

REQUEST FOR PRODUCTION NO. 16:

For each product listed in response to Interrogatory No. 5, please produce a true and correct copy of all promotional or sales material including, but not limited to, brochures, pamphlets, catalogs, packaging, or other written materials of any kind or character.

RESPONSE TO REQUEST FOR PRODUCTION NO. 16:

See General Objections. Abex further objects to this request on the grounds that it is overly broad, unduly burdensome, vague and ambiguous.

Objection is made to this request on the ground that the term "other written materials" is undefined, and calls for speculation.

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

Abex further objects to this request to the extent to which it seeks information regarding time periods and products that are not at issue in this case on the ground that such information lacks relevance, and is not reasonably calculated to lead to the discovery of admissible evidence. Abex further objects to this request on the ground that the information it seeks otherwise lacks relevance to the issues arising in this case, and is not reasonably calculated to lead to the discovery of admissible evidence.

Abex further objects to this request on the grounds that it is over broad, oppressive, harassing and otherwise unduly burdensome, and calls for speculation to the extent to which it requests knowledge, information or materials which are not within the personal possession or control of Abex, its employees or agents, or which may be ascertained or derived, if at all, only from a page-by-page review of the existing voluminous business records and documents of Abex.

Subject to and without waiving these objections, and insofar as it understands this request, Abex does not know with certainty when each material was used to promote or advertise