PLAINTIFF'S EXHIBIT
TAS-32

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

RUTH V. DICKERSON, Individually, and as Personal Representative of the Heirs an **Plaintiff** **v.** **A-BEST PRODUCTS COMPANY, et al.,** **Defendants**	**CASE NO: 398302** **JUDGE HARRY A. HANNA** **TASCO INSULATIONS, INC.'S RESPONSES TO PLAINTIFF'S MASTER SET OF INTERROGATORIES PROPOUNDED TO TASCO INSULATION, INC.**

Now comes Defendant, Tasco Insulations, Inc. ("Tasco"), and provides the following Responses to Plaintiff's Master Set of Interrogatories Propounded to Defendant, Tasco. Tasco provides these Answers as a separate documents, but asserts that the Answers are a response to each Interrogatory and its subpart as provided by Plaintiffs.

RESPONSES

1. ANSWER:

(a) Donald R. Harrison, President of Tasco Insulations, Inc.
(b) 120 E. Woodland Ave., P.O. Box 1167, Youngstown, Ohio 44501
(c) Employed at Tasco Insulations, Inc. for 29 years
(d) Superintendent from 1969-1979
Secretary from 1979 to 1985
President from 1985 to the present

1.1 ANSWER:

None

2. ANSWER:

Yes

(a) Tasco Insulations, Inc.
(b) Ohio
(c) 120 E. Woodland Ave., P.O. Box 1167, Youngstown, nio 44501
(d) Thomas A Dover and Daniel J. Michalec; Gallagher, harp, Fulton & Norman, 1501 Euclid Avenue, Sixth Floor, Cleveland, Ohio 44 .
(e) N/A

3. ANSWER:

Incorporated in 1949.

a. No
b. None
c. N/A
d. N/A
e. N/A
f. N/A
g. N/A
h. N/A

4. ANSWER:

No

a. N/A
b. N/A
c. N/A
d. N/A
e. N/A
f. N/A
g. N/A

4.1 ANSWER:

None

a. N/A
b. N/A
c. N/A
d. N/A

5. ANSWER:

Tasco Insulations, Inc. provides the professional service of installing thermal insulation products and does not manufacture, sell, distribute or supply any product. This individual has no personal knowledge that this Defendant installed any asbestos-containing products.

(a) See above.
(b) N/A
(c) N/A
(d) N/A
(e) N/A
(f) N/A
(g) N/A

6. ANSWER:

N/A (See Answer to Interrogatory 5.)

7. ANSWER:

N/A (See Answer to Interrogatory 5.)

8. ANSWER:

N/A (See Answer to Interrogatory 5.)

8.01 ANSWER:

This answering Defendant has no personal knowledge that this Defendant ever purchased any such products.

8.02 ANSWER:

N/A (See Answer to Interrogatory 8.01)

8.03 ANSWER:

See Answer to Interrogatory 5.

8.04 ANSWER:

N/A (See Answer to Interrogatory 5.)

8.05 ANSWER:

This answering Defendant has no personal knowledge of any such products.

8.06 ANSWER:

See Answer to Interrogatory 5.

8.1 ANSWER:

No

8.2 ANSWER:

This answering Defendant has no personal knowledge of any such products being distributed, installed and/or sold at any of the job sites listed on Exhibit A.

8.3 ANSWER:

This answering Defendant has no personal knowledge of any such business.

8.4 ANSWER:

See Answer to Interrogatory 5.

9. ANSWER:

This answering Defendant has no knowledge of any such sales representatives calling on the job sites listed on Exhibit A, from 1945 to 1975.

9.1 ANSWER:

In response to sales, see Answer to Interrogatory 5.
In response to installation, this answering Defendant has no personal knowledge of any such managers and/or sales personnel.

10. ANSWER:

No

11. ANSWER:

No

12. ANSWER:

N/A (See Answer to Interrogatory 5.)

13. ANSWER:

Tasco Insulations, Inc. never rebranded or caused or allowed any product to be rebranded with any name associated with Tasco Insulations, Inc.

13.1 ANSWER:

No

13.2 ANSWER:

See Answer to Interrogatory 5.

14. ANSWER:

N/A (See Answer to Interrogatory 5.)

15. ANSWER:

N/A (See Answer to Interrogatory 5.)

16. ANSWER:

N/A (See Answer to Interrogatory 5.)

17. ANSWER:

N/A (See Answer to Interrogatory 5.)

18. ANSWER:

N/A (See Answer to Interrogatory 5.)

18.1 ANSWER:

This Answering Defendant has no personal knowledge of any such tests.

19. ANSWER:

N/A (See Answer to Interrogatory 5.)

20. ANSWER:

N/A (See Answer to Interrogatory 18.)

21. ANSWER:

N/A (See Answer to Interrogatory 5.)

22. ANSWER:

N/A (See Answer to Interrogatory 5.)

23. ANSWER:

Tasco Insulations, Inc. provides the professional service of installing thermal insulation products and does not manufacture, sell, distribute or supply any product. No studies or tests were conducted before Tasco used any product in connection with providing the professional services of installing thermal insulation products.

24. ANSWER:

This answering Defendant has no personal knowledge of any such tests. However, this Defendant has previously produced a document in *Anthony Mario Greco, et al., v. A-Best Products Co., et al.*, Cuyahoga County Case Nos. 323629-323678, of which he has no personal knowledge, relevant to this Interrogatory. See Response to Request for Production No. 12 and No. 15.

25. ANSWER:

Tasco Insulations, Inc. first became aware that, at best, a health care professional was stating that he believed a correlation existed between exposure to asbestos fibers and the development of disease in the lung, and that, this health care professional could demonstrate the correlation by studying changes in the lung as shown by x-ray studies. Tasco first became aware of the alleged correlation in the early 1970's. This answering Defendant has no personal knowledge of the name of this health care professional.

26. ANSWER:

See Answer to Interrogatory 25.

27. ANSWER:

Tasco Insulations, Inc. never hired or employed any physician, industrial hygienist, or other employees for the purpose of engaging in the research, investigation or study concerning asbestos or asbestos-related diseases.

28. ANSWER:

N/A (See Answer to Interrogatory 25. and 27.)

29. ANSWER:

No (See Answer to Interrogatory 25. and 27.)

30. ANSWER:

This answering Defendant has no personal knowledge of any such periodicals.

30.1. ANSWER:

This answering Defendant has no personal knowledge of any such medical officer, industrial hygienist, medical consultant or physicians.

30.2 ANSWER:

No

31. ANSWER:

This answering Defendant has no personal knowledge of any such tests. However, this Defendant has previously produced a document in *Anthony Mario Greco, et al., v. A-Best Products Co., et al.,* Cuyahoga County Case Nos. 323629-323678, of which he has no personal knowledge, relevant to this Interrogatory- See Response to Request for Production No. 12 and No. 15.

32. ANSWER:

See Answer to Interrogatory No. 31.

33. ANSWER:

This answering Defendant has no personal knowledge of any such advisement.

33.1 ANSWER:

See Answer No. 31.

34. ANSWER:

No

35. ANSWER:

No

36. ANSWER:

This answering Defendant has no personal knowledge of whether or when Tasco Insulations, Inc. first became aware of any such reports.

36.1 ANSWER:

No

36.2 ANSWER:

No

37. ANSWER:

(a) National Insulation Contractors Association- 1958 to the year when this Association became the National Insulation Association.
(b) National Insulation Association- from its year of inception to the present.
(c) Central States Association of Insulation Contractors- 1958 to present.

38. ANSWER:

This answering Defendant has no personal knowledge of any such minutes.

39. ANSWER:

This Defendant subscribed to the monthly publication from the National Insulation Association from the early 1970's to the present.

(a) This answering Defendant has no personal knowledge of any such article.
(b) N/A
(c) N/A
(d) N/A
(e) N/A

40. ANSWER:

This answering Defendant has no personal knowledge of any such meetings, seminars, conferences, conventions or legislative hearings.

41. ANSWER:

N/A (See Answer to Interrogatory 5.)

42. ANSWER:

N/A (See Answer to Interrogatory 5.)

43. ANSWER:

N/A (See Answer to Interrogatory 5.)

44. ANSWER:

No

45. ANSWER:

Objection: This Interrogatory calls for an expert opinion/conclusion which this Defendant is not qualified to give.

Daniel J. Michalec, Esq.
Attorney for Tasco Insulations, Inc.

46. ANSWER:

Tasco Insulations, Inc. did not put any warnings, instructions or recommendations of any kind on any of the products it used. All warnings, instructions and recommendations that were on any product, if any, were there when Tasco received the products from the manufacturer. Tasco does not have a specific recollection of warnings appearing on the boxes or wrappings, except that Tasco is aware that warnings started appearing on boxes that it purchased from the manufacturers sometime in the early 1970's. The exact words are not known. Tasco believes that the warnings, when they appeared, seemed to recommend using ventilation when using the product. The manufacturers' records would most accurately reflect the exact and complete warnings and instructions placed upon their products or boxes in which the product was shipped.

47. ANSWER:

This answering Defendant has no personal knowledge of any such claim. However, this Defendant has produced documents, of which he has no personal knowledge, relevant to this

Interrogatory in *Anthony Mario Greco, et al., v. A-Best Products Co., et al.,* Cuyahoga County Case Nos. 323629-323678. See Request for Production No. 38.

47.1 ANSWER:

None

47.2 ANSWER:

This answering Defendant has no personal knowledge of any such recall or action.

47.3 ANSWER:

Tasco Insulations, Inc. provides the professional services of installing thermal insulation products and does not manufacture, sell, distribute or supply any product, and, therefore, Tasco Insulations, Inc. has not taken any action to minimize or eliminate any potential risk associated with the manufacture or production of asbestos-containing products.

47.4 ANSWER:

As soon as Tasco Insulations, Inc. became aware that there was a considerable debate surrounding the safety and potential health hazards related to the use of asbestos, Tasco would have discontinued the use of any asbestos-containing products from its normal operations.

48. ANSWER:

This answering Defendant has no personal knowledge of any such claim. However, this Defendant has previously produced a document in *Anthony Mario Greco, et al., v. A-Best Products Co., et al.,* Cuyahoga County Case Nos. 323629-323678, of which he has no personal knowledge, relevant to this Interrogatory- See Response to Request for Production No. 38.

48.1 ANSWER:

(a) Tasco Insulations, Inc. had divisions located in Youngstown, Ohio; Huntington, West Virginia; and Columbus, Ohio which would be responsible for maintaining records regarding the installation of thermal insulation products.

(b) Tasco Insulations, Inc. maintains records by the use of an index card system and creating a separate file for each contract.

(c) The first date which Tasco Insulations, Inc. can determine with any reasonable certainty when it began to keep records of its installation of thermal insulation products would be January 1, 1948.

(d) Any such records of installation of thermal insulation products which are in existence would be maintained at Tasco Insulations, Inc.'s Youngstown, Ohio office and/or in Clarksburg, West Virginia at the offices of Boyd Warner.
(e) Donald R. Harrison

48.2 ANSWER:

Yes, records concerning the installation of asbestos-containing products have been destroyed or discarded by Tasco Insulations, Inc. Some time in 1992, Tasco Insulations, Inc. purged all of its records, predating 1985, which were stored in its Youngstown office. Tasco accomplished this purging by placing pre-1985 records in its trash dumpster. The destruction of such documents would have been directed by president Donald Harrison, and vice-president Jack Harley.

48.3 ANSWER:

(a) Yes, index cards
(b) This answering Defendant has no personal knowledge of the number of pages.
(c) This answering Defendant has no personal knowledge of how may documents are referred to.
(d) Yes
(e) "Promotion"

48.4 ANSWER:

(a) Yes, Index cards
(b) This answering Defendant has no personal knowledge of the number of pages.
(c) This answering Defendant has no personal knowledge of how may documents are referred to.
(d) Yes
(e) "Promation"

49. ANSWER:

No

50. ANSWER:

N/A (See Answer to Interrogatory 5.)

51. ANSWER:

This answering Defendant has no personal knowledge of any such substance at this time.

52. ANSWER:

N/A (See Answer to Interrogatory 5.)

53. ANSWER:

Yes. Such expert names, addresses and other relevant information will be provided in a timely manner pursuant to the CMO covering these cases.

54. ANSWER:

See Answer to Interrogatory 53.

55. ANSWER:

Yes

55.1 ANSWER:

Objection. Tasco Insulations, Inc. objects to this Interrogatory because it is over-broad and over-burdensome. Notwithstanding this objection, Tasco Insulations, Inc. will provide the relevant documentation, names and other information at the time designated by the CMO covering these cases.

Daniel J. Michalec, Esq.
Attorney for Tasco Insulations, Inc.

56. ANSWER:

The only insurance policy that exists which could possibly provide coverage to Tasco was issued by Motorist Insurance Co. Tasco will provide a copy of this policy at such time as it is determined that this policy does in fact provide coverage for asbestos claims, including, in particular, this lawsuit.

56.1 ANSWER:

Yes

(a) *USF&G v. Tasco Insulations, Inc. v. St. Paul Fire & Marine;* U.S.D.C., Northern District of Ohio Eastern Division; Case No. 4:97 CV 1646; Judge Peter C. Economus;
(b) Defendant;
(c) The issue is whether Tasco Insulations, Inc. is covered by certain plaintiffs' insurance policies;
(d) Any such documents are subject to a Confidentiality Agreement and Protective Order filed with the court;

(e) The content of any and all discovery conducted in this case is subject to the Confidentiality Agreement and Protective Order filed with the Court.

(f) See (d) and (e), *supra.*

(g) None.

57. ANSWER:

Donald R. Harrison, 120 E. Woodland Ave., P.O. Box 1167, Youngstown, Ohio 44501

58. ANSWER:

This answering Defendant has no personal knowledge of any such date. (See Answer to Interrogatory 25. and 47.4)

Respectfully submitted,

Of Counsel:

GALLAGHER, SHARP, FULTON & NORMAN

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CERTIFICATE OF SERVICE

A copy of the foregoing Responses to Plaintif's Master Set of Interrogatories Propounded to Tasco Insulation, Inc. was sent by regular U.S. mail, postage prepaid, to Counsel for Plaintiffs, Ladd R. Gibke, and Susan L. Bozorth, BARON & BUDD, P.C., 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219, this ___ day of December, 2002 with Notice of Service of same filed electronically on CLAD.

Of Counsel:

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December 26, 2002

Ladd R. Gibke, Esq.
Baron & Budd
3102 Oak Lawn Ave.
Suite 1100
Dallas, Texas 75219

Re: Ruth V. Dickerson, etc., v. A-Best Products Company, et al.,
Cuyahoga County Court of Common Pleas
Our Client: Tasco Insulations, Inc.
Our File No: 20019-900060

Dear Mr. Gibke:

Enclosed please find Defendant Tasco Insulations, Inc.'s Responses to Plaintiff's Interrogatories and Request for Production of Documents in the above captioned case. Please be advised that the Notice of Service of the same was conventionally filed with the court. The verification page be provide immediately upon receipt.

If you have any questions, please feel free to contact me.

Very truly yours,

Daniel J. Michalec
Daniel J. Michalec

DJM/jd

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