

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

**PLAINTIFF'S
EXHIBIT**
HAV-30

IN RE: ASBESTOS LITIGATION :
: C.A. No. 77C-ASB-2
:
: (ALL CASES)

DEFENDANT OY PARTEK AB'S
ANSWERS TO STANDING ORDER INTERROGATORIES

PRELIMINARY STATEMENT

Partek has not engaged in the mining of asbestos since it closed its mine in 1975. Plaintiffs' Interrogatories seek information about events which occurred over a long period of time before that date. Some of Partek's personnel who may have had personal knowledge of the matters about which plaintiffs inquire have retired, have died, or were otherwise unavailable for consultation with Partek as it prepared these answers. It is also possible that some records which would have contained relevant information were destroyed before these lawsuits were begun.

GENERAL OBJECTIONS

A. Partek objects to answering these Interrogatories with respect to any time period during which it did not mine asbestos, or during which plaintiffs do not claim to have been exposed to asbestos Partek mined. These objections are grounded on the rule that a party need not provide information relating to matters neither relevant nor

reasonably calculated to lead to the discovery of admissible evidence, and also upon principles of undue burden and oppression.

B. Partek objects to these Interrogatories on the ground that they fail to identify any plaintiffs, employers or asbestos products of Partek to which plaintiffs were allegedly exposed. Without any identification of specific plaintiffs, plaintiffs' employers and product, Partek cannot adequately determine what Interrogatories are proper and relevant to these actions. Partek reasonably assumes that the only Partek product to which plaintiffs could even arguably allege exposure is anthophyllite asbestos. Anthophyllite asbestos was mined by Partek in Finland and for purposes of American distribution was sold exclusively to Huxley Development Corporation of New York. Partek therefore objects that to the extent these discovery requests seek information about products other than anthophyllite asbestos, they are overbroad, not relevant to the subject matter of these actions and not reasonably calculated to lead to the discovery of admissible evidence.

C. Partek objects that to the extent that these discovery requests seek information relating to the time after the last sale or shipment of anthophyllite asbestos by Partek to or for the United States, which took place in 1975, they are overbroad, not relevant to the subject matter

of these actions and not reasonably calculated to lead to discovery of admissible evidence.

D. Partek objects that to the extent that these discovery requests seek information concerning the licensing, distribution or sale of anthophyllite asbestos to or for markets other than the United States they are overbroad, not relevant to the subject matter of these actions and not reasonably calculated to lead to the discovery of admissible evidence.

E. Partek further states that it objects to these discovery requests because they seek large amounts of highly detailed information covering a 67 year period. Partek further objects to these discovery requests on the grounds that even were it possible to supply such detailed and voluminous information, the process of doing so would be unduly burdensome to Partek and would not further plaintiffs' discovery of information which is relevant to the subject matter of these actions.

F. Partek objects to these discovery requests on the grounds that they are overbroad, burdensome and irrelevant because the information sought is not in any way limited in time or to activities which transpired in Delaware or the exposure of plaintiffs to any product of Partek. Accordingly, unless the context of the response indicates otherwise, these responses are limited to activities which transpired in or are reasonably related to

Delaware and to the exposure of plaintiffs to anthophyllite asbestos.

G. At the present time, Partek has not conducted discovery on or made a review of discovery conducted by other parties. Partek reserves the right to supplement these responses upon completion of this review and further discovery. Partek's investigation of information that may be responsive to these discovery requests is continuing and Partek reserves the right to supplement these responses when it's investigation is complete.

INTERROGATORIES

1. Describe in detail, with specificity and particularity each product mined, produced, manufactured or sold by the answering defendant or its predecessors in title or subsidiaries which contained asbestos for each year from 1936 until 1980; and for each such product describe:

(a) Its chemical ingredients;

(b) State the manner in which it was intended to be used, i.e., in the construction and/or insulation of buildings and/or equipment, etc.;

(c) For each ingredient contained therein state:

(i) The name or chemical composition of each substance, what harmful effects, if any are known, that it produces in man or mammals and whether it produces its harmful effects through ingestion, inhalation, absorption or a combination of these;

(ii) When you determined and/or learned that the substance produced harmful effects and how such effects were produced;

(iii) Identify each individual who participated in such determination and/or obtained such knowledge;

(iv) Identify each document that refers, reflects or relates to any information pertaining to the properties of each of the ingredients and/or how the harmful effects are produced as well as your determination of those toxic effects and the manner by which they are produced;

(v) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied;

(vi) Which products or ingredients were mined, which were manufactured and which were distributed by answering defendants.

ANSWER: 1. (a) Anthophyllite asbestos was mined at Paakkila until 1975 and sold to independent distributors. Huxley Development Corporation ("Huxley") distributed the anthophyllite asbestos mined at Paakkila in the United States.

The Muijala asbestos cement sheet factory produced asbestos cement sheets from 1959 to 1988. From 1964 to 1979 the factory also produced asbestos-cellulose cement boards. Muijala used chrysolite from Russia and Canada and crocidolite from South Africa (until 1973) in the manufacture of its sheets.

The Tapanila works was in operation from 1928 to 1978. It produced asbestos cement sheets, textiles, insulation materials, packing, hardformed roofing and products and millboard. Asbestos used in its operations came from Russia, South Africa, Canada and Finland. The plant used chrysotile, crocidolite, amosite and anthophyllite (millboard only) in the manufacture of its asbestos containing products.

The Pargas plant produced asbestos cement pipe products from 1960 to 1978. It used crocidolite from South America in the manufacture of its asbestos cement pipe product.

(b) Huxley did not advise this defendant of the intended use of the anthophyllite. All asbestos containing products manufactured and sold by Partek in Finland were intended for use in the construction and/ or insulation of buildings.

(c) (i) Asbestosis through inhalation if handled without proper dust prevention.

(ii) Late 1940s.

(iii) Not known.

(iv) "Changes in the Lungs in 126 Cases of Asbestosis Observed in Finland" by Carl Wegelius, Acta Radiologica, Vol. XXVIII, 1947.

(v) None.

(vi) Anthophyllite asbestos was mined and sold to an independent distributor, Huxley.

(vii) Partek manufactured and sold the asbestos containing products listed in response to Interrogatory 1. None of these products were exported to the United States or to the State of Delaware.

2. If any product identified in answer to Interrogatory No. 1 and was produced, manufactured and/or sold under a trade name, identify that trade name(s) and state the time period that each such product was sold under such trade name.

ANSWER: 2. Muijala: "Luja" wall sheets 1959 - 88

"Vartti" roof sheets 1959 - 88

Tapanila: "Minerit" cladding sheet 1928 - 78

Pargas: "Himanit" pipes 1960 - 78

3. For each product identified in answer to Interrogatory No. 1, state:

(a) The address of each plant where it was manufactured, processed or packaged;

(b) Whether you were the sole producer, manufacturer and/or distributor of the product and, if not:

(i) The name and address of each other person, firm or other entity engaged in the production, manufacture and/or distribution of the product (including companies which rebranded for the answering defendant);

(ii) Whether any other manufacturer produced the product by virtue of a franchise or license from you;

(iii) The persons or firms who produced the product for distribution in the United States;

(iv) The person or firms who produced the product for distribution in the State of Delaware.

ANSWER: 3. (a) Paakkila, Finland

Muijala, Finland

Tapanila, Finland

Pargas, Finland

(b) Huxley distributed the anthophyllite, but not specifically for distribution in the U.S. nor specifically for distribution in the State of Delaware, and not by franchise or license.

Yes, with respect to its asbestos-containing products.

- (i) Not applicable
- (ii) Not applicable
- (iii) Not applicable.
- (iv) Not applicable.

4. For each product identified in answer to Interrogatory 1 state:

(a) How the product was sold and/or distributed for use in the United States and/or the State of Delaware;

(b) Identify all persons, firms or other entities to whom these products were sold or through whom they were distributed during the period 1936 to 1980;

(c) For each such person, firm or other entity identified in answer to subpart (b) above, state the following:

(1) the specific product sold and/or distributed;

(2) the quantity of the product sold and/or distributed;

(3) the dates which these products were sold, shipped and delivered to each entity;

(d) Identify each individual who has any knowledge of these sales and or distribution and state with specificity and particularity the substance of each individual's knowledge;

(e) Identify and produce all documents which refer, reflect or relate to all sales and/or distribution of each such product to each such entity identified above.

ANSWER: 4. (a)-(b) Huxley distributed the anthophyllite asbestos in the United States. None of the asbestos-containing products listed in response to Interrogatory No. 1 was sold and/or distributed for use in the United States and/or the State of Delaware.

Huxley did not advise this defendant of the identity of its customers, nor the manner or terms of its distribution or sale in the United States.

(c) (1) Anthophyllite asbestos.

(2) Total tonnage sold to Huxley was under 30,000 tons.

(3) From early 1960 until 1975.

(a)-(b) Partek manufactured and sold the asbestos-containing products listed in response to Interrogatory No. 1 exclusively to customers within Finland. It would be impossible to list each person, firm or other entity to which these products were sold during the period 1936 to 1980.

(c) It would be impossible to list the quantities and specific products sold during the period 1936 to 1980.

(d) Erno Kosonen, Bo Sandberg, Richard Waller, Carl-Axel Alenius, Thor Brannback, Tapio Lehto and Ole Rosquist have such knowledge. Messrs. Waller, Sandberg, Rosquist, Alenius and Kosonen were deposed in August, 1981. Mr. Brannback was deposed in October, 1980. Mr. Rosquist was again deposed in June of 1983. Messrs. Kosonen, Waller and Sandberg were interviewed by plaintiffs' counsel in August of 1988. Mr. Brannback was again deposed in August, 1992. Messrs. Sandberg, Waller and Kosonen were deposed again in December, 1992. Mr. Lehto was deposed in February, 1993.

(e) All such documents have already been produced for counsel in Helsinki, Finland in August, 1981, as ordered by The Honorable Joseph T. Walsh.

5. For each product identified in answer to Interrogatory 1 state whether you engaged in any advertising program to promote the sale of that product and, if so state:

(a) The name or description of each advertising media that you have used to promote the product during the period 1936 to 1980;

(b) The name of each national magazine or periodical in which you have advertised the product during the period 1936 through 1980;

(c) The date of each issue of such magazine or periodical in which such advertisement appeared;

(d) The name and address of each newspaper in which it advertised the product during the period 1936 through 1980;

(e) The date of each publication of each newspaper in which the advertisement appeared;

(f) Identify and produce each document which refers, reflects or pertains to each such advertisement which was published in each such magazine, periodical and/or newspaper;

(g) State whether the advertising of the product was handled by an agency and, if so, state the name and address of each advertising agency that handled any portion of the advertising of the product during the period 1936 through 1980.

ANSWER: 5. Two advertisements for anthophyllite by Finska Mineral in a trade magazine were identified by counsel for Huxley at the depositions in Helsinki, Finland in August, 1981. Partek did not advertise any asbestos-containing product listed in response to Interrogatory No. 1 in any United States publication. Partek engaged in corporate

advertising in the Finnish media in the course of normal business activity. It is impossible to cite each publication.

6. For each product identified in answer to Interrogatory 1 which was distributed to a company that used said products in Delaware or was a distributor of said products for an area including Delaware state:

- (a) The name and address of the company;
- (b) Whether the asbestos contained was tremolite, crocidolite, chrysotile, amosite and/or anthophyllite asbestos and state the amount in terms of the percentage of the total asbestos contained in the product;
- (c) The total amount of asbestos contained in the product;
- (d) The exact formulation of the product including the other non-asbestos ingredients thereof;
- (e) The name and address of each individual who participated in the formulation of such product;
- (f) The identity of each document which refers, reflects or relates to any information provided in the answer to this interrogatory;
- (g) The names and addresses of the persons usually communicated with when dealing with said company;
- (h) Identify the living individual most knowledgeable about the answers given above in 6(b), (c) and (d);
- (i) Identify the living individual most knowledgeable about distribution of the above products in Delaware and in an area of which Delaware was a part.

ANSWER: 6. Interrogatory 1 asks about the years 1936-1980. Partek sold anthophyllite to Huxley Development Corporation during a part of that time. However, as known to the plaintiffs through prior discovery in Kofron, (C. A. No. 78C-OC-79), Mergenthaler (C. A. No. 81C-FE-27) and

Pannell (C. A. No. 81C-OC-104), Partek did not know until Mr. Waller's visit in 1971 that such anthophyllite was being re-sold by Huxley in Delaware, and has learned about the details of such sales by Huxley Development Corporation only from discovery in these cases.

- (a) Distributor Huxley, New York, New York.
- (b) Anthophyllite.
- (c) 100 percent.
- (d) Not applicable (no product "formulation" as such).
- (e) Not applicable (no "formulation").
- (f) All documents relating to sales of anthophyllite, as previously identified or produced.
- (g) Huxley, by Adam Novak.
- (h) Not applicable (in view of limited answers).
- (i) As disclosed in depositions of Partek employees: sales were made to Huxley, and Partek had no knowledge of distribution in Delaware.

None of the asbestos-containing products identified in response to Interrogatory No. 1 was distributed to a company that used said products in Delaware or was a distributor of said products for an area including Delaware.

7. With regard to each form of asbestos fibers identified in the answer to Interrogatory 6, state:

- (a) Where it was purchased, if it was not purchased, where it was obtained;

(b) From whom it was purchased;

(c) The manner in which it was received, stored and used in the production of the product.

ANSWER: 7. With respect to anthophyllite, this interrogatory is inapplicable (the anthophyllite asbestos was mined by Partek, not used by Partek in the production of any other product). With respect to the asbestos-containing products listed in response to Interrogatory No. 1, please see Interrogatory Answer No. 6.

8. If you manufacture any insulation products which are commonly used by insulators and which contain asbestos:

(a) Describe how the products listed in (b) are cut, shaped, mixed and applied on the jobs giving particular reference as to whether or not the materials have to be sawed or cut on the job, blown into confined areas, or mixed with water into a cement or paste;

(b) State if there is any way known to you that the products listed below can be used and applied without the worker inhaling any of the asbestos dust or fibers:

- (1) Asbestos cement; Asbestos Finishes;
- (2) Asbestos pipe covering;
- (3) Asbestos bricks or block;
- (4) Asbestos sheeting;
- (5) Asbestos insulation used to cover extremes of heat as well as cold;
- (6) Asbestos insulation in loose form which may be blown into homes or buildings;
- (7) Asbestos in spray form;
- (8) Asbestos mineral in fiber form or particulate form;
- (9) Asbestos Millboard, rope, gaskets, paper gloves or blanket.

(c) Did your company buy any products listed in (b) above from other manufacturers and relabel it or have it labeled for your company?

(1) If yes, which products and from whom.

(d) Did your company produce any products within the list in (b) above for other companies?

(1) If yes, which products and for whom.

(e) Whether prior to distributing the product you altered it in any manner from the form in which you received it from the source, and if so what type of alterations or modifications were made by you;

(f) Whether prior to distributing the product you re-packaged or in any way altered the packaging or labelling of the product after receiving it from the source, and if so what alterations were made by you.

ANSWER: 8. (a) - (b) Neither Partek's anthophyllite nor its asbestos-containing products listed in response to Interrogatory No. 1 were used by insulators. The asbestos-containing products listed in response to Interrogatory No. 1 were used by the Finnish construction industry as building components in new construction.

(c) No.

(d) No.

(e) Not applicable.

(f) Not applicable.

9. For each product listed in answer to Interrogatory No. 1, describe each end use for which each such product was intended to be used by the general industry and for each such use:

(a) Describe the form of the product when so used;

(b) Describe the process and/or method by which the product would be applied for each such use;

(c) Describe the equipment to be used to apply the product for each such use;

(d) Identify each document that refers, reflects or relates to any information and state the full substance of the information supplied;

(e) As to any information received orally in answer to any interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 9. At the time of Mr. Waller's visit to Delaware in 1971, at the same time that Partek learned Huxley was selling to Haveg and Avisun, Partek learned of the use of its anthophyllite asbestos by Haveg and Avisun as a reinforcement of plastic. This use was known only after Mr. Waller's visit. Partek did not know the process or method or equipment used. The document reflecting this information is the transcript of the depositions taken in Helsinki. Prior to the receipt of such information in 1971, distributor Huxley did not advise this defendant of the intended use of the anthophyllite asbestos.

Partek products listed in response to Interrogatory No. 1 were used by the Finnish construction industry as building components in new construction.

(a) The products were used in their original form.

(b) The products were used in accordance with normal building methods.

(c) Normal building equipment was used to install the products.

(d) Not applicable

10. State whether any of the equipment identified in answer to Interrogatory No. 9(c) was manufactured by you or any parent or subsidiary company or related company.

ANSWER: 10. Partek did not invent, develop or first make any equipment which was used in the application of any asbestos containing product it manufactured.

11. If any piece of equipment identified in answer to Interrogatory No. 9(c) was invented, developed or first made by you or any person associated with you or any related company or association, state:

(a) When it was invented, developed or made;

(b) The identity of each individual who participated therein and describe in detail the extent of his participation;

(c) The identity of each document which reflects, refers or relates to any information set forth in answer to this interrogatory;

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 11. Not applicable..

12. State whether you or any person associated with you or any related company or association invented, developed or made any change and/or improvement in any piece of equipment identified in answer to Interrogatory No. 9(c), and if so:

(a) Describe the change and/or improvement made;

(b) State when it was made;

(c) Identify each individual who participated therein and describe in detail the extent of his participation;

(d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who has supplied such information and state the full substance of the information supplied.

ANSWER: 12. Not applicable.

13. For each process and/or method identified in answer to Interrogatory No. 9(b), state whether it was developed by you or a parent or subsidiary or related company.

ANSWER: 13. Not applicable.

14. For each process and/or method identified in answer to Interrogatory No. 9(b) developed or first made by you or any person associated with you or any related company or association, state:

(a) When and where it was developed;

(b) The identity of each individual who participated therein and describe in detail the extent of his participation;

(c) The identity of each document which reflects, refers or relates to any information set forth in answer to this Interrogatory;

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 14. Not applicable.

15. State whether you or any person associated with you or any related company or association developed or made any change and/or improvement in any process and/or method identified in answer to interrogatory No. 9(b), and if so:

(a) Describe the change and/or improvement made;

(b) State when and where it was made;

(c) The identity of each individual who participated therein and describe in detail the extent of his participation;

(d) Identify each document which reflects, refers or relates to any information set forth in answer to this Interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied;

(f) Identify the living person who has the most knowledge of matters discussed herein.

ANSWER: 15. Not applicable.

16. For each product identified in the answer to Interrogatory No. 1, describe what, if any, tests were made to determine the safety of said product and:

(a) State when and where each such test was made;

(b) Describe the results of each such test;

(c) Identify each individual who participated therein and describe the extent of his participation;

(d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 16. No such tests were made by Partek in the U.S. Distributor Huxley did not advise this defendant of any tests made by Huxley.

All such tests required in Finland by law or otherwise at anytime were made. The production of products listed in response to Interrogatory No. 1 has long been discontinued. No documentation concerning such testing is

in Partek's possession. (Please see Interrogatory Answer No. 74.) No one who might have participated in or have knowledge of said testing is in Partek's employ.

17. For each process or method identified in answer to Interrogatory No. 9(b), describe what, if any, tests were made to determine the safety of said process or method and:

- (a) State when and where each such test was made;
- (b) Describe the results of each such test;
- (c) Identify each individual who participated therein and describe in detail the extent of his participation;
- (d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 17. Not applicable.

18. For each piece of equipment identified in answer to Interrogatory No. 9(c), describe what, if any tests were made to determine the safety of said equipment and:

- (a) State when and where each such test was made;
- (b) Describe the results of each such test;
- (c) Identify each individual who participated therein and describe in detail the extent of his participation;
- (d) Identify each document which reflects, refers or relates to any information set forth in answer to this interrogatory;
- (e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 18. Not applicable.

19. For each label, brochure, or other written material describing or relating to the use of each product identified in answer to Interrogatory No. 1, produced by you or any person associated with you or any related company or association:

- (a) Describe its contents;
- (b) State when, where, how, and to whom it was distributed;
- (c) State the manner in which it was placed on or in the product container or whether it was separate from the product container;
- (d) State whether any written, printed or graphic matter was present to warn of any harmful ingredient it might contain. If so, state:
 - (i) Whether a signal word, i.e. "danger", "warning" or "caution" was present;
 - (ii) Whether the signal word was printed in boldface, capital letters or different colored inks. Which?
 - (iii) The wording of all directions and/or instructions pertaining to any method of use to avoid any hazard.
- (e) Identify each individual who participated in the writing of the label, brochure or other written materials and describe in detail the extent of his participation;
- (f) Identify each document which reflects, refers or relates to the information contained on the labels, brochures, or other written materials and/or the decision to include such information;
- (g) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 19. All such documents and information available were produced for counsel in Helsinki, Finland in August, 1981, including:

Technical bulletins 1-8, 10-13, 15-20, 24, 32-34,
37;

Mineral bulletins 3 and 4.

Anti-asbestos campaign summary, by Mr. Alenius

Two brochures related to Finnish anthophyllite asbestos, Exhibits 86 and 87 to the Helsinki Protocol
It is impossible to list all of the various individuals who participated in preparation of the said documents; such information would be impossible to compile because the individuals were so numerous.

All labels, brochures or other written material describing the use of each asbestos-containing product listed in response to Interrogatory No. 1 required in Finland by law or otherwise at anytime were distributed. The production of these products has long been discontinued. No documentation concerning such labeling, brochures or other written material is in Partek's possession. (Please see Interrogatory Answer No. 74.) No one who might have participated in or have knowledge of the writing of these labels, brochures or other writings is in Partek's employ.

20. For each product identified in answer to Interrogatory 1 state whether warnings of any harmful or potentially harmful effects of the product were printed on the cartons or packing cases in which individual containers were packed and, if so:

- (a) State the printed warning's contents;
- (b) State when the warning was used;

(c) Describe the manner in which it was placed on or in the product container;

(d) Identify each individual who participated in writing of the label or brochure and describe in detail the extent of his participation;

(e) Identify each document which reflects, refers or relates to the information contained on the cartons or packing cases and the decision to include that information;

(f) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 20. The content and use of the warning were testified to by witnesses in depositions in Helsinki, Finland in August, 1981, in particular Messrs. Kosonen and Raikke.

All warnings of any harmful or potentially harmful effects of the asbestos-containing products listed in response to Interrogatory No. 1 required in Finland by law or otherwise at anytime were printed on their packing cases. The production of these products has long been discontinued. No documentation concerning these warnings is in Partek's possession. (Please see Interrogatory Answer No. 74.) No one who might have participated in or have knowledge of the writing of such label or brochure is in Partek's employ.

21. For each label, brochure, or other written material describing or relating to each process or method identified in answer to Interrogatory No. 9(b) produced by you or any person associated with you or any related company or association; and for each such label, brochure or written material:

(a) Describe its contents;

(b) State when, where, how, and to whom it was distributed;

(c) State whether any written, printed or graphic matter was present to warn of any harmful ingredient it might contain. If so, state:

(i) Whether a signal word, i.e. "danger", "warning" or "caution" was present;

(ii) Whether the signal word was printed in bold face, capital letters or different colored inks, and if so, which one;

(iii) The wording of the statements describing any hazard;

(iv) The wording of all directions and/or instructions pertaining to any method of use to avoid any hazard.

(d) Identify each individual who participated in the writing of the label, brochure or other written materials and describe in detail the extent of his participation;

(e) Identify each document which reflects, refers or relates to the information contained on the labels, brochures, or other written materials and/or the decision to include such information.

ANSWER: 21. Not applicable.

22. For each label, brochure, or other written material describing or relating to equipment identified in answer to Interrogatory No. 9(c), produced by you or any person associated with you or any related company or association; and for each such label, brochure or written material:

(a) Describe its contents;

(b) State when, where, how, and to whom it was distributed;

(c) State whether any written, printed or graphic matter was present to warn of any harmful ingredient it might contain. If so, state:

(i) Whether a signal word, i.e. "danger", "warning" or "caution" was present;

(ii) Whether the signal word was printed in boldface, capital letters or different colored inks, and if so, which one;

(iii) The wording of the statements describing any hazard;

(iv) The wording of all directions and/or instructions pertaining to any method of use to avoid any hazard.

(d) The identity of each individual who participated in the writing of the label, brochure or other written materials and describe in detail the extent of his participation;

(e) The identity of each document which reflects, refers or relates to the information contained on the labels, brochures, or other written materials and/or the decision to include such information;

(f) As to any information received orally in answer to this interrogatory, identify each person who supplied information and state the full substance of the information supplied.

ANSWER: 22. Not applicable.

23. With regard to the production, distribution, and/or sale of each product identified in answer to Interrogatory 1 state whether you have ever been accused of violating any of the provisions of the Federal Labeling of Hazardous Substances Act, and, if so, state:

(a) The date of each indictment, complaint or information that accused you of such violation;

(b) The court in which the proceedings were instituted;

(c) The plea you entered;

(d) The verdict and/or judgment in each such case;

(e) The date set for trial of any pending case;

(f) Identify each document which reflects, refers or relates to information pertaining to such accusation;

(g) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 23. No.

24. For each product identified in answer to Interrogatory 1, state whether you contend it is a "hazardous substance" as defined in 15 United States Code, Section 1261(f) and, if so, state with specificity and particularity the facts which you rely on to support that contention.

ANSWER: 24. This defendant objects to this interrogatory in that it calls for a legal or medical conclusion.

25. With regard to each product identified in answer to Interrogatory 1 state whether any quantity of that product has ever been seized by any agency of any government; and if so:

- (a) State the date of each such occurrence;
- (b) State the name or description of the violations of which you were accused;
- (c) State the court in which the action was filed;
- (d) Describe the judgment that was rendered;
- (e) State the date that has been set for trial of any pending case;
- (f) Identify each document which reflects, refers or relates to information pertaining to such seizure;
- (g) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 25. No.

26. State whether you have ever been the subject of any investigation or accusation by any Governmental Agency concerning the provisions of the Occupational Safety and

Health Act of 1970 (P.L. 91-596, 29 U.S.C. §651 et seq.).
If so state:

(a) The date of such investigation, accusation, or other administrative or judicial procedure or action;

(b) The administrative agency or court in which any proceedings arising from such investigation or accusation were heard or instituted.

(c) The determination and results of any such accusation or action;

(d) The identity of each document which refers or relates to information set forth in answer to this interrogatory.

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 26. No.

27. State what action, if any, you have taken since 1935 to reduce or eliminate any risk of occupational disease or personal injury to those engaged in the manufacture of your asbestos products or to those using your asbestos products which arises from the inhalation of dust and fibers.

ANSWER: 27. No such action has been taken by this defendant in the U.S. All such actions required in Finland by law or other wise at any time were taken. Studies were made together with the Finnish Institute of Occupational Health at Paakkila during the 1950s, 1960s and 1970s, at Muijala during the 1960s and 1970s, at Tapanila during the 1940s, 1950s, 1960s and 1970s and at Pargas during the 1960s and 1970s.

28. Describe in full and complete detail each of the activities which you have undertaken with the intention of warning the public of the effects of any product identified

in answer to Interrogatory 1 as to the health of the user or general public and give the inclusive dates of each such activity, and:

(a) Identify each individual who participated therein and describe the nature of his participation;

(b) Identify each document which reflects, refers or relates to information pertaining to such warning;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 28.- A 6- or 7-page paper by one of the deponents in Helsinki, Finland in August, 1981, Mr. Alenius, was given to distributors; it was produced at those depositions. Dust concentration and dust level tests were made in Paakkila by the Finnish Institute of Occupational Health during the 1960s and 1970s, at the request of Partek. Anthophyllite mined by Partek was not sold to the general public in the U.S., but only to the knowledgeable commercial purchaser Huxley. Partek did not know who Huxley's customers were, and could not have been reasonably expected to provide them with individual warnings. It reasonably assumed that industrial users of its anthophyllite would take precautions to protect their workers' health similar to those that Partek took in Finland, but had no power over such users with respect to such precautions, or indeed, any knowledge of their identities.

All activities required in Finland by law or otherwise at anytime with the intention of warning the public of the effects of any asbestos-containing product

listed in response to Interrogatory No. 1 were undertaken by Partek. Dust concentration and dust level tests were made at Muijala, Pargas and Tapanila by the Finnish Institute of Occupational Health during the 1960s and 1970s, at the request of Partek. The production of these products has long been discontinued. No documentation concerning these activities is in Partek's possession. (Please see Interrogatory Answer No. 74.) No one who might have participated in or have knowledge of these activities is in Partek's employ.

29. Have you or any of your companies conducted any studies concerning the effects of inhalation of asbestos dust or fibers by one using or being exposed to any of the asbestos materials manufactured by you and/or any of your companies? In answer to this question, please state:

(a) The date, nature and location of your studies;

(b) The name or names of the persons conducting the studies and their address and describe in detail the extent of their participation;

(c) The purpose of the studies;

(d) The identity of each document which refers or relates to any information set forth in answer to this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 29. Please see Answer 27.

30. Have you or any of your companies conducted any studies designed to minimize or eliminate the inhalation of asbestos dust and fibers by those exposed to the use of any

of the products containing asbestos materials manufactured by you or any of your companies? If so:

(a) The date, nature and location of your studies.

(b) The name or names of the persons conducting such studies and their address and describe in detail the extent of this participation;

(c) State what action, if any, was taken based upon such studies in an effort to minimize or eliminate the effects of inhalation of asbestos dust or fibers upon those using or being exposed to the dust and fibers contained in such products as manufactured by your company;

(d) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 30. Please see Answer 27.

31. What technique, if any, did and/or do you use to make dust samplings in the manufacturing and packaging production environment or at job sites where your materials are used?

(a) Set forth in detail the technique used, when it was commenced and when, if ever, it was concluded;

(b) State the purpose for administering such samplings;

(c) State the results of such samplings;

(d) State what action, if any, has been taken in response to the findings as to the dust samples;

(e) Identify each document which refers or relates to such sampling;

(f) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information;

(g) Identify the living person who has the most knowledge of matters discussed herein.

ANSWER: 31. Please see Answer 27. A portable vacuum pump with Millipore-filter was used during work in Paakkila. Tapanila, Muijala and Pargas used a central vacuum dust extracting system.

32. State what, if any, safety measures were taken by you as to your employees, during the processing, manufacturing and packaging of products that have been distributed to the DuPont Company. If any such safety measures were taken, state:

(a) The reason for the use of such measures, equipment or clothing;

(b) Identify each document relating to safety procedures taken by employees or plant personnel in the manufacture, processing and packaging of such products;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information.

ANSWER: 32. Please see Answer 27. At Paakkila: encapsuling of machinery (1965); dust filters on machinery (1965-66); overpressure in machine maneuvering room (1967); overpressure in worker's mealroom (1968); central air cleaning system with fixed sucking pipes (1968); filters on drilling machinery (vacuum suction dust extraction) (1972); smoke filters on drum dryer oven (1965-66); grass on waste stacks (dumps) (1972); pressure packing (1969); plastic bags from 1969; maintenance system of personal respirators (1967); use of personal respirators from 1965; whole Paakkila personnel x-rayed every year since 1955; dust level

measurements on work sites ordered from IOH, done every year since 1969.

All safety measures required in Finland by law or otherwise at anytime were taken by Partek as to its employees during the processing, manufacturing and packaging of asbestos-containing products listed in response to Interrogatory No. 1. Studies were made together with the Finnish Institute of Occupational Health at Muijala and Pargas during the 1960s and 1970s and at Tapanila during the 1940s, 1950s, 1960s and 1970s. The production of these products has long been discontinued. No documentation concerning such safety measures is in Partek's possession. (Please see Interrogatory Answer No. 74.) No one who might have participated in or have knowledge of the implementation of these safety measures is in Partek's employ.

33. State:

(a) Knowledge as to any respirator or other breathing device which was on the market during the relevant period which would prevent the inhalation of asbestos dust and fibers;

(b) A detailed description of such respirator or other breathing device, together with all information as to how such device prevents the inhalation of asbestos dust and fibers;

(c) What tests, if any, were conducted, by whom and where, with regard to the effectiveness of any such device;

(d) Identify each document in any defendant's possession which refers or relates to the subject matter of this interrogatory.

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 33. No knowledge as to the United States. All respirators required in Finland by law or otherwise at anytime were provided by Partek to its employees. SILVA P and SILTOX type respirators, made in Finland, and imported models classified by Finnish standards as class II B were used, beginning in the 1950s, at Paakkila and at the plants which manufactured the asbestos-containing products listed in response to Interrogatory No. 1. The production of these products has long been discontinued. No documentation concerning these respirators is in Partek's possession. (Please see Interrogatory Answer No. 74.) No one who might have knowledge concerning the use of these respirators is in Partek's employ.

34. Have you or anyone on your behalf conducted or had conducted any investigation of the statistical and/or epidemiological relationship between the use of any product identified in answer to Interrogatory 1 and the contraction by humans or animals of cancer including but not limited to mesothelioma. If so:

- (a) Identify each person participating in such investigation and describe in detail the extent of this participation;
- (b) State when the investigation was conducted;
- (c) Identify the person or persons who authorized the investigation;
- (d) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 34. None in the United States. "The Epidemiologic Relationship Between Pleural Mesothelioma and Asbestos Exposure" by Markku Nurminen, Scand. j. work environ. & health 1 (1975) 128-137. "Asbestosis in Finland", clinical and immunological findings and mortality among asbestosis patients by Matti S. Huuskonen, academic dissertation presented at the Meilahti Medical Institute June 13, 1979. In addition Partek has always completely cooperated with the Finnish Institute of Occupational Health with regard to statistical and/or epidemiological studies they conducted.

35. Have you or anyone on your behalf conducted or had conducted any investigation of the statistical and/or epidemiological relationship between the use of any product identified in answer to Interrogatory 1 and the contraction by humans of pulmonary asbestosis. If so:

(a) Identify each person participating in such investigation and describe in detail the extent of his participation;

(b) State when the investigation was conducted;

(c) Identify the person or persons who authorized the investigation;

(d) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 35. None in the United States. "Changes in the Lungs in 126 Cases of Asbestosis Observed in Finland" by Carl Wegelius, Acta Radiologica, Vol. XXVIII 1947. "Asbestosis in Finland", clinical and immunological findings and mortality among asbestosis patients by Matti S. Huuskonen, academic dissertation presented at the Meilahti Medical Institute June 13, 1979. In addition, Partek has always completely cooperated with the Finnish Institute of Occupational Health with regard to statistical and/or epidemiological studies they conducted.

36. Describe in detail all written and oral reports including those reports originating from users of any of the products identified in answer to Interrogatory 1, including doctors, and employees and agents of the defendants concerning any relationship between the use of these products and the development of pulmonary asbestosis in humans or animals:

(a) Identify all persons making said reports and to whom said reports were made;

(b) State whether any report or series of reports initiated changes and/or reevaluation of the production, sale or use, or recommendations for use, of any of those products;

(c) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 36. None known at this time.

37. Describe in detail all written and oral reports including those reports originating from users of any of the products identified in answer to Interrogatory 1, including

doctors, employees and agents of the defendants concerning any relationship between the use of any of those products and the development of cancer including but not limited to mesothelioma in humans or animals:

(a) Identify all persons making said reports and to whom said reports were made;

(b) State whether any report or series of reports initiated changes and/or reevaluation of the production, sale or use, or recommendations for use, of any of those products;

(c) Identify each document which refers or relates to any information set forth in answer to this interrogatory;

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 37. None known at this time.

38. For each product identified in answer to Interrogatory 1, state whether the production and/or sale of the product has been discontinued, and, if so:

(a) State when it was discontinued;

(b) State with specificity and particularity all the reasons for the discontinuance.

(c) Identify each individual who participated in the decision to discontinue production and/or sale and describe in detail the extent of his participation;

(d) Identify all documents which reflect, refer or relate to each such discontinuance;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 38. Yes:

Paakkila:

(a) Production and sale discontinued in 1975.

Health Act of 1970 (P.L. 91-596, 29 U.S.C. §651 et seq.).
If so state:

(a) The date of such investigation, accusation, or other administrative or judicial procedure or action;

(b) The administrative agency or court in which any proceedings arising from such investigation or accusation were heard or instituted.

(c) The determination and results of any such accusation or action;

(d) The identity of each document which refers or relates to information set forth in answer to this interrogatory.

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 26. No.

27. State what action, if any, you have taken since 1935 to reduce or eliminate any risk of occupational disease or personal injury to those engaged in the manufacture of your asbestos products or to those using your asbestos products which arises from the inhalation of dust and fibers.

ANSWER: 27. No such action has been taken by this defendant in the U.S. All such actions required in Finland by law or other wise at any time were taken. Studies were made together with the Finnish Institute of Occupational Health at Paakkila during the 1950s, 1960s and 1970s, at Muijala during the 1960s and 1970s, at Tapanila during the 1940s, 1950s, 1960s and 1970s and at Pargas during the 1960s and 1970s.

28. Describe in full and complete detail each of the activities which you have undertaken with the intention of warning the public of the effects of any product identified

(b) Activities were non-profitable. Also, a substantial capital investment would have been required to bring the Paakkila plant into compliance with new Finnish industrial regulations passed in 1976.

(c) This defendant's Board of Directors in 1974. Mr. Raikke was Chief Executive in Paakkila when the factory was shut down.

(d) Documents which probably would reflect the decision would be minutes of the Operating Board of the division to which the Paakkila mines belonged, but it is believed that these are no longer in existence. They have not been found.

(e) Not applicable.

Pargas:

(a) Production and sale of asbestos cement pipe products discontinued in 1978.

(b) The operation was not profitable.

(c) This defendant's board of directors in 1978. Sakari T. Lehto was chief executive officer when the plant was shut down.

(d) No documentation concerning the decision to discontinue production at Pargas is in Partek's possession. (Please see Interrogatory Answer No. 74.)

(e) Not applicable

Muijala:

(a) Production and sale of asbestos-cellulose cement boards discontinued in 1979.

Production and sale of asbestos cement sheets discontinued in 1988.

(b) The operation was not profitable.

(c) This defendant's board of directors in 1979 and 1988. Sakari T. Lehto was chief executive officer in 1979. Hans J. Bjornberg was chief executive officer in 1988 when the plant was shut down.

(d) No documentation concerning the decision to discontinue production at Muijala in Partek's possession. (Please see Interrogatory Answer No. 74.)

(e) Not applicable

Tapanila:

(a) Production and sale of asbestos containing products discontinued in 1978.

(b) The operation was not profitable.

(c) This defendant's board of directors in 1978. Sakari T. Lehto was the chief executive officer in 1978 when the plant was shut down.

(d) No documentation concerning the decision to discontinue production at Tapanila is in Partek's possession. (Please see Interrogatory Answer No. 74.)

(e) Not applicable

39. For each product identified in answer to Interrogatory 1, state whether the production and/or sale of

that product has been limited and/or curtailed or reduced and, if so:

(a) Describe how it was so limited or curtailed or reduced;

(b) State when it was so limited, curtailed or reduced;

(c) State with specificity and particularity all of the reasons for the limitation, curtailment, or reduction;

(d) Identify each individual who participated and the extent of his participation in the decision to so limit, curtail or reduce production and/or sale;

(e) Identify each document which reflects, refers or relates to the limitation, curtailment or reduction and/or the decision to implement the limitation, curtailment or reduction;

(f) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 39. Please see Answer to Interrogatory 38.

40. Do you contend that each of the products identified in Interrogatory 1 do not or did not create any risk to one who applies or uses the product?

(a) If so, state the factual basis for each such contention;

(b) If not, state:

(i) The degree and kind of risk which is created by such use;

(ii) The conditions under which such risk is created, increased or decreased;

(iii) Identify each document which reflects, refers or relates to your answers to this interrogatory;

(iv) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 40. Objected to as calling for a medical conclusion. Without prejudice to the objection, it is believed as follows:

- (b) (i) No risk if proper dust prevention is used.
- (ii) Handling of the dust situation.
- (iii) It is impossible to re-construct documents on this subject which were available in all the years involved.
- (iv) Not applicable.

41. Do you contend that it was not your responsibility to warn workers of the risk of harm arising from the use of your product or of the danger of asbestos to their health?

- (a) State the factual basis for such response;
- (b) Identify each document which reflects, refers or relates to your answer to this interrogatory;
- (c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 41. We do so contend so far as workers in the U.S. are concerned.

(a) Partek sold only to Huxley for distribution in the U.S. and it was reasonable to believe that Huxley was fully aware of any such risk or danger. Also, until 1971 Partek had no knowledge of the identity of users whose workers might incur such risk. When it was learned that Haveg and Avisun were users, it was reasonable to assume

that both companies were fully aware of any such risk or danger.

(b) None known now.

(c) Not applicable.

(a) Partek has always cooperated closely with the Finnish Institute of Occupational Health we regard to any asbestos related health studies they were conducting. Partek opened its mines and plants for inspection by the Institute's physicians. These physicians on more than one occasion gave presentations to Partek employees regarding the health effects of unprotected exposure to asbestos dust.

Partek continually engaged in plant renovations in attempts to decrease it's employees' exposure to asbestos dust.

42. Do you contend that it was only the responsibility of the employing company involved, or others, to so warn the workers of the risk of harm arising from the use of your product or of the danger of asbestos to their health?

(a) State the basis for such contention;

(b) Identify which others were so responsible;

(c) Identify each document which reflects, refers or relates to your answer to this interrogatory;

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 42. Yes.

(a) Because until 1971 Partek had no knowledge of their identity, and it was reasonable to believe that any

corporate user had full knowledge of any such risk or danger.

- (b) Plaintiffs' employer(s).
- (c) None known.
- (d) Not applicable.

43. Do you contend that the danger to any plaintiff was not foreseeable at the time the products alleged to have caused his injuries were sold? If so, as to each plaintiff:

- (a) State the factual basis for such contention;
- (b) Identify each document relied upon in support of such contention;
- (c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 43. Partek did not know the circumstances under which the product was used and can therefore not answer this interrogatory.

44. Do you contend that the danger from the use by plaintiffs of products containing asbestos was obvious? If so, as to each plaintiff:

- (a) State the factual basis for such contention;
- (b) Identify all documents relied upon in support of such contention;
- (c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 44. Please see answer 43.

45. Do you contend that plaintiffs knew, understood and appreciated the danger arising from their contact with asbestos which you mined or distributed or products

containing asbestos which you manufactured or distributed?
If so, as to each plaintiff:

- (a) State the factual basis for such contention;
- (b) Identify each document relied upon in support of such contention;
- (c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 45. Partek does not know if, and it is not established that, plaintiff(s) were in contact with Partek's anthophyllite asbestos or with any asbestos-containing products listed in response to Interrogatory No. 1; and as Partek does not know the circumstances under which a possible contact may have taken place, Partek cannot answer this Interrogatory. Counsel advises that a basis for answer may exist in discovery from the plaintiffs and, if so, this answer will be updated.

46. Do you contend that plaintiffs voluntarily and unreasonably exposed themselves to the danger arising from their contact with asbestos which you mined or distributed or products containing asbestos which you manufactured or distributed? If so, as to each plaintiff:

- (a) State the factual basis for such contention;
- (b) Identify each document relied upon in support of such contention;
- (c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 46. Please see Answer 45.

47. Do you contend that plaintiffs used any asbestos which you mined or distributed or any products containing asbestos which you manufactured or distributed in other than their usual, customary and expected manner? If so, as to each plaintiff:

(a) State the name and chemical composition of the product claimed to have been used in other than its usual, customary and expected manner;

(b) State in detail the manner in which plaintiffs used said product in other than its usual, customary and expected manner;

(c) Identify each document relied upon in support of such contention;

(d) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 47. Please see Answer 45.

48. With regard to each product identified in answer to Interrogatory 1 or 8, state whether you have ever been named as a defendant in any other civil action, including Workmen's Compensation Actions, filing of Workmen's Compensation consent agreements, or other proceedings, to recover damages for injuries resulting from asbestosis and asbestos related pleural disease received as a result of using that product and, if so, for each proceeding;

(a) State the name and address of each plaintiff;

(b) State the name and address of each co-defendant;

(c) State the date it was filed;

(d) State the name of the Court in which it was filed;

(e) Describe the judgment rendered;

(f) State the date that has been set for trial of any case still pending;

(g) Describe the terms of any settlement reached before or during trial;

(h) State whether any appeal is pending from any judgment that has been rendered;

(i) State the exact nature of the condition alleged in such action to have resulted from the plaintiffs' use of or contact with said product and identify the product involved.

ANSWER: 48. Delaware, Louisiana, South Carolina and Mississippi cases of which plaintiffs' counsel are aware.

Partek has never been named as a defendant in any civil action, including Workmen's Compensation Actions, filing of Workmen's Compensation consent agreements, or other proceedings to recover damages for injuries resulting from asbestosis and asbestos related pleural disease received as a result of using any asbestos-containing product listed in response to Interrogatory Nos. 1 or 8.

49. With regard to each product identified in answer to Interrogatory 1 or 8, state whether you have ever received a notice of injury to any other person as a consequence of a condition of asbestosis, asbestos related pleural disease and cancer resulting from the use of that product and, if so:

(a) State the date it was received;

(b) State the name and address of injured person;

(c) Describe in detail the complaint;

(d) Identify each document which reflects, refers or relates to any information pertaining to that complaint;

(e) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 49. None except for the lawsuits in which Partek is involved presently in the U.S., as referred to in Answer 48 above.

50. With regard to each product identified in answer to Interrogatory 1 or 8 state whether you have ever been named as a defendant in any other action to recover damages for injuries resulting from cancer including but not limited to mesothelioma received as a result of using that product and, if so:

- (a) State the name and address of each plaintiff;
- (b) State the name and address of each co-defendant;
- (c) State the date it was filed;
- (d) State the name of the court in which it was filed;
- (e) Describe the judgment rendered;
- (f) State the date that has been set for trial of any case still pending;
- (g) Describe the terms of any settlement reached before or during trial;
- (h) State whether any appeal is pending from any judgment that has been rendered.

ANSWER: 50. Please see Answer 48.

51. With respect to the period from 1950 through 1980, state the names, addresses and company title or position of each person who at any time during that period was in charge of the following activities with regard to each of the products identified in answer to Interrogatory 1 or 8:

- (a) Production;
- (b) Marketing;
- (c) Labeling;
- (d) Advertising;

- (e) Product evaluation;
- (f) Research and development;
- (g) Distribution.

ANSWER: 51. Please see Interrogatory Answer No. 4(d) and:

Mr. Urder Totterman (deceased)

Mr. Knut Mannstrom (deceased)

52. Identify the living parties or persons who are the most knowledgeable about asbestos mined and products containing asbestos sold and/or distributed by you from 1936 to present. Identify all documents which relate to such sales and/or distribution.

ANSWER: 52. Please see Interrogatory Answer No. 4(d). All such documents have already been produced for counsel in Helsinki, Finland in August, 1981.

53. Have you or has anyone on your behalf attended and/or participated in any conference, seminar, lecture or symposium dealing with the hazards of using any product identified in answer to Interrogatory 1 or 8 or of asbestos in general and, if so, state:

(a) The date and place of such conference, seminar, lecture or symposium;

(b) The person or persons conducting such conference, seminar, lecture or symposium;

(c) The person or persons who attended on your behalf;

(d) The subject matter of such conference, seminar, lecture or symposium;

(e) The speakers and/or moderators at such conference, seminar, lecture or symposium;

(f) Whether any reports or memoranda were made concerning the subject matter of such conference, seminar, lecture or symposium; identifying each such report or memorandum.

ANSWER: 53. It is assumed that over the many years, representatives of Partek attended and/or participated in conferences, seminars, lectures or symposia dealing with the hazards of asbestos, but no information is available as to specifics except as appeared in documents produced for counsel in Helsinki, Finland in August, 1981.

54. Are you familiar with the hearing concerning the dangers of asbestos conducted in March, 1967 before the House of Representatives of the United States Congress Subcommittee on Labor? If so, identify those persons who are or were associated with you that were familiar with that hearing.

ANSWER: 54. No.

55. State when, if at all, you received knowledge of the following publications or matters discussed therein, who received such knowledge and identify all documents relating to such knowledge:

(a) Fleischer, Viles, Gade and Drinker, "A Health Survey of Pipe-Covering Operations in Construction Naval Vessels," 28 J. Indus. Hyg. 9-16.

(b) Selikoff, et al, "Asbestosis and Neoplasia," 42 Am. J. Med. (1967);

(c) Selikoff, Churg and Hammon, "The Occurrence of Asbestosis Among Industrial Insulation Workers," 132 Ann. New York Acad. Sc. 139 (1965);

(d) "Documentation of the Threshold Limit Values for Substances in Workroom Air," A.C.G.I.H. (3rd 1971);

(e) "Threshold Limit Values for 1961," A.C.G.I.H. (1961);

(f) 1906 report by Dr. H. Montague Murray;

(g) 1934 study by Dr. Anthony J. Lanza, Assistant Medical Director of Metropolitan Life Insurance Company.

ANSWER: 55. Partek has not received knowledge of said publications.

56. Identify each publication contained in your research library, or otherwise in your custody, including but not by way of limitation, your Research and Development Center, all medical journals, industrial medical journals, industrial hygiene journals, technical literature in the area of asbestos mining, manufacture, application and use, and Governmental publications, dealing with occupational diseases arising from the manufacture and use of asbestos-containing products. As to all such publications, state the volumes which are in your custody and control, when each such volume was received and the present location of such publications.

ANSWER: 56. Objected to as overly burdensome, oppressive, irrelevant, too broad and all-inclusive to be answered meaning fully, and not calculated to lead to the discovery of admissible evidence; there might be hundreds of publications fitting the description.

57. As to any threshold limit values published by the American Conference of Governmental Industrial Hygienists, state whether you have brought such information to the attention of those using your products. If you have not done so, state the reasons why you have not done so.

ANSWER: 57. No. The only user of anthophyllite asbestos we knew of until 1971 was Huxley, and thereafter Haveg and Avisun and they had or should have had such knowledge.

Any threshold limit values required in Finland by law or otherwise at anytime were brought to the attention of those using Partek's asbestos-containing products listed in response to Interrogatory No. 1. The threshold limit values published by the American Conference of Governmental Hygienists was not applicable in Finland.

58. Have you been: (a) a member of or (b) affiliated in any manner with or (c) received reports or (d) subscribed for reports or publication to the Industrial Hygiene Foundation of Pittsburgh?

ANSWER: 58. No.

59. With regard to Interrogatory 58, what years did you participate under (a), (b), (c) or (d)?

ANSWER: 59. Not applicable.

60. With regard to Interrogatory 58, do you have any documents obtained from the Industrial Hygiene Foundation? If so:

- (a) List all such documents;
- (b) Who currently has them in their possession?
- (c) When was each received?
- (d) State the name of the individuals who

received such documents or information contained in such documents.

ANSWER: 60. Not to the best of this defendant's knowledge and belief.

61. Have you received any reports or documents prepared by Metropolitan Life Insurance Company from 1929 to about 1960, concerning statistical and other studies of asbestos workers for Johns-Manville? If so, state:

- (a) The documents received;
- (b) Who received them and when;
- (c) The current location of the documents.

ANSWER: 61. No.

62. State all chemical, industrial, medical or trade associations to which you have belonged since 1936.

ANSWER: 62. American Concrete Institute

National Lime Association

Optical Society of America

International Association for Housing

National Association of Homebuilders

Finnish Asbestos Group

European Insulation Manufacturers Association

European Federation of Fibre Cement

Manufacturers

63. With regard to the associations enumerated in the answer to Interrogatory 62, state:

(a) The names of each individual associated with the answering defendant since that date who have had dealings with each said association;

(b) Describe the nature of their dealings with each such association;

(c) State their last known address;

(d) If still employed, their current job and title.

ANSWER: 63. Through 1975, Partek was not very active internationally. Aside from naming the organizations, this defendant objects to the interrogatory as burdensome, too broad and all-inclusive with respect to the names of individuals who had dealings with each such association, as there are not records or other means of learning in any meaningful way a reasonably complete list of persons who had dealings with them or the nature of any such dealings. Subject to and without waiving the objections previously raised, Partek states:

With respect to Finnish Asbestos Information

Group; 1972-1991:

- (a) Bo Sandberg, 1972-1975;
- (b) Council representative;
- (c) Bo Sandberg, Smedsgatan 7A, Helsinki,

Finland;

With respect to European Insulation Manufacturers

Association; 1961-present:

- (a) Hans Brocki (dcd) 1961-1967
- Tapio Lehto 1961-1967
1972-1976
- Thor Brannback 1967-1971
- (b) Council representatives;
- (c) Thor Brannback, Rusthallsgatan 4,
Abo, Finland;
- Tapio Lehto, Cygneuksenkatu 8,
Helsinki, Finland.

64. Name each corporate officer and/or member of corporate management who attended any meeting and/or conference concerning the health and medical aspects of asbestos and/or the use of products containing asbestos, and for each person identified, state the nature of his participation in each such meeting or conference.

ANSWER: 64. Please see Answer 53. This question seems to be repetitive.

65. State the sources of all products containing asbestos which have been incorporated in any product manufactured by you which have been distributed, sold and/or utilized from 1936 to 1980.

(a) State the names of all individuals associated with the above stated sources who dealt with or handled your account;

(b) Identify any such document which refers, reflects or relates to any information provided in answer to this interrogatory;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 65. Not applicable.

66. For each product identified in the answer to interrogatory 1 or 8, which you distributed, identify the source from which you obtained the product.

(a) State the names of all individuals associated with the above stated sources who dealt with or handled your account and specify who handled your account for products distributed to Delaware;

(b) Identify any such documents which refer, reflect or relate to any information provided in answer to this interrogatory.

ANSWER: 66. Partek manufactured all of the asbestos-containing products identified in response to Interrogatory Nos. 1 or 8. None of these products were distributed to Delaware.

67. State the names of all individuals associated with you who had any dealings with the requisition and/or procurement of asbestos or products containing asbestos as indicated in answer to interrogatories 65 and 66 and for each such person:

(a) Identify the nature of his association(s), the locations and the dates of their occurrence;

(b) Identify each document which refers, reflects or relates to any information provided in answer to this interrogatory;

(c) As to any information received orally in answer to this interrogatory, identify each person who supplied such information and state the full substance of the information supplied.

ANSWER: 67. Not applicable.

68. State the names of all individuals who dealt with or handled the account with and/or made any sales to the employer of the Plaintiff of asbestos and/or products containing asbestos.

(a) Describe in detail the nature and dates of each such association with the said accounts;

(b) Identify each document which refers, reflects or relates to any information provided in answer to this interrogatory.

ANSWER: 68. Not applicable.

69. Identify each individual whom you expect to call as an expert witness at the trial of this litigation, and for each person identified:

(a) The subject on which the expert is expected to testify and substance of the facts and opinions to which he or she is expected to testify and a summary of the grounds for each opinion;

(b) Identify each document referring, relating or containing any such facts and/or opinions and identify each individual having custody of each document identified.

ANSWER: 69. Not known at the present time.

70. Identify each individual who you have retained or employed or anticipate retaining or employing in any way in preparation of or anticipation of trial in this litigation who is not expected to be called as a witness at trial, and for each such individual:

(a) State the substance of any facts or opinion which he or she has discussed with any agent, employee or representative of the answering defendant, together with a summary of the grounds for each opinion;

(b) Identify each document referring to or containing such facts and/or opinions, and identify each person having custody of each document identified.

ANSWER: 70. Objected to as beyond the scope of Rule 26.

71. State the names, last known addresses and telephone numbers of each and every person whom you intend to call as a witness at the trial of this litigation.

(a) State the substance of any facts or opinion which he or she has discussed with any agent, employee or representative of the answering defendant, together with a summary of the grounds for each opinion;

(b) Identify each document referring to or containing such facts and/or opinions, and identify each person having custody of each document identified.

(c) Specify witnesses you intend to use at the trial of this case with respect to the occurrences and/or cause of plaintiffs' illnesses or with respect to the claimed damages or with respect to your liability.

ANSWER: 71. Unknown now.

72. State:

(a) Whether your corporation is insured;

(b) If so, the limits of coverage;

(c) The name of the insurance company;

(d) Whether this claim has been accepted or whether a letter of intent to deny coverage has been received.

ANSWER: 72. No.

73. In whose possession are your and your predecessors' annual reports from 1936 to the present? Produce such reports.

ANSWER: 73. There is no requirement by Finnish law to keep annual reports for more than ten years. Some annual reports for years before that may still be in existence. With respect to the interrogatory request for production of the reports, this defendant objects on the grounds that discovery in the form of production and is governed by the

Treaty by which depositions were taken in Helsinki in 1981 and production is not required by the provisions thereof. However, without prejudice to that objection, Partek has and will produce copies of its annual reports.

74. Describe in detail your policy with respect to the destruction of records pertaining to each of the products identified in answer to Interrogatory 1.

(a) Identify all documents pertaining to your policy, if any, regarding the destruction of such records;

(b) Identify the person or persons having custody of such policy documents;

(c) Identify the person or persons in charge of destroying records pertaining to each such product;

(d) Identify each document which refers, reflects or relates to any information provided in answer to this interrogatory.

(e) Describe what steps, if any, you have taken since the institution of this action or other actions involving asbestos to prevent the destruction of any documents relating to asbestos.

ANSWER: 74. With respect to destruction of records, documents are stamped and marked for destruction in two, five or ten years, or permanent retention. Order and confirmation documents are destroyed within a year or two. Shipping papers and inventories are destroyed generally in either five or ten years.

75. State the names of all individuals who aided in the preparation of these answers, and for each such person, state:

(a) Which interrogatories they helped prepare or the particular subject area for which they supplied information.

(b) Their current position with the company;

(c) Their current or last known home and business address and phone numbers.

ANSWER: 75. Ole Rosquist, Esquire, Secretary and General Counsel of this defendant.

76. State all processes used by plaintiff's employer, known to any defendant where asbestos was an ingredient.

ANSWER: 76. Not known.

77. State all use of asbestos insulation by plaintiff's employer, known to any defendant.

(a) Types of asbestos insulation used;

(b) Manufacturer and/or brand names;

(c) Locations in said plants where said insulation was used;

(d) The person most knowledgeable in said corporation about the purchasing of insulation by distributors that covered the states of New Jersey, Delaware, Pennsylvania and Maryland.

ANSWER: 77. Not known.

78. If you have insurance including secondary or tertiary coverage, state:

(a) Policy number and amount;

(b) Company underwriting said insurance;

(c) The name of your contact in said company concerning asbestos claims.

ANSWER: 78. Please see Interrogatory No. 72.

79. State whether you have entered into any agreement, either oral or written, with any other defendant in this action regarding:

(1) Settlement or non-settlement and/or

(2) Allocation of damages, should the plaintiffs prevail on liability.

If the answer is yes to either of the above, state the substance of each such agreement and such parties who have entered into this agreement:

(a) Identify those persons who participated in the preparation of each such agreement and describe in detail the nature and extent of his participation; and

(b) Identify each document which contains, refers or relates to each such agreement.

ANSWER: 79. Objected to on the grounds that the information requested does not fall within the scope of the Superior Court Civil Rules and is not calculated to lead to the discovery of admissible evidence. Without prejudice to that objection: no.

80. Do you or your attorneys know of any person or persons not listed in the preceding answers having knowledge of facts relevant to the allegations in this lawsuit including witnesses to the accident, injury, illnesses, etc. in question? If yes, please state the names, addresses, home telephone numbers, places of employment, relationship to you, the present whereabouts of all such persons, and which of said persons you intend to produce as witnesses in the trial of this action.

ANSWER: 80. No.

81. Do you or your attorneys have any written statements which you have not previously produced in this suit from any persons having knowledge of facts relevant to the subject matter of this lawsuit, including witnesses to the accident, injury, illnesses, etc. in question? If yes, please state the names, addresses, home telephone numbers, places of employment, relationship to you and the present whereabouts of all such persons.

ANSWER: 81. No.

82. State whether you were a member of the Asbestos Information Association (A.I.A.) or in any manner received

information or participated in any of the association's activities.

ANSWER: 82. Partek has never been a member of the Asbestos Information Association.

83. If your answer to any part of Interrogatory 82 is in the affirmative, please state:

(a) The date, times and places of any A.I.A. meetings attended;

(b) The date and time period during which you received any publication of the A.I.A.;

(c) The name, address and telephone number of each and every person who attended such meetings and to whom any such publications were sent;

(d) The nature of the information that was furnished at meetings or in such publications;

(e) Name, address and telephone number of the present or last known custodian of any copies of A.I.A. newsletters, correspondence or publications.

ANSWER: 83. Please see Answer 82.

84. State whether you received a publication known as the "Asbestos Magazine".

ANSWER: 84. Not to the best of the knowledge and belief of this defendant.

85. If your answer to Interrogatory 84 is in the affirmative, please state:

(a) The date and time periods during which you received such publication;

(b) The frequency of receipt, e.g., regularly, occasionally, rarely, etc.;

(c) The terms, circumstances or requirements of receipt of such publication, e.g., free, by subscription, distributed at meetings, etc.;

(d) Name, address and telephone number of the present or last known custodian of any copies of such magazine.

ANSWER: 85. Not applicable.

86. Does the answering defendant have in its possession any medical records, not previously produced in this case relating to any of the plaintiffs, including, but not limited to, charts, x-rays, physical examination reports, summaries, tape recordings of interviews and any and all other records pertaining to the medical condition of the plaintiffs? If so, plaintiffs request that such records be produced in accordance with Rule 34.

ANSWER: 86. No.

87. With respect to each contention contained in your response to the Complaint, state the following:

- (a) Identify which defense it relates to;
- (b) Each fact upon which your contention is based;
- (c) The names and present or last known addresses and present or last known employer of all persons having knowledge of any of the facts set out in answer to subparagraph (b) hereof;
- (d) The description or designation of each document which in any way reflects, relates or refers to any of the facts set out in answer to subparagraph (b) hereof.

ANSWER: 87. To be answered after Answers to the Complaints are filed.

88. Other than annual reports produced pursuant to No. 73 above, identify documents which accurately reflect the following information as to the answering defendant for each calendar year since 1940:

- (a) Total net worth;
- (b) Profits;
- (c) Total earnings;

(d) Specific earnings attributed to the manufacture and/or distribution of any products containing asbestos.

ANSWER: 88. None.

//s// WARREN B. BURT
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