

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

IN RE: ALL BARON & BUDD CASES
IN WHICH CORHART REFRACTORIES,
COMPANY IS NAMED AS DEFENDANT

Plaintiffs,

vs.

A-BEST PRODUCTS COMPANY, ET AL.,

Defendants.

ASBESTOS MASTER CASE
NUMBER 073958

JUDGE HARRY HANNA

**CORHART REFRACTORIES' ANSWERS TO PLAINTIFFS'
REQUESTS FOR PRODUCTION OF DOCUMENTS PROPOUNDED TO
CORHART REFRACTORIES**

Now comes Defendant Corhart Refractories ("Corhart") and provides the following Responses to Plaintiffs' Requests for Production of Documents Propounded to Corhart Refractories in the above-captioned matters. Corhart provides these Responses as a separate document, but asserts that the answers are a Response to each Request and its subpart as provided by Plaintiffs.

PRELIMINARY STATEMENT:

Defendant, Corhart's responses to these Interrogatories and Requests for Production of Documents ("Document Requests") each incorporate this Preliminary Statement and these General Objections.

Corhart has been involved in the production of refractory products since the 1920's, initially for the glass making industry and later for the steel making industry. The refractory products manufactured by Corhart for the use in the steel making industry did not contain asbestos. To the best of its knowledge, the only asbestos product provided by Corhart was an asbestos expansion spacer which was utilized for thermal expansion in open hearth roofs. To the best of its information,

the asbestos expansion spacer was provided at the customers request and at no cost. As Corhart did not manufacture or sell for cost this asbestos product, Corhart contends it did not manufacture or sell or distribute an "asbestos containing product" and answers these discovery requests accordingly.

Many of the events that may be relevant to the issues in this litigation occurred decades ago. Many of the individuals who might have had personal knowledge of the matters to which plaintiffs' requests relate are deceased or are otherwise unavailable to Corhart and investigations to date lead Corhart to believe that to the extent that documents relating to the matters inquired about may have previously existed, some of them would have been among old business records that were discarded in the regular course of business.

Furthermore, no single individual is now available who is aware of all facts relevant to this litigation. Information has been assimilated from those records that still exist from former employees. Accordingly, Corhart can only relay this information; it cannot attest to the completeness or accuracy of information so collected. Information of this nature is being supplied because it may lead to the discovery of admissible evidence.

For these reasons, the information being provided in these responses may be incomplete. Corhart is engaged in a continuing investigation into the subject matter sought by this discovery, and its responses are based upon the information developed to date. Corhart cannot rule out the possibility that such investigation may, at some time, yield additional information, or information which may be at variance with the information that is now being supplied. Corhart reserves the right to supplement these responses at a future date if additional information is discovered.

Corhart generally objects to these interrogatories and requests as being unduly burdensome, harassing, oppressive, vexatious, boiler plate, overly broad as to time, scope, location, vague, lacking

in particularly and repetitious. Objection is made to the extent these requests assume the truth of facts not proven or facts not in evidence. Objection is made to these Interrogatories and Requests for Production on the grounds that they seek information which is not relevant or not reasonably calculated to lead to the discovery of admissible evidence. In particular, Corhart objects to those Interrogatories and Requests for Production that request information regarding the ultimate sales or distribution of products in the subject jurisdiction and that did not directly affect the sale or distribution of products by Corhart which sales did not occur the subject jurisdiction; and/or which may not lead to the discovery of admissible evidence regarding product shipments that may have been utilized at job sites where Plaintiffs are claiming exposure, because information sought regarding other sales or distribution of Corhart's products is irrelevant and immaterial and not reasonably calculated to lead to the discovery of admissible evidence.

Objection is also being made to these requests to the extent that they seek information or materials that have been gathered or prepared in the course of the asbestos litigation, or which are otherwise protected by the attorney/client privilege, the work product doctrine, or by any other applicable privilege. Corhart also objects to these requests to the extent that they seek confidential, trade secret, or other proprietary information or materials.

Corhart further makes the following additional General Objections to each of these Interrogatories and Request for Production: Corhart objects to these Interrogatories and Request for Production to the extent that they purport to require it to "identify" documents on the grounds that such requests to "identify" are overly broad, unduly burdensome an oppressive. Corhart objects to the definitions provided with these Interrogatories and Request for Production as being overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

Corhart asserts that all terms should be given their usual and ordinary interpretation.

Corhart does not concede that any of its responses to these requests are or will be admissible evidence at trial of this action, and it does not waive any objection on any ground, whether or not asserted herein, to the use of any such response at trial.

These general objections and preliminary statement are explicitly incorporated into each of the responses hereinafter provided

CORHART'S RESPONSES TO PLAINTIFFS' REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects as it has never mined, manufactured, sold, marketed, installed and or distributed asbestos containing products. Subject to and without waiving said objection, Corhart states that after reasonable investigation, it possesses no such photographs or pictures. Defendant reserves the right to supplement this response as discovery in this matter continues.

REQUEST FOR PRODUCTION NO. 2:

RESPONSE:

See response to Answers to Interrogatory No. 5. Subject to and without waiving its objection, Corhart refers plaintiffs to documentation attached hereto as Exhibit A. Corhart asserts that none of the products listed on any of the attached Metallurgical Customer Sales Sheets, those products being H-22 fire brick, C-104 fire brick, Corguard, Ram Mix, RFG, Mortar, Unicolor 501, Trucast, Grain, Unicolor 1, TN Exode, Sillimanite and Standard utilized asbestos in any of the batch-mix formulas used to manufacture these products.

REQUEST FOR PRODUCTION NO. 3:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly

burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart objects to this Request on the ground that it neither manufactured nor sold an asbestos-containing product to companies that may have distributed, packaged, labeled and/or sold such products. Subject to and without waiving its objection, Corhart states that to its best knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession.

REQUEST FOR PRODUCTION NO. 4:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 5:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 6:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 7:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. Defendant reserves the right to supplement this response as discovery continues..

REQUEST FOR PRODUCTION NO. 8:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture as asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see answer to Interrogatory No.5. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 9:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see answers to Interrogatory No. 18 and No. 5. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 10:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly

burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see Answer to Interrogatory No. 19 and No. 5. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 11:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see Answer to Interrogatory No. 21 and No.5. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 12:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see Answer to Interrogatory No. 22. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO.13:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way

of further answer, see Answer to Interrogatory No. 23. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 14:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see Answer to Interrogatory No. 24. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 15:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see Answer to Interrogatory No 31. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 16:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 17:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see Answer to Interrogatory No. 41. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 18:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see Answer to Interrogatory No. 43. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 19:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see Answer to Interrogatory No. 48. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 20:

RESPONSE:

Corhart objects to this Request on the ground that it is vague, ambiguous, overly broad and not reasonably calculated to lead to the discovery of admissible evidence. By way of further answer, see Answer to Interrogatory No. 49.

REQUEST FOR PRODUCTION NO. 21:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see Answer to Interrogatory No. 52. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 22:

RESPONSE:

See Answer to Interrogatory No. 53.

REQUEST FOR PRODUCTION NO. 23:

RESPONSE:

Corhart refers Plaintiffs to insurance documentation provided in Answer to Interrogatory No. 56.

REQUEST FOR PRODUCTION NO. 24:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 25:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents responsive to this request in its possession. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 26:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Corhart further objects to this request as it seeks information relating to substances other than asbestos and to illnesses or diseases other than those allegedly caused by exposure to asbestos. Subject to and without waiving its objection, Corhart refers Plaintiffs to documentation attached hereto as Exhibit B. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 27:

RESPONSE:

Corhart objects to this Request on the ground that it is vague, overly broad, unduly burdensome, and seeks information which is neither relevant to the subject matter of this case, nor reasonably calculated to lead to the discovery of admissible evidence in that it is not limited to Plaintiff's jobsites, time periods of alleged exposure and seeks information relating to substances other than asbestos.

REQUEST FOR PRODUCTION NO. 28:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after a reasonable investigation, Corhart has no such documents regarding asbestos containing products responsive to this request in its possession. Defendant reserves the right to supplement this response as discovery

continues.

REQUEST FOR PRODUCTION NO. 29:

RESPONSE:

Corhart objects to this Request on the ground that it is vague, overly broad, unduly burdensome, and seeks information which is neither relevant to the subject matter of this case, not reasonably calculated to lead to the discovery of admissible evidence in that it is not limited to Plaintiff's jobsites, time periods of alleged exposure and seeks information relating to substances other than asbestos.

REQUEST FOR PRODUCTION NO. 30:

RESPONSE:

Documents responsive to this Request are attached hereto as Exhibit C.

REQUEST FOR PRODUCTION NO. 31:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see Answers to Interrogatory Nos. 35, 36, 36.1 and 36.2. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 32:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer see Interrogatory No. 30.2. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 33:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer see Interrogatory No. 30.2. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 34:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer see Interrogatory No. 30.2. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 35:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer see Answers to Interrogatory Nos. 27, 28 and 29. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 36:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer see Answers to Interrogatory No. 31, 32, 33 and 33.1. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 37:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer see Answers to Interrogatory No. 31, 32, 33 and 33.1. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 38:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession. By way of further answer, see Answer to Interrogatory No. 27. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 39:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects as it has never mined, manufactured, sold, marketed, installed and or distributed asbestos containing products. Subject to and without waiving said objection, Corhart states that after reasonable investigation, it possesses no such photographs or pictures. Defendant reserves the right to supplement this response as discovery in this matter continues.

REQUEST FOR PRODUCTION NO. 40:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession. Defendant reserves the right to supplement this response as discovery continues. Without waiving its objection, Corhart refers plaintiffs to documentation attached hereto as Exhibit D.

REQUEST FOR PRODUCTION NO. 41:

RESPONSE:

Corhart objects to this document request on the grounds that it is vague, overly broad, unduly burdensome and seeks information which is neither relevant to the subject matter of this case nor reasonably calculated to lead to the discovery of admissible evidence. Corhart further objects to this Request on the ground that it did not manufacture an asbestos-containing product. Subject to and without waiving its objection, Corhart states that to the best of its knowledge, after reasonable investigation, Corhart has no such documents responsive to this request in its possession. Defendant reserves the right to supplement this response as discovery continues.

REQUEST FOR PRODUCTION NO. 42:

RESPONSE:

See Answer to Interrogatory No. 55.1.

REQUEST FOR PRODUCTION NO. 43:

RESPONSE:

See Answers to Interrogatory No. 49.

REQUEST FOR PRODUCTION NO. 44:

RESPONSE:

Corhart has no documents responsive to this request in its possession.

REQUEST FOR PRODUCTION NO. 45:

RESPONSE:

No decision has been made at this time with respect to trial exhibits. Corhart will supplement this Request in accordance with the time period for submission of trial exhibit lists contained in the Case Management Order governing these cases pursuant to the applicable Court Rules of Procedure.

REQUEST FOR PRODUCTION NO. 46:

RESPONSE:

See Answer to Interrogatory No. 49.

REQUEST FOR PRODUCTION NO. 47:

RESPONSE:

No decision has been made at this time with respect to trial exhibits. Corhart will supplement this Request in accordance with the time period for submission of trial exhibit lists contained in the Case Management Order governing these cases pursuant to the applicable Court Rules of Procedure.

REQUEST FOR PRODUCTION NO. 48:

RESPONSE:

Corhart has no documents responsive to this request in its possession.

REQUEST FOR PRODUCTION NO 49:

RESPONSE:

No decision has been made at this time with respect to trial exhibits. Corhart will supplement this Request in accordance with the time period for submission of trial exhibit lists contained in the Case Management Order governing these cases pursuant to the applicable Court Rules of Procedure.

REQUEST FOR PRODUCTION NO. 50:

RESPONSE:

N/A

REQUEST FOR PRODUCTION NO. 51:

RESPONSE:

N/A

REQUEST FOR PRODUCTION NO. 52:

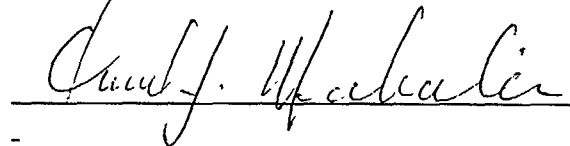
RESPONSE:

Corhart reserves the right to supplement all discovery responses at a future date if additional information responsive to said requests are discovered.

Of Counsel:

**GALLAGHER, SHARP, FULTON
FULTON & NORMAN Of Counsel:**

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Daniel J. Michalec", is written over a horizontal line.

**VIRGINIA HEIDLOFF (0014348)
JOSEPH W. PAPPALARDO (0014326)
DANIEL J. MICHALEC (0042733)**

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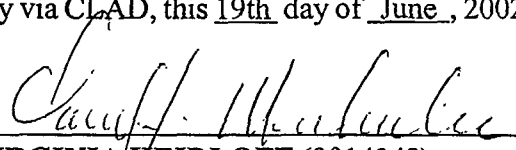
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CERTIFICATE OF SERVICE

The original of the foregoing was sent via regular U.S. mail, postage pre-paid, to Counsel for Plaintiffs, Ladd R. Gibke, BARON & BUDD, P.C., 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219, with a Notice of Filing filed electronically via CLAD, this 19th day of June, 2002.

Of Counsel:

**GALLAGHER, SHARP, FULTON
FULTON & NORMAN**


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