

FILE NAME: Synkaloid (SYN)

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JAMES DECKER AND)
NITA DECKER) IN THE DISTRICT COURT
VS.)
) OF DALLAS COUNTY, TEXAS
ARMSTRONG WORLD INDUSTRIES, INC.,)
ET AL) 95TH JUDICIAL DISTRICT

DEFENDANT SYNKOLOID'S ANSWERS TO PLAINTIFFS'
FIRST SET OF INTERROGATORIES

Comes now Defendant SYNKOLOID, and files this its
Answers to Plaintiffs' First Set of Interrogatories as follows.
The information provided herein is based upon information
presently available to the Synkoloid Company. Since discovery and
our investigation are still continuing, this information is
provided without prejudice to our presenting at a later time or
introducing into evidence information obtained subsequent to the
date these interrogatory answers are served. The Synkoloid
Company generally objects to these interrogatories insofar as they
seek production of any information constituting a trade secret,
confidential financial data or confidential research, development
or commercial information.

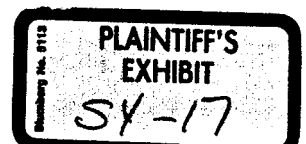
1. Please state the name, address and job title of each
person who has supplied information used in answering these
interrogatories.

ANSWER: John P. Conroy
Artra Group
500 Central Avenue
Northfield, Illinois 60093
Corporate Risk Manager

William Reidy
Artra Group
500 Central Avenue
Northfield, Illinois 60093

Frank Scanland
The Synkoloid Company
5928 South Garfield Avenue
Commerce, California 90040
Executive Vice President

Lindberg Wong
Control Chemist
Synkoloid Company
5928 South Garfield Avenue
Commerce, California 90040



2. Please state whether or not you are a corporation; if so, please state your correct corporate name, each state of incorporation, the date of your incorporation and the address of your principal place of business.

ANSWER: Yes. The Synkoloid Company; Colorado; 1961; 5928 South Garfield Avenue, Commerce, California.

3. Please describe the corporate history of the Defendant.

ANSWER: The defendant Synkoloid was incorporated in the state of Colorado in 1961.

(a) Please state whether or not defendant has ever held a certificate of authority to do business or is otherwise licensed to do business in the state of Texas and/or has ever regularly conducted business in Texas.

ANSWER: Investigation is continuing.

(b) If so, please state the date or dates on which such certificate of authority and/or license was obtained and/or during which such business was conducted in Texas.

ANSWER: See answer above.

4. Please state whether or not defendant has purchased, assumed, or in any other manner acquired any of the assets and/or liabilities of any corporation or entity engaged in the mining of asbestos or the manufacturing, marketing, or distribution of asbestos-containing products. If so, please identify the company whose assets and/or liabilities were acquired, the date of each such acquisition, and the manner of each such acquisition.

ANSWER: Not to our knowledge.

5. Please identify by trade and/or brand name every asbestos-containing product manufactured by defendant from 1960 through the present. Please state also:

(a) The name of the company that manufactured the product;

(b) The date that defendant manufactured and/or sold the product; (please be sure to state whether the product was withdrawn from the market)

(c) A description of the chemical composition of the product, including the type of asbestos (i.e., amosite, crysolite, or crocidolite) contained in the product and the percentage of asbestos contained in the product;

(d) A description of the physical appearance of the product;

(e) A description of the packaging of the product when sold by defendant, including the dates each type of package was used and a description of any printed material or trademarks that appeared thereon;

(f) A description of the intended use of the product;

(g) Whether or not defendant made any changes in the product, and if so, the changes made and the dates of the changes;

(h) A description of warnings, if any, that appeared on the product or on the packaging of the product in the years 1960 through the present.

ANSWER:

1. Tex-Wall

- a) The Synkoloid Company
- b) 1961 to August, 1975
- c) Objected to as calling for trade secret information. Without waiving said objection, this product utilized 3.83% of No. 35 asbestos. No. 35 asbestos contains only 5.26% crysotile asbestos in its compound. Therefore, this product contained only .201% crysotile asbestos.
- d) We believe this product was provided in powder form and was packaged in 5- and 25-pound bags.
- e) The 5- and 25-pound bags were brown or bleached white with product identification in black printing with the word "Synko" in red.
- f) It was designed to provide texture to walls.
- g) Objected to as calling for trade secret information as to any changes made after the removal of asbestos from the product. Subject to this objection, investigation is continuing.
- h) Investigation is continuing.

2. Eze-Text

- a) The Synkoloid Company
- b) 1962 to approximately September, 1975.
- c) Objected to as calling for trade secret information. Without waiving said objection, this product contained approximately 4.89% of 7-RF-02 crysotile asbestos.
- d) We believe this product was provided in powdered form and packaged in 25-pound bags.
- e) See 1 above.
- f) See 1(f) above.
- g) See 1(g) above.
- h) See 1(h) above.

3. Triple Duty Joint Compound

- a) The Synkoloid Company
- b) 1962 to approximately December, 1975.
- c) Objected to as calling for trade secret information. Without waiving said objections, this product contained 5.98% of 7-RF-02 chrysotile asbestos.
- d) We believe this product was provided in powder form and packaged in 5-pound packages, 25-pound bags, and 4-pound combination. Some may have been ready-mixed in paste form also.
- e) See 1(e) above.
- f) We believe its purpose was to prepare walls of houses.
- g) See 1(g) above.
- h) See 1(h) above.

4. Synko-Topping

- a) The Synkoloid Company
- b) 1962 to approximately July, 1975.
- c) Objected to as calling for trade secret information. Without waiving said objection, this product contained 5.98% 7-RF-02 chrysotile asbestos.
- d) We believe it was in powder form.
- e) See 1(e) above.
- f) We believe its purpose was to prepare walls of houses.
- g) See 1(g) above.
- h) See 1(h) above.

5. Prime 'N' Fill

- a) The Synkoloid Company
- b) 1961 to approximately September, 1975.
- c) Objected to as calling for trade secret information. Without waiving said objection, this product contained 4.83% 7-RF-02 chrysotile asbestos.
- d) We believe it was provided in powder form and packaged in 25-pound bags.
- e) See 1(e) above.
- f) We believe its purpose was to fill voids in rough block.
- g) See 1(g) above.
- h) See 1(h) above.

6. Sno-Hide

- a) The Synkoloid Company
- b) Approximately 1962 to approximately October, 1975.
- c) Objected to as calling for trade secret information. Without waiving said objection, this product contained 5.98% 7-RF-02 chrysotile asbestos.
- d) Unknown, although we believe this product was provided in liquid or paste form as it was packaged in 5-gallon cans.
- e) See 6(d) above.
- f) We believe its purpose was to be a roof coating.
- g) See 1(g) above.
- h) See 1(h) above.

7. Plasti Bond

- a) The Synkoloid Company
- b) 1961 to approximately February, 1976.
- c) Objected to as calling for trade secret information. Without waiving said objection, this product contained 1.22% 7-RF-02 chrysotile asbestos.
- d) We believe this product was in paste form or what could be called a "heavy liquid" and was packaged in 1- and 5-gallon cans.
- e) See 7(d) above.
- f) We believe its purpose was for resurfacing exteriors of houses.
- g) See 1(g) above.

8. Surface Conditioner

- a) The Synkoloid Company
- b) 1961 to approximately August, 1976.
- c) Objected to as calling for trade secret information. Without waiving said objection, this product contained 2.24% 7-RF-02 chrysotile asbestos.
- d) We believe it was provided in paste form or what could be called a "heavy liquid" and was packaged in 1- and 5-gallon cans.
- e) See 8(d) above.
- f) We believe its purpose was to condition exterior walls for painting.
- g) See 1(g) above.
- h) See 1(h) above.

9. Vinyl Prep Mix

- a) The Synkoloid Company
- b) Approximately 1962 to approximately June, 1977.
- c) Objected to as calling for trade secret information. Without waiving said objection, this product contained approximately .4953% asbestos which was included in a P-4 powder base.
- d) We believe this was provided in paste form and was packaged in 1- and 5-gallon cans.
- e) See 9(d) above.
- f) We believe that the purpose was to prepare walls of houses.
- g) See 1(g) above.
- h) See 1(g) above.

10. Flexi-Patch

- a) The Synkoloid Company
- b) Approximately 1962 to August, 1976.
- c) Objected to as calling for trade secret information. Without waiving said objection, this product contained approximately .92% 7-RF-02 chrysotile asbestos.
- d) We believe it was provided in paste form and packaged in 1-quart and 1-gallon cans.
- e) See 10(d) above.
- f) We believe its purpose was to prepare walls of houses; specifically, for exterior use to fill cracks in stucco/cement.
- g) See 1(g) above.
- h) See 1(h) above.

11. Stucco 'N' Cement Patch

- a) The Synkoloid Company
- b) 1961 to approximately August, 1975.
- c) Objected to as calling for trade secret information. Without waiving said objection, this product contained approximately .81% of No. 35 asbestos. No. 35 asbestos contains only 5.26% percentage of chrysotile asbestos. Therefore, this product contained only .04% asbestos.
- d) We believe this was provided in powder form and packaged in 3.5- and 6.5 pound packages and 25-pound bags.
- e) See 1(e) above.
- f) We believe its purpose was to patch stucco and cement. It was an exterior product that was a counterpart to Flexi-Patch.
- g) See 1(g) above.
- h) See 1(h) above.

12. Tex-Add

- a) The Synkoloid Company
- b) 1961 to approximately December, 1975.
- c) Objected to as calling for trade secret information. Without waiving said objection, this product contained 57.14% of No. 35 asbestos. No. 35 asbestos contains only 5.26% chrysotile asbestos. Therefore, this product contained only 3.0% asbestos.

- d) We believe it was provided in powder form. This product was packaged in 1-pound packages and 15-pound bags.
- e) See 1(e) above.
- f) We believe its purpose was to be added to paint for texture.
- g) See 1(g) above.
- h) See 1(h) above.

13. Prime 'N' Seal

- a) The Synkoloid Company
- b) 1961 to approximately August, 1976.
- c) Objected to as calling for trade secret information. Without waiving said objection, this product contained 1.83% 7-PF-1 chrysotile asbestos.
- d) We believe it was provided in paste or "heavy liquid" form and was packaged in 1- and 5-gallon cans.
- e) See 13(d) above.
- f) We believe this product was for use on exterior walls to condition them--a counterpart to surface conditioner.
- g) See 1(g) above.
- h) See 1(h) above.

14. Kool-Cap

- a) The Synkoloid Company
- b) Approximately 1965 to approximately January, 1976.
- c) Objected to as calling for trade secret information. Without waiving said objection, this product contained 4.10% 7-RF-02 chrysotile asbestos.
- d) We believe it was provided in liquid form and was packaged in 1- and 5-gallon pails.
- e) Investigation is continuing.
- f) We believe its purpose was to be a roof coating, used primarily in the mobile home industry.
- g) See 1(g) above.
- h) See 1(h) above.

15. Vinyl Tex-Wall

- a) The Synkoloid Company
- b) Approximately 1972 to approximately January, 1976.
- c) Objected to as calling for trade secret information. Without waiving said objection, we do not what percentage of this product contained asbestos, although we believe it contained less No. 35 asbestos than Tex-Wall, mentioned above. Basically, this was the paste form of Tex-Wall.
- d) We believe it was provided in paste form and packaged in 1- and 5-gallon pails.
- e) See 15(d) above.
- f) We believe its purpose was to provide texture to walls.
- g) See 1(g) above.
- h) See 1(h) above.

6. Prior to releasing the products listed in Interrogatory No. 5 to the public for sale, were any tests conducted on same to determine potential health hazards involved in the use of materials contained therein?

(a) If so, state

(1) Name, address and job classification of each individual who conducted such tests.

(2) The results of such tests.

(3) The person in possession of these documents.

(4) Were any design changes made because of these tests. If so, explain what design changes were made.

ANSWER: Unknown at present time due to lack of records, turnover of personnel, etc. Investigation is continuing.

7. Identify by name, job title, and current address each and every individual ever employed by defendant who had responsibility for the sale and distribution of asbestos-containing products. Indicate also the dates that each such individual had such responsibility.

ANSWER: Sidney Burgeson was general manager of the plant from approximately 1967 to 1977. He is presently employed by the W. W. Henry Company, 5608 Soto Street, Huntington Park, California 90255, (213) 583-4961. DeWitt House was a sales manager for the Synkoloid from approximately 1963 to 1980. He is presently employed by the W. W. Henry Company, 5608 Soto Street, Huntington Park, California 90255, (213) 583-4961. The name and current address of other individuals are unknown due to lack of records, turnover of personnel, etc. Investigation is continuing.

8. Does defendant claim that plaintiff misused their asbestos-containing products?

(a) If so, please explain how plaintiff misused the asbestos-containing products.

ANSWER: Unknown at this time. Defendant reserves its right to claim that plaintiff misused their asbestos-containing products if such misuse is revealed during discovery.

9. Identify each and every distributor defendant sold their asbestos-containing products to in Louisiana, Texas, Oklahoma and Illinois from 1962 through 1981.

ANSWER: Objection as overbroad, immaterial, irrelevant and not calculated to lead to the discovery of admissible evidence. A further objection is made that the information is proprietary and calls for the disclosure of trade secrets. Without waiving these objections, we believe that the Synkoloid Company distributed the products themselves with their own sales people.

DATED this 9th day of May, 1986.

John P Conroy

THE STATE OF Illinois)
COUNTY OF Cook)

BEFORE ME, the undersigned authority on this day personally appeared John Conroy, to me well known to be a credible person and qualified in all respects to make this Affidavit, who being by me duly sworn, upon oath says: That he has read the foregoing Defendant, Synkoloid's Answers to Plaintiffs' Second Set of Interrogatories designed to be used in the cause of James Decker, et al vs. Armstrong World Industries, Inc., et al in the 95th Judicial District Court of Dallas County, Texas, and knows the contents thereof, and that he is the Corporate Risk Director in such cause, that he has authority to make this Affidavit, and that such answers are in every respect true and correct.

John P Conroy

SUBSCRIBED AND SWORN TO before me, by the said John P. Conroy Corporate Risk Director, on this 9th day of MAY, 1986, to certify which witness my hand and seal of office.

Frederick S. Sennott
Notary Public in and for the
State of ILLINOIS.

My commission expires Feb 18, 1989.

CERTIFICATE OF SERVICE

This is to certify on this 19 day of May, 1986, a true and correct copy of the above and foregoing instrument was this date mailed to Plaintiff counsel, via certified mail-RRR, Ms. Lisa A. Blue, 8333 Douglas Avenue, 10th Floor, Dallas, Texas 75225; and to all other counsel of record via regular mail.

Respectfully submitted,

LANCASTER SMITH

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ATTORNEYS FOR DEFENDANT, SYNKOLOID