

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

IN RE: ALL BARON & BUDD CASES
IN WHICH THE CP HALL COMPANY
IS NAMED AS DEFENDANT

Plaintiffs,

-vs-

A-BEST PRODUCTS COMPANY, ET AL.,

Defendants. :

JUDGE HARRY A. HANNA

PLAINTIFF'S EXHIBIT

CPH-1

**DEFENDANT THE C.P. HALL COMPANY'S ANSWERS TO
PLAINTIFFS' FIRST MASTER SET OF INTERROGATORIES**

Now comes Defendant The C.P. Hall Company (herein "C.P. Hall"), by and through its counsel, Roetzel & Andress, and for its Answers to Plaintiffs' First Set of Interrogatories, herein sets forth as follows:

Defendant CP Hall objects to the entirety of the Instructions and Definitions included in the Plaintiffs' Interrogatories, and agrees only to respond to those Interrogatories in accordance with the Rules of Civil Procedure.

I. INTRODUCTION

The information provided in the Answers to Interrogatories was assembled by authorized employees and counsel for Defendant C. P. Hall and was obtained primarily from a review of C. P. Hall's records. The information sought by Plaintiffs concerns events that occurred many years ago. Thus, it is difficult, if not impossible, to retrieve or reconstruct some of the information requested by Plaintiffs. Accordingly, C. P. Hall reserves the right to amend these responses if new or more accurate information becomes available or if errors are discovered. Furthermore, C. P. Hall responds to the Interrogatories without prejudice to Defendant's right to rely at trial on subsequently discovered information or on information omitted inadvertently as a result of mistake, error or oversight. It is also noted that persons who are not now employees, officers, directors or managing agents of C.P. Hall may have information relevant to the subject matter of

these requests, and C.P. Hall does not purport, in the following responses, to give the response of any such person.

II. GENERAL OBJECTIONS

Because of the voluminous and broad nature of the discovery served by Plaintiffs upon C.P. Hall, a number of objections which apply and are appropriate in response to many of Plaintiffs' Interrogatories are set out below. To the extent there are additional specific objections not included in the list below which are appropriate for an individual Interrogatory, such additional objection will be set out in full in response to the Interrogatory.

1. C.P. Hall objects to Plaintiffs' Interrogatories to the extent that they are overly broad, unduly burdensome, repetitive or misleading and to the extent that they seek discovery in violation of the work-product and attorney-client privileges and to the extent that they require responses on behalf of other defendants, persons or entities.

2. C. P. Hall objects to Plaintiffs' Interrogatories to the extent that they fail to relate to the relevant time periods, job sites, working conditions, alleged injuries or products at issue, and are, therefore, irrelevant and not reasonably calculated to lead to discovery of admissible evidence.

3. C.P. Hall objects to Plaintiffs' Interrogatories to the extent that they would require C.P. Hall to provide information that is equally available to Plaintiffs as to C.P. Hall, or seeks information in the public domain or in published medical and scientific literature.

4. Many of these discovery requests call for C.P. Hall to characterize state of knowledge or awareness of a corporation at any given time with regard to a particular fact, event or subject. C.P. Hall can respond to such discovery requests, if at all, only by stating on information and belief the degree of knowledge of a particular fact, event or subject as held by a person at a particular time and such response is in no way intended nor should it be deemed to constitute an acknowledgment by C.P. Hall that such knowledge is attributable to it.

5. C. P. Hall objects to Plaintiffs' Interrogatories to the extent that they are vague and non-specific, and they do not understandably request specific information relevant to the causes of action pleaded by the Plaintiff and do not request and identifiable item or identifiable category of documents.

6. C. P. Hall objects to Plaintiffs' Interrogatories to the extent that they purport to request information concerning mining, manufacturing, installation, removal, or "tear-out" of asbestos-containing products. C.P Hall never mined, manufactured, installed or removed (tore out) asbestos-containing products, and C.P. Hall does not in any way, acknowledge that it engaged in such activity simply by virtue of responding to this discovery.

C.P. Hall's responses are made without in any way waiving: (1) the right to object, on the grounds of competency, relevancy, materiality, hearsay or any other proper ground, to the use of any such information for any purpose, in whole or in part, in any subsequent stage or proceeding in this action or any other action; or (2) the right to object on any and all grounds, at any time, to any other discovery procedure relating to the subject matter of these requests.

III. ANSWERS TO INTERROGATORIES

1. For each Interrogatory below, please state the name and last known address of each person answering it, including whether he/she is employed by Defendant and if employed by Defendant include job title, length of time employed by Defendant and a year by year list of all other positions, titles, or jobs held when working for Defendant.

ANSWER:

See General Objections. Without waiving any objections, these Answers were compiled by authorized employees and counsel for C.P. Hall over an extended period of time. The information provided was obtained primarily from an ongoing review of C.P Hall records by past and present C.P. Hall employees. It is difficult, if not impossible, to identify any one individual responsible for assembling these Answers.

1.1 Please identify all documents used, related to, or referred to in connection with the preparation of or answers to these Interrogatories and state the number of the Interrogatory and its subpart to each such document.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

2. Please state whether or not Defendant is a corporation. If so, please state:

- (a) Your correct corporate name;
- (b) The state of your incorporation;
- (c) The address of your principal place of business;
- (d) Your registered agent for service in the state of Ohio;
- (e) For each Defendant claiming that this Court lacks personal jurisdiction, list year by year the total amount of income received by Defendant from entities in Ohio, any and all years that Defendant, as defined, has been licensed to do business in Ohio, and any real property owned at any time by Defendant or its present or past subsidiaries.

ANSWER:

See General Objections. Without waiving any objections, The C.P. Hall Company is incorporated under the laws of the State of Ohio. C.P. Hall first began business in 1919 in Akron, Ohio, as a distributor serving the tire industry. During the early 1930's, The C.P. Hall Company of California was started in Los Angeles. During the 1940's, The C.P. Hall Company of Illinois was started in Chicago with a branch operation in Memphis, Tennessee. On October 1, 1971, The C.P. Hall Company of Illinois and The C. P Hall Company of California merged into The C.P. Hall Company, the successor corporation, and all locations currently operate as The C.P. Hall Company.

3. State Defendant's complete corporate or business history, including dates of incorporation, mergers, consolidations, reincorporations, and the like. Also provide historical information regarding all predecessors, prior names, asset purchases, acquisitions or spin-offs. In addition:

- (a) if Defendant or any of its predecessors or subsidiaries at any time purchased, assumed, or in any other manner acquired ANY of the assets and/or liabilities of any corporation or entity at any prior time engaged in any aspect of the placing of asbestos-containing products into the stream of commerce or the insuring of asbestos-related risks, then please state the following as to each acquisition:
- (b) the name or description of each corporation, entity or assets acquired by Defendant, that entity's state

of incorporation and principal place of business, its date of incorporation, and the name of Defendant at the time of acquisition;

- (c) the manner by which each such corporation, entity or interest therein, was acquired (e.g., merger, consolidation, change of name, stock sale, transfer or purchase of assets or product line);
- (d) the date of each such acquisition;
- (e) the state in which each such acquisition was effected;
- (f) the state law governing each such acquisition if specified by contract;
- (g) whether Defendant became legally responsible for the past torts of each such corporation or entity;
- (h) identify each document reflecting or related to the history and/or transaction(s) set forth in answer to this Interrogatory.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, see Answer to Interrogatory No. 2.

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 (such corporations or entities being limited to those engaged in the mining, selling, manufacturing, marketing or distribution of asbestos-containing products.) If so, please state the following:

- (a) the name or description of each corporation, entity or assets acquired by Defendant, its state of incorporation and principal place of business, its date of incorporation, and the name of Defendant at the time of acquisition;
- (b) the manner by which each such corporation, entity, or interest therein, was acquired (e.g. merger, consolidation, change of name, stock sale, transfer or purchase of assets or product line);
- (c) the date of each such acquisition;
- (d) the state in which each such acquisition was

effected;

- (e) the state law governing each such acquisition if specified by contract;
- (f) whether Defendant became legally responsible for the past torts of each such corporation or entity;
- (g) whether the acquisition concerned asbestos-containing products.

ANSWER:

See Objections and Answer to Interrogatory No. 3. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

4.1 For each corporation, other than the answering Defendant, that has at any time in the past been involved in the placing of asbestos-containing products into the stream of commerce for which officers of the answering Defendant's corporation have also served as officers, directors or served in any managerial position while employed by the answering defendant, state:

- (a) the name of the entity involved in the placing of asbestos products into the stream of commerce;
- (b) the manner in which the entity was involved in the placing of asbestos containing products into the stream of commerce (i.e., mining, milling, manufacturing, distributing, installing, rebranding, etc.);
- (c) the specific products placed into the stream of commerce by the entity, year by year and by brand or trade name;
- (d) the name, positions and a brief description of the responsibilities of the person or persons serving the answering Defendant and the entity simultaneously, including the positions held with the entity and with the answering Defendant.

ANSWER:

See Objections and Answer to Interrogatory No. 4.

5. Has Defendant ever engaged in the mining, manufacturing, selling, marketing, installation or distribution of asbestos-containing products? If so, please state the following:

- (a) The name of the company engaged in the activity (whether it is Defendant, Defendant's predecessor, Defendant's subsidiary or some other entity related to Defendant);
- (b) As to each product mined, manufactured, sold, marketed, installed or distributed, please state the following:
 - (1) The trade or brand name.
 - (2) Its identification number (model, serial number, etc.).
 - (3) The time period it was manufactured, mined, marketed, distributed or sold.
 - (4) Its physical description including color, general composition, and form.
 - (5) A detailed description of its intended use and purpose.
 - (6) A detailed description of the type package in which it was sold, listing the dates of each type of package used, a physical description of the package, and a description of any printed material or trademarks that appeared thereon.
 - (7) The percent of asbestos which it contained.
 - (8) The percent of asbestos by asbestos type (amosite, crocidolite, tremolite, anthophyllite, chrysotile).
- (c) The time period during which each of these products were on the market;
- (d) The material components/ingredients of each such product, giving specific or approximate percentage both by weight and by volume of each material component/ingredient (this interrogatory is not limited to the asbestos component of the product but seeks information as to the nature, weight and volume of non-asbestos ingredients, as well) of each such product;
- (e) How each of these asbestos-containing product can be distinguished from those of competitors;
- (f) A description of the physical appearance of such product;
- (g) A detailed description of the intended uses.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory. Without waiving any objections:

- a. The C.P. Hall Company
 - b.
 - 1. Johns-Manville Asbestos Fibre.
 - 2. Not applicable.
 - 3. 1950's - 1977.
 - 4. See attached.
 - 5. See attached.
 - 6. See attached.
 - 7. Not applicable.
 - 8. Chrysotile Asbestos Fibre.
 - c. Unknown.
 - d. Asbestos Fibre.
 - e. The fibre cannot be distinguished.
 - f. See attached.
 - g. See attached.
-

- a. The C.P. Hall Company
- b.
 - 1. Loomite Talc
 - 2. Not applicable.
 - 3. 1950's - 1975.
 - 4. See attached.
 - 5. See attached.
 - 6. See attached.
 - 7. See attached.
 - 8. See attached.
- c. Unknown.
- d. See attached.
- e. The talc cannot be distinguished.
- f. See attached.
- g. See attached.

6. Does Defendant or any of its subsidiary companies claim that any patent would cover any product listed in answer to Interrogatory No. 5? If so, please state the following:

- (a) The date of each patent;
- (b) The date same was issued;
- (c) The number of each patent application that is pending.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

7. Have any of the products listed above in answer to Interrogatory No. 5 been altered in chemical composition since first being marketed? If so, please state the following:

- (a) The trade name of each such product;
- (b) The date each such product was altered;
- (c) The nature of the alteration;
- (d) The reason for the alteration.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is vague, ambiguous, overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, unknown, however, Defendant C.P. Hall never altered the chemical composition of the products.

8. Have any of the asbestos-containing products listed in response to Interrogatory No. 5 ever been marketed, distributed, packaged, labeled, and/or sold by any other company or business? If so, please state the following:

- (a) The name and address of each such company.
- (b) The names and address of Defendant's distributors in Ohio, West Virginia, Pennsylvania and Kentucky since 1940.
- (c) The date of each sale.
- (d) The name of the person at each location with whom you primarily dealt.
- (e) A list of all asbestos-containing products that you sold to each location from 1945 to 1980.
- (f) The amount of each asbestos product sold to each location during this period.

- (g) Please identify all documents relating to this distributor for the particular location.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Without waiving any objections, unknown, other than the manufacturers and other distributors.

8.01 Has Defendant ever purchased asbestos-containing products from any other Defendant?

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

8.02 If the answer to the preceding Interrogatory is yes, please state the following:

- (a) name each Defendant from whom this Defendant purchased any asbestos-containing product;
- (b) list each product purchased from each co-Defendant;
- (c) list the dates of each purchase of asbestos-containing products from each co-Defendant.

ANSWER:

See Objections and Answer to Interrogatory No. 8.01.

8.03 Has Defendant ever sold asbestos-containing products to any other Defendant?

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory.

8.04 If the answer to the preceding Interrogatory is yes, please state the following:

- (a) name each Defendant to whom this Defendant sold any asbestos-containing product;
- (b) list each product sold to each co-Defendant;
- (c) list the dates of each sale of asbestos-containing products to each co-Defendant.

ANSWER:

See Objections and Answer to Interrogatory No. 8.03.

8.05 Has Defendant engaged in the manufacture and/or sale and/or distribution and/or marketing and/or supply and/or purchase and/or use of non-asbestos-containing products for use in connection with temperatures above 125° Fahrenheit since 1930? If so, please state:

- (a) the date such activity began;
- (b) the years during which such activity took place;
- (c) the date when such activity was terminated;
- (d) if such activity was terminated, the reason(s) why;
- (e) the geographical area into which you claim the product(s) were sold, purchased, or used;
- (f) identify the organizational unit of Defendant so engaged;
- (g) the site(s) at which each such product was manufactured;
- (h) the material components of each such product, giving specific or approximate percentage both by weight and by volume of each material component of each such product;
- (i) the temperature ranges for which each product(s) was intended to be used;
- (j) the product's generic name;
- (k) the product's trade or brand name;
- (l) the container in which the product was shipped (i.e., paper bags, cardboard boxes) including the size and amount of the container;

- (m) a description of any logos, writing impressions or identifying markings which appeared on the product, as well as a description of the package used, the dates that type of package was used, and any logos, product names, trademarks, etc. which appeared on the package;
- (n) whether the words "non-asbestos" or "asbestos free" were used on the package;
- (o) a detailed description of the intended method of preparation and application of the product;
- (p) a description of the physical appearance of the product, including size, shape, color and texture.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

8.06 Did Defendant ever market or distribute any asbestos-containing product manufactured in whole or in part by someone else? If so, please state the following for each such product:

- (a) the name and address of the manufacturer;
- (b) the product's trade and brand name;
- (c) the organizational unit of Defendant who did so;
- (d) date(s) beginning, ending and during which the marketing or distributing took place;
- (e) whether the product was distributed through the same channels as those used for products manufactured by Defendant, and if not, please explain the exact channels of distribution;
- (f) identify all documents relating the marketing or distribution.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job

asbestos fibre, manufactured by Johns-Manville; and talc, manufactured by International Talc (later purchased by R.T Vanderbilt Company in 1974). Further, see Objections and Answer to Interrogatory No. 5.

8.1 Does Defendant have reason to believe that any of the asbestos-containing products listed in response to Interrogatory No. 5 were used at any of the sites listed on Exhibit A, attached hereto? If your answer is "yes", please state:

- (a) The basis of your answer.
- (b) Which of Defendant's asbestos-containing products listed in Interrogatory No. 5 were used at each job site listed on Exhibit A.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory.

8.2 For each company or business that Defendant knows may have marketed, distributed, installed, and/or sold those products listed in response to Interrogatory No. 5, please state the following as to each job site listed on Exhibit A:

- (a) The name and address of each such company;
- (b) The date of each sale from Defendant to such other company;
- (c) The name of the person at each other company with whom Defendant primarily dealt.
- (d) Names and quantities of the asbestos-containing products that you marketed, distributed, installed, and/or sold to each such company from 1950 to 1974.
- (e) Identify all documents relating to the sales to each such company.

ANSWER:

See Objections and Answer to Interrogatory No. 8.1.

8.3 If you do not know any business that may have marketed, distributed, installed, and/or sold the products listed in response to Interrogatory No. 5 to any of the job sites listed on Exhibit A, please state the names and last known addresses of those companies who Defendant knows marketed, distributed, installed and/or sold their asbestos-containing products in Ohio from 1950 to 1974. For each of those companies, please state the following:

- (a) Name and address of each such company;
- (b) The dates of each sale from Defendant to such other company;
- (c) The name of the person at each other company with whom Defendant primarily dealt;
- (d) The names of the asbestos-containing products that Defendant marketed, distributed, and/or sold to each such company from 1950 to 1974.

ANSWER:

See Objections and Answers to Interrogatory Nos. 5 and 8.1.

8.4 Does Defendant have records and/or any knowledge that reflects sales of their asbestos-containing products to any of the sites listed on Exhibit A, attached hereto? If so, please state the following as to each job site listed on Exhibit A:

- (a) The names and last known addresses of those people with such knowledge.
- (b) The location of such records.

ANSWER:

See Objections and Answer to Interrogatory No. 8.1.

9. Did Defendant or any of Defendant's distributors, as listed in response to Interrogatory Nos. 8.1, 8.2, and/or 8.3 have sales representatives who specifically called on the sites listed on Exhibit A, attached hereto, from 1945 to 1975? If your response is yes, as to each site listed on Exhibit A, please state the following:

- (a) The name and last known address of each such representative and whether they are still employed by Defendant;
- (b) The period of time they acted as your representative;

- (c) Their general responsibility as to each facility;
- (d) Whether that person is still alive; and
- (e) Any documents relating, referring or pertaining thereto.

ANSWER:

See Objections and Answer to Interrogatory No. 8.1.

9.1 Identify all managers and sales personnel responsible for your sales or installation of any asbestos-containing products in Ohio from 1930 to the present and state their position, last known address and the local or regional office through which they were employed.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation.

10. Did Defendant ever have any division or subsidiary engaged in the contract business of applying or removing asbestos-containing products? If so, please state:

- (a) The name of each subdivision;
- (b) The full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business; and
- (c) Whether said division or subsidiary conducted such business at any of the sites listed on Exhibit A from 1940 to 1975? If so, please state the following as to each job site listed on Exhibit A:

- (1) The dates of such contracts;

The specific asbestos-containing products that were used or removed in each contract.

ANSWER:

No, to the best of Defendant's current knowledge, information and belief.

11. Did Defendant ever have any division or subsidiary engaged in the contract business of applying or removing asbestos-containing refractory? If so, please give the name of each subdivision, the full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business.

ANSWER:

No, to the best of Defendant's current knowledge, information and belief.

12. Please identify by location and product produced, each plant in which products listed in your answer to Interrogatory No. 5 have been manufactured and/or assembled and the dates said plants have been in operation.

ANSWER:

See Objections and Answers to Interrogatory Nos. 5 and 8.06. Without waiving any objections, Defendant C.P. Hall did not manufacture or assemble the products identified in Answer to Interrogatory No. 5.

13. Has Defendant, at any time, entered into a "rebranding" agreement with any other company, either as a buyer or a seller, concerning any asbestos-containing products and/or materials? If so, please state:

- (a) The name of the company manufacturing the asbestos products under such agreement;
- (b) The trade name affixed to such products;
- (c) The periods of time covered by each such agreement;
- (d) The volume (in dollars amounts) of each such transaction;
- (e) The purchaser of such products;
- (f) Does Defendant currently have in its possession any of the writings or contracts concerning such rebranding agreement?

ANSWER:

No, to the best of Defendant's current knowledge, information and belief.

13.1 Have you ever owned or operated a business or portion thereof which engaged in construction, erection or tear-out of furnaces, pipes, boilers, turbines, lehrs, ovens, kilns, etc? If so, please state:

- (a) the name of said business;
- (b) the date of commencing business and cessation of business, if applicable;
- (c) type of construction or tear-out performed;

- (d) state whether said business installed or supplied asbestos-containing products on the furnaces, pipes, boilers, turbines, lehrs, etc., i.e., gaskets, pipecovering, block, cement, rope, cloth, clothes, etc., containing asbestos, asbestos pipe, board, etc.;
- (e) state the trade name and/or manufacturer of any asbestos-containing product which you installed or supplied to any site on Exhibit A.
- (f) provide the dates for the applicable construction, installation or tear-out project.

ANSWER:

No, to the best of Defendant's current knowledge, information and belief.

13.2 Do you have within your custody, possession, or control any packages that presently or formerly packaged asbestos-containing products or were produced for the purpose of packaging asbestos-containing products contemporaneous with your manufacture sale or distribution of such asbestos-containing products? If so, provide the following:

- (a) a description of each such package;
- (b) the present location and custodian of each such package;
- (c) the date or approximate date on which each such package was produced.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

14. What is the name, address and job title of each individual who participated in the design and preparation of manufacturing specifications for each such product listed above in answer to Interrogatory No. 5?

ANSWER:

See Objections and Answers to Interrogatory Nos. 5 and 8.06. Defendant further objects insofar as it did not manufacture the products identified in Answer to Interrogatory No. 5. Without waiving any objections, unknown.

15. As to each product listed in response to Interrogatory No. 5, please describe how each product was to be cut, shaped, scribed, mixed and applied on the job. In answering this question, give particular reference as to whether or not the materials were to be sawed or cut on the job, blown into confined areas, mixed with water in a cement or paste.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory. See also, Objections and Answer to Interrogatory No. 5.

16. Based upon the material contents of the asbestos-containing products, the method of manufacturing, and the method of application, please state which products listed in Interrogatory No. 5 could be applied by a worker without creating dust.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory. See Objections and Answer to Interrogatory No. 5.

17. Do any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character now exist relating to the design and preparation of the products listed in answer to Interrogatory No. 5? If so, please:

- (a) List each such written material or document;
- (b) Identify the person or persons presently in possession of each such document;
- (c) State where each such document is located.

ANSWER:

See Objections and Answers to Interrogatory Nos. 5 and 8.06.

18. Prior to releasing the products listed in Interrogatory No. 5 for sale and usage, were any tests (either animal or human) conducted on said products to determine potential health hazards involved in the use of, or exposure to, the materials and/or products? If so, please state:

- (a) The name of the products tested and the date of each test.
- (b) The name, address, and job classification of each individual who conducted such tests;
- (c) The results of such tests.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it assumes facts which have not been established, and insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory. Further, see Objections and Answers to Interrogatory Nos. 5 and 8.06. Without waiving any objections, unknown, however, Defendant C.P. Hall did not perform such tests.

18.1 Prior to releasing any products for sale and usage (whether asbestos-containing or not), were any tests (either animal or human) conducted on said products to determine potential health hazards involved in the use of, or exposure to, the materials and/or products? If so, please state:

- (a) The name of the products tested and the date of each test.
- (b) The name, address, and job classification of each individual who conducted such tests;
- (c) The results of such tests.

ANSWER:

See Objections and Answer to Interrogatory No. 18.

19. Does Defendant have or control any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character relating to the testing of the products listed in Interrogatory No. 5 hereinabove?

- (a) Identify each such written material or document;
- (b) Identify each person who presently has possession of each such document;
- (c) State where each such document is located.

ANSWER:

See Objections and Answer to Interrogatory No. 18. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

20. Were any design changes or modifications made as a result of such tests listed in answer to Interrogatory No. 18 hereinabove? If so, please state:

- (a) The trade name of the product changed or modified;
- (b) The nature of the change made and the date of such changes or modifications;
- (c) The name, address, and job classification of each person in charge of making a change.

ANSWER:

See Objections and Answer to Interrogatory Nos. 18 and 19.

21. After releasing for sale, distribution or marketing the products listed in answer to Interrogatory No. 5, did Defendant conduct any tests (either on animals or humans) to determine potential health hazards involved in the use of said materials and/or products?

- (a) The names of the products tested and the dates of said tests;
- (b) The name, address, and job classification of each person and/or agency conducting said tests;
- (c) The results of said tests;
- (d) Whether, as a result of any tests conducted, any products were removed

from the market;

- (e) The names of all products removed from the market as a result of said tests.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it assumes facts which have not been established, and insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory. Further, see Objections and Answers to Interrogatory Nos. 5 and 8.06. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

22. Has Defendant ever conducted or caused to be conducted any studies concerning the effects of the inhalation of asbestos dust and/or fibers on workers or other persons applying, using and/or working around any of the asbestos products manufactured, sold, distributed and/or relabelled for distribution by you or your predecessor? If so, please state:

- (a) The dates and nature of such studies;
- (b) The names and addresses of persons conducting such studies;
- (c) The purpose of such studies;
- (d) Identify and list those persons to whom such reports were given and the date of such dissemination;
- (e) State any publication or other written dissemination of the results of such studies;
- (f) State the nature of any action to eliminate or minimize the inhalation of asbestos dust fibers; and
- (g) Attach a copy of reports based upon such studies.

ANSWER:

See Objections and Answer to Interrogatory No. 21.

23. Before placing in the market the asbestos-containing products that Defendant, mined, manufactured, sold, marketed, installed or distributed on the market, did Defendant make

be hazardous to people? If so, please state:

- (a) The date of said studies;
- (b) What studies were done; and
- (c) The titles of each study.

ANSWER:

See Objections and Answer to Interrogatory No. 21.

24. Please state whether or not Defendant ever conducted or caused to be conducted any tests in the field (where asbestos-containing products were applied, removed or utilized) to determine the nature and extent of asbestos dust and/or fiber exposure to insulators, applicators, fellow employees, or other workers removing and/or tearing out asbestos-containing products, and/or other workers in the vicinity thereof? If so, please identify:

- (a) The date, place and nature of each and every test;
- (b) The particular asbestos-containing products to which each test applied;
- (c) The results of each test with particular reference to the number of asbestos fibers per cubic centimeter of air found at each site; and
- (d) The persons to whom the results said tests were given and the date of such dissemination.

ANSWER:

See objections and Answer to Interrogatory No. 21.

25. Please state whether or not Defendant ever obtained any knowledge concerning the likelihood of asbestos being hazardous to human health. If so, please state:

- (a) When Defendant first became aware of the hazardous potential of asbestos dust and asbestos fibers;
- (b) The manner in which the Defendant, Defendant's predecessor, or Defendant's subsidiary companies first obtained this knowledge and became aware of said hazards and from what source this information was obtained;
- (c) What information was disseminated within Defendant's company, or its subsidiary or predecessor regarding such adverse consequences or effects;

- (d) Whether any such information is still maintained by Defendant or its subsidiary or predecessor in any written form.
- (e) The name, address and job classification of the custodian of such information.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad in seeking information which is not limited to the asbestos products to which the plaintiffs allege exposure, the nature of the exposure or the alleged injuries claimed by the Plaintiffs, compound, ambiguous, argumentative and confusing. Further, Defendant objects because this Interrogatory calls for a scientific and/or medical opinion, which Defendant is not qualified to render. Without waiving any objections, see attached.

26. Please state when Defendant first became aware of the possible association between inhalation of asbestos dust and/or fibers and the contraction of asbestosis and cancers including, but not limited to gastrointestinal cancer, laryngeal cancer, renal cancer, lymphoma, lung cancer and mesothelioma. As to each disease or condition, please state the source of that information, including a description of all tests conducted relative to the possibility of such a relationship.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad in seeking information which is not limited to the asbestos products to which the plaintiffs allege exposure, the nature of the exposure or the alleged injuries claimed by the Plaintiffs, compound, ambiguous, argumentative and confusing. Further, Defendant objects because this Interrogatory calls for a scientific and/or medical opinion which Defendant is not qualified to render. Without waiving these objections, it is impossible for C.P. Hall to state a precise date on which, as a corporation, it became aware of information causally relating prolonged exposure to excessive amounts of respirable asbestos fiber with adverse health consequences, nor can it state, at this time, who, within the company first recognized that connection. Defendant does not possess additional information to enable it to respond to this Interrogatory with greater specificity. Discovery is ongoing. Defendant reserves the right to supplement this response.

27. Please identify all physicians, industrial hygienists, and other employees (including their names and addresses) who were employed, retained or otherwise engaged by Defendant for research, investigation or study concerning asbestos or asbestos-related diseases.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects insofar as this Interrogatory seeks confidential information protected by the attorney client privilege and/or work product doctrine. Without

waiving any objections, Defendant C.P. Hall did not employ, retain or otherwise engage any such individuals.

28. As to each person who acted in a medical advisory capacity (as it relates in any way to asbestos) to Defendant, please list their name, the date individual acted in this capacity, and that person's current address and job title.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects insofar as this Interrogatory seeks confidential information protected by the attorney client privilege and/or work product doctrine. Without waiving any objections, Defendant C.P. Hall did not employ, retain or otherwise engage any such individuals.

29. Please state if any medical officer or industrial hygienist or medical consultant ever made at any time any recommendations and/or suggestions to Defendant pertaining to the risks or hazards to persons involved in the manufacture or use of asbestos products and, if so, please state when, by whom or to whom such recommendations and/or suggestions were made and the substance of each recommendation.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this Interrogatory insofar as it seeks confidential information protected by the attorney client privilege and/or work product doctrine, and insofar as it is vague, ambiguous, indefinite, misleading, capable of more than one interpretation and insofar as it assumes facts which have not been established.

30. Please state the scientific and/or medical periodicals to which Defendant, its medical department, research department, industrial hygiene divisions, engineering department or consulting physicians subscribed between 1945 and 1975.

ANSWER:

See Objections and Answers to prior Interrogatories. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects because it is impossible for Defendant to identify each and every periodical to which Defendant subscribed from 1945 to 1975.

30.1 Please state whether Defendant, its medical officer or industrial hygienist or medical consultant or physicians were ever involved in testing or received literature or correspondence from the Mellon Institute.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this Interrogatory insofar as it is vague, ambiguous, indefinite, misleading, capable of more than one interpretation and insofar as it assumes facts which have not been established. Without waiving any objections, not to the best of Defendant C.P. Hall's current knowledge, information and belief. See Objections and Answers to Interrogatory Nos. 27 and 28.

30.2 Has Defendant, or any engineer, industrial hygienist or physician in Defendant's employ, been a member in any professional group, trade group or any of the following groups:

American Ceramics Society
Asbestos Textile Institute
National Insulation Manufacturers Association
Thermal Insulation Manufacturers Association
Quebec Asbestos Mining Association
Asbestos Information Association
Industrial Health Foundation
Industrial Hygiene Foundation
Iron and Steel Institute
National Safety Counsel
Refractories Institute
Air Hygiene Foundation of America, Inc.
Sprayed Mineral Fiber Association
American Society of Mechanical Engineers

If the answer is yes, state the following:

- (a) The name of the group or groups in which Defendant or individual(s) were members;
- (b) The name and position individual(s) within the Defendant, as defined, who were members;
- (c) The years Defendant or individual(s) were members of the groups;
- (d) Whether Defendant paid the individual(s) dues or membership fees or reimbursed the individual(s) for dues or membership fees in the group.

ANSWER:

See Objections and Answers to Interrogatory Nos. 27 and 28.

31. State in detail what test, if any, Defendant ever made with regard to the quantity, quality, or threshold limit values of asbestos dust, fibers or particles to which workers were exposed while using, working with and/or around, installing and/or applying your asbestos-containing products.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Defendant also objects to the term "your asbestos containing products", and insofar as the Interrogatory is vague, ambiguous, indefinite, misleading, capable of more than one interpretation and insofar as it assumes facts which have not been established.

32. For each test described in Interrogatory No. 31, please give the name of the person conducting the test, the date of the test, and attach true copies of any documents, including but not limited to, reports, findings or memoranda concerning such tests or studies.

ANSWER:

See Objections and Answer to Interrogatory No. 31.

33. Please state the year that Defendant was first advised of either threshold limit values or maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Governmental Industrial Hygienists and state the name of the employee/official of the company receiving such advice.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Without waiving any objections, see attached.

33.1 State whether Defendant at any time conducted, caused to be conducted, or had conducted on any job site, or at any of Defendant's plants or buildings, any air sampling, dust counts, dust observations, dust sampling tests or other activities to determine air quality. If your answer is in the affirmative, please indicate:

- (a) the date of any such air samples, tests, or activities;

- (b) by whom such activities were performed;
- (c) where such activities were performed;
- (d) the results of any such activities.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

34. Does Defendant maintain a library dealing with industrial hygiene, medicine, safety and engineering and/or research? If so, state:

- (a) The date each such library was established;
- (b) The location of each library;
- (c) The name(s) of the librarian(s) since 1930;
- (d) List all journals subscribed to by you concerning asbestos, industrial hygiene, medicine, safety, and/or engineering;
- (e) List all books and articles dealing with asbestos and asbestos-related diseases and the date acquired.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

35. Did Defendant in the 1920's or 1930's commission, or participate in the arrangements with Metropolitan Life Insurance Company for studies at the Trudeau Foundation at Saranac Lake, New York, concerning the effect of inhalation or ingestion of asbestos fibers upon human and/or animal bodies.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, no, to the best of this Defendant's current knowledge, information and belief.

36. When was Defendant first aware of reports of studies of the Trudeau Foundation at Saranac Lake, New York, entitled "Effects of the Inhalation of Asbestos Dust in the Lungs of Asbestos Workers" by A.J. Lanza, Assistant Medical Director published in the J. Public Health Report, Vol. 50, No. 1, dated January 4, 1935 ("Lanza Report")?

ANSWER:

See Objections and Answer to Interrogatory No. 35.

36.1 Did Defendant ever contract with Saranac Laboratories to study the hazards of any dust producing product manufactured by you (whether asbestos-containing or not)? If so, identify by date and author all documents concerning or any way related to such study.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, no, to the best of this Defendant's current knowledge, information and belief.

36.2 Did Defendant ever contract with Saranac Laboratories to analyze dust or products? If so, identify by date and author all documents concerning or any way related to such analysis.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, no, to the best of this Defendant's current knowledge, information and belief.

37. Please state whether Defendant at any time has been a member of any "trade organization" or "trade association" composed of other manufacturers, miners, distributors, and/or sellers of asbestos-containing products and, if so, please identify the name and address of each such association or organization, the dates of membership, and the names of any publications issued or written by such association or organization.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

38. With respect to each trade organization or association listed in answer to Interrogatory No. 37, please state whether the minutes of the group's meetings and any correspondence between the members of such groups concerning the hazards of asbestos exposure are available.

ANSWER:

See Objections and Answer to Interrogatory No. 37.

39. Please identify by name the technical and trade association periodicals to which Defendant subscribed, and state whether Defendant had knowledge of any articles being printed, or withheld from printing, in said periodicals pertaining to the potential hazards of asbestos. If so, please state the following:

- (a) The title of each such article;
- (b) The periodical in which each such article was published;
- (c) The date each such article was published;
- (d) A detailed explanation of the reason for withholding any such article for printing;
- (e) Produce documentation which refers, alludes or mentions articles which were withheld for publication:

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects on the grounds that it is impossible for Defendant to identify each and every article that was printed or withheld from printing in each and every magazine to which it, as a corporation, subscribed; nor is this information relevant to the allegations in this litigation.

40. Please state whether, prior to 1975, Defendant sponsored, or attended any meeting, seminar, conference, convention or legislative hearing where the subject of occupational health and exposure to asbestos was discussed and, if so, please state the date and place of

such meeting and the name and address of any speakers or participants.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects on the grounds that it is impossible for Defendant to identify and state the details of each and every meeting, seminar, conference, convention or legislative hearing it ever sponsored or attended, nor is this information relevant to the allegations in this litigation. Without waiving any objections, no, to the best of this Defendant's current knowledge, information and belief.

41. As to each product listed in response to Interrogatory No. 5, please state whether Defendant, at any time, published and/or distributed any printed materials, including but not limited to brochures, pamphlets, catalogs, packagings or other written materials of any kind or character that contain any warnings, cautions, caveats or directions concerning the possible health effects of the products on a person. If so, please state as to each product:

- (a) The name of each relevant product;
- (b) The wording of each such warning;
- (c) A description of each such printed material;
- (d) The method used to distribute the warning to persons who are likely to use the products;
- (e) The date each such warning was issued;
- (f) Whether any warning accompanied any of your asbestos-containing products' sales literature, handout or pamphlets;
- (g) Please attach a copy of the warning and date said warning was issued;
- (h) The name, address, and job classification of each person who presently has possession of the above-described documents;
- (i) The name or names and addresses of the company who provided, produced, or manufactured the boxes or containers on which the warning appeared and dates these boxes with the warnings appeared.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date,

Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory. See Objections and Answers to Interrogatory Nos. 5 and 8.02. Without waiving any objections, yes. All printed materials were prepared by the manufacturer and not removed or altered by Defendant C.P. Hall.

42. Has sales material been prepared by Defendant or its agents for purposes of marketing or advertising the asbestos products listed in answer to Interrogatory No. 5? If so, please state:

- (a) The name and address of each person or entity who prepared same;
- (b) The name, address and job title of each person who presently has possession of same;
- (c) The date same was prepared;
- (d) The media used to disseminate the sales material.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

43. Has any written material of any kind or character been prepared by Defendant, Defendant's predecessor or any of Defendant's subsidiary companies or their agents indicating how the products listed in answer to Interrogatory No. 5 should be used or maintained by the ultimate user or those working in facilities or at job sites where the product was used, installed or removed, including, but not limited to, those sites listed on the job site list attached as Exhibit A? If so, please state the following:

- (a) The name, address and job classification of each person who prepared same;
- (b) The name, address and job classification of each person who presently has

possession of same;

- (c) The dates and manner in which said material was distributed to purchasers of the products in answer to Interrogatory No. 5.

ANSWER:

See Objections and Answer to Interrogatory No. 41. Without waiving any objections, no, to the best of this Defendant's current knowledge, information and belief.

44. Was any written material of any kind prepared by Defendant and distributed to those individuals listed in response to Interrogatory No. 9? If so, please state the following:

- (a) Identify the written material by content and date;

To whom was it delivered.

ANSWER:

See Objections and Answers to Interrogatory Nos. 9 and 41. Without waiving any objections, no, to the best of this Defendant's current knowledge, information and belief.

45. Does Defendant contend that asbestos-containing products can be manufactured so as to eliminate all potential health hazards to persons working with or around, installing or applying same? If so, please state the following:

- (a) The date that Defendant first determined that another product could be used in place of asbestos;
- (b) The chemical of the substitute;
- (c) Whether the substitute is suitable for the purpose for which they are to be used;
- (d) Whether Defendant used the substitute for asbestos to 1971;
- (e) Whether Defendant ever used the substitute for asbestos for high or low heat insulation.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, incomprehensible and confusing. Further, Defendant objects because this Interrogatory calls for a scientific and/or medical opinion, which Defendant is not qualified to render. Defendant also objects to this Interrogatory as it has never been a manufacturer of asbestos-containing products.

46. Did Defendant give any warnings to any individuals at the sites listed on Exhibit A, including any individuals who owned, operated, or managed the facilities at the sites listed on Exhibit A, regarding the potential health hazards of any product listed in response to Interrogatory No. 5. If yes, please state:

- (a) Name of person most knowledgeable about this communication.
- (b) Name of person at the sites listed on Exhibit A, attached hereto most knowledgeable about this communication.
- (c) Dates of each communication.
- (d) Contents of each communication.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory.

47. Did any person prior to 1970, file a claim against any Workers' Compensation carrier covering Defendant alleging that he or she contracted a disease as a result of exposure to asbestos? If so, please state the following:

- (a) A list of each such claim by claimant's name, date filed, the caption and jurisdiction involved;
- (b) The disease alleged in each such claim;
- (c) A brief summary of the disposition of each such claim; and
- (d) The name, address and job classification of the person or persons having custody of the records pertaining to each such claim.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is vague, ambiguous, overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

47.1 Please identify all documents concerning or in any way related to any decisions made by you to cease manufacturing asbestos-containing products.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is vague, ambiguous, overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, this Defendant has never been a manufacturer of any asbestos-containing products.

47.2 Has any person or company from which you purchased asbestos-containing products ever issued a recall of their products or taken any action to take those products off the market after said products were in your possession? If so, provide:

- (a) the date of said recall;
- (b) the name of the company which issued the recall;
- (c) a copy of the recall.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is vague, ambiguous, overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, no, to the best of this Defendant's current knowledge, information and belief.

47.3 State what action, if any, you have ever taken since 1930 to minimize or eliminate any risk of occupational disease or pneumoconiosis to those at any time engaged in the manufacture or production of asbestos-containing products.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory.

47.4 State what action, if any, you have ever taken since 1930 to minimize or eliminate any risk of occupational disease or pneumoconiosis to those at any time engaged in the use, as distinguished from the manufacture, or exposed to the use of asbestos-containing or industrial insulation products or who were otherwise exposed to asbestos-containing or industrial insulation products.

- (a) describe such action;
- (b) state when such action was taken;
- (c) state what written material exists related to such action;
- (d) state the names, job titles and last known address of the individuals who undertook such actions.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory.

48. Did Defendant receive notice prior to 1968 that any person was claiming injury or had sustained an abnormal x-ray reading as a result of using asbestos products manufactured, sold, installed, and/or distributed by Defendant? If so, please state:

- (a) The name and address of each claimant;
- (b) The date of notice of each claim;
- (c) A description of the claim;
- (d) The type of injuries allegedly sustained;
- (e) The name and address of each attorney representing the individuals making such claims;
- (f) The style and court number of each such claim;

- (g) The resolution of each claim.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is vague, ambiguous, overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

48.1 Describe the method by which you have maintained records concerning the manufacture, sale, supply, distribution, use, advertising, delivery and/or installation or tear-out of each of asbestos-containing products. For each description provide the following:

- (a) each present and former company or corporate department, division or subdivision responsible for maintaining such records;
- (b) the manner in which the records are kept (e.g., boxes, computer tape, microfilm, etc.);
- (c) the inclusive dates of any such manufacture, sale, supply, distribution, use, advertising, delivery, and/or installation or tear-out which such record keeping system covers;
- (d) the present location at which all such records are maintained;
- (e) the identity of each person employed by you at any time from 1930 to the present who is or was responsible for the collection and maintenance of such records.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory.

48.2 State whether any records concerning the manufacture, sale, supply, distribution, advertising, delivery, use or installation or tear-out of asbestos-containing products have been destroyed or discarded and if so, indicate:

- (a) the date and location of such destruction or discard;
- (b) the custodian and location of such records prior to their destruction

or discard and the identity of each employee, representative, official or agent who ordered, authorized or supervised such destruction or discard.

ANSWER:

See Objections and Answer to Interrogatory No. 48.1.

48.3 For all documents, other than invoices, work orders and/or purchase orders, which relate to matters relevant to all the preceding interrogatories:

- (a) Is there any kind of index for the documents?
- (b) How many pages is the index of documents?
- (c) How many documents are referred to in the index?
- (d) Is the index maintained in electronic format (i.e. database, word processing or other computerized format)?
- (e) What manner of electronic format is used?

ANSWER:

See Objections and Answer to Interrogatory No. 48.1.

48.4 For all invoices, work orders and/or purchase orders, which relate to matters relevant to all the preceding interrogatories:

- (a) Is there any kind of index for the documents?
- (b) How many pages is the index of documents?
- (c) How many documents are referred to in the index?
- (d) Is the index maintained in electronic format (i.e. database, word processing or other computerized format)?
- (e) What manner of electronic format is used?

ANSWER:

See Objections and Answer to Interrogatory No. 48.1.

49. Has Defendant obtained statements from any witnesses including Plaintiffs? If so, please:

- (a) list each witness who has given a statement and the name, address, and job title of each person having custody of any such statement.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it seeks confidential information protected by the attorney client privilege and/or work product doctrine. Without waiving any objections, Defendant states that the only statements of the Plaintiffs about which it is aware, are any depositions that have been taken.

50. Do you contend that Plaintiff/Decedent improperly used those products listed in response to Interrogatory No. 5? If so, please set forth in detail in what respect the product was improperly used.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory.

51. As to the sites listed on Exhibit A, and as to each Plaintiff/Decedent, please state whether Defendant contends that there was any substance other than asbestos which contributed to or caused Plaintiff/Decedent's injuries. If your answer is yes, please state the following:

- (a) The facts upon which you rely;
- (b) The identity of the sources upon which you rely which substantiate these facts.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory.

52. Would any respirator, mask or other breathing devices prevent inhalation of the asbestos dust and fibers contained in products listed in answer to Interrogatory No. 5? If so, state:

- (a) When the respirator was sold;
- (b) A detailed description of such respirator or other breathing devices, including name of manufacturer and model number;
- (c) The basis of your claim that such respirators or other breathing devices will prevent the inhalation of such dust and fibers;
- (d) Identify any tests performed regarding the efficaciousness of such respirators and other breathing devices in preventing the inhalation of asbestos dust and fibers including date, title, author and number;
- (e) List all documents which mention, allude or refer to tests performed on breathing devices which prevented the inhalation of asbestos dust and/or fibers.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory. Without waiving any objections, see attached.

53. Does Defendant expect to call expert witnesses at the trial of this case? If so, please state the following:

- (a) Their identity and last known address;
- (b) The subject matter on which the expert is expected to testify;
- (c) The expert's specific conclusion and specific opinions and the specific basis therefore;
- (d) The expert's qualifications to render the opinions set forth above;
- (e) Whether any person identified in sub-paragraph (a) above has provided a report or other documentation to you, and if so, identify such document or report;
- (f) Identify all documents that you have provided to each person identified in response to sub-paragraph (a) above; and
- (g) Describe in detail the education and work history of, and identify any books, treatises, articles, published and unpublished reports, studies or other scholarly works authored by any individual identified in response to sub-

paragraph (a) above. Alternatively, in lieu of said response, attach a copy of a resume or curriculum vitae and a list of publications to your answer.

ANSWER:

See General Objections. Without waiving any objections, Defendant will identify its experts in accordance with the Court's Case Management Order.

54. Please state the name and last known address of each expert witness who is not retained or employed for that purpose who is an employee of Defendant and will render an opinion within his expertise at the time of trial.

ANSWER:

See Objections and Answer to Interrogatory No. 53.

55. Does Defendant admit that service of process was properly had on it in these cases? If not, please state why.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it calls for a legal conclusion that it is not qualified to render.

55.1 For each and every affirmative defense asserted in Defendant's Answer to Plaintiffs' Complaint, or the cross-claims or counter-claims of any party against Defendant, state:

- (a) the facts upon which Defendant relies for each and every affirmative defense;
- (b) each and every document which will be offered to prove each and every affirmative defense; and
- (c) each and every witness who will testify in support of each and every affirmative defense.
- (d) the substance and subject matter of the anticipated testimony of each witness identified in the preceding response.

ANSWER:

See Objections and Answer to Interrogatory No. 50.

56. Does Defendant have policies of insurance that might cover the claims that have been made by Plaintiffs herein?

- (a) If so, please list the name of each insurance carrier who may have coverage, the amount of such coverage, and the dates of each such policy.

ANSWER:

See General Objections. Defendant objects to this Interrogatory on the grounds that it is premature, vague, overly broad and unduly burdensome. C.P. Hall further objects to this Interrogatory because it seeks information which is neither relevant to the subject matter of the case nor reasonably calculated to lead to the discovery of admissible evidence. It is, therefore, outside the scope of permissible discovery. Without waiving any objections, see attached.

56.1 Has Defendant ever been involved in any litigation concerning potential insurance coverage for asbestos products liability matters? If so, please state:

- (a) the case caption, court and date of filing of each case in which you have been involved;
- (b) whether you were Plaintiff or Defendant;
- (c) a brief statement of the issues;
- (d) identify by date, author and recipient(s), (including recipients of carbon copies) all documents listed as exhibits by either party in this litigation;
- (e) identify by deponent and date all individuals who were deposed in these cases;
- (f) identify by date, author and recipient(s) all documents that have been placed on a protective order in such litigation;
- (g) identify all expert witnesses retained for use at trial in any of the above litigation by name, address and telephone number.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this Interrogatory to the extent it seeks information that is confidential or protected from discovery by the attorney client privilege and/or work product doctrine. Without waiving any objections, no, to the best of Defendant's current knowledge, information and belief.

57. Please state the name and address of each person who has knowledge of relevant facts regarding claims and defenses of this lawsuit.

ANSWER:

See General Objections. Defendant objects to this Interrogatory insofar as it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, since, among other things, it is not limited to the relevant time periods, job

sites and products at issue in this litigation. Further, Plaintiffs have failed to provide Defendant C.P. Hall with sufficient information to enable it to respond to this Interrogatory. To date, Defendant has only received general information, which lacks specificity, and, for that matter, any allegations regarding the identification of a product for which C.P. Hall could be responsible in this litigation. Until the products, job sites and periods involved in this litigation are identified, C.P. Hall is unable to respond to this Interrogatory. Without waiving any objections, Defendant states that it will provide the names of fact witnesses in accordance with the Court's Case Management Order.

58. State the last date that Defendant sold, distributed, manufactured, installed, and/or otherwise placed asbestos-containing products into the stream of commerce.

ANSWER:

See Objections and Answer to Interrogatory No. 5.

Respectfully submitted,

ROETZEL & ANDRESS

Susan S. Box (0029988)
Brad Rimmel (0071684)
222 South Main Street
Akron, Ohio 44308
(330) 376-2700
FAX: (330) 376-3577
Attorneys for C.P. Hall Company