

4.2.04

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

4/5/01
Rose
File

IN RE: ASBESTOS LITIGATION)
FILED BY THE SIMMONS FIRM, L.L.C.)
)
Plaintiffs,)
)
vs.)
)
A.P. GREEN REFRACTORIES, et. al.,)
)
Defendants.)

**SUPPLEMENTAL
ANSWERS OF PNEUMO ABEX CORPORATION, AS SUCCESSOR-IN-INTEREST
TO ABEX CORPORATION, TO PLAINTIFFS' INTERROGATORIES**

Preliminary Statement and General Objections

Pursuant to the Illinois Rules of Civil Procedure and the Illinois Supreme Court Rules, defendant Pneumo Abex Corporation, as successor-in-interest to Abex Corporation ("Abex"), hereby objects to Plaintiffs' Interrogatories, as follows:

Abex objects to these interrogatories on the grounds that they are premature and purport to shift the burden of establishing product identification from plaintiffs to Abex.

Abex also objects to these interrogatories on the grounds that they are compound, contain numerous terms that are vague and ambiguous and that they call for speculation.

Abex further objects to these interrogatories to the extent they purport to seek information or materials unrelated to Abex's alleged liability in these actions and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to these interrogatories on the grounds that they assume the truth of matters not established or matters not in evidence.

SCF-ALLF-10955

Abex also objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex further objects to these interrogatories on the grounds that they are overly broad, oppressive, harassing and unduly burdensome and call for speculation to the extent to which they request information or materials which are not within the personal knowledge, possession or control of Abex, its employees or agents, or which may be ascertained or derived, if at all, only from a page-by-page review of the existing voluminous business records and documents of Abex. Therefore, the burden of deriving or ascertaining the answers to these interrogatories, if at all, is substantially the same for plaintiffs as Abex.

Abex objects to these interrogatories to the extent to which they purport to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

The answers of Abex hereinafter set forth are limited to providing information concerning domestic automotive and railroad friction products by Abex for the allegedly relevant

time period only.

Abex never mined or commercially sold raw asbestos. Nor did Abex ever manufacture, process, distribute, market or sell any asbestos-containing building insulation products. Abex was never involved in the installation or removal of any product. Neither did Abex ever own or operate a contract unit. Rather, Abex manufactured and sold automotive and railroad friction products, some of which contained asbestos.

These answers are based upon such information as is currently and reasonably available to Abex, and Abex reserves the right to supplement or amend these answers when and if additional relevant information or documentation becomes available, including any provided by plaintiffs, at the appropriate time. Discovery and investigation are continuing.

Abex does not concede that any of its answers to these interrogatories are or will be admissible evidence at a trial of these actions. Abex does not waive any objection, on any ground, whether or not asserted herein, to the use of any such answer at trial.

To the extent to which the information contained herein differs in any respect from any prior answer or response to discovery, these answers shall be deemed to update and supersede any prior answers or responses in any and all actions.

This Preliminary Statement is explicitly incorporated into each of the answers set forth herein, as appropriate.

Answers

INTERROGATORY NO. 1: Identify the person answering these interrogatories on behalf of Defendant.

ANSWER TO INTERROGATORY NO. 1:

Dexter L. Kenfield, a vice president of Pneumo Abex Corporation, 38 East 63rd Street, New York, New York, New York, has signed the verification to these answers, which were prepared by legal counsel. See Certification (attached).

INTERROGATORY NO. 2: Has the person answering these interrogatories made reasonable inquiry of all available sources of information such that Plaintiff may rely upon these answers as the truthful and complete answers made on behalf of Defendant? List any and all such sources of information relied upon.

ANSWER TO INTERROGATORY NO. 2:

Dexter L. Kenfield, a vice president of Pneumo Abex Corporation, 38 East 63rd Street, New York, New York, New York, has signed the certification to these answers, which were prepared by legal counsel, upon information and belief, after being advised that they reflect all information reasonably available to Pneumo Abex Corporation in response to these interrogatories. See certification (attached).

INTERROGATORY NO. 3: State the following concerning this Defendant

- (a) Full and correct name;
- (b) The form in which Defendant presently conducts business (i.e. corporation, partnership, proprietorship, etc.);
- (c) Identify any and all predecessors and related companies as defined above;
- (d) Any and all other forms in which defendant has conducted business at any time, and the date(s) when business was conducted in each form;
- (e) Any and all names by which Defendant has been known or has conducted business, at any time, and the date(s) during which Defendant has been known by and/or conducted business, under each such name;
- (f) Defendant's principal place of business;
- (g) Defendant's present state of incorporation or state in which Defendant is registered as a partnership, association, etc., whichever is applicable; if Defendant has, at any time, been incorporated or registered in a different state, identify which state and when;
- (h) Most recent date of incorporation or reincorporation, and any and all prior date(s) of incorporation or reincorporation;
- (i) Whether this Defendant is authorized to transact business in the State of Illinois and, if so, the date such authority was first issued and last renewed;
- (j) If this Defendant has an agent, representative or place of business in Illinois, identify such agent, representative, or place of business; and
- (k) If this Defendant has an agent for service in the State of Illinois, identify the registered agent.

ANSWER TO INTERROGATORY NO. 3:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory to the extent it purports to seek

information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex Corporation, Pneumo Abex Corporation's predecessor, as defined herein, was incorporated as the American Brake Shoe and Foundry Company in New Jersey in 1902, and was reincorporated as that company in 1916 in Delaware. In 1926, the American Brake Shoe and Foundry Company caused to be incorporated a New York corporation named American Brake Materials Corporation. In 1933, American Brake Materials Corporation changed its name to American Brakeblok Corporation. In 1937, American Brakeblok Corporation merged with the American Brake Shoe and Foundry Company, and was thereafter operated as the American Brakeblok Division of that company. In 1943, the American Brake Shoe and Foundry Company changed its name to the American Brake Shoe Company. In 1966, the American Brake Shoe Company changed its name to Abex Corporation.

In 1968, Abex Corporation became a wholly owned subsidiary of Illinois Central Industries, Inc. Illinois Central Industries, Inc. later changed its name to IC Industries, Inc. Abex later became a wholly owned subsidiary of IC Products

Company, itself a wholly owned subsidiary of IC Industries, Inc. (IC Industries, Inc. changed its name to Whitman Corporation in 1988).

In 1988, Abex Corporation was sold to PA Holdings Corporation. In 1990, Abex Corporation was absorbed into PA Holdings Corporation, which later changed its name to Pneumo Abex Corporation.

Pneumo Abex Corporation is incorporated under the laws of the State of Delaware, and its principal place of business is in Camden, New Jersey.

The former Abex Corporation was qualified to do business in the State of Illinois on November 16, 1916 and was withdrawn on April 2, 1992.

Pneumo Abex Corporation is not qualified to do business in the State of Illinois and has no agent for service of process in that state.

In addition, see Answer to Interrogatory No. 72.

INTERROGATORY NO. 4: Has Defendant been sued under its correct legal name? If not, state the correct legal name of Defendant and provide the information requested in No. 3 above concerning the defendant as correctly named.

ANSWER TO INTERROGATORY NO. 4:

Abex does not contend that it has been improperly named in these actions.

INTERROGATORY NO. 5: Identify any and all persons or entities which own, or at any time have owned, more than a ten percent (10%) interest in this Defendant, and for each such person or entity identified, state the date(s) during which said person or entity owned more than a ten percent (10%) interest in Defendant and the specific type and amount of interest owned.

ANSWER TO INTERROGATORY NO. 5:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex Corporation, Pneumo Abex Corporation's predecessor, as defined herein, was incorporated as the American Brake Shoe and Foundry Company in New Jersey in 1902, and was reincorporated as that company in 1916 in Delaware. In 1926, the American Brake Shoe and Foundry Company caused

to be incorporated a New York corporation named American Brake Materials Corporation. In 1933, American Brake Materials Corporation changed its name to American Brakeblok Corporation. In 1937, American Brakeblok Corporation merged with the American Brake Shoe and Foundry Company, and was thereafter operated as the American Brakeblok Division of that company. In 1943, the American Brake Shoe and Foundry Company changed its name to the American Brake Shoe Company. In 1966, the American Brake Shoe Company changed its name to Abex Corporation.

In 1968, Abex Corporation became a wholly owned subsidiary of Illinois Central Industries, Inc. Illinois Central Industries, Inc. later changed its name to IC Industries, Inc. Abex later became a wholly owned subsidiary of IC Products Company, itself a wholly owned subsidiary of IC Industries, Inc. (IC Industries, Inc. changed its name to Whitman Corporation in 1988).

In 1990, Abex was absorbed into its parent corporation, now known as Pneumo Abex Corporation.

INTERROGATORY NO. 6: Identify any and all companies, businesses, corporations, and/or ventures in which this Defendant owns, or at any time has owned, more than a ten percent (10%) interest and which engaged in the design, manufacturing, selling, distributing, applying, installing, or relabeling of products containing asbestos.

ANSWER TO INTERROGATORY NO. 6:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 3 and 14. In addition, Abex purchased S.K. Wellman Company in 1963. Upon information and belief, S.K. Wellman Company did not manufacture or distribute asbestos-containing products prior

to Abex's purchase of S.K. Wellman Company. Upon further information and belief, following its purchase by Abex, S.K. Wellman business may have sold asbestos-containing friction products.

In addition to the foregoing, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 75 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Historical material.
2. Promotional material.
3. Product brochures.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable

opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and

litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 7: With respect to each corporation, company, business or joint venture identified in response to Interrogatory No. 6 state:

- (a) The type of business, conducted by such related company;
- (b) The past and present business relationship(s) between said related company and Defendant;
- (c) The nature of the products or services which Defendant has sold to, or purchased from, said related company;
- (d) Whether or not said related company advertises or has advertised products or services supplied by Defendant;
- (e) Whether or not said related company sells or has sold Defendant's products or services within the State of Illinois and, if so, the approximate value of those sales from 1930 to date;
- (f) Whether or not said related company pays taxes of any type to the State of Illinois or to any political subdivision thereof and, if so, the type of taxes paid;
- (g) Whether or not Defendant controls or has controlled, directly or indirectly, in whole or in part, said related company's advertising; and,
- (h) The identity of any past or present officer or director of Defendant who, at any time, served as an officer or director of said related company.

ANSWER TO INTERROGATORY NO. 7:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory on the grounds that the term "related company" is vague and ambiguous and calls for speculation.

Subject to and without waiving these objections, and insofar as it understands this

interrogatory, Abex never mined, manufactured, marketed or commercially sold raw asbestos or asbestos products. Rather, Abex manufactured and sold automotive and railroad friction products, some of which contained chrysotile asbestos as one of their ingredients.

In addition, see Answer to Interrogatory Nos. 3 and 19.

INTERROGATORY NO. 8: List all directors and officers of Defendant from 1940 to date, and for each state all positions held and the date(s) during which each position was held.

ANSWER TO INTERROGATORY NO. 8:

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

Abex also objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and upon information and belief, the name and last known available address of persons who have been a director of Abex are attached hereto as Exhibit "A." Discovery and inspection are continuing. Abex expressly reserves the right to supplement or amend this answer to this interrogatory should additional relevant information become available.

Upon further information and belief, the name and last known available address of persons who have been an officer of Abex are attached hereto as Exhibit "B." Discovery and inspection are continuing. Abex expressly reserves the right to supplement or amend this answer to this interrogatory should additional relevant information become available.

INTERROGATORY NO. 9: State whether any of Defendants' present or former officers or directors ever served (whether before, during or after becoming Defendants' officer or director) as an officer or director of any other company, corporation or business which manufactured, sold or distributed asbestos or asbestos-containing products and, if so, please:

- (a) Identify each officer and director of Defendant, who served as such other company's officer or director; and
- (b) Identify each company, corporation or business for which each such officer or director served, each position held by such officer or director for such other company, corporation or business, and the time periods each position was held.

ANSWER TO INTERROGATORY NO. 9:

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

Abex also objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 9 and 72.

INTERROGATORY NO. 10: Has Defendant ever acquired, through purchase, reorganization or merger, another company, corporation or business which manufactured, sold, processed, distributed or contracted to apply, asbestos and/or asbestos-containing products?

ANSWER TO INTERROGATORY NO. 10:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to these interrogatories on the ground that they are speculative inasmuch as they fail to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive and/or railroad friction products, and/or among the different types of asbestos fibers. Because asbestos fiber contained in Abex's asbestos-containing automotive and railroad friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the

course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex Corporation, Pneumo Abex Corporation's predecessor, as defined herein, was incorporated as the American Brake Shoe and Foundry Company in New Jersey in 1902, and was reincorporated as that company in 1916 in Delaware. In 1926, the American Brake Shoe and Foundry Company caused to be incorporated a New York corporation named American Brake Materials Corporation. In 1933, American Brake Materials Corporation changed its name to American Brakeblok Corporation. In 1937, American Brakeblok Corporation merged with the American Brake Shoe and Foundry Company, and was thereafter operated as the American Brakeblok Division of that company. In 1943, the American Brake Shoe and Foundry Company changed its name to the American Brake Shoe Company. In 1966, the American Brake Shoe Company changed its name to Abex Corporation.

In 1968, Abex Corporation became a wholly owned subsidiary of Illinois Central Industries, Inc. Illinois Central Industries, Inc. later changed its name to IC Industries, Inc. Abex later became a wholly owned subsidiary of IC Products Company, itself a wholly owned subsidiary of IC Industries, Inc. (IC Industries, Inc. changed its name to Whitman Corporation in 1988).

In 1990, Abex was absorbed into its parent corporation, now known as Pneumo Abex Corporation.

Further, there may be additional corporate acquisitions involving Abex which are potentially responsive to this interrogatory but due to the passage of time, the change of the nature of its business, and the change in personnel, Abex lacks current knowledge of any such acquisitions. Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 75 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Historical material.
2. Promotional material.
3. Product brochures.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or

divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

In addition, see Answer to Interrogatory No. 6.

INTERROGATORY NO. 11: If the answer to Interrogatory No. 10 is "Yes", with respect to each such predecessor:

- (a) State its full and correct name;
- (b) State its principal place of business;
- (c) State its State of Incorporation;
- (d) State its date and manner of acquisition by Defendant;
- (e) Whether this predecessor was, at any time, authorized to transact business in the State of Illinois; and
- (f) Identify any and all documents referring to, relating to or reflecting the acquisition.

ANSWER TO INTERROGATORY NO. 11:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 10.

INTERROGATORY NO. 12: Has Defendant ever acquired from another corporation, company, or business, by any means other than those specified in Interrogatory No. 10, assets or rights to manufacture, sell, distribute or apply asbestos or asbestos-containing products?

ANSWER TO INTERROGATORY NO. 12:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

Abex has found no documents indicating an agreement for Abex to rebrand and sell under its own name asbestos-containing friction products manufactured by someone else.

In addition, see Answer to Interrogatory Nos. 3, 10 and 14.

INTERROGATORY NO. 13: If the answer to Interrogatory No. 12 is "Yes", with respect to each such acquisition:

- (a) State the full and correct name of the company from which such assets or rights were acquired;
- (b) State the principal place of business of the company from which said assets or rights were acquired;
- (c) Describe the assets or rights acquired, including the specific asbestos-containing products to which said assets or rights related; and
- (d) Identify any and all documents referring to, relating to or reflecting the transaction.

ANSWER TO INTERROGATORY NO. 13:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 12.

INTERROGATORY NO. 14: Other than any transaction identified in response to Interrogatories Nos. 10-13, has this Defendant ever been involved, in any capacity, including but not limited to, seller, transferor, grantor, franchiser, licensor, buyer, transferee, grantee, franchisee or subject of the transaction, in any transaction, of any kind, concerning any of the following:

- (a) the purchase/sale or transfer of ownership of a company, corporation or business which manufactured, sold, processed, distributed or contracted to apply asbestos and/or asbestos-containing products; or
- (b) the purchase/sale or transfer of ownership of the assets or rights to manufacture, sell, distribute or apply asbestos or asbestos-containing products; or
- (c) the purchase/sale or transfer of liabilities arising out of the manufacture, sale, processing, distribution or application of asbestos or asbestos-containing products.

ANSWER TO INTERROGATORY NO. 14:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex Corporation, Pneumo Abex Corporation's predecessor, as defined herein, was incorporated as the American Brake Shoe and Foundry Company in New Jersey in 1902, and was reincorporated as that company in 1916 in Delaware. In 1926, the American Brake Shoe and Foundry Company caused to be incorporated a New York corporation named American Brake Materials Corporation. In 1933, American Brake Materials Corporation changed its name to American Brakeblok Corporation. In 1937, American Brakeblok Corporation merged with the American Brake Shoe and Foundry Company, and was thereafter operated as the American Brakeblok Division of that company. In 1943, the American Brake Shoe and Foundry Company changed its name to the American Brake Shoe Company. In 1966, the American Brake Shoe Company changed its name to Abex Corporation.

In 1968, Abex Corporation became a wholly owned subsidiary of Illinois Central Industries, Inc. Illinois Central Industries, Inc. later changed its name to IC Industries, Inc. Abex later became a wholly owned subsidiary of IC Products Company, itself a wholly owned subsidiary of IC Industries, Inc. (IC Industries, Inc. changed its

name to Whitman Corporation in 1988).

In 1990, Abex was absorbed into its parent corporation, now known as Pneumo Abex Corporation.

Further, Abex is generally aware of the following transactions that may be responsive to this interrogatory, but has incomplete knowledge of them, including the extent, if any, to which the referenced businesses were associated with asbestos-containing products before, during or after their affiliation with Abex. In addition, there could have been other transactions potentially responsive to this interrogatory as to which Abex lacks current knowledge:

1972 sale of S.K. Wellman business to Brush-Wellman Corporation

1985 sale of AMSCO Welding Products business to Stood Company

1986 sale of Signal-Stat Division to Federal-Mogul Corporation

1986 sale of Denison Division to ASEA Inc.

1987 sale of Railroad Products Division to ABC Rail Corporation

1987 sale of Waukesha Pump Division to AMCA International Corporation

1988 sale of AMSCO Division to Amalloy Corporation

1988 sale of Remco Hydraulics Division to Remco Hydraulics Inc.

1989 sale of French friction products business to T & N plc

1989 sale of Italian friction products business to Rutgerswerke A.G.

1989 sale of Mexican friction products business to Echlin Corporation

1989 sale of Waukesha Foundry business to Waukesha Foundry Inc.

1994 sale of Jetway Division to FMC Corporation

1994 sale of Abex Friction Products Division and Canadian affiliate to

Wagner Electric Corporation

1994 sale of joint venture interest in Sundaram-Abex Limited (India) to co-venturer

1996 sale of Abex-NWL Aerospace Division to Parker-Hannifin Corporation

In addition to the foregoing, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 75 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Historical material.
2. Promotional material.
3. Product brochures.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims

and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 15: If the answer to any sub-part of Interrogatory No. 14 is "Yes", with respect to each such transaction:

- (a) Identify all parties to the transaction;
- (b) Identify the subject matter of the transaction;
- (c) State the date of the transaction; and,
- (d) Identify any and all documents, referring to, relating to or reflecting the transaction.

ANSWER TO INTERROGATORY NO. 15:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex discontinued the manufacture and sale of asbestos-containing friction

products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 75 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Historical material.
2. Promotional material.
3. Product brochures.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will

remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

In addition, see Answer to Interrogatory Nos. 3 and 10.

INTERROGATORY NO. 16: State the first and last dates on which any asbestos-containing product was manufactured by:

- (a) Defendant;
- (b) each and every predecessor; and
- (c) each and every related company.

ANSWER TO INTERROGATORY NO. 16:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 19.

INTERROGATORY NO. 17: State the first and last dates on which any asbestos-containing product was specified, sold, distributed, applied and/or installed within the United States by:

- (a) Defendant;
- (b) each and every predecessor; and
- (c) each and every related company.

ANSWER TO INTERROGATORY NO. 17:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 19.

INTERROGATORY NO. 18: State the last date on which Defendant or any related company specified, sold, distributed, applied and/or installed any asbestos-containing product outside the United States and identify by brand or trade name the products so specified, sold, distributed, applied and/or installed.

ANSWER TO INTERROGATORY NO. 18:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 14 and 19.

INTERROGATORY NO. 19: Identify by full and complete trade name, any and all asbestos-containing products as defined above, which this Defendant, any related company, or any predecessor(s) has, at any time:

- (a) Designed;
- (b) Manufactured;
- (c) Processed;
- (d) Sold;
- (e) Distributed;
- (f) Applied;
- (g) Installed;
- (h) Patented;
- (i) Specified; or
- (j) Re-labeled.

ANSWER TO INTERROGATORY NO. 19:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the

discovery of admissible evidence. Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex manufactured and sold various asbestos-containing automotive friction products during various periods from approximately 1927 to 1987. Abex ceased manufacturing and selling its asbestos-containing automotive friction products in 1987 due to a shift in the demand for automotive friction products.

To the best of current and reasonably available information and belief, Abex manufactured and sold its asbestos-containing automotive friction products under one or more of the following trade names at various times:

<u>Trade Name</u>	<u>Year of Registration or First Use</u>
American Brake Materials	1930
Brakeblok.	1936
American Brakeblok	1938
Abex	1941
Brake Shoe	1943
Esline	1965
Stopper	1966
American Eagle.....	1974
Crossing Guard	1975
Protector.....	1975
121 Super Brakes	1975
Velvetouch Organik	

Abex's asbestos-containing automotive friction products contained approximately 25 to 70 percent chrysotile, only. Abex's asbestos-containing automotive brake linings were shaped into curved, linear segments and pad shapes. Abex's asbestos-containing automotive friction products were applied to the brake shoe using rivets, bolts or a heat curing process. Abex's asbestos-containing automotive friction products were generally packaged in cardboard boxes according to size. The brand name appeared on the packages as did the product name, from time to time.

Abex manufactured and sold asbestos-containing railroad friction products under the trade name "Comet." Abex manufactured and sold asbestos-containing railroad friction products from approximately 1957 to 1977. Abex's railroad "Comet" brake shoe contained approximately 5 percent chrysotile asbestos, only. Abex's asbestos-containing railroad brake shoes had curved, linear segments of friction material integrally attached to steel backings. Abex's asbestos-containing railroad friction products were generally shipped on pallets according to size. The brand name may have appeared on the pallet as did the product name.

Abex's asbestos-containing automotive and railroad friction products are generally designed to assist in the stopping or control of a moving object.

In addition, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 150 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Winchester quality control.
2. Production plans.
3. Subject files, Friction products division.
4. Blueprints, Friction products division.
5. General correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and

will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can

thereafter be resolved by the Court.

In addition, see Answer to Interrogatory No. 14.

INTERROGATORY NO. 20: With respect to each asbestos-containing product listed for each subpart of Interrogatory No. 19:

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

ANSWER TO INTERROGATORY NO. 20:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex discontinued the manufacture and sale of asbestos-containing friction

products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory:

ANSWER TO INTERROGATORY NO. 20 SUBPART (a):

American Brake Shoe and Foundry Company

American Brake Materials Corporation

American Brakeblok Corporation

American Brake Shoe Company

Abex Corporation

In addition, see Answer to Interrogatory No. 3.

ANSWER TO INTERROGATORY NO. 20 SUBPART (b):

Abex manufactured and sold various asbestos-containing automotive friction products during various periods from approximately 1927 to 1987.

To the best of current and reasonably available information and belief, Abex manufactured and sold its asbestos-containing automotive friction products under one or more of the following trade names at various times:

Trade Name

**Year of
Registration
or First Use**

American Brake Materials	1930
Brakeblok	1936
American Brakeblok	1938
Abex	1941
Brake Shoe	1943
Esline	1965
Stopper	1966
American Eagle	1974
Crossing Guard	1975
Protector	1975
121 Super Brakes	1975
Velvetouch Organik	

Abex manufactured and sold asbestos-containing railroad friction products under the trade name "Comet." Abex manufactured and sold asbestos-containing railroad friction products from approximately 1957 to 1977.

ANSWER TO INTERROGATORY NO. 20 SUBPART (c):

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract,

audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 1,000 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. General sales correspondence.
2. Shipping sheets.
3. Subject files.
4. Warehouse shipments.
5. Purchase orders
6. Sales transmittals.
7. Growth plans.
8. Sales and distributor files.
9. Purchase orders and shipping orders.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex objects and will not make such documents available to plaintiffs. Abex also objects to this interrogatory to the

extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days

after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

Further, Abex ceased manufacturing and selling its asbestos-containing automotive friction products in 1987 due to a shift in the demand for automotive friction products.

INTERROGATORY NO. 21: Were any of the products, which were listed in response to Interrogatory No. 19 as having been specified, sold, distributed, applied or installed by Defendant, its predecessor or related company(ies), purchased from another company and relabeled for sale or distribution by Defendant, its predecessors or related companies? If so, identify those products, and with respect to each:

- (a) Identify the company from which Defendant, its predecessor or related company purchased the product; and
- (b) Identify the company which manufactured the product; and,
- (c) State the date(s) during which said re-labeled product was sold, distributed or applied.

ANSWER TO INTERROGATORY NO. 21:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex has not found any documents whereby Abex agreed to rebrand and sell under its own name asbestos-containing brake products manufactured by someone else.

In addition, see Answer to Interrogatory No. 10.

INTERROGATORY NO. 22: Has this Defendant, at any time, applied, contracted to apply, installed or engaged in the business of applying or installing, asbestos-containing products? If so:

- (a) State the date(s) on which or during which Defendant applied, contracted to apply, installed or engaged in the business of applying or installing asbestos-containing products;
- (b) Identify any and all sites within the State of Illinois at which Defendant applied, installed or contracted to apply or install asbestos-containing products, and for each such site:
 - (i) State whether the products you applied, installed or contracted to apply or install were included as part of the project's contract price or whether you applied the products that were provided at the worksite;
 - (ii) Identify by manufacturer and trade name each and every asbestos-containing product applied or installed;
 - (iii) State the date(s) during which said application or installation took place;
 - (iv) Identify the employee(s) of Defendant who was (were) in charge of the job;
 - (v) Identify the person or entity for which products were applied or installed; and
 - (vi) Identify all documents relating to such contract, application or installation.

ANSWER TO INTERROGATORY NO. 22:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods, products, work sites and medical conditions that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not

reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex states that it did not employ any "contract unit," engage in the practice of applying or installing asbestos-containing products, nor did Abex engage in the business of applying or installing asbestos-containing products.

INTERROGATORY NO. 23: Has this Defendant, any predecessor or any related company, ever engaged in the business of mining asbestos? If so:

- (a) Identify which company(ies) whether (Defendant, predecessor or related company) engaged in said business;
- (b) State the date(s) during which each said company engaged in such business;
- (c) State each and every location at which such mining was done;
- (d) Identify each and every officer, employee and/or agent of said company who, at any time, was in charge of each mining operation; and,
- (e) Identify each and every entity, if any, to which said company sold the asbestos which was mined.

ANSWER TO INTERROGATORY NO. 23:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, no.

INTERROGATORY NO. 24: Has this Defendant, any predecessor or any related company ever purchased and resold raw asbestos? If so, with respect to each such purchase and resale:

- (a) State the date(s) of the transaction;
- (b) Identify any and all parties from which the raw asbestos was purchased; and
- (c) Identify any and all parties to which the raw asbestos was sold.

ANSWER TO INTERROGATORY NO. 24:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Subject to and without waiving these objections, insofar as it understands this interrogatory, and upon information and belief, Abex is not aware that it ever purchased and then resold raw asbestos.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or

summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 150 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Winchester quality control.
2. Production plans.
3. Subject files, Friction products division.
4. Blueprints, Friction products division.
5. General correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 25: Identify each and every source from which Defendant, any predecessor or related company, obtained raw asbestos and/or asbestos-containing material used by Defendant, any predecessor or related company, to manufacture or process any product listed in response to Interrogatory No. 19.

ANSWER TO INTERROGATORY NO. 25:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, Abex does not possess complete knowledge concerning its purchase of raw chrysotile asbestos fiber, the only asbestos fiber ever utilized by Abex in the manufacture of its asbestos-containing automotive and railroad friction products.

However, upon information and belief, Abex is generally aware that, during

various periods since 1948 and no later than 1987, when Abex ceased the manufacture of asbestos-containing automotive friction products, raw chrysotile asbestos fiber was purchased from the following suppliers for use in manufacturing automotive and railroad friction products:

Asbestos Corporation, Ltd.
Thetford Mines
Quebec, Canada

Bell Asbestos Mines, Ltd.
Thetford Mines
Quebec, Canada

GAF Corp.
Hyde Park, Vermont

Lake Asbestos
Black Lake
Quebec, Canada

Johns-Manville Corporation
Canadian Johns-Manville Corp.
Asbestos, Canada

Vermont Asbestos Group, Inc.
Hyde Park, Vermont

In addition, Abex may have purchased various types of raw asbestos fibers from North American Asbestos Corporation and perhaps other suppliers for research purposes only.

INTERROGATORY NO. 26: Is Defendant or any related company, as of the date of answering these interrogatories, still manufacturing, specifying, selling, distributing, applying or installing any asbestos-containing product? If so, give the brand/trade names of such products, type and percentage of asbestos in such product, and the date on which Defendant or any related company first manufactured, specified, sold, distributed, applied or installed said products.

ANSWER TO INTERROGATORY NO. 26:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, no.

INTERROGATORY NO. 27: With respect to each and every product listed in response to Interrogatory No. 19, provide a full and complete description of the package in which the product was sold, including, but not limited to, type of package, size, color and writings thereon.

ANSWER TO INTERROGATORY NO. 27:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, insofar as Abex understands this interrogatory, and upon information and belief, some of Abex's asbestos-containing automotive friction products were generally packaged in plain, brown, or tan cardboard boxes according to size, with the end label being imprinted with colors. The brand name appeared on the packages as did the product name. Abex packaging varied from product to product over the many decades of its corporate existence. Upon further information and belief, Abex has no sample packages.

Abex's asbestos-containing railroad friction products were generally shipped on pallets according to size. The brand name may have appeared on the pallet as did the product name.

Abex is unable to provide a more detailed description of Abex packaging. Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 1,000 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. General sales correspondence.
2. Shipping sheets.
3. Subject files.
4. Warehouse shipments.

5. Purchase orders.
 6. Sales transmittals.
 7. Growth plans.
-
8. Sales and distributor files.
 9. Purchase orders and shipping orders.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex objects and will not make such documents available to plaintiffs.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex.

These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 28: For each subpart below, state whether or not, to Defendant's knowledge any items as described therein presently exist and, if so, identify any and all such existing items and state the present location of each:

- (a) any product listed in response to Interrogatory No. 19, including, but not limited to, any sample, part or piece thereof;
- (b) any package of the type in which any or all of the products listed in response to Interrogatory No. 19 were or would have been sold, including, but not limited to, any partial package;
- (c) any catalogue, brochure, sales literature or like item referring to, relating to or reflecting any or all of the products listed in response to Interrogatory No. 19;
- (d) any picture, drawing, photograph or like representation of the items described.

ANSWER TO INTERROGATORY NO. 28:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods, products and work sites that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory:

ANSWER TO INTERROGATORY NO. 28 SUBPART (a)

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods, products and work sites that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, a "Comet" brake shoe is in possession of Abex's counsel.

ANSWER TO INTERROGATORY NO. 28 SUBPART (b)

Upon information and belief, No.

In addition, see Answer to Interrogatory No. 27.

ANSWER TO INTERROGATORY NO. 28 SUBPARTS (c) and (d):

See Answer to Interrogatory No. 72.

INTERROGATORY NO. 29: Did Defendant, any related company or any predecessor ever stamp or otherwise place (including affixing tags or labels) a company name, initials, or any identifying logo on any of the products listed in response to Interrogatory No. 19?

ANSWER TO INTERROGATORY NO. 29:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 19 and 20.

INTERROGATORY NO. 30: If your answer to Interrogatory No. 19 is "Yes," identify each and every such product upon which such name, initials or identifying logo appeared and for each such product identified:

- (a) Describe each and every name, initials or identifying logo appearing on said product, at any time, by stating the wording, lettering, symbols, size, color and manner in which it was stamped, placed or axed to said product;
- (b) State the date(s) during which each such name, initials, or identifying logo appeared on said product; and
- (c) Identify any and all documents referring to, relating to or reflecting the stamping, placing or affixing of names, initials or logos to said product, including, but not limited to, any pictures, photographs or like representations of such names, initials or logos.

ANSWER TO INTERROGATORY NO. 30:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 19 and 20.

INTERROGATORY NO. 31: Was each of the asbestos-containing products listed in response to Interrogatory No. 19 generally expected to reach, or was each packaged to reach, the consumer or user, without substantial change in the condition in which it was sold?

ANSWER TO INTERROGATORY NO. 31:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex responds that generally the asbestos-containing products it manufactured were not intended to be ground, arced, beveled or sanded in the application or installation of these products.

Upon information and belief, some products were generally intended to reach the ultimate end-user in substantially the same condition as sold by Abex, while other products were

not.

INTERROGATORY NO. 32: If your answer to Interrogatory No. 31 is "No" with respect to any product(s), explain in what manner Defendant claims said product(s) were altered or substantially changed after sale or distribution and before reaching the consumer or user.

ANSWER TO INTERROGATORY NO. 32:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, insofar as Abex understands this interrogatory, and upon information and belief, some Abex products may have undergone changes after sale by Abex and prior to reaching the ultimate end-user. Such changes may have included, for example, changes in size, shape, configuration, attachment to other brake system components, and incorporation into larger automotive products.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 1,000 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. General sales correspondence.
2. Shipping sheets.
3. Subject files.
4. Warehouse shipments.
5. Purchase orders
6. Sales transmittals.
7. Growth plans.

8. Sales and distributor files.
9. Purchase orders and shipping orders.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of

telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 33: With respect to each product listed in response to Interrogatory No. 19, state whether, based upon the material contents, the method of manufacturing, and the method of application, such product could generally be applied or installed without liberating asbestos fibers?

ANSWER TO INTERROGATORY NO. 33:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, insofar as Abex understands this interrogatory, and upon information and belief, Abex products could generally be applied or installed without liberating asbestos fibers.

INTERROGATORY NO. 34: This interrogatory has been withdrawn by plaintiff or stricken by the Court.

ANSWER TO INTERROGATORY NO. 34:

INTERROGATORY NO. 35: Identify each person who participated in the design and/or preparation of manufacturing specifications for each product listed in response to Interrogatory No. 19.

ANSWER TO INTERROGATORY NO. 35:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory on the grounds that it is premature, overly broad, oppressive, harassing and unduly burdensome in that, to date, plaintiffs have failed to proffer any evidence showing the requisite nexus between plaintiffs and/or plaintiffs' decedents and any Abex product.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is also objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of

matters not established or matters not in evidence.

Subject to and without waiving these objections, insofar as Abex understands this interrogatory, and upon information and belief, the following individuals may have or may have had information responsive to this interrogatory:

Blume, William
Merkle, Timothy
Spokes, Raymond
Pearce, Richard
Kwolek, John
Griffith, Arvon
Nelson, Robert

The above-referenced individuals are not currently associated with Abex.

This answer is based upon such information as is currently and reasonably available to Abex, and Abex reserves the right to supplement or amend these answers when and if additional relevant information or documentation becomes available, including any provided by plaintiffs, at the appropriate time. Discovery and investigation are continuing.

Further, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or

summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 100 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Research and development, Raw materials.
2. Lab notebooks, Product development.
3. Subject files.
4. Engineering test results.
5. Formula, testing, and development.
6. Production/testing research.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will

not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 36: Identify any and all documents, including, but not limited to, written memoranda, specifications, blueprints, formulas, patterns and designs, referring to, relating to or reflecting the design, preparation, application and/or installation of each product listed in response to Interrogatory No. 19.

ANSWER TO INTERROGATORY NO. 36:

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 150 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Winchester quality control.
2. Production plans.
3. Subject files, Friction products division.

4. Blueprints, Friction products division.
5. General correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of

telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 37: With respect to each product listed in response to Interrogatory No. 19, state:

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

ANSWER TO INTERROGATORY NO. 37:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory:

ANSWER TO INTERROGATORY NO. 37 SUBPART (a):

Abex does not possess complete knowledge concerning its purchase of raw chrysotile asbestos fiber, the only asbestos fiber ever utilized by Abex in the manufacture of its asbestos-containing automotive and railroad friction products.

However, Abex is generally aware that, during various periods since 1948 and no later than 1987, when Abex ceased the manufacture of asbestos-containing automotive friction products, raw chrysotile asbestos fiber was purchased for use in manufacturing automotive and railroad friction products:

Asbestos Corporation, Ltd.
Thetford Mines
Quebec, Canada

Bell Asbestos Mines, Ltd.

Thetford Mines
Quebec, Canada

GAF Corp.
Hyde Park, Vermont

Lake Asbestos
Black Lake
Quebec, Canada

Johns-Manville Corporation
Canadian Johns-Manville Corp.
Asbestos, Canada

Vermont Asbestos Group, Inc.
Hyde Park, Vermont

In addition, Abex may have purchased various types of raw asbestos fibers from North American Asbestos Corporation and perhaps other suppliers for research purposes only.

ANSWER TO INTERROGATORY NO. 37 SUBPARTS (b), (c), (d), (e), (f), (h) and (i):

See Answer to Interrogatory Nos. 19 and 35.

ANSWER TO INTERROGATORY NO. 37 SUBPART (g):

Abex objects further to this interrogatory to the extent to which it purports to seek confidential, trade secret or other proprietary information.

Abex also objects to this interrogatory on the ground that it purports to seek information that is a matter of public record and, thus, equally available to plaintiffs as Abex.

Subject to and without waiving these objections, insofar as it understands this interrogatory, and upon information and belief, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products

with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 150 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Winchester quality control.
2. Production plans.
3. Subject files, Friction products division.
4. Blueprints, Friction products division.
5. General correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were

prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will

prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

In addition, see Answer to Interrogatory No. 43.

ANSWER TO INTERROGATORY NO. 37 SUBPART (i)

Chrysotile asbestos, the only type of asbestos fiber ever used by Abex in the manufacture of its friction products, was utilized in Abex's asbestos-containing friction products because it represented a uniquely favorable combination of properties, including thermal stability, friction level, reinforcing properties, cost, availability, compatibility with production processes and manufacturing equipment, acceptability and familiarity to customers, and safety with regard to its use in friction products.

INTERROGATORY NO. 38: Identify any and all facilities at which Defendant, any predecessor or any related company, at any time, manufactured or processed asbestos-containing products, or processed raw asbestos. For each such facility identified:

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

ANSWER TO INTERROGATORY NO. 38:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it is speculative

inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex never mined, marketed or commercially sold raw asbestos.

Abex's asbestos-containing automotive friction products were manufactured in Detroit, Michigan; Salisbury, North Carolina; and Winchester, Virginia. Abex does not have any specific knowledge or information as to whether any automotive friction products were manufactured at its former facility in Lancaster, New York. Said facility was destroyed in 1927. Abex is unaware of any documents that could indicate that asbestos-containing automotive friction products were manufactured at the Lancaster, New York facility prior to 1927.

Upon information and belief, E.H. Feirberand (Winchester), Albert Indelicato (Salisbury), and Charles Mallory (Winchester) may have had some operational responsibilities over these plants.

Abex's asbestos-containing railroad friction products were manufactured in Chicago, Illinois.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board

during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 150 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Winchester quality control.
2. Production plans.
3. Subject files, Friction products division.
4. Blueprints, Friction products division.
5. General correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will

remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 39: Withdrawn by plaintiff or stricken by the Court.

ANSWER TO INTERROGATORY NO. 39:

INTERROGATORY NO. 40: Identify any and all persons known by you to have any knowledge concerning the manufacture, sale, distribution, possession, application, installation or use of the products listed in response to Interrogatory No. 19.

ANSWER TO INTERROGATORY NO. 40:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex employed industrial hygienists and medical directors whose job duties included ensuring a safe working environment for all Abex employees. Because these personnel dealt with the working conditions of Abex employees, further information or materials regarding them lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving this additional objection, the following persons may have, or have had, knowledge concerning the manufacture, sale, distribution,

possession, application, installation or use of the products listed in response to

Interrogatory No. 19:

Indelicato, Albert
Bretz, Earl L., Jr.
Cvitkovich, Steven
Feierabend, Eric H.
Francis, W. H.
Kleeschulte, David G.
Mallory, Charles B.
Nelson, Robert
Parker, F. R.
Blume, William
Merkle, Timothy
Spokes, Raymond
Pearce, Richard
Kwolek, John
Griffith, Arvon
Nelson, Robert

The above-referenced individuals are not currently associated with Abex.

Upon further information and belief, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary

presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 150 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Winchester quality control.
2. Production plans.
3. Subject files, Friction products division.
4. Blueprints, Friction products division.
5. General correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it

claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 41: Has Defendant, any predecessor or any related company, at any time, designed, manufactured, processed, sold, distributed, supplied, applied, installed or contracted to apply or install any product which contained vermiculite?

ANSWER TO INTERROGATORY NO. 41:

Not applicable.

INTERROGATORY NO. 42: If you answer to Interrogatory No. 41 is "Yes," identify by brand/trade name any and all such products which contained vermiculite and for each:

- (a) State the date(s) during which said product contained vermiculite;
- (b) State, in percentage terms, the amount of vermiculite contained in the product;
- (c) Identify the source of the vermiculite used in the product;
- (d) Identify the specific company (Defendant, predecessor, related company) which designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (e) State the year in which Defendant, its related company or its predecessor first designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (f) State the year in which the Defendant, its related company or predecessor last designed, manufactured, processed, sold, distributed, applied, installed or patented such product;
- (g) State whether any sample, part or piece of such product is still in existence; and
- (h) Identify all documents relating to such product, including but not limited to any package, brochure, catalog, picture, photograph or like representation of the product or packaging.

ANSWER TO INTERROGATORY NO. 42:

Not applicable.

INTERROGATORY NO. 43: With respect to the products listed in response to Interrogatories Nos. 19 and 42, did Defendant, any predecessor or related company or the manufacturer of the products ever conduct test [sic] of any kind on any or all of said products concerning possible or potential health hazards involved in its use or in the use of material contained therein.

ANSWER TO INTERROGATORY NO. 43:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation,

or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Abex objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Subject to and without waiving this additional objection, any tests conducted by Abex on its asbestos-containing automotive friction products would have been quality control tests to ensure that Abex's asbestos-containing automotive friction products performed their intended task of slowing or stopping a moving vehicle. Any further information or materials related to performance tests lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Further, upon information and belief, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products

with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 100 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Research and development, Raw materials.
2. Lab notebooks, Product development.
3. Subject files.
4. Engineering test results.
5. Formula, testing, and development.
6. Production/testing research.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will

remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can

thereafter be resolved by the Court.

INTERROGATORY NO. 44: If your answer Interrogatory No. 43 is "Yes," with respect to each product test:

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

ANSWER TO INTERROGATORY NO. 44:

See Answer to Interrogatory No. 43.

INTERROGATORY NO. 45: Did any person, including but not limited to, an officer, agent or employee of Defendant, any predecessor or related company recommend any design changes as a result of any test referenced in your response to the preceding interrogatory?

ANSWER TO INTERROGATORY NO. 45:

See Answer to Interrogatory No. 43.

INTERROGATORY NO. 46: If your answer to Interrogatory No. 45 is "Yes," with respect to each such recommended design change:

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

ANSWER TO INTERROGATORY NO. 46:

See Answer to Interrogatory No. 43.

INTERROGATORY NO. 47: Identify any and all persons employed by Defendant, its predecessor or related company at any time from 1940 to date as an industrial hygienist or similar position.

ANSWER TO INTERROGATORY NO. 47:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex employed industrial hygienists and medical directors whose job duties included ensuring a safe working environment for all Abex employees. Because these personnel dealt with the working conditions of Abex employees, further information or materials regarding them lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving this additional objection, the following persons served as medical director of Abex Corporation:

<u>Name</u>	<u>Last Known Place of Employment</u>	<u>Last Known Address</u>	<u>Years of Employment</u>
Lloyd E. Hamlin	2501 Blue Island Avenue, Chicago, Illinois	Deceased	1941-1961
Charles C. Blackwell	2501 Blue Island Avenue, Chicago, Illinois	4911 East Doubletree Ranch Road, Paradise Valley, Arizona 75253	1961-1976
Frederick W. Knoch	4550 W. 26th Street, Chicago, Illinois 60623	Deceased	1976-1981
William F. Redman	485 Frontage Road, Burr Ridge, Illinois 60521	396 Belden Street, Glendale Heights, Illinois 60137	1982
Dennis G. Egnatz	485 Frontage Road, Burr Ridge, Illinois 60521	121 Lakewood Circle Burr Ridge, Illinois 60521	1982-1987

The following persons served as industrial hygienists of Abex Corporation:

1941-1945	J. B. Littlefield
1943-1954	H. J. Weber
1945-1946	R. H. Anderson
1946-1966	H. J. Gotmer
1948-1948	W. A. Hamlin
1949-1954	A. Edwards
1951-1951	R. A. Myles

1952-1955	D. Carlson
1955-1966	J. S. Holtaway
1955-1960	J. T. Siedlecki

Last Known Addresses
for above group:

2501 S. Blue Island Ave., Chicago, Illinois, from
1941 to 1956. Telephone number unknown.

1961-1966	J. B. Mahoney
1967-1974	C. H. Borcharding
1967-1970	N. J. Merczak
1969-1970	S. Gotceitas
1970-1971	F. L. Stanley
1972-1975	F. T. Szum
1972-1976	M. D. Gidley
1974-1977	K. J. Krotz
1975-1976	W. P. Osen
1976-1977	T. Antonson
1976-1987	C. H. Borcharding
1977-1988	L. G. Wessa
1977-1978	J. B. Mahoney
1978-1980	R. H. Carpenter-Vance
1979-Unknown	E. L. Miller

Last Known Address
for above group:

4550 W. 26th Street, Chicago, Illinois, from
1956 to November 1983. Telephone number
unknown.

485 Frontage Road, Burr Ridge, Illinois 60521,
from November 11, 1983 to late 1980s.
Telephone number unknown.

Abex does not know whether the above-referenced individuals are currently living
or deceased.

INTERROGATORY NO. 48: Identify any and all persons or entities, other than the employees listed above, which provided industrial hygienic or similar services or information to, or for the benefit of, this Defendant, at any time from 1940 to date, including, but not limited to, employees of, or anyone retained by, any predecessor or related company.

ANSWER TO INTERROGATORY NO. 48:

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

Abex also objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 47.

INTERROGATORY NO. 49: Does Defendant have, or has Defendant, any predecessor or any related company ever had, a Research Department? If so:

- (a) State when such department was established, and whether or not such department has operated continuously since being established;

- (b) State how much defendant, its predecessors and/or related company expended each year on research; and
- (c) State the percentage of said expenditure which was for research concerning the health affects or asbestos;
- (d) Identify the person(s) in charge of such department throughout its existence; and
- (e) Identify the person(s) in charge of any asbestos-related research conducted by such department throughout the years.

ANSWER TO INTERROGATORY NO. 49:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of

matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex maintained a corporate-wide research department. The purpose of this department included designing and developing new products for Abex. Further information or materials related to this department lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

In addition, see Answer to Interrogatory Nos. 35, 36 and 43.

INTERROGATORY NO. 50: Did Defendant, any predecessor or any related company, or any medical department or industrial hygiene division thereof, maintain a medical and/or scientific library at any time from 1940 to the present? If so:

- (a) State the dates such library existed;
- (b) State the number of volumes maintained therein;
- (c) State the number of employees, part-time or full-time, assigned to the maintenance of said library; and
- (d) Identify the person(s) within the corporate structure to whom said library employees reported throughout the existence of the library.

ANSWER TO INTERROGATORY NO. 50:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent to which it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, Abex did not maintain an official medical library, although its medical department did have various books and publications relevant to industrial medicine.

Further, Abex is aware that it received the American Industrial Hygiene Association Journal and the Journal of Occupational Medicine, Occupational Health and Safety.

Any such books, articles, and journals, if they exist, are currently kept at Abex's facility in Brooklyn, New York.

In addition, see Answer to Interrogatory No. 47.

INTERROGATORY NO. 51: Identify any and all scientific or medical periodicals to which defendant, any predecessor or any related company, or any medical department or industrial hygiene division thereof, subscribed from 1940 to the present, and for each periodical state the dates of such subscriptions.

ANSWER TO INTERROGATORY NO. 51:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent to which it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, see Answer to
Interrogatory No. 50.

INTERROGATORY NO. 52: Has Defendant, any predecessor or any related company, at any time since 1940:

- (a) been a member of a medical and/or scientific library or library association?
- (b) been a member of any organization or association which maintained a medical and/or scientific library?
- (c) been a member of any organization or association through which members obtained the use of, or access to, a medical and/or scientific library?

ANSWER TO INTERROGATORY NO. 52:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent to which it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 50 and 94.

INTERROGATORY NO. 53: If your answer to any subpart of Interrogatory No. 52 is "Yes,":

- (a) Identify the library(ies) involved and state the years during which Defendant, its predecessor or related company was a member of, or otherwise had use of or access to said library; and
- (b) If applicable, identify the organization or association through which Defendant, its predecessor or related company, obtained the use of or access to, such library(ies).

ANSWER TO INTERROGATORY NO. 53:

Abex objects to this interrogatory on the grounds that it is over broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 52.

INTERROGATORY NO. 54: Has Defendant, any predecessor or any related company, or any person or entity acting on behalf thereof, including but not limited to, any insurance company, at any time, conducted any industrial hygiene surveys concerning any product identified in response to Interrogatory No. 19, including, but not limited to, surveys concerning the manufacture, processing, application, installation, use and/or removal of said products?

ANSWER TO INTERROGATORY NO. 54:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods, products and medical conditions that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained

in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, yes.

INTERROGATORY NO. 55: If your answer to Interrogatory No. 54 "Yes," with respect to each such survey:

- (a) Identify the product(s) which was used in the survey;
- (b) Identify any and all person(s), firm(s) or entity(ies) conducting or participating in the conducting of said survey;
- (c) State the date(s) of said survey;
- (d) Describe the methodology, results and conclusions of said survey;
- (e) Identify any and all documents referring to, relating to, or reflecting said survey or the results and conclusions thereof; and,
- (f) Identify any and all persons to whom such document may have been sent.

ANSWER TO INTERROGATORY NO. 55:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods, products and medical conditions that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory:

ANSWER TO INTERROGATORY NO. 55 SUBPART (a):

Upon information and belief, industrial hygiene surveys were conducted at Abex facilities.

ANSWER TO INTERROGATORY NO. 55 SUBPART (b):

Upon information and belief, industrial hygiene surveys were conducted at Abex facilities by Abex's industrial hygienists and their staff, and in at least one instance by an insurance carrier, in conjunction with Abex employees.

ANSWER TO INTERROGATORY NO. 55 SUBPARTS (c) through (f)

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 150 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Winchester quality control.
2. Production plans.
3. Subject files, Friction products division.
4. Blueprints, Friction products division.
5. General correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable

opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and

litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

In addition, see Answer to Interrogatory No. 43.

INTERROGATORY NO. 56: Has Defendant, any predecessor or any related company, or any person or entity acting on behalf thereof, including but not limited to any insurance company, at any time, gone into any area where any product identified in response to Interrogatory Nos. 19 and 42 was being manufactured, used, applied or installed to perform a dust level count or similar test?

ANSWER TO INTERROGATORY NO. 56:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods, products and medical conditions that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and

encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory:

With respect to the manufacture of those products identified in response to Interrogatory No. 19, see Answer to Interrogatory No. 54.

With respect to the use, application, and installation of those products identified in response to Interrogatory No. 19, upon information and belief, no.

INTERROGATORY NO. 57: If your answer to Interrogatory No. 56 is "Yes," identify each such count or test performed, by stating when and where it was conducted, and with respect to each count or test so identified:

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

ANSWER TO INTERROGATORY NO. 57:

See Answer to Interrogatory No. 56.

INTERROGATORY NO. 58: Has Defendant, any predecessor or any related company, or any person or entity acting on behalf thereof, at any time, conducted any study(ies), of any kind, concerning the effects of the inhalation of asbestos dust or asbestos fibers on one using or being exposed to asbestos or any asbestos-containing product, including, but not limited to, those identified in response to Interrogatory Nos. 19 and 42?

ANSWER TO INTERROGATORY NO. 58:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague, ambiguous and speculative.

Abex also objects to this interrogatory on the grounds that the term "relationship" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent to which it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is also objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex is generally aware that it contributed monies for certain studies at the Saranac Laboratory, Saranac, New York. Abex's documents reflect that any such studies performed by the Saranac Laboratory on behalf of Abex specifically pertained to siderosis and silicosis studies. Plaintiffs' counsel in a different case have produced in discovery unauthenticated photocopies of documents purporting to show that Abex agreed in the 1930's to pay \$250 per year for three years with respect to a single asbestos-related animal study at the Saranac Laboratory. Abex's records do not confirm any such agreement, nor do Abex's records reflect any such payment.

INTERROGATORY NO. 59: If your answer to interrogatory No. 58 is "Yes," with respect to each such study:

- (a) Describe the nature of said study, including, but not limited to, the purpose and objectives of the study, the product(s) involved, the date(s) conducted, the methodology employed and the results reached, both raw data and conclusions;
- (b) Identify any and all entities and/or persons conducting said study or participating in the conducting of said study;
- (c) Identify any and all documents referring to, relating to or reflecting said study, including but not limited to reports (both interim and final), notes, memoranda, work paper, data compilations and surveys;
- (d) Identify any and all directors, officers, agents or employees of Defendant who participated in the decision to have the study conducted; and,
- (e) Identify any and all entities and/or persons who received a copy of any document referring to, relating to or reflecting the results or conclusions reached.

ANSWER TO INTERROGATORY NO. 59:

See Answer to Interrogatory No. 58.

INTERROGATORY NO. 60: Did Defendant, its predecessor or related company, take any action as a result of any study or studies set forth in response to Interrogatory Nos. 56 and 58? If so, identify each and every study which resulted in some action being taken, and:

- (a) Describe the actions taken, including the effective date of said actions:
- (b) Identify any and all persons, including, but not limited to, directors, officers, agents and employees of Defendant who participated in the decision to undertake said actions; and
- (c) Identify any and all documents referring to, relating to or reflecting said actions, or any subsequent modification or discussion of the same.

ANSWER TO INTERROGATORY NO. 60:

See Answer to Interrogatory No. 58.

INTERROGATORY NO. 61: Has Defendant, any predecessor, or any related company, or any person or entity acting on behalf thereof, at any time, conducted any study(ies) designed to minimize or eliminate the inhalation of asbestos dust and fibers by those using, handling or exposed to any product listed in response to Interrogatory Nos. 19 and 42?

ANSWER TO INTERROGATORY NO. 61:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods, products and entities that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber

contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Abex also objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, no.

INTERROGATORY NO. 62: If your answer to Interrogatory No. 61 is "Yes," with respect to each such study:

- (a) Identify the product involved;
- (b) Identify the person(s) and/or entity(ies) conducting said study;
- (c) State the date said study began and the date on which it was completed;
- (d) Identify any and all persons, including, but not limited to, directors, officers, agents or employees of Defendant, who participated in the decision to have said study conducted;
- (e) Describe the nature of said study;
- (f) Describe the nature of any action to eliminate or minimize inhalation of asbestos dust or asbestos fibers undertaken as a result of said study;
- (g). Identify any and all documents referring to, relating to or reflecting said study or the results thereof; and,
- (h). Identify any and all persons receiving a copy of any document referring to, relating to or reflecting the results or conclusions of said study.

ANSWER TO INTERROGATORY NO. 62:

See Answer to Interrogatory No. 58.

INTERROGATORY NO. 63' Did Defendant, any related company, or any predecessor at any time, give to persons, who would be applying and/or removing any of the products listed in response to Interrogatory Nos. 19 and 42, any instructions or guidelines concerning precautions, warnings, procedures, and/or methods to use, in order to safely apply or remove such products? If so, describe such instructions, state to whom they were given, state the dates they were given, and describe the manner in which they were given.

ANSWER TO INTERROGATORY NO. 63:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Subject to and without waiving these additional objections, in 1979 and 1982,

Abex participated in the preparation and distribution of a pamphlet published by the Friction Materials Standards Institute, Inc., entitled "Recommended Procedures for Reducing Asbestos Dust During Brake Servicing." An excerpt of this pamphlet is reprinted below:

**RECOMMENDED PROCEDURES FOR REDUCING
ASBESTOS DUST DURING BRAKE SERVICING**

Because studies have indicated that exposure to excessive amounts of asbestos dust may be a potential health hazard, OSHA has set maximum levels to which workers may be exposed. Since most automotive friction materials normally contain a sizable amount of asbestos, it is important that people who handle brake linings and clutch facings understand the nature of the problem and know the precautions to be taken.

- 1) Areas where brake work is done should be set aside if possible, and entrances should be posted with an asbestos exposure sign as follows:

**ASBESTOS DUST HAZARD
AVOID BREATHING DUST
WEAR ASSIGNED PROTECTIVE EQUIPMENT
DO NOT REMAIN IN AREA UNLESS YOUR WORK REQUIRES IT
BREATHING ASBESTOS DUST MAY BE HAZARDOUS
TO YOUR HEALTH**

The amount of asbestos in the dust brake lining wear is normally at an extremely low level because of chemical breakdown during use, and if machining of friction material does not take place, simple procedures will minimize exposure.

- 2) During brake servicing, the mechanic should wear a respirator approved by NIOSH for asbestos dust. It should be worn during all procedures starting with the removal of wheels and including reassembly.
- 3) When removing worn friction materials, remove the accumulated dust in the assemblies with an industrial vacuum cleaner equipped with a high efficiency filter system. If such equipment is not available, dust can be removed with a damp cloth. Do not use compressed air or dry brushing for cleaning unless the assembly is enclosed and properly exhausted.
- 4) Whenever possible, purchase friction materials pre-ground and ready for installation. If matching is necessary, the precautions which must be taken are of extreme importance. This is the operation in brake service when exposure to asbestos dust may be at its highest. This increases the difficulty in complying with the OSHA standards. In addition to the approved respirator, there must be local exhaust ventilation such that worker exposures are maintained below the

OSHA asbestos standards. If there is any question as to the efficiency of asbestos dust removal by the machine, the manufacturer should be contacted.

- 5) Industrial vacuum cleaner bags containing asbestos dust and cloths used for wiping brake assemblies should be sealed in plastic bags and labeled with the following warning label printed in letters of sufficient size and contrast to be readily visible and legible:
-

CAUTION
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
BREATHING ASBESTOS DUST MAY
CAUSE SERIOUS BODILY HARM

All asbestos waste should be disposed of in accordance with OSHA and EPA asbestos regulations. During removal of vacuum bags, an approved respirator, as described in (2) above, should be worn.

- 6) Good housekeeping is essential in a workplace where asbestos-containing materials are handled. Industrial vacuum cleaners equipped with multiple stage, high efficiency filters should be used for removing accumulations of asbestos dust and waste. Never use compressed air or dry sweeping for cleaning. Water or other dust suppressants should be applied if brooms are used.
- 7) Good personal hygiene practices are important in minimizing asbestos dust exposure. Do not smoke. Wash before eating. Shower after work. Change to work clothes upon arrival at work and change from work clothes at conclusion of work. Work clothing should not be taken home. Laundering asbestos contaminated clothing shall be done so as to prevent release of airborne asbestos fibers in excess of the exposure limits.

CAUTION: DO NOT BREATHE ASBESTOS

In addition, subject to and without waiving these objections, and insofar as it understands this interrogatory, in the mid-1970s, and perhaps earlier, Abex commenced the placement of warning labels on its asbestos-containing automotive friction products. This label read as follows:

CAUTION
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
BREATHING ASBESTOS DUST

MAY CAUSE SERIOUS BODILY HARM

Abex believes this warning was first placed on its asbestos-containing friction products in order

to comply with OSHA regulations. Abex does not believe the wording of this warning was ever

changed.

INTERROGATORY NO. 64: Did Defendant, any predecessor or any related company, at any time, place any warning signs or labels on the containers in which any of the products listed in response to Interrogatory Nos. 19 and 42 were packaged?

ANSWER TO INTERROGATORY NO. 64:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, in the mid-1970s, and perhaps earlier, Abex commenced the placement of warning labels on its asbestos-containing automotive friction products. This label read as follows:

CAUTION
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
BREATHING ASBESTOS DUST
MAY CAUSE SERIOUS BODILY HARM

Abex believes this warning was first placed on its asbestos-containing friction products in order to comply with OSHA regulations. Abex does not believe the wording of this warning was ever changed.

INTERROGATORY NO. 65: If your answer to Interrogatory No. 64 is "Yes," identify each and every product upon which such a warning was placed, and with respect to each such product identified:

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

ANSWER TO INTERROGATORY NO. 65:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Subject to and without waiving these objections, insofar as Abex understands this interrogatory, and upon information and belief, the warning labels were affixed to automotive friction product packages.

In addition, see Answer to Interrogatory Nos. 36, 63 and 64.

INTERROGATORY NO. 66: With respect to each product identified in response to Interrogatory No. 65 as having been accompanied by a warning, state whether, subsequent to the first warning described, above, any different warning was ever placed upon said product. Any alteration, change or modification in the language, working, capitalization, punctuation, style of type or printing, size, color, or location on the package or container, of the warning constitutes a different warning.

ANSWER TO INTERROGATORY NO. 66:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, no.

INTERROGATORY NO. 67: With respect to each different warning which accompanied each product listed in response to Interrogatory No. 65:

- (a) State the date on which any order directing that such different warning be placed on said product first issued;

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

ANSWER TO INTERROGATORY NO. 67:

Not applicable.

INTERROGATORY NO. 68: Prior to the date on which Defendant first directed that a warning accompany any product identified in response to Interrogatory Nos. 19 and 42, did any person, firm, organization or other entity, within or without your employ, suggest, recommend, counsel, advise, or otherwise indicate in any manner, that a warning should accompany any or all of such products or asbestos-containing products generally?

ANSWER TO INTERROGATORY NO. 68:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board

during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

Subject to and without waiving these objections, insofar as Abex understands this interrogatory, and upon information and belief, in the mid-1970s, and perhaps earlier, Abex commenced the placement of warning labels on its asbestos-containing friction products. Any discussion of warning labels for friction materials at a Friction Materials Standard Institute, Inc. meeting may have taken place after Abex commenced placement of warning labels on its asbestos-containing products.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 150 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Winchester quality control.
2. Production plans.
3. Subject files, Friction products division.
4. Blueprints, Friction products division.
5. General correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The

best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse

counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex.

These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

In addition, see Answer to Interrogatory No. 98.

INTERROGATORY NO. 69: If you answer to Interrogatory No. 68 is "Yes," with respect to each such suggestion, recommendation, counseling, advice or other indication:

- (a) Identify the person(s) and/or entity(ies) giving the same;
- (b) State the date(s) on which the same was given;
- (c) Identify any and all persons receiving notice of the same;
- (d) Describe what, if any, action Defendant took in response to or upon the same; and,
- (e) Identify any and all documents referring to, relating to or reflecting the same, or any action taken thereon or in response thereto.

ANSWER TO INTERROGATORY NO. 69:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Subject to and without waiving these objections, and insofar as Abex understands

this interrogatory, see Answer to Interrogatory Nos. 63 and 64.

INTERROGATORY NO. 70: Did Defendant, any predecessor, or any related company ever place any warning directly upon any of the products listed in response to Interrogatory Nos. 19 and 42?

ANSWER TO INTERROGATORY NO. 70:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 64.

INTERROGATORY NO. 71: If your answer to interrogatory No. 70 is "Yes," identify each and every product upon which such a warning was placed and for each such product identified:

- (a) State, verbatim, each and every warning which ever appeared on said product;

- (b) State the size, color and location of each such warning and describe the manner in which it was placed upon the product;
- (c) State the dates on which each such warning first and last appeared in said product; and,
- (f) Identify any and all documents referring to, relating to or reflecting the placing of any warning directly upon said products, including, but not limited to, decisions not to place such a warning.

ANSWER TO INTERROGATORY NO. 71:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it seeks to impose

upon Abex a legal duty or obligation to which it was not subject.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 19, 43, 63 and 64.

INTERROGATORY NO. 72: Did any warning of any type concerning the products listed in response to Interrogatory Nos. 19 and 43 ever appear in any sales literature or other materials distributed or provided by Defendant, any predecessor or any related company, to the purchasers, consumers and/or users of such products?

ANSWER TO INTERROGATORY NO. 72:

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 75 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Historical material.
2. Promotional material.
3. Product brochures.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims

and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 43 and 63.

INTERROGATORY NO. 73: If your answer to Interrogatory No. 72 is "Yes," identify each and every item of sales literature or other materials in which such a warning appeared, and for each item so identified:

- (a) State the date on which said item was first provided to distributors, sellers, purchasers, consumers or users;
- (b) List the products discussed in the literature;
- (c) Identify any and all other sales literature concerning the products listed in response to Interrogatory Nos. 19 and 42 which was provided to distributors, sellers, purchasers, consumers or users after the above date and which contained no warning.

ANSWER TO INTERROGATORY NO. 73:

See Answer to Interrogatory No. 72.

INTERROGATORY NO. 74: Does Defendant or any related company have any of the following in its possession, custody or control:

- (a) any package, container, label or item of sales literature which Defendant claims constitutes or contains any warning which ever accompanies any product listed in response to Interrogatory Nos. 19 and 42?

- (b) any picture, photograph or like reproductive representation of any item described in subpart (a)?

ANSWER TO INTERROGATORY NO. 74:

See Answer to Interrogatory Nos. 27 and 72.

INTERROGATORY NO. 75: State the year the Defendant or any predecessor(s) was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust, promulgated by the American Conference of Governmental Industrial Hygienists, and identify the specific persons) receiving such advise [sic], and any and all documents communicating such advise.

ANSWER TO INTERROGATORY NO. 75:

Abex objects to this interrogatory on the grounds that it is over broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of

asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex is unaware of when it was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust. Lloyd Hamlin served as Abex's Medical Director from 1941 to 1961. Dr. Hamlin published an article in 1955, referring therein to maximum allowable concentrations for various substances. Dr. Hamlin is deceased and Abex has no way to determine when, if ever, he or any other Abex official first received information responsive to this interrogatory.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the

information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 150 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Winchester quality control.
2. Production plans.
3. Subject files, Friction products division.
4. Blueprints, Friction products division.
5. General correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 76: State whether such threshold limit values or maximum allowable concentrations referred to in Interrogatory No. 75 involved TOTAL dust or just asbestos dust?

ANSWER TO INTERROGATORY NO. 76:

Abex objects to this interrogatory on the grounds that it is over broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 75.

INTERROGATORY NO. 77: Describe, in detail, any and all tests, if any, conducted by Defendant, any predecessor or any related company, or anyone acting on behalf thereof, concerning the quantity, quality or threshold limit values of asbestos dust or particles to which applicators or consumers of asbestos-containing products were exposed while using any product identified in response to Interrogatory Nos. 19 and 42, including:

- (a) The product being used;
- (b) Identify any and all person(s), firms) or entity(ies) conducting or participating in the conducting of said test;
- (c) State the dates) of said test;
- (d) Describe the methodology, results and conclusions of said test;
- (e) Identify any and all documents referring to, relating or reflecting said test or the results and conclusions thereof; and,
- (f) Identify any and all persons to whom any document referring to, relating to or reflecting the results or conclusions of said test was sent.

ANSWER TO INTERROGATORY NO. 77:

Abex objects to this interrogatory on the grounds that it is over broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues

arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 75.

INTERROGATORY NO. 78: Did Defendant, any predecessor or any related company, at any time, directly advise the owners or management employees of any worksite in which it sold or applied any product listed in response to interrogatory Nos. 19 and 43, of threshold limit values for exposure to asbestos dust recommended by the American Conference of Governmental Industrial Hygienist? If so, state the date or dates that you so advised each such owner or employees, the manner in which you advised such owner or employee and the name of each such owner or employee.

ANSWER TO INTERROGATORY NO. 78:

Abex objects to this interrogatory on the grounds that it is over broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any relate company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber

contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 75.

INTERROGATORY NO. 79: State the date on which any official of Defendant or its predecessor(s) first had knowledge, notice, information or understanding that exposure to asbestos would, could or might cause each of the following diseases:

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

ANSWER TO INTERROGATORY NO. 79:

Abex also objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to call for a legal opinion or conclusion which Abex is unqualified to render.

Abex objects to this interrogatory on the ground that it purports to call for a medical or scientific opinion or conclusion which Abex is unqualified to render.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex further objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in

Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex also objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory. Lloyd Hamlin served as Abex's Medical Director between 1941 and 1961. Dr. Hamlin published an article in 1946 in which he referenced asbestosis. Dr. Hamlin is deceased and Abex has no way to determine when, if ever, he or any other Abex official first received information responsive to this interrogatory.

In addition, see Answer to Interrogatory Nos. 80 and 98.

INTERROGATORY NO. 80: With respect to each disease set forth in Interrogatory No. 79:

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

ANSWER TO INTERROGATORY NO. 80:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to call for a legal opinion or conclusion which Abex is unqualified to render.

Abex further objects to this interrogatory on the ground that it purports to call for a medical or scientific opinion or conclusion which Abex is unqualified to render.

Abex objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber

contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 150 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Winchester quality control.
2. Production plans.
3. Subject files, Friction products division.
4. Blueprints, Friction products division.
5. General correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The

best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse

counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex.

These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

In addition, see Answer to Interrogatory Nos. 79 and 98.

INTERROGATORY NO. 81: Does Defendant possess knowledge or information concerning, a causal connection between exposure to asbestos or asbestos-containing products and:

(a) Pleural disease?

(b) Asbestosis?

(c) Mesothelioma?

(d) Lung cancer?

(e) other cancer?

ANSWER TO INTERROGATORY NO. 81:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to call for a legal opinion or conclusion which Abex is unqualified to render.

Abex further objects to this interrogatory on the ground that it purports to call for a medical or scientific opinion or conclusion which Abex is unqualified to render.

Abex objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or

among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex also objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 79 and 80.

INTERROGATORY NO. 82: For each subpart of Interrogatory No. 81 to which you answered "Yes":

- (a) Describe when and how Defendant first obtained knowledge, or information concerning such connection;

- (b) If such knowledge or information was obtained by attendance at any conference, lecture, convention, symposium or meeting, identify such meeting, any and all person attending, and any and all documents referring to, relating to or reflecting the meeting;
- (c) If knowledge was obtained from medical or scientific studies, or work, published or unpublished, identify the same.

ANSWER TO INTERROGATORY NO. 82:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to call for a legal opinion or conclusion which Abex is unqualified to render.

Abex further objects to this interrogatory on the ground that it purports to call for a medical or scientific opinion or conclusion which Abex is unqualified to render.

Abex objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products,

and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 79 and 80.

INTERROGATORY NO. 83: With regard to any knowledge or information obtained subsequent to that identified in your answer to Interrogatory No. 82 (a), identify any and all documents or communications (oral and/or written) concerning the causal connection between exposure to asbestos-containing or asbestos products and any disease, which were sent to, or received by, Defendant, and identify any and all persons conveying and/or receiving such communications.

ANSWER TO INTERROGATORY NO. 83:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to call for a legal opinion or conclusion which Abex is unqualified to render.

Abex further objects to this interrogatory on the ground that it purports to call for a medical or scientific opinion or conclusion which Abex is unqualified to render.

Abex objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and

encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 79 and 80.

INTERROGATORY NO. 84: As to any knowledge or information referred to in Interrogatories 79-83, did Defendant, at any time, educate or inform its employees, distributors, purchasers or any persons working in the vicinity where any asbestos-containing product was being applied or installed as to the hazards known to Defendant or about which Defendant had information, and as to the safety precautions necessary to guard against cancer and other diseases arising from the use and handling of the products identified in response to Interrogatory No. 19?

ANSWER TO INTERROGATORY NO. 84:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "any persons" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is also objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex further objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or

summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 165 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Club Membership, 1980-1981.
2. Asbestos Information Association, 1977.
3. Expense Reports, 1980-1982.
4. Abex News and other miscellaneous publications, 1967-1978.
5. 1970s-1980s Subject Files, FMSI.
6. Subject Files, Friction Products Division.
7. Medical Department Records.
8. Correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and

will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon

which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 85: If your answer to Interrogatory No. 84 is "Yes," identify each such occasion on which Defendant so educated or informed its employees, distributors or purchasers, as follows:

- (a) Identify the persons or parties which you educated or informed;
- (b) State when, where and in what manner they were educated or informed;
- (c) Identify any and all documents referring to, relating to or reflecting the communication or other dissemination of such information; and
- (d) Identify any and all persons who so educated or informed said employees, distributors, purchasers or persons working in the vicinity of application or who participated in the same in any way including, but not limited to, assembling, drafting, writing, rewriting, preparing or conveying such information in any format.

ANSWER TO INTERROGATORY NO. 85:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "such occasion" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is also objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex further

objects to this interrogatory on the grounds that the information or materials it purports to seek other wise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 1,040 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. General sales correspondence.
2. Shipping sheets.
3. Subject files.
4. Warehouse shipments.
5. Purchase orders
6. Sales transmittals.
7. Growth plans.
8. Sales and distributor files.
9. Purchase orders and shipping orders.
10. Medical Department Records.
11. Correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the

work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and

litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents,

Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 86: Did Defendant or any predecessor entity perform, direct to be performed, finance in whole or in part, sponsor in whole or in part or receive the results of, any studies or tests concerning the relationship between asbestos exposure and asbestosis, cancer and/or mesothelioma?

ANSWER TO INTERROGATORY NO. 86:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague, ambiguous and speculative.

Abex also objects to this interrogatory on the grounds that the term "relationship" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent to which it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is also objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex further objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex is generally aware that it contributed monies for certain studies at the Saranac Laboratory, Saranac, New York. Abex's documents reflect that any such studies performed by the Saranac Laboratory on behalf of Abex specifically pertained to siderosis and silicosis studies. Plaintiffs' counsel in a different case have produced in discovery unauthenticated photocopies of documents purporting to show that Abex agreed in the 1930's to pay \$250 per year for three years with respect to a single asbestos-related animal study at the Saranac Laboratory. Abex's records do not confirm any such agreement, nor do Abex's records reflect any such payment.

INTERROGATORY NO. 87: If your answer to Interrogatory No. 86 is "Yes," with respect to each such study or test:

- (a) State the nature of the involvement (performed, directed it to be performed, financed, sponsored, received results, etc.);

- (b) State when, where and at what intervals said study was performed;
- (c) Identify any and all persons, firms or entities which performed said study;
- (d) Identify any all documents referring to, relating or reflecting or reflecting said study or the results thereof; and
- (e) State all means by which the results of said study were disseminated including, if applicable, publication; and identify any and all persons who received said results and any and all publications in which said results appeared.

ANSWER TO INTERROGATORY NO. 87:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague, ambiguous and speculative.

Abex also objects to this interrogatory on the grounds that the term "relationship" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent to which it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is also objected to on the grounds that such information or materials lack relevance to the issues arising in these

cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 86.

INTERROGATORY NO. 88: Did Defendant at any time during the period that the products listed in response to Interrogatory Nos. 19 and 42 were manufactured, sold, applied or installed, inform any purchaser or user of said products that such products could cause cancer, asbestosis, and/or other serious diseases?

ANSWER TO INTERROGATORY NO. 88:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or

among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex also objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 63 and 64.

INTERROGATORY NO. 89: Did Defendant, any predecessor or any related company, or any workers' compensation insurance carrier thereof, ever have any claims for lung diseases or death from lung disease, whether directly or indirectly attributed to asbestosis, mesothelioma, lung cancer, or exposure to asbestos-containing products?

ANSWER TO INTERROGATORY NO. 89:

Abex objects to this request on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this request on the grounds that the terms "any predecessor" and "related companies" are vague and ambiguous and call for speculation.

Abex also objects to this request on the grounds that it is premature, overly broad, oppressive, harassing and unduly burdensome in that, to date, plaintiffs have failed to proffer any evidence showing the requisite nexus between plaintiffs and/or plaintiffs' decedents and any Abex product.

Abex further objects to this request to the extent it purports to seek information or materials regarding time periods, products and medical conditions that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this request is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex also objects to this request on the grounds that the information or materials it purports

to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence.

Abex also objects to this request on the ground that plaintiffs do not allege plaintiffs and/or plaintiffs' decedents were employees of Abex or ever present at any Abex facility.

Abex further objects to this request on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex also objects to this request to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Abex further objects to this request to the extent to which it purports to seek medical records or privileged personnel information, which Abex will not provide absent an appropriate waiver of the applicable privilege.

Abex objects to this request to the extent it purports to seek information that is a matter of public record and, thus, equally available to plaintiffs as Abex.

Asbestos-related worker's compensation claims filed by Abex employees may allegedly arise out of working conditions and involve materials not at all related to those at issue in the present cases. Moreover, a claim may be brought even where the alleged medical condition complained of relates to an employer other than Abex, but the claim is brought against Abex merely because it employed the claimant during the period the alleged condition was diagnosed or because Abex was the claimant's last employer. Furthermore, such claims are governed by standards of proof and theories of liability significantly different from those applicable to plaintiffs' claims in the present action.

Subject to and without waiving these objections, and based upon reasonably available information and belief, the first two asbestos-related workers' compensation claims made against Abex are as follows:

<u>Notice Received</u>	<u>Alleged Injury</u>	<u>Claimant</u>
Approx. 1979	Asbestosis	Riley, Joseph
Approx. 1980	Asbestosis	Lane, Jennings L.

Although some later additional asbestos-related workers' compensation claims were filed against Abex, the defendant lacks sufficient reasonably available information to provide details regarding the nature or the time frame of these claims.

The following is a list of the first ten asbestos-related lawsuits filed against Abex.

Data reasonably available to Abex at this time does not include claimant's alleged disease.

<u>No.</u>	<u>Name</u>	<u>Year Received</u>	<u>State</u>
1.	Haney v. Abex	1977	MI
2.	Clutter v. Abex	1978	OH
3.	Zitis, M. v. Abex	1979	NJ
4.	Friedman, I. v. Abex	1979	NJ
5.	Derrick v. Abex	1980	PA
6.	Kean v. Abex	1980	PA
7.	Kelly v. Abex	1980	PA
8.	Rees v. Abex	1980	PA
9.	Rice v. Abex	1980	PA
10.	Sweigart v. Abex	1980	PA

INTERROGATORY NO. 90: To be redrafted and resubmitted to defendants pursuant to order of the Court.

ANSWER TO INTERROGATORY NO. 90:

INTERROGATORY NO. 91: How many past or present employees of Defendant, its predecessors or related companies are known by you who claim to be suffering from, to have suffered from, or have suffered deaths caused by:

- (a) asbestosis?

- (b) lung cancer?
- (c) mesothelioma?

ANSWER TO INTERROGATORY NO. 91:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained

in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary

presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 165 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Club Membership, 1980-1981.
2. Asbestos Information Association, 1977.
3. Expense Reports, 1980-1982.
4. Abex News and other miscellaneous publications, 1967-1978.
5. 1970s-1980s Subject Files, FMSI.
6. Subject Files, Friction Products Division.
7. Medical Department Records.
8. Correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory

to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 92: For each employee referenced in your answer to Interrogatory No. 91, state the date that Defendant first knew, or had notice or information, that such past or present employee who claims he/she was suffering, or had suffered from:

(a) asbestosis;

(b) lung cancer;

(c) mesothelioma;

ANSWER TO INTERROGATORY NO. 92:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained

in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Abex also further objects to this interrogatory to the extent to which it purports to seek medical records or privileged personnel information, which Abex will not provide absent an appropriate waiver of the applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 91.

INTERROGATORY NO. 93: Identify any and all material safety data sheets concerning the products listed in response to Interrogatory Nos. 19 and 42 prepared, at any time, by, or on behalf of, Defendant, and predecessor or any related company.

ANSWER TO INTERROGATORY NO. 93:

See Answer to Interrogatory No. 43.

INTERROGATORY NO. 94: Identify any and all trade organizations, associations, or other entities, including but not limited to American Textile Institute (ATI), Asbestos Information Association (AIA), Industrial Health Foundation or Industrial Hygiene Foundation (IHF), National Insulation Manufacturers Assn. (NIMA), National Insulation Contractors Assn. (NICA), National Safety Council (NSC), American Ceramics Society (ACS), National Building Materials Distributors Assn. (NIA), Sprayed Mineral Fiber Manufacturers Assn. (SMFMA), Thermal Insulation Manufacturers Assn. (TIMA), Quebec Asbestos Mining Assn. (QAMA), to which Defendant, any predecessor or any related company has belonged or in which any or all of the same have participated since 1925, and state the applicable dates of such membership or participation.

ANSWER TO INTERROGATORY NO. 94:

Abex objects to this interrogatory on the grounds that it is over broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the term "other entities" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex was a member of the following trade associations: Asbestos Information Association of North America (1975 to 1980); the Brake Lining

Manufacturing Association (from an unknown period to 1949); the Air Pollution Control Association; the Manufacturers Alliance for Productivity and Innovation (formerly, the Machine and Allied Products Institute); and the Friction Materials Standards Institute, Inc. (1949 to 1994). Furthermore, based upon information and belief, Abex was a member of the Air Hygiene Foundation of America, Inc. (which later became the Industrial Hygiene Foundation) (1937 to 1961) and the American Industrial Hygiene Association, although such membership is neither confirmed nor corroborated by the records maintained by or in the possession of Abex.

In addition, see Answer to Interrogatory No. 98.

INTERROGATORY NO. 95: Identify any and all persons attending, on behalf of Defendant, any predecessor or any related company, any meetings, seminars or symposiums held by the trade organizations, associations, or other entities identified in response to Interrogatory No. 94.

ANSWER TO INTERROGATORY NO. 95:

Abex objects to this interrogatory on the grounds that it is over broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 98.

INTERROGATORY NO. 96: Did any officer, employee, agent or representative of Defendant, of any predecessor, or of any related company, serve, at any time, as:

- (a) an officer, director or official of any trade organization, association or entity identified in response to Interrogatory No. 94?

- (b) a member of any committee or subcommittee of any trade organization, association or entity identified in response to Interrogatory No. 94?
- (c) the chair of any committee or subcommittee of any trade organization, association or entity identified in response to Interrogatory No. 94?
- (d) the representative or liaison for any trade organization, association or entity identified in response to Interrogatory No. 94 to any other trade organization, association or entity, including, but not limited to, A.T.I., I.H.F., N.L.M.A, AIA, N.I.C.A, T.I.M.A, Q.A.MA., N.A.C. N.S.C, A.C.S., N.B.M.D.A., N.I.A., S.M.F.M.A.?

ANSWER TO INTERROGATORY NO. 96:

Abex objects to this interrogatory on the grounds that it is over broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues

arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, insofar as Abex understands this interrogatory, and based upon information and belief, E. H. Feierabend served on the Asbestos Study Committee of the Friction Materials Standards Institute, Inc. from 1972 to at least 1975.

Further, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 125 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Club Membership, 1980-1981.
2. Asbestos Information Association, 1977.
3. Expense Reports, 1980-1982.
4. Abex News and other miscellaneous publications, 1967-1978.
5. 1970s-1980s Subject Files, FMSI.
6. Subject Files, Friction Products Division.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it

has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or

divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex.

These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 97: For each subpart of Interrogatory No. 96 to which your answer is "Yes," identify each and every person serving in such capacity and:

- (a) state the trade organization, association or entity for which such service was rendered;
- (b) specify the capacity of service, including identifying any specific committee, subcommittee or other trade organizations, associations or entities involved; and,
- (c) state the applicable dates of service.

ANSWER TO INTERROGATORY NO. 97:

Abex objects to this interrogatory on the grounds that it is over broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Subject to and without waiving these objections, insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 95 and 98.

INTERROGATORY NO. 98: Identify any and all documents which Defendant, its predecessor(s) or any related company submitted to, or received from, the organizations listed in response to Interrogatory Nos. 94 and/or 97:

- (a) which refer to, relate to or reflect the subject of asbestos;

- (b) which refer to, relate to or reflect a relationship between asbestos exposure and any disease; and/or
- (c) which refer to, relate to or reflect the placement or providing of warnings with respect to hazardous products.

ANSWER TO INTERROGATORY NO. 98:

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

Abex was a member of the following trade associations: Asbestos Information Association of North America (1975 to 1980); the Brake Lining Manufacturing Association (from an unknown period to 1949); the Air Pollution Control Association; the Manufacturers Alliance for Productivity and Innovation (formerly, the Machine and Allied Products Institute); and the Friction Materials Standards Institute, Inc. (1949 to 1994). Furthermore, based upon information and belief, Abex was a member of the Air Hygiene Foundation of America, Inc. (which later became the Industrial Hygiene Foundation) (1937 to 1961) and the American Industrial Hygiene Association, although such membership is neither confirmed nor corroborated by the records maintained by or in the possession of Abex. In addition, Abex received various copies of The Industrial Hygiene Digest on unknown dates.

There are approximately 165 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Club Membership, 1980-1981.
2. Asbestos Information Association, 1977.
3. Expense Reports, 1980-1982.
4. Abex News and other miscellaneous publications, 1967-1978.
5. 1970s-1980s Subject Files, FMSI.
6. Subject Files, Friction Products Division.
7. Medical Department Records.
8. Correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex also objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims

and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 99: Identify any and all documents including, but not limited to, minutes, bulletins or reports, created by, or on behalf of, any trade organization, association or entity listed in response to Interrogatory No. 94 and/or 97 or any committee, subcommittee or subgroup thereof;

-
- (a) which refer to, relate to or reflect the subject of asbestos;
- (b) which refer to, relate to or reflect a relationship between asbestos exposure and any disease; or
- (c) which refer to, relate to or reflect the placement or providing of warnings with respect to hazardous products.

ANSWER TO INTERROGATORY NO. 99:

See Answer to Interrogatory No. 98.

INTERROGATORY NO. 100: Identify any and all documents including, but not limited to, minutes, bulletins or reports, received by, or on behalf of, any trade organization, association or entity listed in response to Interrogatory No. 94 and/or 97, or any committee, subcommittee or subgroup thereof;

-
- (a) which refer to, relate to or reflect the subject of asbestos;
- (b) which refer to, relate to or reflect a relationship between asbestos exposure and any disease; or
- (c) which refer to, relate to or reflect the placement or providing of warnings with respect to hazardous products.

ANSWER TO INTERROGATORY NO. 100:

See Answer to Interrogatory No. 98.

INTERROGATORY NO. 101: Identify any and all agreements, oral or written, between or among Defendant, any of the other defendants in this lawsuit, any organization, association or other entity including, but not limited to, those identified in your answer to Interrogatory No. 94 and/or any medical or scientific foundations, relating to the standardization of:

- (a) Specifications for asbestos cloth products;
- (b) Specifications for paper or burlap bags, or other packaging to be used for the transport and/or storage of asbestos cement;
- (c) Warning or caution labels to be applied to asbestos products and/or their packaging, cartons, containers, or boxes;
- (d) Methods of dissemination of public relations information to defendant's purchasers, advertisers, distributors, factory workers, contractors, insulators, users, consumers of asbestos products and/or the general public;
- (e) Safety equipment and/or protective clothing to be utilized while handling defendant's asbestos products;
- (f) Medical programs to be offered or sponsored by defendant.

ANSWER TO INTERROGATORY NO. 101:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are

not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, insofar as it understands this interrogatory, and upon information and belief, Abex is unaware of any documents responsive to this interrogatory.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 125 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Club Membership, 1980-1981.
2. Asbestos Information Association, 1977.
3. Expense Reports, 1980-1982.
4. Abex News and other miscellaneous publications, 1967-1978.
5. 1970s-1980s Subject Files, FMSI.
6. Subject Files, Friction Products Division.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims

and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 102: Did Defendant, any predecessor or related company, direct to be performed, sponsor in whole or in part, finance in whole or in part, receive the results of, or become aware of, any studies or tests performed by the Saranac Lake Laboratory of the Trudeau Foundation relating to asbestos exposure and its effects upon human health?

ANSWER TO INTERROGATORY NO. 102:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague, ambiguous and speculative.

Abex also objects to this interrogatory on the grounds that the terms "related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent to which it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is also objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex further objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex is generally aware that it contributed monies for certain studies at the Saranac Laboratory, Saranac, New York. Abex's documents reflect that any such studies performed by the Saranac Laboratory on behalf of Abex specifically pertained to siderosis and silicosis studies. Plaintiffs' counsel in a different case have produced in discovery unauthenticated photocopies of documents purporting to show that Abex agreed in the 1930's to pay \$250 per year for three years with respect to a single asbestos-related animal study at the Saranac Laboratory. Abex's records do not confirm any such agreement, nor do Abex's records reflect any such payment.

INTERROGATORY NO. 103: If your answer to Interrogatory No. 102 is "Yes":

- (a) Identify any and all documents received by Defendant, its predecessor(s), or a related company referring to, relating to or reflecting any findings or results of those studies or tests, and state the date upon which each was first received;

- (b) Identify any and all communications (oral or written), between Defendant, its predecessors) or a related company and Saranac personnel, including but not limited to Gerrit W.H. Schepers, M.D.;
- (c) Identify any and all documents referring to, relating to or reflecting the Saranac studies received or submitted by Defendant, its predecessors) or a related company either directly, through related or predecessor companies, through other companies, or through any trade associations, organizations or other entities; and
- (d) Identify any and all documents referring to, relating to or reflecting recommendations or findings of such studies relating to:
 - (i) Adequacy or inadequacy of threshold limit values;
 - (ii) Substitution of materials other than asbestos to be used in the insulation process.

ANSWER TO INTERROGATORY NO. 103:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague, ambiguous and speculative.

Abex also objects to this interrogatory on the grounds that the terms "related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the

discovery of admissible evidence. To the extent to which it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is also objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex further objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-

product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands

this interrogatory, see Answer to Interrogatory No. 102.

INTERROGATORY NO. 104: With respect to each subject listed below, state whether said subject was, at any time, discussed at a meeting of the board of directors of Defendant, any predecessor or any related company:

- (a) The sale and/or marketing of any asbestos-containing product, including, but not limited to, the products listed in response to Interrogatory Nos. 19 and 42;
- (b) The health hazards resulting from exposure to asbestos, including, but not limited to, exposure resulting from the use, application or removal of asbestos-containing products;
- (c) The placement or possible placement of warning labels on asbestos-containing products or their packages, or in sales literature, therefore including, but not limited to, the products listed in response to Interrogatory Nos. 19 and 42; and
- (d) Any test, survey, study or similar matter concerning asbestos or asbestos-containing products, including, but not limited to, the products listed in response to Interrogatory Nos. 19 and 42.

ANSWER TO INTERROGATORY NO. 104:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or

materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex also objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory Nos. 36, 42, and 43.

INTERROGATORY NO. 105: If you answer to any one or more of the subparts of Interrogatory No. 104 is "Yes," then with respect to each subpart for which you answered "Yes":

- (a) Identify each and every board meeting at which said subject was ~~discussed by stating the dates) on which, and the locations) at which,~~
each meeting was held;
- (b) Identify any and all persons present at each such meeting; and,
- (c) Identify any and all documents, including, but not limited to, minutes, referring to, relating to, or reflecting each such meeting.

ANSWER TO INTERROGATORY NO. 105:

See Answer to Interrogatory No. 104.

INTERROGATORY NO. 106: Identify any and all seminars, symposiums, conferences or like gatherings attended by any officer, agent or representative of Defendant, any predecessor or any related company, at which the subject of asbestos, the health hazards of asbestos exposure, or the placement or providing of warnings was discussed.

ANSWER TO INTERROGATORY NO. 106:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence. Abex objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing

automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Abex also objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

Upon information and belief, Lloyd Hamlin, medical director of Abex, attended a symposium at the Trudeau Institute in 1952, at which asbestos was publicly discussed before an audience of medical experts and public officials from around the world.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 165 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Club Membership, 1980-1981.
2. Asbestos Information Association, 1977.
3. Expense Reports, 1980-1982.
4. Abex News and other miscellaneous publications, 1967-1978.
5. 1970s-1980s Subject Files, FMSI.
6. Subject Files, Friction Products Division.
7. Medical Records Department.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims

and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 107: Identify any and all documents, including, but not limited to, notes, reports, minutes or bulletins, which refer to, relate to or reflect any meeting identified in response to Interrogatory No. 106.

ANSWER TO INTERROGATORY NO. 107:

See Answer to Interrogatory No. 98.

INTERROGATORY NO. 108: With respect to each job site set forth in the attached Exhibit A:

(i) identify any and all documents referring to, relating to or reflecting the purchase, sale, delivery, use, application or ordering, of any of the products listed in response to Interrogatory Nos. 19 and 42 by, for, to or at said site; and, (ii) identify any and all persons known by Defendant to have knowledge concerning the same.

ANSWER TO INTERROGATORY NO. 108:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege,

protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex

understands this interrogatory, see Answer to Interrogatory No. 36.

INTERROGATORY NO. 109: Identify any and all parties, located within a 200 mile radius of Madison County, Illinois, including, but not limited to, distributors, suppliers or contractors, known by you to have purchased, received, sold, distributed, applied or otherwise used, at any time, any or all of the products listed in response to Interrogatory Nos. 19 and 42.

ANSWER TO INTERROGATORY NO. 109:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege,

protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex

understands this interrogatory, see Answer to Interrogatory No. 36.

INTERROGATORY NO. 110: To be redrafted and resubmitted to defendants pursuant to order of the Court.

ANSWER TO INTERROGATORY NO. 110:

INTERROGATORY NO. 111: To be redrafted and resubmitted to defendants pursuant to order of the Court.

ANSWER TO INTERROGATORY NO. 111:

INTERROGATORY NO. 112: In any lawsuit, as described in Interrogatory No. 111, has Defendant been subject to sanctions, a contempt citation or similar action for failing, or refusing to comply with, any court order, for discovery fraud, or for the failure to provide complete, accurate and truthful responses to discovery?

ANSWER TO INTERROGATORY NO. 112:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, vague and ambiguous.

Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Abex objects to this interrogatory on the ground that it purports to seek information that is a matter of public record and, thus, equally available to plaintiffs as Abex.

Subject to and without waiving these objections, since this interrogatory refers to Interrogatory No. 111, this interrogatory cannot be answered unless and until Interrogatory No. 111 has been redrafted and resubmitted to defendants.

INTERROGATORY NO. 113: If your answer to Interrogatory No. 112 is "Yes," with respect to each such occasion described:

- (a) Identify the lawsuit involved, the court which imposed the sanctions or issued the contempt citation, and any other court which reviewed the same;
- (b) Describe the violation for which sanctions or contempt was imposed;
- (c) If the violation involved the failure or refusal to produce any document(s), identify any and all such documents;
- (d) If the violation involved any failure to truthfully answer or to respond to Interrogatories, identify any and all such Interrogatories and your response thereto, including the person answering on your behalf;
- (e) State the present status or final disposition of the matter, whichever is applicable; and;
- (f) Identify any and all documents referring to, relating to or reflecting said matter, including, but not limited to, pleadings, exhibits and court orders.

ANSWER TO INTERROGATORY NO. 113:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, vague and ambiguous.

Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Abex objects to this interrogatory on the ground that it purports to seek information that is a matter of public record and, thus, equally available to plaintiffs as Abex.

Subject to and without waiving these objections, see Answer to Interrogatory

No. 112.

INTERROGATORY NO. 114: To be redrafted and resubmitted to defendants pursuant to order of the Court.

ANSWER TO INTERROGATORY NO. 114:

INTERROGATORY NO. 115: To be redrafted and resubmitted to defendants pursuant to order of the Court.

ANSWER TO INTERROGATORY NO. 115:

INTERROGATORY NO. 116: Withdrawn by plaintiff or stricken by the Court.

ANSWER TO INTERROGATORY NO. 116:

INTERROGATORY NO. 117: Withdrawn by plaintiff or stricken by the Court.

ANSWER TO INTERROGATORY NO. 117:

INTERROGATORY NO. 118: Withdrawn by plaintiff or stricken by the Court.

ANSWER TO INTERROGATORY NO. 118:

INTERROGATORY NO. 119: Withdrawn by plaintiff or stricken by the Court.

ANSWER TO INTERROGATORY NO. 119:

INTERROGATORY NO. 120: Has Defendant, any predecessor or any related company, ever been cited, warned, fined or sanctioned for, any violation of a federal or state statute, law, rule, ordinance, code, administrative order, executive order, or the like, by any federal or state governmental entity, which violation concerned asbestos in any way?

ANSWER TO INTERROGATORY NO. 120:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, vague and ambiguous.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory on the grounds that the term "any related company" is vague and ambiguous and calls for speculation.

Abex further objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or

among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Abex objects to this interrogatory on the ground that it purports to seek information that is a matter of public record and, thus, equally available to plaintiffs as Abex.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 36.

INTERROGATORY NO. 121: If your answer to Interrogatory No. 120, is "Yes," with respect to each such violation:

- (a) Withdrawn by plaintiff or stricken by the Court.
- (b) State the date of the citation, warning, fine, sanction or write-up;
- (c) Describe the violation and state the date(s) during which it occurred;
- (d) Identify the statute, law, rule, ordinance, code or order to which it occurred;
- (e) State what, if any, specific fine, penalty, or sanction was imposed;
- (f) State the date in which and the manner in which said violation was corrected;
- (g) Identify any and all officials of Defendant, its predecessor or its related company having knowledge or notice of said violation and state the date on which said knowledge or notice was received; and
- (h) Identify any and all documents referring to, relating to or reflecting said violation.

ANSWER TO INTERROGATORY NO. 121:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, vague and ambiguous.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the

issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Abex further objects to this interrogatory on the ground that it purports to seek information that is a matter of public record and, thus, equally available to plaintiffs as Abex.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 120.

INTERROGATORY NO. 122: Has any federal or state government entity, at any time, conducted an inspection, test or survey concerning asbestos or asbestos exposure at any facility where the products listed in response to Interrogatory Nos. 19 and 42 were manufactured, processed, applied, used or removed?

ANSWER TO INTERROGATORY NO. 122:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing causation from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the ground that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek otherwise lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the grounds that it assumes the truth of matters not established or matters not in evidence.

Abex objects to this interrogatory on the ground that it is speculative inasmuch as it fails to distinguish among raw asbestos, asbestos contained in building insulation products and/or asbestos-containing automotive friction products, and/or among the different types of asbestos fibers. Because the asbestos fiber contained in Abex's asbestos-containing automotive friction products was chrysotile, the only type of asbestos Abex ever used for product production, which was resin-bonded and encapsulated, proper use of such products did not create or contribute to any adverse health effects.

Abex also objects to this interrogatory on the ground that it seeks to impose upon Abex a legal duty or obligation to which it was not subject.

Abex further objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, Gordon S. Siegel, M.D., Chief of the Occupational Medicine Section, Division of Occupational Health, Department of Health, Education and Welfare of the U.S. Public Health Service in Washington, D.C., in 1965, prepared to embark on a 20-year study entitled, "Occupational Health Study of the Asbestos Products Industry in the United States." As part of the study, all employees of Abex who worked or would be hired at the Winchester, Virginia facility were to be surveyed. Information currently available to Abex indicates that this study was terminated by the Government before it was concluded.

Abex discontinued the manufacture and sale of asbestos-containing friction products in 1987 and no longer operates any friction product manufacturing facilities. There are no current Abex employees, officers who worked for Abex, or directors who sat on its Board during the period Abex manufactured and sold friction products with personal knowledge of the information contained in all the records and documents that might be responsive to this interrogatory.

The available information, from which Abex would prepare a response to this interrogatory, is contained in files and records maintained by Abex. To prepare a response to this interrogatory would necessitate the preparation or the making of a compilation, abstract, audit, or summary of or from these files and records. No such compilation, abstract, audit, or summary presently exists. The burden and expense of preparing or making such a compilation, abstract, audit, or summary would be substantially the same for plaintiffs as for Abex.

There are approximately 150 boxes, many of which comprise of approximately 2,000 - 3,000 pages, that contain the documents from which the response to this interrogatory may be ascertained or derived, details of which are as follows:

1. Winchester quality control.
2. Production plans.
3. Subject files, Friction products division.
4. Blueprints, Friction products division.
5. General correspondence.

Pursuant to the Illinois Code of Civil Procedure, plaintiffs will have a reasonable opportunity to examine, audit, inspect and to make copies, compilations, abstracts, or summaries

of these boxes of documents, which will be produced to plaintiffs at Abex's facility in Brooklyn, New York, where they are maintained in the ordinary course of business, should plaintiffs decide to inspect them.

To the extent that any of the documents that plaintiffs decide to inspect were prepared in anticipation of litigation or for trial or are otherwise covered by the work-product doctrine, or are protected from disclosure by the attorney-client privilege, Abex objects and will not make such documents available to plaintiffs. Abex further objects to this interrogatory to the extent it purports to seek medical records or privileged personnel information. Abex will not provide such information absent an appropriate waiver of the applicable privilege.

Abex has no comprehensive list or log of the documents with respect to which it claims privilege. In the past, when Abex has had cause to review some boxes of documents, it has segregated and/or tagged certain documents with respect to which it claims privilege. The best specificity that Abex can presently provide as to the documents with respect to which it claims privilege is as follows: Documents passing between Abex and/or its predecessors or divisions, on the one hand (collectively "Abex"), and their attorneys, both outside and inhouse counsel, on the other hand, as well as documents prepared at the request of, or for the benefit of such counsel or setting forth mental impressions of the attorneys on matters concerning Abex. These documents, include, but are not limited to, correspondence, memoranda, notes of telephone conversations and other records relating to workers' compensation and personal injury issues, claims and litigation (asbestos and non-asbestos related); environmental issues, claims and litigation; insurance coverage issues, claims and litigation; real estate issues, claims and litigation; real estate and business transactions; labor and employment issues, claims and

litigation; anti-trust issues, claims and litigation; legal issues related to corporate governance or management; as well as other legal issues, transactions and claims.

When plaintiffs avail themselves of the offer to inspect the documents, Abex will

remove any documents with respect to which it claims privilege, on a box by box basis, and will prepare and serve a privilege log on plaintiffs within sixty (60) days after the last date upon which the documents were inspected. Any dispute as to the propriety of any objection can thereafter be resolved by the Court.

INTERROGATORY NO. 123: If your answer to Interrogatory No. 122 is "Yes," then with respect to each such inspection, test or survey:

- (a) Identify the governmental entity conducting the same;
- ~~(b) State the dates(s) on which the same was conducted;~~
- (c) Describe the nature of the inspection, test or survey including, but not limited to, the results or conclusions thereof; and
- (d) Identify any and all documents referring to, relating to or reflecting the same.

ANSWER TO INTERROGATORY NO. 123:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory to the extent it purports to seek information or materials regarding time periods, products and medical conditions that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is further objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex objects to this interrogatory on the ground that it assumes the truth of matters not established or matters not in evidence.

Abex also objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 122.

INTERROGATORY NO. 124: Identify:

- (a) Any expert whom you intend to call as a witness;
- (b) The subject matter on which the expert is expected to testify;
- (c) The substance of the facts and opinions to which the expert is expected to testify;
- (d) A summary of the grounds for each opinion;
- (e) The address of such person and field of expertise;
- (f) Identify and produce each treatise, article or text upon which the expert will rely in testifying.

ANSWER TO INTERROGATORY NO. 124:

Abex objects to this interrogatory on the grounds that it is privileged and premature. Discovery and investigation are continuing.

Subject to and without waiving these objections, see Abex's Witness List.

Further, Abex has not yet determined which expert witnesses it intends to call at a trial of these matters and reserves the right to supplement or amend its answer or response at the appropriate time once a determination has been made.

INTERROGATORY NO. 125: Are there any policies of insurance which provide, or might provide, coverage on behalf of Defendant, any predecessor or any related company for the injuries alleged in Plaintiffs' complaints?

ANSWER TO INTERROGATORY NO. 125:

Abex objects to this interrogatory on the grounds that it is overly broad and unduly burdensome.

Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the ground that it calls for a legal opinion or conclusion which Abex is unqualified to render.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Abex also objects to this interrogatory on the grounds that the information and/or documents requested are subject to confidentiality agreements and/or Court issued Protective Orders.

Subject to and without waiving these objections, and insofar as it understands this interrogatory, Abex is currently involved in litigation with various insurance companies concerning the coverage that may be available to Abex in asbestos personal injury actions. The primary coverage was provided by:

From 1943 to 1957: Maryland Casualty Company.
From 1957 to 1971: Liberty Mutual Insurance Company.

From 1971 to 1974: The Travelers Insurance Companies.

~~From 1974 to 1975: Argonaut Insurance Company.~~

From 1975 to 1978: Continental Insurance Company.

From 1978 to 1979: Northwestern National Insurance Company.

From 1979 to 1980: Continental Insurance Company.

From 1980 to 1985: National Union Fire Insurance.

Upon information and belief, excess coverage was provided by the following insurance companies at various times and levels covering the period between approximately 1950 and 1985:

ALBA General Insurance Company LTD.

AIG

AIU

Allianz Underwriters, Inc.

Allstate Insurance Company, as successor in interest to Northbrook Excess Surplus Insurance Company (formerly known as Northbrook Insurance Company)

American Home

American Re

Anglo French Insurance Company LTD.

Anglo Saxon Insurance Association LTD.

Argonaut Insurance Company

Associated International

Bishopsgate Insurance Company LTD.

British Aviation Insurance Company LTD.

~~British Merchants Insurance Company LTD.~~

Brittany Insurance Company LTD.

California Union

Century Indemnity Company

Chubb (Federal)

City General Insurance Company

Columbia Casualty

Compagnie D'Assurance Maritimes Aeriennes & Terrestres, S.A.

Compagnie Europeenne D'Assurances Industrielles, S.A.

Continental Casualty

Cornhill Insurance PLC

Dominion Insurance Company LTD.

Economic Insurance Company LTD.

Employers Mutual

Evanston Insurance Company

Excess Insurance Company LTD.

Falcon

Federal Insurance Company

Fidelidade Insurance Company

Fireman's Fund

First State

Folksam International Insurance Company LTD.

Gibraltar

Granite State

Great American Surplus

Harbor Specialty Insurance Group

Heddington Insurance (UK) LTD.

Helvetia-Accident Swiss Insurance Company LTD.

Highlands

The Home

Hudson

Insurance Co. of the State of PA

Insurance Company of North America

International Ins. Co.

ISOP

Lexington Insurance Company (UK) LTD.

Lloyd's & London Market Companies

London & Edinburgh Insurance Company LTD.

Ludgate Insurance Company LTD.

Minster Insurance Company LTD.

Mitsui Marine & Fire Insurance Company (Europe) LTD

Mt. McKinley Insurance Company (formerly known as Gibraltar Casualty Company)

National Surety Group.

National Union Fire Insurance Company of Pittsburgh, PA.

New Hampshire

OSLO Reinsurance Company (UK) LTD.

River Thames Insurance Company LTD.

Royal Scottish Insurance Company LTD.

Sphere/Drake Insurance Company LTD.

St. Paul International Insurance Company LTD.

Stonewall

Stronghold Insurance Company LTD.

Swiss National Insurance Company LTD.

Switzerland General Insurance Company

Threadneedle Insurance Company LTD

Tokio Marine & Fire Insurance (UK) LTD.

Travelers Casualty and Surety Company

Trent Insurance Company LTD.

Vanguard Insurance Company LTD.

Winterthur Swiss Insurance Company

World Auxiliary Insurance Corporation LTD.

World Marine & General Insurance Company LTD.

INTERROGATORY NO. 126: If your answer to Interrogatory No. 125 is "Yes," identify each such policy of insurance as follows:

- (a) Identify the insurer(s)
- (b) Identify the insured(s)
- (c) State the date on which the policy was first purchased and the date on which the policy expired or was terminated;
- (d) Describe the coverage provided, including, but not limited to, the time period over which the policy applied, the nature of the acts, omissions and injuries covered, and whether the policy provides primary or excess coverage; and
- (e) State the dollar limits of the coverage provided, including, if applicable, the "per person" limitations and "per occurrence" limitation.

ANSWER TO INTERROGATORY NO. 126:

Abex objects to this interrogatory on the grounds that it is overly broad and unduly burdensome.

Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the ground that it calls for a legal opinion or conclusion which Abex is unqualified to render.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Abex also objects to this interrogatory on the grounds that the information and/or documents requested are subject to confidentiality agreements and/or Court issued Protective Orders.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 125.

INTERROGATORY NO. 127: With respect to each policy described in response to Interrogatory No. 126, state:

- (a) the dollar amount of coverage which remains unexpended; and
- (b) whether any dispute exists between insurer and insured with respect to coverage.

ANSWER TO INTERROGATORY NO. 127:

See Answer to Interrogatory No. 125.

INTERROGATORY NO. 128: Other than the policies of insurance described in response to Interrogatory No. 126, do there exist any agreements providing for the benefit of Defendant, any predecessor or any related company, complete or partial indemnification for any or all expenses incurred with respect to any or all of these cases, including, but not limited to, judgments, settlements, costs, experts' fees and/or attorneys' fees?

ANSWER TO INTERROGATORY NO. 128:

Abex objects to this interrogatory on the grounds that it is overly broad and unduly burdensome.

Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the ground that it calls for a legal opinion or conclusion which Abex is unqualified to render.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Abex also objects to this interrogatory on the grounds that the information and/or documents requested are subject to confidentiality agreements and/or Court issued Protective Orders.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory:

November 24, 1994 Asset Purchase Agreement between Pneumo Abex
Corporation and Wagner Electric Corporation, and associated Mutual Guaranty Agreement

April 28, 1988 Stock Purchase Agreement between PA Holdings Corporation and

IC Industries, Inc.

In addition, see Answer to Interrogatory Nos. 3, 10 and 14.

INTERROGATORY NO. 129: If your answer to interrogatory No. 128 is "Yes," for each such agreement:

- (a) Identify all parties to the agreement and state the capacity of each such party (i.e. indemnitor, indemnitee, etc.);

- (b) State the terms of the agreement, including the nature of the expenses covered and, if applicable, any limitations on payment, reimbursement or indemnification; and
- (c) Identify any and all documents referring to, relating to or reflecting said agreement.

ANSWER TO INTERROGATORY NO. 129:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the information or materials it purports to seek lack relevance to the issues arising in these cases and are not calculated to lead to the discovery of admissible evidence.

Abex further objects to this interrogatory on the ground that it calls for a legal opinion or conclusion which Abex is unqualified to render.

Abex objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 128.

INTERROGATORY NO. 130: Was this Defendant ever allowed to use the trademark or logo of any other company, including but not limited to, its predecessor or related company, on any products Defendant sold, distributed or installed, and if so please state:

- (a) The trademark or logo used by you;
- (b) The company allowing such use of its trademark or logo;
- (c) The time period such use was allowed;
- (d) Whether such use was by written, verbal or implied agreement;
- (e) Each and every product such trademark or logo was placed upon;
- (f) Identify all documents which refer to, relate to or reflect the use of such trademark or logo.

ANSWER TO INTERROGATORY NO. 130:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Abex also objects to this interrogatory on the grounds that the terms "any other company" and "related company" are vague and ambiguous and call for speculation.

Abex further objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation,

or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 36.

INTERROGATORY NO. 131: From 1940 to present, state whether Defendant and/or predecessor or related company ever provided workers' compensation health, accident and disability and/or life insurance coverage for its employees, and if so:

- (a) Withdrawn by plaintiff or stricken by the Court;

- (b) State whether such insurance carriers) ever conducted any dust counts or studies, industrial hygiene surveys or other tests relating to any asbestos-containing products that Defendant's employees may have been working with or around; and,
- (c) If you response to subpart (b) hereof is in the affirmative, please indicate the date of each such count, study, survey or other test and identify all documents relating thereto.

ANSWER TO INTERROGATORY NO. 131:

Abex objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, compound, vague and ambiguous and calls for speculation.

Pursuant to the Court's April 13, 2000 Order, Abex's answer to this interrogatory is limited to the years between 1930 and 1980.

Abex also objects to this interrogatory on the ground that it purports to shift the burden of establishing product identification from plaintiffs to Abex.

Abex further objects to this interrogatory to the extent it purports to seek information or materials regarding time periods and products that are not at issue in these cases, on the grounds that such information or materials lack relevance and are not reasonably calculated to lead to the discovery of admissible evidence. To the extent it purports to seek information or materials regarding the working conditions of Abex employees, this interrogatory is objected to on the grounds that such information or materials lack relevance to the issues arising in these cases and are not reasonably calculated to lead to the discovery of admissible evidence.

Abex also objects to this interrogatory to the extent to which it purports to seek information or materials that have been gathered, received or prepared in the course of litigation, or which are otherwise subject to the attorney-client privilege, protected by the attorney work-product doctrine, the rule protecting materials prepared in anticipation of and/or in connection with litigation, or any other applicable privilege.

Abex further objects to this interrogatory to the extent to which it purports to seek medical records or privileged personnel information, which Abex will not provide absent an appropriate waiver of the applicable privilege.

Subject to and without waiving these objections, and insofar as Abex understands this interrogatory, see Answer to Interrogatory No. 36.

Dated: April 2^d, 2004

PNEUMO ABEX CORPORATION, as
successor-in-interest to Abex Corporation,
Defendant



One of Its Attorneys

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CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil

Procedure, the undersigned certifies that the statements set forth in Answers of Pneumo Abex

Corporation, as successor-in-interest to Abex Corporation, to Plaintiffs' Interrogatories are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Dated: *March 4* February , 2004

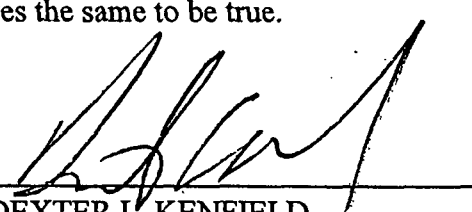

DEXTER L. KENFIELD

EXHIBIT A

DIRECTORS OF ABEX CORPORATION BETWEEN 1930 AND 1980

<u>NAME</u>	<u>DATES</u>
Allen, Samuel G.	1935-1946
Anderson, K.	1971
Armitage, C.	1931-1933
Bailey, Ralph E.	1976-1982
Baldwin, Ernest E.	1923-1933
Belury, G.	1969-1980
Berg, Eugene P.	1972-1981
Biggs, R.W.	1964-1981
Blume, W.A.	1946
Bourke, W.O.	1980-1988
Brush, C.E.	1956-1964
Buschman, Howard C. Sr.	1964-1968
Clapp, P.H. Jr.	1970-1980
Coffin, Joel S.	1916-1934
Coleman, W.W.	1939-1956
Conway, S.S. Jr.	1968-1983
Crane, Winthrop M. Jr.	1931-1944
Cummings, Tilden	1961-1980
Curtis, James B.	1916-1924
Cutler, Otis H.	1916-1923
Cutler, William F.	1916-1959
Davidson, Robert J.	1916-1931

NAME	DATES
Davis, Arthur V.	1929-1962
Davison, H.F.	1940-1961
Decker, G.	1970
Denison, William	1955-1963
Dickey, C.D.	1943-1945
Drury, S.S.	1941-1944
Dunn, Kempton	1952-1969
Finigan, Thomas	1929-1934
Fitzpatrick, Frederick F.	1922-1925
Floe, Carl F.	1968-1980
Foote, Alfred S.	1961-1974
Frick, Raymond A.	1969-1983
Frost, F.W.	1971
Gagnebin, Albert P.	1966-1983
Gallagher, Joseph	1916-1919
Gilbert, L.J.	1931-1932
Given, William B. Jr.	1929-1966
Glore, Charles P.	1929-1934
Gott, Rodney C.	1963-1969
Hannan, Kenneth M.	1956-1970
Hansen, J.A.	1974
Harrah, Robert E.	1976-1986
Herlihy, F.B.	1964-1983
Hillman, Stanley E.G.	1968-1972
Hof, E.C.	1942-1944

NAME	DATES
Hord, S.Y.	1968-1972
Horne, B.R.	1964-1974
Humphrey, Arthur L.	1925-1934
Hutchins, John S.	1956-1968
Huttig, A.B.	1968
Johns, W.T.	1964
Johnson, William B.	1968-1987
Josephs, Devereux C.	1953-1967
Judd, George M.	1928-1934
Kelly, W.T. Jr.	1956-1970
Kessler, W.D.	1964
Knox, James B.	1921
Knox, Henry C.	1916-1924
Konker, G.E.	1972-1973
MacDonald, A.C.	1970
Marshall, Waldo H.	1916-1925
McCall, S.T.	1941-1945
McCulloch, P.L. Jr.	1964
McGarrah, Gates W.	1916-1931
Monda, C.N.	1974
Munkenbeck, H.H. Jr.	1964
Murray, Lawrence N.	1943-1966
Naumann, William L.	1979-1984
Newbert, F.B.	1964
Ortman, Randolph	1919-1932

NAME	DATES
Pearce, William G.	1916-1961
Persbacker, Victor L.	1964-1980
Pomeroy, Daniel E.	1916-1964
Pryor, Samuel F.	1916-1933
Prytherch, R.M.	1941-1944
Raddatz, W.D.	1970-1974
Rennie, D.K.	1974
Romine, George L.	1969-1976
Russell, T.W. Jr.	1967-1972
Ryerson, E.L.	1941-1961
Sargent, William D.	1902-1937
Schaefer, N.H.	1964
Scherler, E.A.	1974
Schnoes, R.F.	1977-1984
Schurman, G.M.	1947-1967
Scribner, Gilbert H. Jr.	1960-1969
Sheffidd, J.J.	1964
Sibbald, E.B.	Unknown
Snow, Elmer J.	1916-1947
Snow, Fred W.	1916-1930
Stevens, John P. Jr.	1947-1969
Tayp, M.	1964
Terbell, Joseph B.	1916-1958
Terry, M.B.	1970
Thompson, James S.	1929-1932

<i>NAME</i>	<i>DATES</i>
Trainer, Maurice N.	1944-1969
Van Gordon, Jerome W.	1968-1974
Watson, A.K.	1957-1966

EXHIBIT B

OFFICERS OF ABEX CORPORATION BETWEEN 1930 AND 1980

<u>NAME</u>	<u>TITLE</u>	<u>DATES</u>
Aigeltinger, A.	Vice President	1934-1941
Altmeyer, C.E.	Vice President	1979
Ames, George C.	Treasurer	1921-1931
Anderson, Edward R.	Vice President	1957
Anderson, Kenneth	Vice President	1966-1970
Belury, George	Vice President President	1957-1970 1970-1980
Biggs, F.B.	Vice President	1952-1954
Biggs, Robert W.	Vice President	1964-1965
Black, William A.	Vice President	1943-1955
Blume, William	Vice President	1944-1949
Bradley, George R.	Vice President	1968
Bridgewater, Boyd E.	Vice President	1964
Brush, Cyrus	Vice President & Secretary	1948-1967
Buschman, H.	Vice President Secretary	1968-1983
Clapp, Phillip H. Jr.	Vice President	1973-1978
Conway, Stephen	Vice President President	1957-1960 1980-1985
Cottle, O.	Treasurer	1968-1983
Crocombe, William E.	Vice President	1940-1952
Cutler, O.	President	1903-1916

NAME	TITLE	DATES
Cutler, William	Vice President	1921-1953
Davidson, R.J.	Secretary	1902
Davis, A.V.	Vice President	1952
Denison, William	Vice President	1958-1961
Dunn, Kempton	Treasurer President	1943-1953 1954-1963
Finigan, Thomas	Vice President	1919-1931
Forquer, Rush M.	Vice President	1961-1983
Fraula, Scott W.	Vice President	1953-1963
Frick, Raymond A.	Vice President	1961-1964
Gallegher, Joseph	Vice President	1916
Gilbert, H.K.	Treasurer	1902
Gillies, H.A.	Vice President	1940
Given, W.B. Jr.	President	1929-1950
Herlihy, Francis B.	Vice President	1966-1978
Hillman, Stanley E.G.	Vice President	1968
Hutchins, John S.	Vice President President	1946-1963 1963-1966
Huttig, A.B.	Secretary & Treasurer	1968
Iwarsson, B.	Vice President	1979-1980
Janke, F.	Treasurer	1935
Jordan, William B.	Treasurer	1953-1959
Judd, George M.	Secretary	1916-1929
Kelly, William T. Jr.	Vice President	1946

NAME	TITLE	DATES
	President	1966-1968
Knox, Henry C.	Treasurer	1917-1920
Konker, G.E.	Vice President	1971-1974
MacGowan, W.	Vice President	1930
Mandy, D.G.	Vice President	1979-1980
McCall, Sumner T.	Vice President & Treasurer Secretary	1931-1932 1943-1946
McCulloch, Paul L, Jr.	Vice President	1960-1965
McGowan, William	Vice President	1917-1931
Mitten, Robert	Vice President	1968
Parsons, Joseph	Secretary Vice President	1930-1943
Pearce, William G.	President	1916-1919
Persbacker, Victor L.	Senior Vice President Vice President Administration	1960-1967 1967-1982
Pettis, Clifton D.		1917-1921
Pettus, Thomas W.	Vice President	1919-1955
Raddatz, M.D.	Vice President	1977-1978
Rennie, D.K.	Vice President	1972-1980
Romine, George L.	Vice President	1972-1977
Russell, Thomas W. Jr.	Vice President & Treasurer First Vice President President	1959-1967 1967-1968 1968-1970
Sargent, William D.	President and First Vice President	1902-1903

NAME	TITLE	DATES
Schaefer, Raymond	Vice President	1951-1968
Shepard, J.R.	Vice President	1971
Spencer, J. Brooks	Vice President	1943-1953
Stone, Charles B. III	Vice President	1960-1962
Terbell, Joseph B.	Vice President President Vice President	1917-1918 1919-1929 1931-1959
Terry, Maynord B.	Vice President	1964-1971
Thompson, James S.	Vice President	1917-1928
Trainer, Maurice N.	First Vice President President	1943 1950-1954
Ward, Gilfry	Vice President	1957-1969
Weigel, George K.	Vice President	1968
Weiger, R.J.	Vice President	1971-1974
Wright, Charles P.	Vice President	1925-1932