These interrogatories
14 request detailed information not reasonably calculated to lead to
15 the discovery of admissible evidence and which falls outside the
16 scope of this litigation. In addition, General Cable objects to
17 this interrogatory on the grounds that it exceeds the scope of
18 permissive discovery set forth in Code of Civil Procedure section
19 2030 and is not accompanied by a declaration for additional
20 discovery and therefore is burdensome and oppressive. Without
21 waiving the foregoing objections, General Cable responds that no
22 such notice was necessary because its products posed no asbestos-
23 related health hazard whatsoever.

24 INTERROGATORY NO. 48:

25 Has THIS DEFENDANT required any individual(s) who MARKETed
26 its ASBESTOS-CONTAINING PRODUCT(S) to wear respirators or face
27 masks? If so, please state:

28

- 1 a. the job title(s), if known, of individual(s) required
2 to wear respirators or face masks;
- 3 b. the date(s) on which THIS DEFENDANT first required the
4 wearing of respirators or face masks;
- 5 c. whether THIS DEFENDANT has any copies of DOCUMENTS
6 communicating such requirements;
- 7 d. the IDENTITY of the custodian of such DOCUMENTS.

8 ANSWER:

9 General Cable objects to this interrogatory on the
10 grounds that it is compound, disjunctive, contains impermissive
11 subparts and contains terms not defined in the question. General
12 Cable further objects to this interrogatory as overly broad and
13 therefore burdensome and oppressive. These interrogatories
14 request detailed information not reasonably calculated to lead to
15 the discovery of admissible evidence and which falls outside the
16 scope of this litigation. In addition, General Cable objects to
17 this interrogatory on the grounds that it exceeds the scope of
18 permissive discovery set forth in Code of Civil Procedure section
19 2030 and is not accompanied by a declaration for additional
20 discovery and therefore is burdensome and oppressive. Without
21 waiving the foregoing objections, General Cable responds that no
22 such action was necessary because its products posed no asbestos-
23 related health hazard whatsoever.

24 INTERROGATORY NO. 49:

25 Does or did THIS DEFENDANT utilize or employ any CONTRACT
26 UNIT? If so, please state;;

- 27 a. the inclusive periods of time the CONTRACT UNIT(S) was
28 utilized or employed;

c. whether THIS DEFENDANT has any documents showing the location(s) of the job site(s) where the CONTACT UNIT(S) worked, and if so, state the IDENTITY of the custodian of such DOCUMENTS.

ANSWER:

General Cable objects to this interrogatory on the grounds that it is compound, disjunctive, contains impermissive subparts and contains terms not defined in the question. General Cable further objects to this interrogatory as overly broad and therefore burdensome and oppressive. These interrogatories request detailed information not reasonably calculated to lead to the discovery of admissible evidence and which falls outside the scope of this litigation. In addition, General Cable objects to this interrogatory on the grounds that it exceeds the scope of permissive discovery set forth in Code of Civil Procedure section 2030 and is not accompanied by a declaration for additional discovery and therefore is burdensome and oppressive. Without waiving the foregoing objections, General Cable responds as follows: No.

INTERROGATORY NO. 50:

Has THIS DEFENDANT received any written communication or other DOCUMENT, other than a claim for workers' compensation, that any person was claiming injury as a result of exposure to its RAW ASBESTOS FIBER and/or ASBESTOS-CONTAINING PRODUCT(S)? If so, please IDENTITY the first such written communication or DOCUMENT.

ANSWER:

General Cable objects to this interrogatory on the grounds that it is compound, disjunctive, contains impermissive

1 subparts and contains terms not defined in the question. General
2 Cable further objects to this interrogatory as overly broad and
3 therefore burdensome and oppressive and potentially involves
4 hundreds of lawsuits around the country. These interrogatories
5 request detailed information not reasonably calculated to lead to
6 the discovery of admissible evidence and which falls outside the
7 scope of this litigation. In addition, General Cable objects to
8 this interrogatory on the grounds that it exceeds the scope of
9 permissive discovery set forth in Code of Civil Procedure section
10 2030 and is not accompanied by a declaration for additional
11 discovery and therefore is burdensome and oppressive.

12

13 INTERROGATORY NO. 51:

14 Has any person filed a claim for asbestos-related injury
15 regarding THIS DEFENDANT against any workers' compensation
16 insurance carrier which provided coverage for THIS DEFENDANT? If
17 so, please state:

- 18 a. the date of such claim
19 b. the name of claimant;
20 c. the caption;
21 d. the case number;
22 e. the court in which the claim was filed;
23 f. the IDENTITY of the custodian of such documents.

24 ANSWER:

25 General Cable objects to this interrogatory on the
26 grounds that it is compound, disjunctive, contains impermissive
27 subparts and contains terms not defined in the question. General
28 Cable further objects to this interrogatory as overly broad and

1 therefore burdensome and oppressive. These interrogatories
2 request detailed information not reasonably calculated to lead to
3 the discovery of admissible evidence and which falls outside the
4 scope of this litigation. In addition, General Cable objects to
5 this interrogatory on the grounds that it exceeds the scope of
6 permissive discovery set forth in Code of Civil Procedure section
7 2030 and is not accompanied by a declaration for additional
8 discovery and therefore is burdensome and oppressive. Without
9 waiving the foregoing objections, General Cable responds as
10 follows: No.

11
12 INTERROGATORY NO. 52:

13 Has any person filed a workers' compensation claim for
14 asbestos-related injury against THIS DEFENDANT? If so, please
15 state:

- 16 a. the date of such claim
17 b. the name of claimant;
18 c. the caption;
19 d. the case number;
20 e. the court in which the claim was filed;
21 f. the IDENTITY of the custodian of such documents.

22 ANSWER:

23 General Cable objects to this interrogatory on the
24 grounds that it is compound, disjunctive, contains impermissive
25 subparts and contains terms not defined in the question. General
26 Cable further objects to this interrogatory as overly broad and
27 therefore burdensome and oppressive. These interrogatories
28 request detailed information not reasonably calculated to lead to

1 the discovery of admissible evidence and which falls outside the
2 scope of this litigation. In addition, General Cable objects to
3 this interrogatory on the grounds that it exceeds the scope of
4 permissive discovery set forth in Code of Civil Procedure section
5 2030 and is not accompanied by a declaration for additional
6 discovery and therefore is burdensome and oppressive. Without
7 waiving the foregoing objections, General Cable responds as
8 follows: No.

9 INTERROGATORY NO. 53:

10 Does THIS DEFENDANT have insurance available to cover
11 judgement(s) entered against it in asbestos-related personal
12 injury lawsuits? If so, please state:

- 13 a. the name and principal place of business of any
- 14 insurance carrier who has issued such policy of insurance;
- 15 b. the number and effective date of each policy;
- 16 c. the amount(s) of coverage of each policy;
- 17 d. the applicable dates of coverage;
- 18 e. any reservation of rights contained in each such
- 19 policy;
- 20 f. the amount of coverage presently exhausted under each
- 21 such policy;
- 22 g. the amount of coverage presently available under each
- 23 such policy;
- 24 h. whether limits contained in each such policy include
- 25 costs of defense.

26 ANSWER:

27 General Cable objects to this interrogatory on the
28 grounds that it is compound, disjunctive, contains impermissible

1 subparts and contains terms not defined in the question. General
2 Cable further objects to this interrogatory as overly broad and
3 therefore burdensome and oppressive. These interrogatories
4 request detailed information not reasonably calculated to lead to
5 the discovery of admissible evidence and which falls outside the
6 scope of this litigation. In addition, General Cable objects to
7 this interrogatory on the grounds that it exceeds the scope of
8 permissive discovery set forth in Code of Civil Procedure section
9 2030 and is not accompanied by a declaration for additional
10 discovery and therefore is burdensome and oppressive. Without
11 waiving the foregoing objections, General Cable responds that it
12 has bodily injury liability insurance coverage and it is
13 currently investigating the extent of its insurance coverage for
14 asbestos bodily injury claims, including the insurance carriers,
15 policies, policy periods and available limits.

16 INTERROGATORY NO. 54:

17 Has THIS DEFENDANT owned or operated any petroleum refining
18 facilities? If so, please state:

- 19 a. whether any ASBESTOS-CONTAINING PRODUCT(S) were
20 MARKETed on the premises of such refining facilities;
21 b. the location, including the name and address of all
22 such refining facilities;
23 c. the dates of operation of such refining facilities;
24 d. the types of ASBESTOS-CONTAINING PRODUCT(S) MARKETed on
25 such premises;
26 e. the names of the manufacturers of any ASBESTOS-
27 CONTAINING PRODUCT(S) MARKETed on such premises;

1 f. whether THIS DEFENDANT has documents identifying such
2 MARKETing;

3 g. the IDENTITY of the custodian of such documents.

4 ANSWER:

5 General Cable objects to this interrogatory on the
6 grounds that it is compound, disjunctive, contains impermissive
7 subparts and contains terms not defined in the question. General
8 Cable further objects to this interrogatory as overly broad and
9 therefore burdensome and oppressive. These interrogatories
10 request detailed information not reasonably calculated to lead to
11 the discovery of admissible evidence and which falls outside the
12 scope of this litigation. In addition, General Cable objects to
13 this interrogatory on the grounds that it exceeds the scope of
14 permissive discovery set forth in Code of Civil Procedure section
15 2030 and is not accompanied by a declaration for additional
16 discovery and therefore is burdensome and oppressive. Without
17 waiving the foregoing objections, General Cable responds as
18 follows: No.

19 INTERROGATORY NO. 55:

20 Has THIS DEFENDANT held a controlling ownership interest in
21 any COMPANY which owned or operated petroleum refining
22 facilities? If so, for the period(s) of time petroleum refining
23 facilities? If so, for the period(s) of time during which THIS
24 DEFENDANT held such interest, please state:

25 a. whether any ASBESTOS-CONTAINING PRODUCTS were MARKETed
26 on the premises of such refining facilities;

27 b. the location, including the name and address of all
28 such refining facilities;

- c. the dates of operation of such refining facilities;
- d. the types of ASBESTOS-CONTAINING PRODUCTS MARKETed on such premises;
- e. the names of the manufacturers of any ASBESTOS-CONTAINING PRODUCTS MARKETed on such premises;
- f. whether THIS DEFENDANT has DOCUMENTS identifying such MARKETing;
- g. the IDENTITY of the custodian of such DOCUMENTS.

ANSWER:

General Cable objects to this interrogatory on the grounds that it is compound, disjunctive, contains impermissive subparts and contains terms not defined in the question. General Cable further objects to this interrogatory as overly broad and therefore burdensome and oppressive. These interrogatories request detailed information not reasonably calculated to lead to the discovery of admissible evidence and which falls outside the scope of this litigation. In addition, General Cable objects to this interrogatory on the grounds that it exceeds the scope of permissive discovery set forth in Code of Civil Procedure section 2030 and is not accompanied by a declaration for additional discovery and therefore is burdensome and oppressive. Without waiving the foregoing objections, General Cable responds as follows: No.

INTERROGATORY NO. 57:

Has THIS DEFENDANT contracted with any COMPANY for the MARKETing of ASBESTOS-CONTAINING PRODUCT(S) on any premises owned or leased by THIS DEFENDANT? If so, please state:

1 a. the location, including name and address of such
2 premises;

3 b. the name and address of each such COMPANY;

4 c. the types of ASBESTOS-CONTAINING PRODUCT(S)

5 ANSWER:

6 General Cable objects to this interrogatory on the
7 grounds that it is compound, disjunctive, contains impermissive
8 subparts and contains terms not defined in the question. General
9 Cable further objects to this interrogatory as overly broad and
10 therefore burdensome and oppressive. These interrogatories
11 request detailed information not reasonably calculated to lead to
12 the discovery of admissible evidence and which falls outside the
13 scope of this litigation. In addition, General Cable objects to
14 this interrogatory on the grounds that it exceeds the scope of
15 permissive discovery set forth in Code of Civil Procedure section
16 2030 and is not accompanied by a declaration for additional
17 discovery and therefore is burdensome and oppressive. Without
18 waiving the foregoing objections, General Cable responds as
19 follows: No.

20 DATED: May 8, 1991

21 HANCOCK, ROTHERT & BUNSHOFT

22
23 BY Paul J. Killion
24 Paul J. Killion
25 Attorneys for Defendant
26 GENERAL CABLE COMPANY

27 [3776:\1076\026\MEL0207.PLO]

VERIFICATION

I am currently the Director of Environmental Affairs for the Penn Central Corporation. I have read the above Responses of General Cable to Plaintiffs' Standard Interrogatories and know the contents thereof. The matters stated therein are true to the best of my information and belief.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on May 8, 1991 at South Plainfield, New Jersey.


Gerald Magarik

PROOF OF SERVICE BY MAIL

I declare that I am over the age of 18 years and not a party to this action; that my business address is Four Embarcadero Center, Suite 1000, San Francisco, California, 94111.

On the date set out below, I served the foregoing document, described as GENERAL CABLE'S RESPONSES TO PLAINTIFFS' STANDARD INTERROGATORIES on the other parties in this action, pursuant to the attached Service List, by placing a true copy thereof enclosed in a sealed envelope, with postage fully prepaid thereon, and deposited in the United States Mailbox at San Francisco, California.

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

Executed May 8, 1991 at San Francisco, California.

Diane Vivian Donner
DIANE VIVIAN DONNER