



MASTER FILE

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| IN RE:     | \$ | IN THE DISTRICT COURT |
| ASBESTOS   | \$ | OF                    |
| LITIGATION | \$ | HARRIS COUNTY, TEXAS  |

**DEFENDANT, THORPE PRODUCTS COMPANY'S,**  
**SECOND AMENDED ANSWERS TO PLAINTIFFS' INTERROGATORIES**

TO: PLAINTIFFS, BY AND THROUGH THEIR ATTORNEY OF RECORD, JOHN E. WILLIAMS, JR.

NOW COMES Thorpe Products Company, Defendant in the above-styled and numbered cause of action, and files this its Answers to the Interrogatories of the Plaintiffs and in answer to said Interrogatories makes the following answers thereto as shown on the attached pages.

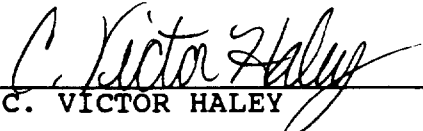
Respectfully submitted,

FAIRCHILD, PRICE, RUSSELL,  
THOMAS & HALEY  
P. O. Drawer 1336  
Center, Texas 75935  
(409) 598-2981  
(409) 598-7712 - fax

By: C. Victor Haley  
C. VICTOR HALEY, TBA #08738400  
ATTORNEY FOR DEFENDANT,  
THORPE PRODUCTS COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been deposited in a United States mail receptacle, certified mail, return receipt requested, on this the 23<sup>rd</sup> day of October, 1992, addressed to Mr. John E. Williams, Jr.

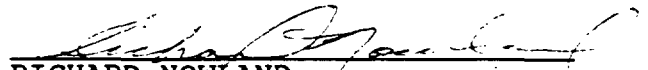
  
C. VICTOR HALEY

## VERIFICATION

THE STATE OF TEXAS §

COUNTY OF HARRIS §

**Richard Nowland**, being first duly sworn, on oath deposes and says that he is a duly authorized representative of **Thorpe Products Company**, Defendant in the above-entitled action; that he has read and is qualified to give the foregoing response to Answers to Interrogatories and knows the content thereof; that said answers were prepared by and with the assistance of former employees and representatives of **Thorpe Products Company** with the assistance and advice of counsel, upon which he has relied; that the answers set forth herein, subject to inadvertent or undiscovered errors, are based on and therefore necessarily limited by the records and information still in existence, presently recollected and thus far discovered in the course of the preparation of these answers, that consequently **Thorpe Products Company** reserves the right to make any changes in the answers if it appears at any time that omissions or errors have been made therein or that more accurate information is available; and that subject to the limitations set forth herein the said answers are true and correct.

  
RICHARD NOWLAND

SUBSCRIBED AND SWORN TO before me on this 2nd day of October, 1992, to certify which witness my hand and seal of office.

  
NOTARY PUBLIC, STATE OF TEXAS

GENERAL OBJECTIONS

1. Defendant, Thorpe Products Company, adopts the objections asserted by any and all other Defendants herein, and incorporates same by reference.

## ANSWERS

1. Identify the registered name of answering Defendant, as well as all prior names or predecessor entities by which Defendant has existed.

**ANSWER:** Thorpe Products Company

2. Identify all past and present divisions, subsidiaries or affiliated companies of the answering Defendant, having any function which now or in the past engaged in any phase of mining, manufacturing, sale, supply, purchase, application, installation, relabeling, processing or distribution of asbestos or asbestos-containing products. With respect to each of such divisions, subsidiaries or companies, set forth with particularity the precise relationship with the answering Defendant the dates thereof, and identify the nature and extent of such functions during the relevant periods of time in which such activities have or had occurred.

**ANSWER:** Thorpe Products Company was incorporated on April 26, 1985 and has never manufactured, sold or distributed any asbestos containing material.

3. List by brand name all of your asbestos-containing products. Your asbestos-containing products includes all products which contain any amount of asbestos manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed by you or for you by others. By you and yours, Plaintiffs' refer to Defendant, to all your predecessors in interest, (whether by purchase, merger, consolidation or otherwise) to all of your subsidiaries, divisions, joint ventures of affiliates. As to each product, state the following:

- a. type of product (e.g., acoustical plaster, fireproofing, etc.);
- b. the date the product first went into production;
- c. the last date the product was produced;
- d. the last date the product was sold;
- e. all manufacturing locations;
- f. dates of manufacture at each location;
- g. the percentage of asbestos (state if percentage is by volume or weight), and the dates and all reasons for any

- modification thereof;
- h. the type of asbestos;
  - i. the specific source of asbestos with dates;
  - j. the color, physical characteristic, and appearance of the product;
  - k. a full and precise description of the package in which the product was sold, including, but not limited to, type of package, size, color(s), and writings thereon;
  - l. all other names under which the product was sold;
  - m. the number and dates of each patent or patent application as to the product;
  - n. if the product continued to be produced after the deletion of asbestos, all reasons why the asbestos was deleted, the identity of the person who made the decision to delete the asbestos, and the date the product was first produced without the asbestos;
  - o. if the product is no longer produced, all reasons it was discontinued, the identity of the person who made the decision to discontinue the product, the brand name of the replacement product, and the date the replacement product first went into production;
  - p. a precise description of your identifying logo or initials and the dates of inclusion on the product;
  - q. state during what period of time such product has been associated with Defendant;
  - r. identify all sales literature, including brochures, advertisements, pamphlets or other material describing such product, its uses and methods of application or installation;
  - s. identify any warning labels, inserts or other writings provided with such product and with every such printed warning, state what period of time it has or had accompanied the product, the exact wording of the warning, any amendments made to the wording, where the warning was located on each product or packaging, and on what asbestos products the warning appear(ed);
  - t. geographic distribution range of each such product.

**ANSWER:** Thorpe Products Company was incorporated on April 26, 1985, and has never manufactured, sold or distributed any asbestos containing material.

4. Did you claim your asbestos product(s) to be safe, effective and/or easy to handle? If so, identify all documents, which have made such assertions, including, but not limited to, brochures or advertisements (radio, television or printed), and revisions thereof by publication(s) and date. Your asbestos products includes all products which contain any amount of asbestos manufactured, sold, designed, supplied, distributed, mined, milled, re-labeled, resold, processed, applied or installed by you or for you by others.

**ANSWER:** Thorpe Products Company was incorporated on April 26, 1985, and has never manufactured, sold or distributed any asbestos containing material.

5. Did you specifically inform the purchaser or user of your products at the time your product was sold, installed, used, supplied or subsequently, that your products could cause lung cancer, asbestosis, and mesothelioma? If so, identify the document containing such information by date and location.

**ANSWER:** Thorpe Products Company was incorporated on April 26, 1985, and has never manufactured, sold or distributed any asbestos containing material.

6. Identify any and all labelling or relabelling agreements between answering Defendant and other entities, including other Defendants concerning asbestos containing products and materials.

**ANSWER:** Thorpe Products Company was incorporated on April 26, 1985, and has never manufactured, sold or distributed any asbestos containing material.

7. Have you ever mined asbestos? If so, as to each mine and type of asbestos produced there, state the following:

**ANSWER:** No.

a. the location;

**ANSWER:** N/A

b. the dates of operation by you;

**ANSWER:** N/A

c. the type (e.g., chrysotile, amosite, etc.) produced;

**ANSWER:** N/A

- d. the grade of each type of asbestos fiber produced, the percentage of each grade to the total fiber produced by year or other period, and the recommended use of the grade of fiber;

**ANSWER:** N/A

- e. the gross annual sales in dollars and in volume for each type and grade of asbestos fiber;

**ANSWER:** N/A

- f. a full and precise description of the package in which the asbestos fiber was sold, including, but not limited to, type of package, size, color(s), and writing thereon;

**ANSWER:** N/A

- g. all names under which the asbestos fiber was sold;

**ANSWER:** N/A

- h. the identity of all records reflecting the sale or transfer of said asbestos fiber;

**ANSWER:** N/A

- i. the identity of the present custodian of photographs of the burlap bags in which the asbestos fibers was stored and/or shipped;

**ANSWER:** N/A

- j. the address of each sales office and sales region for the sale of the asbestos fiber;

**ANSWER:** N/A

- k. the name of each authorized distributor of the asbestos fiber produced;

**ANSWER:** N/A

- l. the identity of each owner and operator of the mine prior to the date you first began operation of the mine, and the dates thereof, and

**ANSWER:** N/A

- m. the identity of each owner and operator of the mine subsequent to your ceasing operation of the mine.

**ANSWER:** N/A

8. Is answering Defendant aware of the possible connection between exposure to asbestos or asbestos products and:

**ANSWER:** Thorpe Products Company, was incorporated on April 26, 1985, has never manufactured, sold or distributed any asbestos containing materials therefore, Defendant objects to this Interrogatory as not being relevant nor reasonably calculated to lead to the discovery of relevant evidence. Additionally, Defendant objects to this Interrogatory in that it calls for medical conclusions beyond the scope and knowledge of Thorpe Products Company. Additionally, Defendant hereby adopts and incorporates by reference all objections made by any other Defendant. Subject to and without waiving the foregoing objections, Defendant would answer as follows:

- a. Asbestosis?

**ANSWER:** As to any time period after 1985, and subject to the qualification that asbestos per se does pose a risk of harm, Defendant admits that the risk of harm may exist depending on the existence of a sufficient exposure period and level of exposure.

- b. Lung cancer, all cell types?

**ANSWER:** Defendant possesses no medical expertise in order to provide precise answers to the questions as phrased and would refer Plaintiff to the medical literature for answers to these questions.

- c. Mesothelioma?

**ANSWER:** Defendant possesses no medical expertise in order to provide precise answers to the questions as phrased and would refer Plaintiff to the medical literature for answers to these questions.

- d. Colon cancer?

**ANSWER:** Defendant possesses no medical expertise in order to provide precise answers to the questions as phrased and would refer Plaintiff to the medical literature for answers to these questions.

- e. Stomach cancer?

**ANSWER:** Defendant possesses no medical expertise in order to provide precise answers to the questions as phrased and would refer Plaintiff to the medical literature for answers to these questions.

f. Laryngeal cancer?

**ANSWER:** Defendant possesses no medical expertise in order to provide precise answers to the questions as phrased and would refer Plaintiff to the medical literature for answers to these questions.

g. Cancer of the Kidney?

**ANSWER:** Defendant possesses no medical expertise in order to provide precise answers to the questions as phrased and would refer Plaintiff to the medical literature for answers to these questions.

h. Cancer of the Esophagus?

**ANSWER:** Defendant possesses no medical expertise in order to provide precise answers to the questions as phrased and would refer Plaintiff to the medical literature for answers to these questions.

i. Other gastrointestinal cancers?

**ANSWER:** Defendant possesses no medical expertise in order to provide precise answers to the questions as phrased and would refer Plaintiff to the medical literature for answers to these questions.

j. Pneumoconiosis?

**ANSWER:** Defendant possesses no medical expertise in order to provide precise answers to the questions as phrased and would refer Plaintiff to the medical literature for answers to these questions.

9. If your answer to the above interrogatory, as to any or all of its sub-parts, is affirmative, identify:

**ANSWER:** Thorpe Products Company, was incorporated on April 26, 1985, has never manufactured, sold or distributed any asbestos containing materials therefore, Defendant objects to this Interrogatory as not being relevant nor reasonably calculated to lead to the discovery of relevant evidence. Additionally, Defendant objects to this Interrogatory in that it calls for medical conclusions beyond the scope and knowledge of Thorpe

Products Company. Additionally, Defendant hereby adopts and incorporates by reference all objections made by any other Defendant. Subject to and without waiving the foregoing objections, Defendant would answer as follows:

- a. When and how Defendant first learned of such connections;

**ANSWER:** Defendant was not in existence until 1985, therefore, Defendant could not have learned of such connections until at least 1985 at which time a considerable amount of literature had been published. The exact source would be unknown.

- b. If knowledge was obtained by attendance at any conference, lecture, convention, symposium or meeting, identify such meeting and provide the identity of person attending or documents obtained;

**ANSWER:** N/A

- c. If knowledge was obtained from medical or scientific studies, or any other published work, identify same;

**ANSWER:** Please refer to subpart (a) above.

- d. If otherwise obtained, identify manner of receipt of document or communication.

**ANSWER:** N/A

10. With regard to any knowledge obtained subsequent to that identified in the above interrogatory, and up until the time that you ceased to sell and/or manufacture asbestos products, identify:

**ANSWER:** Thorpe Products Company was incorporated on April 26, 1985 and has never manufactured, sold or distributed asbestos containing materials.

- a. All documents or other communications, oral or written, concerning the casual connection between exposure to asbestos or asbestos products and disease, and identify of persons so communicating:

**ANSWER:** None.

- b. Did answering Defendant obtain from or transmit any such information to other Defendants in this case? If so, identify:

**ANSWER:** Thorpe Products Company, was incorporated on April 26, 1985, and has never manufactured, sold or distributed any

asbestos containing materials.

1. manner of receipt or communication for each contact;

**ANSWER:** Thorpe Products Company, was incorporated on April 26, 1985, and has never manufactured, sold or distributed any asbestos containing materials.

2. all documents and persons involved.

**ANSWER:** Thorpe Products Company, was incorporated on April 26, 1985, and has never manufactured, sold or distributed any asbestos containing materials.

11. As to any knowledge possessed by answering Defendant at any time referred to in answers to the preceding three interrogatories did you educate your employees, distributors, or purchasers about the hazards known to you and any safety precautions necessary to guard against cancer and other diseases arising from the use and handling of your asbestos containing products? If so, identify:

**ANSWER:** Thorpe Products Company, was incorporated on April 26, 1985, and has never manufactured, sold or distributed any asbestos containing materials.

- a. When and in what manner customers, insulators, non-employee factory workers and the general public were so informed;

**ANSWER:** N/A

- b. Documents communicating or otherwise disseminating such information;

**ANSWER:** N/A

- c. Programs initiated or sponsored to establish or promote safety procedures, methods or usage of asbestos containing products;

**ANSWER:** N/A

- d. Published articles or reports by employees (present or prior), including those of medical directors, scientists, engineers or other professionals;

**ANSWER:** N/A

- e. Symposia or lectures sponsored for the benefit of asbestos workers and/or the general public.

**ANSWER:** N/A

12. When, before 1972, and by what manner were you first aware of the health hazards relating to exposure to asbestos or asbestos products for insulators, plasterers, pipefitters, boilermakers, operators, sheet metal workers, helpers, drywall finishers, mechanics, carpenters, shipfitters, machinist and bystanders exposed to inhalers.

**ANSWER:** Thorpe Products Company did not exist prior to April 26, 1985.

13. Did you perform, direct to be performed, finance, sponsor or receive the results of any studies or tests concerning potential health hazards involved with the use of asbestos containing materials? If so, identify such studies or tests and state:

**ANSWER:** No

- a. When, where and at what intervals such studies were performed;

**ANSWER:** N/A

- b. Were such studies in writing or reported at a later date in writing;

**ANSWER:** N/A

- c. Were the results of such studies published or otherwise disseminated? If so, state to whom and when:

**ANSWER:** N/A

- d. Who performed such studies;

**ANSWER:** N/A

- e. What were the results of such studies?

**ANSWER:** N/A

14. During the time period that you manufactured, sold, supplied, applied, distributed or installed asbestos containing products, what tests have been performed by any governmental agency, body, commission or health organization including, but not limited to, the U. S. Public Health Service, OSHA, or NIOSH, in your plants or on job sites owned or controlled by you concerning: specific hazards associated with the use and handling of asbestos and asbestos products; any restrictions in use of same; requirements

for medical surveillance and examinations for your workers, dust monitoring or availability of safety equipment? If such findings were made, identify:

**ANSWER:** Thorpe Products Company has never manufactured, sold or distributed any asbestos containing materials.

- a. The date or dates of such findings and by which organization or entity such findings were made;

**ANSWER:** N/A

- b. The form in which such findings were made and, if written, the exact wording of same or location in regulation, order, bulletin, report or other writing;

**ANSWER:** N/A

- c. What steps were taken to comply with such findings and the dates when such acts of compliance occurred;

**ANSWER:** N/A

- d. How users of or bystanders exposed to asbestos or asbestos containing products were informed or such findings and if such information was written identifying same.

**ANSWER:** N/A

15. During the time that you manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed asbestos containing products, did you perform, direct to be performed, finance, sponsor or receive the results of any dust monitoring tests at job sites where asbestos-containing products were being applied and/or removed? If so, state:

**ANSWER:** N/A

- a. The date and location of the first such test;

**ANSWER:** N/A

- b. When, where and at what intervals subsequent tests were performed;

**ANSWER:** N/A

- c. Who performed such tests;

**ANSWER:** N/A

d. Where the results of such tests are maintained;

**ANSWER:** N/A

e. What steps were taken by you to improve results of such tests, and dates when such improvements were made.

**ANSWER:** N/A

16. If your answer to the above interrogatory is in the negative, state your reasons for not performing dust monitoring tests.

**ANSWER:** Thorpe Products Company, was incorporated on April 26, 1985, and has never manufactured, sold or distributed any asbestos containing material.

17. During the time that Defendant sold, manufactured, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed asbestos containing products, did the Defendant ever have any inspectors or anyone from your company or hired by your company whose job it was to go to areas where your asbestos containing products were being used, removed or installed to make a dust level count? If so, state when this procedure started, the purpose of such procedure and the findings and what action, if any, was taken in response to the findings, and attach results.

**ANSWER:** Thorpe Products Company has never manufactured, sold or distributed any asbestos containing material.

18. During the time that Defendant manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied, or installed asbestos containing products, identify any medical examination programs offered or sponsored by answering Defendant or its insurance carrier(s) for employees of its insured handling or otherwise exposed to asbestos and asbestos products.

**ANSWER:** Thorpe Products Company has never manufactured, sold or distributed any asbestos containing material.

a. Manner of communication with employees about such program;

**ANSWER:** N/A

b. Whether examination was mandatory or optional;

**ANSWER:** N/A

c. What percentage of workers permitted to undergo such examination participated;

**ANSWER:** N/A

- d. What percentage of workers were found to have asbestosis or mesothelioma;

**ANSWER:** N/A

- e. With respect to (d), what percentage of such workers were paid disability or workmen's compensation benefits or for whose benefit medical expenses were paid to undergo treatment for such conditions.

**ANSWER:** N/A

19. Does the Defendant have or has it ever had, a Medical department, and/or a research department and/or an Industrial Hygiene department. If so, give the date upon which such Medical department and/or Industrial Hygiene department was established, and whether or not such department has operated continuously since being established.

**ANSWER:** Defendant objects to this Interrogatory as being overly broad and unduly burdensome. Additionally, Defendant objects to this Interrogatory as not being relevant nor reasonably calculated to lead to the discovery of relevant evidence. Thorpe Products Company, was incorporated on April 26, 1985, and has never manufactured, sold or distributed any asbestos containing material.

- a. Name each director, chief or head of your Medical department and/or Industrial Hygiene department year by year with the first year you had a director of such department. Give the last known address of each.

**ANSWER:** Defendant objects to this Interrogatory as being overly broad and unduly burdensome. Additionally, Defendant objects to this Interrogatory as not being relevant nor reasonably calculated to lead to the discovery of relevant evidence. Thorpe Products Company, was incorporated on April 26, 1985, and has never manufactured, sold or distributed any asbestos containing material.

- b. State in detail the duties, responsibilities and purpose of such department(s);

**ANSWER:** Defendant objects to this Interrogatory as being overly broad and unduly burdensome. Additionally, Defendant objects to this Interrogatory as not being relevant nor reasonably calculated to lead to the discovery of

relevant evidence. Thorpe Products Company, was incorporated on April 26, 1985, and has never manufactured, sold or distributed any asbestos containing material.

20. Identify all asbestos related trade organizations, associations, or other entities including, but not limited to the Gypsum Association, Vermiculite Institute, Asbestos Textile Institute, Industrial Hygiene Foundation, Magnesia Insulation Manufacturers Association, National Insulation Manufacturers Association, Asbestos Information Association, National Insulation Contractors Association, Thermal Insulation Manufacturers Association, Quebec Asbestos Manufacturers Association, Quebec Asbestos Producers Association to which you have belonged or in which you have participated and as to each respective organization, identify the dates of membership or participation.

**ANSWER:** N/A

21. Identify any documents, not currently on file in the Master Asbestos File of Harris County, either received by you from those trade organization, associations or other entities identified in the preceding interrogatory or else submitted by you to those trade associations, organizations or other entities that relate to any relationship between asbestos exposure and disease.

**ANSWER:** N/A

22. Identify all agreements, oral or written, between you, any of the other Defendants in this lawsuit, and/or any other organizations, associations or other entities identified in your answer to Interrogatory No. 20 and/or any medical or scientific foundations, not currently on file in the Master Asbestos File of Harris County, relating to the standardization of:

**ANSWER:** None.

- a. Specifications for paper or burlap bags, or other packaging to be used for the transport and/or storage of asbestos-containing products during the time that you manufactured, sold, distributed, or applied asbestos-containing products.

**ANSWER:** N/A

- b. Warning or caution labels to be applied to asbestos products and/or their packaging, cartons, containers, or boxes during the time that you manufactured, sold, distributed, or applied asbestos-containing products.

**ANSWER:** N/A

- c. Methods of dissemination or public relation information to Defendant's purchasers, advertisers, distributors, factory workers, contractors, insulators, users, consumers of asbestos products and/or the general public pertaining to asbestos health hazards.

**ANSWER:** N/A

- d. Safety equipment and/or protective clothing to be utilized while handling Defendant's asbestos products.

**ANSWER:** N/A

- e. Medical programs related to asbestos health hazards to be offered or sponsored by Defendant.

**ANSWER:** N/A

23. Did you direct to be performed, sponsor, finance or receive the results of any studies or tests performed by the Saranac Lake Laboratory to the Trudeau Foundation relating to asbestos exposure and its effects upon human life? If so, identify:

**ANSWER:** No.

- a. All documents summarizing findings or results of those studies or tests which you have in your possession or control;

**ANSWER:** N/A

- b. All communications oral or written, between answering Defendant and Saranac personnel including, but not limited to, Gerrit W. H. Schepers, M.D. and George Wilbur Wright, M.D.;

**ANSWER:** N/A

- c. All documents relating to Saranac studies received or submitted by you whether directly, through associated or predecessor companies, through other companies, or through trade associations, organizations or other entities;

**ANSWER:** N/A

- d. All recommendations or findings of such studies relating to:

**ANSWER:** N/A

1. adequacy or inadequacy of threshold limit values;

**ANSWER:** N/A

2. substitution of materials other than asbestos.

**ANSWER:** N/A

- e. Where documents and/or communications identified in answers to (a) - (d) of this Interrogatory are maintained.

**ANSWER:** N/A

24. Prior to December 31, 1989, has any employee of answering Defendant ever made a claim for any asbestos related disease under the Occupational Disease or Workmen's Compensation Statute of any state? If so, state;

**ANSWER:** In addition to all objections made by other Defendants, to which Thorpe Products Company hereby incorporates by reference, Thorpe Products Company specifically objects to Interrogatory No. 24 for the reason it is overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery admissible evidence as Thorpe Products Company's employees are not the subject of this litigation. Subject to and without waiving the foregoing objections, none.

- a. The date that Defendant first received notice of such claim;

**ANSWER:** Refer to Interrogatory No. 24 above.

- b. The total number of such claims per year received to date;

**ANSWER:** Refer to Interrogatory No. 24 above.

- c. The number of such claims for which disability benefits and/or medical expenses were paid by Defendant;

**ANSWER:** Refer to Interrogatory No. 24 above.

- d. Identify all persons to whom disability benefits and/or medical expenses were paid by Defendant and the exact medical diagnosis, disease and/or condition for which such benefits/expenses were paid.

**ANSWER:** Refer to Interrogatory No. 24 above.

25. Identify each and every magazine or trade publication in which answering Defendant advertised its asbestos products from 1950 until the time you ceased mining, milling, selling, distributing, and/or applying asbestos containing products.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing materials.

26. As to the person(s) answering these interrogatories, state:

a. name;

**ANSWER:** Richard Nowland

b. title or position with Defendant;

**ANSWER:** Treasurer/Director

c. length of time employed by Defendants.

**ANSWER:** 1985-present

27. Have you ever sold raw asbestos fiber? If so, state the dates you were involved in the sale of raw asbestos fiber.

**ANSWER:** No.

28. State whether or not you have any information as to your relative market share regarding each of your asbestos containing products. If so, as to each year between 1940 or the time that you began mining, milling, selling, distributing and/or applying asbestos containing products until cessation of same, and with respect to each type of product, provide such information or opinion as to your market share and identify each document which provides any information to assist you in this determination. Give the same answers as to asbestos containing products in the Texas Gulf Coast area.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

29. Have you designated distributors of your asbestos containing products in the State of Texas? If so, then state the name of all companies, their addresses, give the years that each was a designated distributor and the products each distributed.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

30. If you did not have designated distributors in the State of Texas, then state by what method sales of asbestos containing

materials were made. Give the name and addresses of all Defendant's sales offices, relating to asbestos containing products, located in the State of Texas.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

31. Did you ever have a division or subsidiary company engaged in the contracting business of applying insulation products? If so, give the name of such division or subsidiary company, the full address of the home office of such division or subsidiary company, and the dates such division or subsidiary company was engaged in the contracting business.

**ANSWER:** No.

32. Based upon the contents of your products, the method of manufacturing and the method of application, could or can your products be generally applied or removed without liberating asbestos fibers? Your answer may be limited to those asbestos-containing products that have been identified in any Harris County asbestos case.

- a. If there is a different answer concerning different products manufactured, sold, distributed, or used by your company then specify the different products by manufacturer's name and popular name.
- b. If there is a difference in your answer depending on the year or years in which a particular product was used, then specify in detail what year or years you are referring to and the specific products you are referring to and the year involved.
- c. If there is a difference in your answer depending on the trade or type worker, then specify which type workers you are referring to.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

33. Was it anticipated that your asbestos containing products may have to be removed, stripped, disturbed, or replaced at any time after installation?

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed asbestos containing material.

34. Did the Defendant, during the time it mined, manufactured, milled, sold or applied asbestos-containing products, give users or other persons exposed to asbestos containing products or their

employers who would be applying, using, removing your asbestos containing products instructions concerning safety precautions to use in applying, using or removing such products? If so, describe such instructions, to whom they were given, the dates they were given, and the manner of giving such instructions.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

35. If you have pled that the Plaintiff misused Defendant's asbestos containing products, then state in what manner the Defendant contends that Plaintiff misused its products? If "Yes", then state in what manner and under what circumstances each product was misused. Also state what Plaintiff could have done to avoid such misuse.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

36. List all the job sites, contractors and/or facilities in the Gulf Coast area of Texas, including, but not limited to, oil refineries, chemical plants, power plants, shipyards, commercial buildings, and manufacturing plants, where or to whom Defendant's asbestos products were supplied, distributed, sold and/or used. Also, list which products were involved, the date or time period of such sale, distribution, use or installation and if known, the physical location within the facility listed. Alternative, you may produce the documents requested in Request for Production No. 1.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

37. For the attached list of San Antonio job sites, state whether or not Defendant's asbestos products were supplied, distributed, sold and/or used. Also, list which products were involved, the date or time period of such sale, distribution, use of installation and, if known, the physical location within the facility listed.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

38. Up until the time that you ceased to sell and/or manufacture asbestos containing products, had the Defendant ever conducted or caused to be conducted any studies designed to minimize or eliminate the inhalation of asbestos dust or fibers by those exposed to the use of the Defendant's asbestos containing products? If so, give the following:

- a. Name of the person or firm conducting such studies;
- b. The date the studies began and the date completed;

- c. Any publication or dissemination of the results of the studies;
- d. The nature of any action to eliminate or minimize inhalation of asbestos dust or fibers;
- e. Attach copies.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

39. Has the Defendant ever directly advised any person or party to whom you sell your asbestos containing products of threshold limit values for exposure to asbestos dust recommended by the American Conference of Governmental Industrial Hygienist, or mandated by any governmental entity? If so, state the date that you so advised such person or party, the manner in which you advised such person or party, and the name of each.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

40. State the year that this Defendant was first advised of threshold limit values and maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Governmental Industrial Hygienists, and state the name of the employee of the company receiving such information, the information received, the method of receipt of such information and attach copies of the instrument communicating such advice.

**ANSWER:** N/A

41. Was such threshold limit values of maximum allowable concentrations inquired about in the preceding interrogatory total dust or just asbestos dust?

**ANSWER:** N/A

42. Up until the time that Defendant ceased to sell and/or manufacture asbestos containing products, state in detail what test, if any your company or its predecessor(s) ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which users or bystanders were exposed while using your asbestos containing products.

**ANSWER:** Thorpe Products Company never manufactured, distributed or sold any asbestos containing material

- a. If there were any such tests or studies, give the name or

names of the person(s) conducting the tests, the date of the tests and attach true copies of any reports, findings or memoranda concerning such tests or studies.

**ANSWER:** N/A

43. Does the Defendant possess or have in its control any written documents and/or written materials prior to 1980 which indicate that other manufacturers of asbestos containing products had any knowledge, information or understanding that asbestos would, could or might be harmful? If so, list each document and/or written material, and attach a copy.

**ANSWER:** Thorpe Products Company did not exist until April 26, 1985.

44. Did your company or its predecessor(s) ever place any warning directly on any of its asbestos containing products? (i.e. on insulation pipe covering itself). If so, state the wording of such warning, the size, how it was marked and the dates of placement.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

45. Did the Defendant ever provide a warning within its sales literature pertaining to asbestos containing products? If so, list the wording, the dates and what literature it was placed in.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

46. Were any Material Safety Data sheets ever prepared by the Defendant for your asbestos products? If so, attach copies.

**ANSWER:** Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

47. Does Defendant have insurance policies that might cover the claims made by Plaintiff in this case?

**ANSWER:** The named Defendant, Thorpe Products Company, was incorporated on April 26, 1985, and has never manufactured, sold or distributed any asbestos containing material. Without admitting, but expressly denying the sale of any asbestos containing material to any work site regarding the Plaintiffs, this Defendant would state that any sale of asbestos containing material during the relevant time periods would have been made by the following separate and distinct corporations:

1) Thorpe Insulation (1956-1960; 1965-early 1970's);

- 2) J. T. Thorpe Company by and through its unincorporated division, Thorpe Products Company (1961-early 1970's);
- 3) J. T. Thorpe Company d/b/a Thorpe Insulation Company (1961-1965)..

See attached schedule for the policies pertaining to those entities, the amount in dispute is unknown.

48. If the answer to the above interrogatory is affirmative, please state:

- a. the amounts of insurance coverage that is currently available as of the date you answer these interrogatories, and
- b. how much is in dispute.

**ANSWER:** See Response to Interrogatory No. 47.

49. If you have not previously supplied the requested information in the Master Asbestos File, then for each and every expert witness, medical or otherwise, whom you may call to testify during the trial of this cause, please state the following:

- a. Full name,
- b. Address,
- c. Phone number,
- d. Each subject matter on which the expert witness is expected to testify,
- e. The mental impressions and opinions held by the expert which relate to this case in any way, and
- f. The facts known to the expert (regardless of when the factual information was acquired) which relate to or form the basis of the mental impression and opinions held by the expert.
- g. Who will be paying each such expert and how much.

**ANSWER:** Please refer to the Harris County Master Witnesses List for Defendants. Thorpe Products Company incorporates by reference, as if set forth completely herein, the contents of the Harris County Master Witness List for Defendants previously filed in the Master Asbestos Docket for Harris County.

50. If you have previously supplied the requested information in the Master Asbestos File, then for each expert who will not be called as a witness, but whose work product forms the basis in whole or in part of the opinions of any expert who will be called as a witness, state:

- a. the name, address and telephone number to the non-testifying expert;
- b. the subject matter of the work product on which the testifying expert will rely;
- c. the mental impression of the non-testifying expert; and
- d. the facts known to the non-testifying expert.

**ANSWER:** Please see Answer to Interrogatory No. 49.

51. Identify the name, address and telephone number every person whom you intend to call as a witness at trial, who has not previously been listed as a witness in Defendant's Master Witness List on file in the Master Asbestos File.

**ANSWER:** In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Products Company, specifically objects to Plaintiffs' Interrogatory No. 51 for the reason that same requests information which falls outside the permissible scope of discovery as provided by the Texas Rules of Civil Procedure, Rule 168. Defendant further objects for the reason that the Texas Rules of Civil Procedure do not require the disclosure of witnesses to be called at trial. Gutierrez vs. Dallas I.S.D., 729 S.W.2d 691 (Tex. 1987). To require Defendants to so state would be burdensome, prejudicial, invade the attorney-client privilege and work product privilege. Subject to and without waiving the foregoing objections, please refer to Defendants' Master List on file in the Master Asbestos File for Harris County, Texas.

52. What is Defendant's present net worth?

**ANSWER:** In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant Thorpe Products Company, specifically objects to Plaintiffs' Interrogatory No. 52 on the ground it request information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence as there has been no finding of punitive liability in these cases, not limited in time and scope, and is overly broad, harassing, indefinite and

burdensome. Subject to and without waiving the foregoing objections, as set forth in Thorpe Products Company's annual reports, the total shareholders equity as of the end of each fiscal year since 1986 was:

1986 - \$1,808,616  
1987 - \$1,803,623  
1988 - \$2,633,469  
1989 - \$3,341,279

53. Has this Defendant, or its present directors or officers acting on its behalf, made monetary contributions in excess of \$5,000.00 within the past ten years to the following scientists or researchers who have written on the subject of asbestos-related diseases or to their employing universities on behalf of or at the request of the scientist or researcher:

Raymond Murphy - Harvard Medical School and Harvard School of Public Health.

Margaret Becklake - McGill University, Montreal, Canada.

Stuart Brooks - University of Florida at Tampa.

Edward A. Gaensler - Boston University of Medicine, Harvard Medical School, Tufts Medical School.

Bernard Gee - Yale University School of Medicine.

Allan Goldman - South Florida College of Medicine, Division of Pulmonary, Critical Care and Occupational Medicine.

Jerome Kleinerman - Case Western Reserve University School of Medicine.

Hilton Lewinsohn - University of Connecticut, Yale University.

Hans Weill - Tulane University

Morton Corn - John Hopkins

Brooke Mossman - University of Vermont

John Craighead - University of Vermont

J. Christopher Wagner

J. Corbett McDonald - McGill University

Peter Elmes

Paul E. Wheeler - John Hopkins

Lee Reichman - University of Medical and Dentistry of New Jersey,  
Newark, New Jersey.

J.M.G. Davis - Institute of Occupational Medicine, Edinburgh, U.K.  
(England).

J.N.P. Davies - Albany Medical College, New York.

**ANSWER:** No.

54. In what year did this Defendant first become aware of the 1938 Public Health Bulletin No. 241 entitled "A Study of Asbestosis in the Textile Industry"?

**ANSWER:** In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Products Company, specifically objects to Plaintiffs' Interrogatory No. 54 for the reason that this information may have been obtained through the process of litigation and therefore, irrelevant. Subject to and without waiving the foregoing objections, Thorpe Products Company, through its management, was not aware of same.

55. In what year did this Defendant first become aware of the 1946 article entitled "A Health Survey of Pipe Covering Operations in Construction Naval Vessels" by Fleisher, Drinker, et al.

**ANSWER:** In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Products Company, specifically objects to Plaintiffs' Interrogatory No. 54 for the reason that this information may have been obtained through the process of litigation and therefore, irrelevant. Subject to and without waiving the foregoing objections, Thorpe Products Company, through its management, was not aware of same.

56. How many claims or lawsuits (other than workers' compensation claims) were filed against this Defendant in the 1930's alleging, in whole or in part injury, damage or disease from exposure to or inhalation of various dusts? This interrogatory includes cases of asbestosis, pneumoconiosis and silicosis due to the fact individuals were or may have been exposed to mixed types of dusts.

**ANSWER:** None

57. Has this Defendant in other litigation ever alleged or admitted that the health hazards of asbestos containing insulation

products were known prior to 1945?

**ANSWER:** In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Products Company, specifically objects to Plaintiffs' Interrogatory No. 57 for the reason that same is overly broad, burdensome and harassing. It is not limited in time or scope. Further objection is levied for the reason that same is not reasonable calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, this information is unknown.

**ANSWER TO INTERROGATORY**  
**NUMBER 47**

# J T THORPE COMPANY INSURERS

"PRIMARY"

| Insurer                | From    | To      | Policy No.     | Person  | Acc Occ   | Aggregate   |
|------------------------|---------|---------|----------------|---------|-----------|-------------|
| American Motorist      | 1/1/54  | 1/1/55  | 4YM 426-192    | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/55  | 1/1/55  | 5ZM-426 192    | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/56  | 1/1/57  | 6ZM-426 192    | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/57  | 1/1/57  | 7ZM-426 192    | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/58  | 1/1/60  | 8ZM-94 278     | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/59  | 1/1/60  | 9ZM 94278      | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/60  | 1/1/61  | 0ZM 94278      | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/61  | 1/1/62  | 1ZM 94278      | 250/per | 500/acc   | 500/prod ag |
| St. Paul Fire & Marine | 1/1/62  | 1/1/63  | 542AC8412      | 100/per | 300/acc   | 300/prod ag |
| St. Paul Fire & Marine | 1/1/62  | 1/1/63  | 542AC8412      | 100/per | 300/acc   | 300/prod ag |
| St. Paul Fire & Marine | 1/1/63  | 1/1/64  | 542AD3778      | 100/per | 300/acc   | 300/prod ag |
| St. Paul Fire & Marine | 1/1/64  | 1/1/65  | 542AD8612      | 100/per | 300/acc   | 300/prod ag |
| St. Paul Fire & Marine | 1/1/65  | 1/1/66  | 542AE3482      | 100/per | 300/acc   | 300/prod ag |
| St. Paul Fire & Marine | 1/1/66  | 1/1/67  | 542AE7838      | 100/per | 300/acc   | 300/prod ag |
| St. Paul Fire & Marine | 1/1/67  | 1/1/68  | 542AG1382      | 100/per | 300/acc   | 300/ag      |
| St. Paul Fire & Marine | 1/1/68  | 1/1/69  | 542AG8400      | 100/per | 300/acc   | 300/ag      |
| St. Paul Fire & Marine | 1/1/69  | 1/1/70  | 542AH4334      | 100/per | 300/acc   | 300/ag      |
| St. Paul Fire & Marine | 1/1/70  | 1/1/71  | 542AJ0297      | 100/per | 300/acc   | 300/ag      |
| St. Paul Fire & Marine | 1/1/70  | 1/1/71  | 542 AJ 0298    |         |           |             |
| St. Paul Insurance Co  | 1/1/71  | 1/1/72  | 542TA5181      | 100/per | 300/acc   | 300/ag      |
| St. Paul Insurance Co  | 1/1/71  | 1/1/72  | 542 TA 5182    |         |           |             |
| Federal Ins Co-Chubb   | 1/1/72  | 1/1/73  | 7762-89-08     | 100/per | 300/acc   | 300/ag      |
| Federal Ins Co-Chubb   | 1/1/72  | 1/1/73  | 7762-89-07     | 100/per | 300/acc   | 300/ag      |
| Federal Ins Co-Chubb   | 1/1/73  | 1/1/74  | 77769201       | 300/per | 300/acc   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/74  | 1/1/75  | 77778995       | NA      | 300/acc   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/74  | 1/1/75  | 77778994       | NA      | 300/acc   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/75  | 1/1/76  | (76)77778995   | NA      | 300/acc   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/75  | 1/1/76  | (76)77778994   | NA      | 300/acc   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/76  | 1/1/77  | (77)77778995   | NA      | 300/acc   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/76  | 1/1/77  | (77)77778994   | NA      | 300/acc   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/77  | 1/1/78  | (78)77778995   | NA      | 300/acc   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/77  | 1/1/78  | (78)77778994   | NA      | 300/acc   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/78  | 3/1/78  | 77778995       | NA      | 300/acc   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/78  | 3/1/78  | 77778994       | NA      | 300/acc   | 300/ag      |
| Home Insurance Co      | 3/1/78  | 4/1/79  | GA 996492      | NA      | 300/acc   | 300/ag      |
| Home Insurance Co      | 4/1/79  | 4/1/79  | GA 996599      | NA      | 300/acc   | 300/ag      |
| Natl Union Fire Ins Co | 4/1/80  | 7/1/82  | GLA 1270698 RA | NA      | 1,000/acc | 1,000/ag    |
| Natl Union Fire Ins Co | 7/1/81  | 7/1/82  | GLA 1272849 RA | NA      | 1,000/acc | 1,000/ag    |
| Natl Union Fire Ins Co | 7/1/82  | 7/1/83  | GLA 9456563 RA | NA      | 1,000/acc | 1,000/ag    |
| Natl Union Fire Ins Co | 7/1/83  | 7/1/84  | GLA 9456955 RA | NA      | 1,000/acc | 1,000/ag    |
| Natl Union Fire Ins Co | 7/1/84  | 7/1/85  | GLA 1824271 RA | NA      | 1,000/acc | 1,000/ag    |
| Natl Union Fire Ins Co | 7/1/85  | 7/1/86  | GLA 1802923 RA | NA      | 1,000/acc | 1,000/ag    |
| Natl Union Fire Ins Co | 7/1/85  | 7/1/86  | GLA 1802924 RA | NA      | 1,000/acc | 1,000/ag    |
| Employers Casualty Co  | 7/1/86  | 7/1/87  | CGL A 512336   | NA      | 500/acc   | 500/ag      |
| Employers Casualty Co  | 7/1/87  | 7/1/88  | CGL B 512336   | NA      | 500/acc   | 500/ag      |
| Employers Casualty Co  | 7/1/88  | 8/15/89 | LCR C 512336   | NA      | 1,000/acc | 2,000/PCO   |
| Natl Union Fire Ins Co | 8/15/89 | 8/15/90 | RMGL 4897098   | NA      | 1,000/acc | 1,000/PCO   |
| Natl Union Fire Ins Co | 8/15/89 | 8/15/90 | RMGL TX4597097 | NA      | 1,000/acc | 1,000/PCO   |

The above Insurance Policy list represents the face amounts of the policies and does not purport to represent whether coverage is applicable or available to satisfy the claims asserted by any party against the defendant.

## J T THORPE COMPANY INSURERS

"EXCESS"

| Insurer                        | From    | To      | Policy No.       | Person | Acc Occr          | Aggregate         |
|--------------------------------|---------|---------|------------------|--------|-------------------|-------------------|
| American Fidelity Casualty Ins | 1/1/62  | 1/1/65  | 410075           |        | 1,000 xs Prim     | 1,000 xs Prim     |
| Harbor Insurance Co            | 1/1/64  | 8/23/66 | 100667           |        | 1,000 xs Prim     | 1,000 xs Prim     |
| Harbor Insurance Co            | 1/1/67  | 1/1/70  | 102848           |        | 2,000 xs Prim     | 2,000 xs Prim     |
| Mission Ins Co                 | 1/1/70  | 1/1/73  | M70290           |        | 3,000 xs Prim     | 3,000 xs Prim     |
| Uniguard Ins Group             | 1/1/73  | 1/1/75  | 10434            |        | 3,000 xs Prim     | 3,000 xs Prim     |
| American Home Assurance C      | 6/5/74  | 6/5/75  | CE 345 05 85     |        | 2,000 xs 3,000    | 2,000 xs 3,000    |
| American Home Assurance C      | 1/1/75  | 6/5/75  | BE 3517672       |        | 3,000 xs Prim     | 3,000 xs Prim     |
| American Home Assurance C      | 6/5/75  | 1/1/78  | BE 3517672       |        | 5,000 xs Prim     | 5,000 xs Prim     |
| First State Ins Co             | 1/1/77  | 1/1/78  | 924242           |        | 5,000 xs 5,000    | 5,000 xs 5,000    |
| Employers Natl Ins Corp        | 1/1/78  | 4/1/79  | 20013            |        | 200 xs 300        | 200 xs 300        |
| Interstate Fire & Casualty Co  | 1/1/78  | 4/1/79  | 155-CO 7369      |        | 1,000 xs 500      | 1,000 xs 500      |
| Holland American Ins Co        | 1/1/78  | 4/1/79  | H 88801          |        | 4,000 xs 1,000    | 4,000 xs 1,000    |
| First State Ins Co             | 1/1/78  | 4/1/79  | 926053           |        | 5,000 xs 5,000    | 5,000 xs 5,000    |
| United States Fire Ins Co      | 1/1/79  | 4/1/80  | 5220066411       |        | 5,000 xs 5,000    | 5,000 xs 5,000    |
| Lexington Ins. Co.             | 4/1/79  | 4/1/80  | 5513925          |        | 5,000 xs 10,000   | 5,000 xs 10,000   |
| First State Insurance Co       | 4/1/80  | 7/1/81  | 944915           |        | 10,000 xs Prim    | 10,000 xs Prim    |
| Pine Tap Ins Co                | 4/1/80  | 7/1/81  | MLP 10-20-79     |        | 10,000xs10,000    | 10,000xs10,000    |
| Republic Ins Co                | 7/1/81  | 7/1/82  | CDU 6500         |        | 10,000 xs Prim    | 10,000 xs Prim    |
| Old Republic Ins Co            | 7/1/81  | 7/1/82  | OZX 11231        |        | 10,000xs10,000    | 10,000xs10,000    |
| Republic Ins Co                | 7/1/82  | 7/1/83  | CDU 10321        |        | 10,000 xs Prim    | 10,000 xs Prim    |
| Twin City Fire Ins Co          | 7/1/82  | 7/1/83  | TXS100586        |        | 10,000xs10,000    | 10,000xs10,000    |
| Centaur Ins Co                 | 7/1/82  | 7/1/83  | CML 10 0808      |        | 20,000xs20,000    | 20,000xs20,000    |
| Republic Ins Co                | 7/1/83  | 7/1/84  | CDU 13947        |        | 10,000 xs Prim    | 10,000 xs Prim    |
| Centaur Ins Co                 | 7/1/83  | 7/1/84  | Binder #6412     |        | 25,000xs10,000    | 25,000xs10,000    |
| Gilbreath Casualty Co          | 7/1/83  | 7/1/84  | GMX 03648        |        | 10 part of 15xs35 | 10 part of 15xs35 |
| Western Employers Ins Co       | 7/1/83  | 7/1/84  | Binder #6422     |        | 5 part of 15xs35  | 5 part of 15xs35  |
| Republic Ins Co                | 7/1/84  | 7/1/85  | CDU 18633        |        | 10,000 xs Prim    | 10,000 xs Prim    |
| Highlands Ins Co               | 7/1/84  | 7/1/85  | SR No.51117      |        | 10,000xs10,000    | 10,000xs10,000    |
| Western Employers Ins Co       | 7/1/84  | 7/1/85  | EX 10-0784-15007 |        | 5,000 xs 20,000   | 5,000 xs 20,000   |
| Landmark Ins Co                | 7/1/84  | 7/1/85  | FE 4002036       |        | 2 part of 5xs25   | 2 part of 5xs25   |
| Forum Ins Co                   | 7/1/84  | 7/1/85  | FF-300800        |        | 3 part of 5xs25   | 3 part of 5xs25   |
| Twin City Fire Ins Co          | 7/1/84  | 7/1/85  | TXS 103714       |        | 5,000 xs 30,000   | 5,000 xs 30,000   |
| First State Ins Co             | 7/1/85  | 7/1/86  | UL 000388        |        | 5,000 xs Prim     | 5,000 xs Prim     |
| Employers Casualty Co          | 7/1/85  | 7/1/87  | EXL A 582877     | NA     | 500/occ           | 500/ag            |
| Stonewall Ins Companies        | 7/1/85  | 7/1/87  | 5800 3777        |        | 5,000 xs Prim     | 5,000 xs Prim     |
| Employers Casualty Co          | 7/1/87  | 7/1/88  | EXL B 582877     | NA     | 500/occ           | 500/ag            |
| Stonewall Ins Co               | 7/1/87  | 7/1/88  | 5800 4786        |        | 5,000 xs Prim     | 5,000 xs Prim     |
| Columbia Casualty (CNA)        | 7/1/88  | 8/15/89 | UMB 180 3203     |        | 5,000 xs Prim     | 5,000 xs Prim     |
| Natl Union Fire Ins Co         | 8/15/89 | 8/15/90 |                  |        | 5,000 xs Prim     | 5,000 xs Prim     |

The above Insurance Policy list represents the face amounts of the policies and does not purport to represent whether coverage is applicable or available to satisfy the claims asserted by any party against the defendant.

MASTER FILE

IN RE: § IN THE DISTRICT COURT  
ASBESTOS § OF  
LITIGATION § HARRIS COUNTY, TEXAS

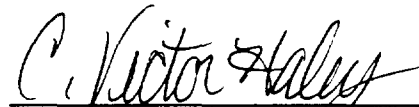
DEFENDANT, THORPE PRODUCTS COMPANY'S, SECOND AMENDED  
RESPONSES TO PLAINTIFFS' REQUEST FOR PRODUCTION

TO: PLAINTIFFS, BY AND THROUGH THEIR ATTORNEY OF RECORD, JOHN E.  
WILLIAMS, JR.

NOW COMES Thorpe Products Company, Defendant in the above-  
styled and numbered cause of action, and files this its Responses  
to the Request for Production of the Plaintiffs and in response to  
said Request for Production makes the following responses thereto  
as shown on the attached pages.

Respectfully submitted,

FAIRCHILD, PRICE, RUSSELL,  
THOMAS & HALEY  
P. O. Drawer 1336  
Center, Texas 75935  
(409) 598-2981  
(409) 598-7712 - fax



C. VICTOR HALEY, TBA #08738400  
ATTORNEY FOR THE DEFENDANT,  
THORPE PRODUCTS COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been deposited in a United States mail receptacle, certified mail, return receipt requested, on this the 23<sup>rd</sup> of October, 1992, addressed to Mr. John E. Williams, Jr.

C. Victor Haley  
C. VICTOR HALEY

### GENERAL OBJECTIONS

1. Defendant, Thorpe Products Company, initially objects on the ground that this Defendant was never properly served with a copy of Plaintiffs' Request for Production to all Defendants. Defendant, Thorpe Products Company, after being named as a Defendant, was unable to procure a Master Set of Request for Production to all Defendants and was required to contact Plaintiff regarding same. As such, Defendant objects to answering such Request for Production, which were never properly served.

2. Defendant, Thorpe Products Company, adopts the objections asserted by any and all other Defendants herein, and incorporates same by reference.

3. Defendant, Thorpe Products Company, objects to these Requests for Production for the reason they exceed the permissible number as allowed by the Texas Rules of Civil Procedure and because they are overly broad and unduly burdensome. Thorpe Products Company objects to any Request for Production which requests information relating to products about which there has been no particular product identification or to which Plaintiffs claim no exposure. To require information about such products would result in production of information which is totally irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

RESPONSE TO REQUEST FOR PRODUCTION

1. Copies of at least ten depositions or trial transcripts taken since July, 1988, for all expert and fact witnesses listed by the Defendants in this case. The Defendants do not have to produce copies of the requested documents if this Plaintiff's attorney was present for the deposition or trial testimony of the witness. The Defendants do not have to provide copies of the requested documents if they were previously produced. Further, Defendants do not have to produce documents for witnesses that they strike from their lists prior to this production being due. However, this request remains in effect for all Defendants who have not yet listed witnesses and for witnesses that may be listed before trial in this case. Further, this request is only for depositions and trial transcripts where testimony related in whole or in part to asbestos, asbestos related diseases, asbestos products and materials and/or asbestos litigation. This request does not include any such deposition or trial testimony from Dr. Keith Wilson nor Dr. Paul Stevens or Corwin Hinshaw.

**ANSWER:** In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Products Company, specifically objects to Request for Production No. 1 on the ground that same is overly burdensome and harassing and for the further reason that same is not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects for the reason that this information is as readily available to Plaintiffs as it is to Defendant. Additionally, Defendant may not have all transcripts and depositions of expert witnesses and may be unaware of certain transcripts; some expert witnesses have testified in other states in cases with different Defendants and different Plaintiffs' attorneys. Subject to and without waiving the foregoing objection, please refer to Defendant's expert witnesses list attached to Answers to Interrogatories. Additionally, given Plaintiffs' request as worded, no response in the form of production should be required of this Defendant.

2. Copies of all reports provided to Defendants in this case from all testifying expert witnesses listed by the Defendants in this case except for reports or individuals where this Plaintiffs counsel was the attorney of record.

**ANSWER:** In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Products Company, specifically objects to Request for Production No. 2 on the ground that same is overly broad on its face; many reports would involve

Plaintiffs represented by other attorneys in asbestos litigation. Such reports would be confidential as to that person and his attorney; experts may have rendered reports in cases in which this Defendant is not a party and would have no access to such reports; further reports related to other cases would be irrelevant to any issue in this case and would be unavailable to any party to which that report was not submitted. Subject to and without waiving the foregoing objections, Defendant presently has no documents responsive to this Request.

3. Copies of all billing statements from and payments to all expert witnesses listed by the defendants in this case. This request does not call for the production of financial records from the expert witnesses themselves.

**ANSWER:** In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Products Company, specifically objects to Request for Production No. 3 on the ground that same is overly broad, vague, indefinite and unclear. Subject to and without waiving the foregoing objection, this Defendant has no documents responsive to this request.

4. Copies of all photos, videotapes and recordings of the Plaintiff in this case.

**ANSWER:** None to date.

5. Copies of all photos, videotapes and recordings of the Plaintiff in this case.

**ANSWER:** None to date.

6. Copies of all insurance policies and copies of settlement agreements between the Defendants and their insurance carriers which show coverage available to each Defendant in this case.

**ANSWER:** See attached schedule and Defendants response to Plaintiffs' Interrogatory #47.

7. All documents, invoices and/or purchase orders that reflect all sales, purchases for application or resale, payment and use of asbestos and/or asbestos containing products in the Texas Gulf Coast area from 1930 to the date of your last sale or purchase.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

8. All internal or external memoranda or documents that identify the suppliers and/or distributors of your asbestos and asbestos

containing products, (limited to those asbestos containing products supplied and/or distributed in the Texas Gulf Coast area), from 1930 to the date of your last sale or purchase.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

9. All documents reflecting how and when the defendant or its employees first learned of the health hazards associated with asbestos exposure.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

10. All sales brochures, and/or literature pertaining to asbestos containing products manufactured, purchased for resale, designed, distributed, installed, applied and/sold by the Defendant, its predecessor(s) or subsidiaries, in the Texas Gulf Coast area from 1930 to the date of your last sale or purchase.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

11. All documents reflecting how and when the Defendant or its employees first learned of the health hazards associated with asbestos exposure.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

12a. All documents from 1930 till the date of your last sale or purchase which indicates when other manufacturers of asbestos containing products, and Metropolitan Life Insurance Company had any knowledge, information or understanding that asbestos would, could, or might produce harmful effects to a person's health.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

12b. All documents from 1930 till the date of your last sale or purchase that indicate when other manufacturers of asbestos containing products and Metropolitan Life Insurance Company first issued health warnings associated with the use of their products.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

13. All documents relating to research and testing of products containing asbestos conducted by the 'Defendant's personnel pertaining to the health hazards of ventilation to human beings from 1930 until the date of your last sale or purchase.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

14. All books pamphlets, memoranda, or written materials of any kind or character in the Defendant's possession prior to 1972 that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

15. All material safety data sheets pertaining to Defendants and/or its predecessor's asbestos and asbestos containing products.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

16. Any and all records which reflect the dollar value amount spent annually on medical research since 1930 by this defendant, including all subsidiaries, divisions, and predecessor entities pertaining to the health effects of asbestos.

**ANSWER:** Thorpe Products Company has no documents responsive to this Request.

17a. All correspondence, in-house memos, correspondence to or from third parties, and/or correspondence between defendant and defendant's customers concerning the hazards of asbestos from 1930 until the date of your last sale or purchase.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

17b. All correspondence, in-house memos, correspondence to and from third parties, and/or correspondence between defendant and defendant's customers regarding the content of defendant's asbestos-containing products from 1930 until the date of your last sale or purchase.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

18. Copies of all photographs of warnings placed on the asbestos-containing products manufactured by the defendant, or any products it sold, distributed, purchased, applied or installed with reference to the date and product involved.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

19. All records reflecting any warnings given to you by the mining

companies or suppliers of raw asbestos.

**ANSWER:** Thorpe Products Company has no warnings given by the mining companies or suppliers of raw asbestos.

20. Any correspondence and/or records to or from purchasers, users of defendants products or services, insurance carriers, distributors, suppliers, or subsidiary reflecting any warnings pertaining to asbestos, and/or asbestos-containing products.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

21. All documents which indicate any instructions and/or safety precautions relating to the removal, replacement, application and/or installation of defendant's asbestos containing products from 1930 until the date of your last sale or purchase.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

22. All documents that indicate the location of the mine, identity of the mine, and/or present or prior ownership of the mine from which the asbestos contained in the defendant's products was obtained.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

23. All documents and depositions containing information about worker's compensation claims or suits by employees of the defendant where there was a claim that the injury was due to asbestos exposure.

**ANSWER:** Thorpe Products Company has had no worker's compensation claims due to asbestos exposure and therefore has no documents responsive to this Request.

24. All correspondence between the defendant its worker's compensation agents or insurers that refers to changes in rates due to asbestos exposure for the period in which defendant's products containing asbestos were sold, used, supplied or installed.

**ANSWER:** Thorpe Products Company has no documents responsive to this Request.

25. All Securities and Exchange Commission filings that refer to asbestos litigation against the defendant, its predecessor(s) or subsidiaries.

**ANSWER:** Thorpe Products Company has no documents responsive to

this Request.

26. For each of the past five years, an annual report of this Defendant or a balance sheet that reflects the Defendant's corporate worth and financial status.

**ANSWER:** In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Products Company, specifically objects to Plaintiffs' Request for Production No. 26 on the ground it requests information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence as there has been no finding of punitive liability in these cases, not limited in time and scope, and is overly broad, harassing, indefinite and burdensome. Additionally, this constitutes proprietary information of Thorpe Products Company. Subject to and without waiving the foregoing objections, Defendant will produce or provide its net worth upon request.

27. Any and all documents referred to in your response to Plaintiff's interrogatories.

**ANSWER:** In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Products Company, specifically objects to Request for Production No. 27 to the extent that documents referred to in Thorpe Products Company's Answers to Interrogatories were objected to, Thorpe Products Company objects to producing such documents, if any. Additionally, such Request is overly broad, vague and indefinite. Subject to and without waiving the foregoing objections, Thorpe Products Company has no additional documents responsive to this Request.

28. Any and all patents issued or assigned to this Defendant for asbestos products.

**ANSWER:** None. Thorpe Products Company never manufactured, sold or distributed any asbestos containing material.

**RESPONSE TO REQUEST FOR PRODUCTION  
NUMBER 6**

# J T THORPE COMPANY INSURERS

"PRIMARY"

| Insurer                | From    | To      | Policy No.     | Person  | Acc Occ   | Aggregate   |
|------------------------|---------|---------|----------------|---------|-----------|-------------|
| American Motorist      | 1/1/54  | 1/1/55  | 4YM 425-192    | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/55  | 1/1/55  | 5ZM-425 192    | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/56  | 1/1/57  | 6ZM-425 192    | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/57  | 1/1/57  | 7ZM-425 192    | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/58  | 1/1/60  | 8ZM-94 278     | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/59  | 1/1/60  | 9ZM 94278      | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/60  | 1/1/61  | 0ZM 94278      | 250/per | 500/acc   | 500/prod ag |
| American Motorist      | 1/1/61  | 1/1/62  | 1ZM 94278      | 250/per | 500/acc   | 500/prod ag |
| St. Paul Fire & Marine | 1/1/62  | 1/1/63  | 542AC8412      | 100/per | 300/acc   | 300/prod ag |
| St. Paul Fire & Marine | 1/1/62  | 1/1/63  | 542AC8412      | 100/per | 300/acc   | 300/prod ag |
| St. Paul Fire & Marine | 1/1/63  | 1/1/64  | 542AD3778      | 100/per | 300/acc   | 300/prod ag |
| St. Paul Fire & Marine | 1/1/64  | 1/1/65  | 542AD8612      | 100/per | 300/acc   | 300/prod ag |
| St. Paul Fire & Marine | 1/1/65  | 1/1/66  | 542AE5462      | 100/per | 300/acc   | 300/prod ag |
| St. Paul Fire & Marine | 1/1/66  | 1/1/67  | 542AE7538      | 100/per | 300/acc   | 300/prod ag |
| St. Paul Fire & Marine | 1/1/67  | 1/1/68  | 542AG1362      | 100/per | 300/occ   | 300/ag      |
| St. Paul Fire & Marine | 1/1/68  | 1/1/69  | 542AG8400      | 100/per | 300/occ   | 300/ag      |
| St. Paul Fire & Marine | 1/1/69  | 1/1/70  | 542AH4334      | 100/per | 300/occ   | 300/ag      |
| St. Paul Fire & Marine | 1/1/70  | 1/1/71  | 542AJ0297      | 100/per | 300/occ   | 300/ag      |
| St. Paul Fire & Marine | 1/1/70  | 1/1/71  | 542 AJ 0298    |         |           |             |
| St. Paul Insurance Co  | 1/1/71  | 1/1/72  | 542TA5181      | 100/per | 300/occ   | 300/ag      |
| St. Paul Insurance Co  | 1/1/71  | 1/1/72  | 542 TA 5182    |         |           |             |
| Federal Ins Co-Chubb   | 1/1/72  | 1/1/73  | 7762-89-08     | 100/per | 300/occ   | 300/ag      |
| Federal Ins Co-Chubb   | 1/1/72  | 1/1/73  | 7762-89-07     | 100/per | 300/occ   | 300/ag      |
| Federal Ins Co-Chubb   | 1/1/73  | 1/1/74  | 77769201       | 300/per | 300/occ   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/74  | 1/1/75  | 77778995       | NA      | 300/occ   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/74  | 1/1/75  | 77778994       | NA      | 300/occ   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/75  | 1/1/76  | (76)77778995   | NA      | 300/occ   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/75  | 1/1/76  | (76)77778994   | NA      | 300/occ   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/76  | 1/1/77  | (77)77778995   | NA      | 300/occ   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/76  | 1/1/77  | (77)77778994   | NA      | 300/occ   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/77  | 1/1/78  | (78)77778995   | NA      | 300/occ   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/77  | 1/1/78  | (78)77778994   | NA      | 300/occ   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/78  | 3/1/78  | 77778995       | NA      | 300/occ   | 300/ag      |
| Vigilant Ins Co-Chubb  | 1/1/78  | 3/1/78  | 77778994       | NA      | 300/occ   | 300/ag      |
| Home Insurance Co      | 3/1/78  | 4/1/79  | GA 996492      | NA      | 300/occ   | 300/ag      |
| Home Insurance Co      | 4/1/79  | 4/1/79  | GA 996599      | NA      | 300/occ   | 300/ag      |
| Natl Union Fire Ins Co | 4/1/80  | 7/1/82  | GLA 1270698 RA | NA      | 1,000/occ | 1,000/ag    |
| Natl Union Fire Ins Co | 7/1/81  | 7/1/82  | GLA 1272849 RA | NA      | 1,000/occ | 1,000/ag    |
| Natl Union Fire Ins Co | 7/1/82  | 7/1/83  | GLA 9455563 RA | NA      | 1,000/occ | 1,000/ag    |
| Natl Union Fire Ins Co | 7/1/83  | 7/1/84  | GLA 9456955 RA | NA      | 1,000/occ | 1,000/ag    |
| Natl Union Fire Ins Co | 7/1/84  | 7/1/85  | GLA 1824271 RA | NA      | 1,000/occ | 1,000/ag    |
| Natl Union Fire Ins Co | 7/1/85  | 7/1/86  | GLA 1802923 RA | NA      | 1,000/occ | 1,000/ag    |
| Natl Union Fire Ins Co | 7/1/85  | 7/1/86  | GLA 1802924 RA | NA      | 1,000/occ | 1,000/ag    |
| Employers Casualty Co  | 7/1/86  | 7/1/87  | CGL A 512336   | NA      | 500/occ   | 500/ag      |
| Employers Casualty Co  | 7/1/87  | 7/1/88  | CGL B 512336   | NA      | 500/occ   | 500/ag      |
| Employers Casualty Co  | 7/1/88  | 8/15/89 | LCR C 512336   | NA      | 1,000/occ | 2,000/PCO   |
| Natl Union Fire Ins Co | 8/15/89 | 8/15/90 | RMGL 4597998   | NA      | 1,000/occ | 1,000/PCO   |
| Natl Union Fire Ins Co | 8/15/89 | 8/15/90 | RMGL TX4597087 | NA      | 1,000/occ | 1,000/PCO   |

The above Insurance Policy list represents the face amounts of the policies and does not purport to represent whether coverage is applicable or available to satisfy the claims asserted by any party against the defendant.

## J T THORPE COMPANY INSURERS

"EXCESS"

| Insurer                        | From    | To      | Policy No.       | Person | Acc Occr          | Aggregate         |
|--------------------------------|---------|---------|------------------|--------|-------------------|-------------------|
| American Fidelity Casualty Ins | 1/1/62  | 1/1/65  | 410075           |        | 1,000 xs Prim     | 1,000 xs Prim     |
| Harbor Insurance Co            | 1/1/64  | 8/23/66 | 100667           |        | 1,000 xs Prim     | 1,000 xs Prim     |
| Harbor Insurance Co            | 1/1/67  | 1/1/70  | 102848           |        | 2,000 xs Prim     | 2,000 xs Prim     |
| Mission Ins Co                 | 1/1/70  | 1/1/73  | M70290           |        | 3,000 xs Prim     | 3,000 xs Prim     |
| Uniguard Ins Group             | 1/1/73  | 1/1/75  | 10434            |        | 3,000 xs Prim     | 3,000 xs Prim     |
| American Home Assurance C      | 6/5/74  | 6/5/75  | CE 345 05 85     |        | 2,000 xs 3,000    | 2,000 xs 3,000    |
| American Home Assurance C      | 1/1/75  | 6/5/75  | BE 3517672       |        | 3,000 xs Prim     | 3,000 xs Prim     |
| American Home Assurance C      | 6/5/75  | 1/1/78  | BE 3517672       |        | 5,000 xs Prim     | 5,000 xs Prim     |
| First State Ins Co             | 1/1/77  | 1/1/78  | 924242           |        | 5,000 xs 5,000    | 5,000 xs 5,000    |
| Employers Nat'l Ins Corp       | 1/1/78  | 4/1/79  | 20013            |        | 200 xs 300        | 200 xs 300        |
| Interstate Fire & Casualty Co  | 1/1/78  | 4/1/79  | 155-CO 7369      |        | 1,000 xs 500      | 1,000 xs 500      |
| Holland American Ins Co        | 1/1/78  | 4/1/79  | H 86801          |        | 4,000 xs 1,000    | 4,000 xs 1,000    |
| First State Ins Co             | 1/1/78  | 4/1/79  | 926053           |        | 5,000 xs 5,000    | 5,000 xs 5,000    |
| United States Fire Ins Co      | 1/1/79  | 4/1/80  | 5220066411       |        | 5,000 xs 5,000    | 5,000 xs 5,000    |
| Lexington Ins. Co.             | 4/1/79  | 4/1/80  | 5513925          |        | 5,000 xs 10,000   | 5,000 xs 10,000   |
| First State Insurance Co       | 4/1/80  | 7/1/81  | 944916           |        | 10,000 xs Prim    | 10,000 xs Prim    |
| Pine Top Ins Co                | 4/1/80  | 7/1/81  | MLP 10-20-79     |        | 10,000xs10,000    | 10,000xs10,000    |
| Republic Ins Co                | 7/1/81  | 7/1/82  | CDU 8500         |        | 10,000 xs Prim    | 10,000 xs Prim    |
| Old Republic Ins Co            | 7/1/81  | 7/1/82  | OZX 11231        |        | 10,000xs10,000    | 10,000xs10,000    |
| Republic Ins Co                | 7/1/82  | 7/1/83  | CDU 10321        |        | 10,000 xs Prim    | 10,000 xs Prim    |
| Twin City Fire Ins Co          | 7/1/82  | 7/1/83  | TXS100586        |        | 10,000xs10,000    | 10,000xs10,000    |
| Centaur Ins Co                 | 7/1/82  | 7/1/83  | CML 10 0808      |        | 20,000xs20,000    | 20,000xs20,000    |
| Republic Ins Co                | 7/1/83  | 7/1/84  | CDU 13947        |        | 10,000 xs Prim    | 10,000 xs Prim    |
| Centaur Ins Co                 | 7/1/83  | 7/1/84  | Binder #6412     |        | 25,000xs10,000    | 25,000xs10,000    |
| Gilbreth Casualty Co           | 7/1/83  | 7/1/84  | GMX 03648        |        | 10 part of 15xs35 | 10 part of 15xs35 |
| Western Employers Ins Co       | 7/1/83  | 7/1/84  | Binder #6422     |        | 5 part of 15xs35  | 5 part of 15xs35  |
| Republic Ins Co                | 7/1/84  | 7/1/85  | CDU 18633        |        | 10,000 xs Prim    | 10,000 xs Prim    |
| Highlands Ins Co               | 7/1/84  | 7/1/85  | SR No.51117      |        | 10,000xs10,000    | 10,000xs10,000    |
| Western Employers Ins Co       | 7/1/84  | 7/1/85  | EX 10-0784-15007 |        | 5,000 xs 20,000   | 5,000 xs 20,000   |
| Landmark Ins Co                | 7/1/84  | 7/1/85  | FE 4002036       |        | 2 part of 5xs25   | 2 part of 5xs25   |
| Forum Ins Co                   | 7/1/84  | 7/1/85  | FF-300800        |        | 3 part of 5xs25   | 3 part of 5xs25   |
| Twin City Fire Ins Co          | 7/1/84  | 7/1/85  | TXS 103714       |        | 5,000 xs 30,000   | 5,000 xs 30,000   |
| First State Ins Co             | 7/1/85  | 7/1/86  | UL 000355        |        | 5,000 xs Prim     | 5,000 xs Prim     |
| Employers Casualty Co          | 7/1/86  | 7/1/87  | EXL A 582677     | NA     | 500/occ           | 500/eg            |
| Stonewall Ins Companies        | 7/1/86  | 7/1/87  | 5800 3777        |        | 5,000 xs Prim     | 5,000 xs Prim     |
| Employers Casualty Co          | 7/1/87  | 7/1/88  | EXL B 582677     | NA     | 500/occ           | 500/eg            |
| Stonewall Ins Co               | 7/1/87  | 7/1/88  | 5800 4786        |        | 5,000 xs Prim     | 5,000 xs Prim     |
| Columbia Casualty (CNA)        | 7/1/88  | 8/15/89 | UMB 180 3203     |        | 5,000 xs Prim     | 5,000 xs Prim     |
| Natl Union Fire Ins Co         | 8/15/89 | 8/15/90 |                  |        | 5,000 xs Prim     | 5,000 xs Prim     |

The above Insurance Policy list represents the face amounts of the policies and does not purport to represent whether coverage is applicable or available to satisfy the claims asserted by any party against the defendant.