

22ND JUDICIAL DISTRICT COURT FOR THE PARISH OF WASHINGTON

STATE OF LOUISIANA

PLAINTIFF'S EXHIBIT

GOU-24

NO. 70.760
C/W 72.154
C/W 72.986

IN RE: ROBERT LEE BICKHAM, ET AL

VERSUS

METROPOLITAN LIFE INSURANCE COMPANY, ET AL

FILED: _____
DEPUTY CLERK

**ANSWER TO INTERROGATORIES
ON BEHALF OF DEFENDANT, GOULDS PUMPS, INC.**

NOW INTO COURT, through undersigned counsel, comes defendant, Goulds Pumps, Inc., and answers the Interrogatories propounded to it by plaintiffs as follows:

General Objection

Defendant objects to the extent that the discovery seeks information regarding asbestos product manufacture, design, composition, or similar information which is more properly directed toward asbestos product manufacturers. Goulds Pumps, Inc. has never manufactured asbestos containing products and objects to those questions.

Goulds also objects on the grounds that the discovery seeks information covering several decades of time. Goulds' record retention policies do not extend to the time period at issue and to the extent discovery seeks information regarding time periods many years ago, Goulds objects on the grounds that discovery is overly broad and burdensome. Without waiving this objection, Goulds has made a good faith search through its records and has sought information from its employees regarding the facts and circumstances surrounding the issues in this lawsuit.

INTERROGATORY NO. 1:

Give your present corporate name as well as prior corporate names and state the years you conducted business in the State of Louisiana, and produce copies of each document granting authority for you to do business:

- a. Identify your predecessor(s), produce copies of each predecessor's article of incorporation and other document creating the business entity and state what years they conducted business in Louisiana; and

- b. If you are a corporation, name your state of incorporation, your address of principal place of business and produce copies of your articles of incorporation or other documents pertaining to the creation of your corporation.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 1:

- a. Goulds waives any personal jurisdictional defenses previously raised and concedes that this court has jurisdiction over this defendant.
- b. Goulds Pumps, Inc., was founded in 1848 in the State of New York; In 1985, Goulds Pumps reincorporated in the State of Delaware; Goulds' address and principal place of business is located at 300 Willowbrook Office Park, Fairport, New York 14450-4285. Goulds Pumps has been registered to do business in Louisiana since April 12, 1985.

INTERROGATORY NO. 2:

State whether you are/were a miner, miller, manufacturer, labeler, labellee, rebrander, rebrandee, seller, supplier, distributor, licensee, or licensor of any ACP(s) or an entity which used any ACP(s) as part of a contract or subcontract at the Bogalusa Paper Mill at any time from 1940-1976 and, if so:

- a. Identify each entity, that engaged in each activity which is the subject of your affirmative answer;
- b. If any such entity is your predecessor, state the beginning and ending dates of your relationship with such predecessor(s);
- c. Describe each and every activity, (whether mining, milling, manufacturing, labeling, rebranding, selling, supplying, distributing, using, licensing, or (otherwise), in which you or your predecessor(s) engaged;
- d. Describe each ACP(s) mined, milled, manufactured, labeled, rebranded, sold, supplied, distributed, licensed, or used by you;
- e. With respect to each ACP(s), state the produce name, the brand name, the trademark name, the quantitative percentage by weight and volume of asbestos content (by each type of asbestos separately) and the intended marketable use;
- f. For each ACP(s), state the beginning and ending dates that you engaged in the activity which is the subject of your affirmative answer.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 2:

Goulds Pumps, Inc. was not a miner, miller, manufacturer, relabeler, rebrander, rebrandee, seller, supplier, distributor, licensee, or licensor of any asbestos-containing products, nor was it an entity which used any asbestos-containing products as part of a contract or subcontract at the Bogalusa Paper Mill from 1940-1976. Goulds Pumps, Inc. sold pumps that contained packing and/or gaskets manufactured by other parties to the Bogalusa Paper Mill which may have contained asbestos. Goulds is currently searching for documents which evidence sales of products to the Mill. Those documents are not organized by vendor or location, and at this time, Goulds has been unable to locate documents evidencing sales of pumps to the Bogalusa Paper Mill. All documents currently in defendant's possession evidencing sales of pumps by Goulds have been produced by plaintiffs as a result of document productions by the Mill.

Upon information and belief, any pumps sold by Goulds to the Bogalusa Paper Mill would have been sold by the industrial products group of Goulds, pursuant to specifications provided by the Mill. Goulds Pumps would manufacture the pumps in compliance with the specifications provided by the Mill. Goulds would not design or specify the packing and/or gaskets which were used in the pump. Goulds would set the design perimeters for the gaskets and/or packing and relied upon the gasket and/or packing manufacturers to supply the appropriate materials for use with the pump. The asbestos content, if any, of the gaskets and/or packing was completely the responsibility of the gasket and/or packing manufacturers.

INTERROGATORY NO. 3:

State whether you (I) are or were a label/labelee, licensor/licensee, or a rebrandor/rebrandee or (ii) have distributed or sold any ACP(s) which are or were not manufactured by you under your own name or (iii) have distributed or sold any ACP(s) which are or were not distributed or sold under the name of the entity by which it was manufactured. If so, state:

- a. The terms and conditions of all agreements, licenses, arrangements, and understandings which relate, refer, or pertain to the business relationship under which you conducted any such activity;
- b. The identity of each person, company, corporation, or other business entity whose ACP(s) you have sold or distributed on a product by product basis;
- c. The generic name or identify of each such ACP(s);

- d. The manufacturer's brand name for each such ACP(s);
- e. The dates during which you distributed or sold each ACP(s) under your brand name or trademark name, the quantitative percentage by weight and volume of asbestos content (by each type of asbestos, separately) and the intended marketable use of each ACP(s); and
- f. Identify each person(s) whom you believe has knowledge about any of the facts addressed in said answer.

Please produce all documents relating, concerning and referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 3:

No.

INTERROGATORY NO. 4:

For each ACP(s) identified in your previous answers to these Interrogatories, state whether they were ever sold, supplied, or distributed (i) to the Bogalusa Paper Mill or (ii) whether any such ACP(s) was ever used at the Bogalusa Paper Mill and, if so:

- a. Identify the business entity to whom each ACP(s) was sold, supplied, or distributed or by whom each ACP(s) was acquired;
- b. State the beginning and ending dates that each ACP(s) was sold, supplied, or distributed to Bogalusa Paper Mill, or sub-contractor, or was purchased for use at the Bogalusa Paper Mill.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 4:

Not applicable. See Answer to Interrogatory No. 3.

INTERROGATORY NO. 5:

Identify each person who participated in the design or preparation of manufacturing specifications for each ACP(s) identified in your answer to these Interrogatories and, for each such person(s):

- a. The years and nature of his/her participation.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 5:

Not applicable. Neither Goulds Pumps, Inc., nor any of its employees, participated in the design or manufacturing specifications of any ACP. See answer to interrogatory no. 2.

INTERROGATORY NO. 6:

Describe the design, formula, preparation, manufacture, method of application or use, and intended marketable use of each ACP(s) identified in your answer to these Interrogatories and, for each ACP(s):

- a. Every reason you included asbestos as a part of the ACP(s);
- b. Whether you ever considered not including asbestos as a part of the ACP(s) and, if so state:
 - i) every reason you continued to place asbestos in the ACP(s);
 - ii) the date of each such consideration or thought;
 - iii) the identity of the person(s) involved in each consideration;
- c. If the ACP(s) has ever changed in its composition or its asbestos content (either by a change in the amount of asbestos or by a change in the type of asbestos used), for each such ACP(s), state:
 - i) the nature of each such change;
 - ii) the date of each such change.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 6:

Not applicable. See Answer to Interrogatory No.3. Furthermore, Goulds objects to this interrogatory on the grounds that it is designed to elicit information from asbestos product manufacturers. Without waiving its objection, Goulds avers that it has never been involved in the design, formula, or manufacture of any product manufactured by others and utilized in Goulds' pumps.

INTERROGATORY NO. 7:

State the following information: (i) the trade names and a short description of all products sold that contained asbestos; (ii) the percentages of asbestos contained in each such product, (iii) the first and last dates of sale respecting each such product; (iv) the names and addresses of all

distributors of such products: (v) the names and addresses of all providers of asbestos fiber; (vi) the names of all insurance carriers who are or who may be liable for amounts claimed by the plaintiffs; (vii) the amounts and years of coverage respecting each such insurer.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 7:

Goulds objects to this interrogatory on the grounds that it is overly broad and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving its objection, defendant responds by stating that some of its pumps may have contained asbestos-containing gaskets and/or packing, which were manufactured by other parties. Defendant is unaware of the percentages of asbestos contained in each of these products. Defendant is currently searching for documents which evidence sales of products to the Mill. At this time, Goulds has been unable to locate any documents sales of pumps to the Mill. The only documents in defendant's possession are those which have been produced by plaintiffs as a result of document productions by the Mill.

Upon information and belief all pumps which would have been sold to the Mill would have been produced by the industrial products group and those products would have been specified by the Mill. Products by the industrial products group of Goulds Pumps would not have been sold through distributors, but would have been sold directly to the Mill.

Defendant is unable at this time to determine all suppliers of asbestos-containing gaskets or packing which were used in Goulds Pumps. To the best of defendant's knowledge, the suppliers may have included Johns-Manville Corporation, John C. ne and/or Seal All.

INTERROGATORY NO. 8:

Identify each and every insurance policy for which you claim or have claimed in the past that said insurance policy provided coverage, in whole or in part, for claims against you based on personal injury alleged to arise from or to the related to exposure to ACP(s) or your activities involving ACP(s) and identify the following for each:

1. Insurer: Specify exactly as named in the insurance policy or other document evidencing coverage.
2. Insured: The insured named in the policy.
3. Policy Period: Refer to the actual period for which the insurance policy is in effect.

4. Policy Type: Specify whether primary, excess, or self-insured.
5. Policy Form: Enter the codes (A, B, C, etc.) that describe the insurance policy form.
- A. Pre-1966 Standard Form Insurance Policy. (Pre-1966 Standard Form Insurance Policy means an insurance policy containing substantially the same defense of suits clause as the pre-10/1/66 National Bureau of Casualty Underwriters editions of the standard general liability insurance policy).
 - B. The insurance policy does not pay allocated expenses following exhaustion of aggregate limits. (Allocated expenses means all fees expenses incurred for services performed directly attributable to the defense and disposition of a particular asbestos-related claim).
 - C. The insurance policy does pay allocated expenses following exhaustion of aggregate limits.
 - D. The insurance policy expressly provides coverage on an specific manifestation basis.
 - E. The insurance policy expressly provides coverage on a claims-made basis.
 - F. The insurance policy expressly provides coverage on a first discovery basis.
 - G. The insurance policy pays allocated expenses and such expenses do not apply against aggregate limits.
 - H. The insurance policy pays allocated expenses and such expenses apply against aggregate limits.
 - I. The insurance policy does not pay allocated expenses.
6. Per Occurrence Accident Limits:
Refer to the limit for any one occurrence of any one accident.
7. Products Aggregate:
Refer to the aggregate limit applicable to products bodily injury liability coverage. Certain insurance policies may contain a combined aggregate for bodily injury, property damage and other covered perils; if so, refer to the combined limit.
8. Products Aggregate Consumption:
The function of the Aggregate Consumption Summary is to trace the consumption of total products liability aggregate limits claims. List such consumption.
9. Types of Deductibles and Retentions:
Enter the codes (J, K, L, etc.) that describe the type of deductible or retention and thereafter, the amount:
- J. Per occurrence deductible

- K. Per claim deductible
- L. Deductible reduces the aggregate limits of the insurance policy
- M. Self insured retention
- N. Loss Limit
- O. Other

10. Policy Number:

Specify exactly as contained on the insurance policy or other evidential documents of coverage.

With respect to defendant's answer to this Interrogatory and each sub part thereof, produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the Interrogatory and each sub-part thereof.

ANSWER TO INTERROGATORY NO. 8:

At all relevant times, Goulds was insured by Utica National Insurance Group. Defendant will produce a schedule of insurance.

INTERROGATORY NO. 9:

With respect to each insurer identified in your answer to the preceding interrogatory, state with specificity whether said insurer or any entity acting for or on behalf of said insurer:

- a. Made or conducted any inspection of your plant(s), building(s), facility(s), hull(s), or any job site(s) where you were using ACP(s) or where your ACP(s) were being used.
- b. Performed any tests, inspections, reviews, analysis, examinations or any other process or procedure of any ACP(s);
- c. Participated in studies, participated in funding studies or provided information concerning studies about ACP(s);
- d. Identify all communications between you and your insurer or any agent thereof relating to any safety information, safety inspections, tests, reviews, examinations, instructions, mandates, suggestions, observations or any other insurance related correspondence concerning your ACP(s) or work; and
- e. With respect to Defendant's answer to this interrogatory and each sub part thereof, produce all documents relating to, concerning or referencing the information contained in your answer to the subject matter of the interrogatory and each subpart thereof.

ANSWER TO INTERROGATORY NO. 9:

Goulds objects to this interrogatory as being overly broad and burdensome and not calculated to lead to the discovery of admissible evidence. Subject to this objection. Goulds responds by

stating that no representative of Utica National Insurance Group ever inspected the Bogalusa Paper Mill where Goulds pumps were in use.

INTERROGATORY NO. 10:

Identify any written distributorship agreement or any other document relating to the sale or distribution of any product identified in your answer to these Interrogatories. Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 10:

On information and belief, any pumps sold by Goulds to the Mill would have been designed and manufactured by the industrial products group and those products would have been specifically specified by the Mill. Those products would not have been sold through a distributor, but would have been sold directly to the Mill. Goulds Pumps' salesmen may have visited the Mill at various times. Any visits would have been to inspect the pumps manufactured by Goulds and not promote, sell, inspect or otherwise review the use of asbestos-containing products. No visit would have been to inspect or review the health and safety aspects of the work in the Mill.

INTERROGATORY NO. 11:

State whether any of the distributors, wholesalers, or suppliers identified in your answer to Interrogatory No. 8 or any other entity to whom you sold or supplied ACP(s) were provided by you with any instructions, oral or written, in regard to the use of such ACP(s). If so, please state:

- a. When the instruction were given;
- b. By and to whom the instruction were given;
- c. Whether the instructions were oral or written;
- d. The precise content of the instructions; and
- e. If the instructions were written, identify any documents relating to the instructions.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 11:

Not applicable.

INTERROGATORY NO. 12:

Have you or any of your representatives ever visited any of the locations or entities listed in your answer to any interrogatory for the purpose(s), or as a purpose(s) among others, of promoting, selling, or discussing, inspecting or reviewing the use of ACP(s) or for the purpose of discussing, inspecting, or reviewing the health and safety aspects of a work place where ACP(s) are used? If so, state:

- a. The name, address, and title of each person(s) who visited each location or entity;
- b. The date of each visit;
- c. the purpose of each visit;
- d. Who at each location was seen and spoken to on each occasion;
- e. Whether any such person(s) discussed with the management personnel of any such entity the long term effects on health and safety of exposure to asbestos, and, if so, state:
 - i) The content of such discussions; and
 - ii) The dates of such discussions.
- f. Whether any such person(s) attempted to communicate to the employee(s) of any such entity information respecting health and safety ramifications to employees of long-term asbestos exposure and, if so, state:
 - i) The results of such efforts;
 - ii) The content of each communication; and
 - iii) The date of each communication.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 12:

Defendant, Goulds Pumps, Inc. has no information or documentation regarding any such visitation by Goulds representatives to the Bogalusa Paper Mill. To the best of defendant's knowledge, the last sales representative from Goulds Pumps would have been Jim Peeler with the industrial products group, who would have called upon the Mill regarding sales of Goulds Pumps. The last visit was several years ago.

INTERROGATORY NO. 13:

State the following with respect to the packages and containers in which you sold,

distributed, supplied, or otherwise furnished each of the ACP(s) described in your answer to these interrogatories on a year-by-year and product-by-product basis:

- a. A description of the package or container in which each product was sold, distributed, supplied, or otherwise furnished, including composition, size, shape, and color;
- b. A description of the markings or printed materials which appeared on each package or container(s), including the size and color of each;
- c. A description of any logo or other design appearing on the package or container;
- d. A verbatim description of any caution or warning notice appearing on the package or container;
- e. A verbatim description of any instructions appearing on the package or container; and
- f. If the package and containers in which you sold, distributed supplied, or otherwise furnished each of the ACP(s) has every changed, describe each and every change and give the reason(s) for such change(s).

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 13:

Not applicable.

INTERROGATORY NO. 14:

With respect to each ACP(s) identified in your answer to these interrogatories which were the subject of any types of advertisement or promotional material, state:

- a. The subject matter of the advertisement or promotional material;
- b. The media in which the advertisement or promotional material was placed;
- c. When the advertisement or promotional material was so placed;
- d. The geographic area where the advertisement or promotional material was circulated;
- e. Whether any photographs or diagrams were included in the copy of the advertisement or promotional material;
- f. The author, date and present location and custodian of each advertisement or promotional material that was made public; and
- g. The parties involved in the preparation of the copy for the advertisement or promotional material, including their last known addresses.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 14:

Not applicable.

INTERROGATORY NO. 15:

Identify all sales brochures, catalogs, advertising, literature, diagrams, samples, photographs, and other documents pertaining to the products previously identified in your answers to these interrogatories and any packaging in which it came. Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO THE INTERROGATORY NO. 15:

Defendant will produce product brochures for the pumps identified in the documents produced from the Mill.

INTERROGATORY NO. 16:

State the name and location of each and every facility ever owned, controlled or operated by you which at any time mined, milled, or manufactured any ACP(s) and state for each such facility its years of operation and the products or materials produced.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 16:

Goulds objects to this interrogatory on the grounds that it presumes that Goulds mined, milled or manufactured ACPs. Without waiving same, Goulds states that it never mined, milled or manufactured any ACP.

INTERROGATORY NO. 17:

State your past and present chief or corporate medical officer(s) and state the periods of employment of each such person.

- a. If you did not employ a chief or corporate medical officer, identify each such physician or other medical personnel with whom you consulted or who were retained by you from 1920 to the present, listing the periods of time during which each such person was retained or consulted.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 17:

Goulds has never had a chief or corporate medical officer. At certain points in time, Goulds retained the services of outside physicians to review disability claims, compensation claims and to

conduct pre-employment drug screenings. The physicians known to Goulds as this time are:

Dr. Saul Towers (1970 through mid-1980)
Dr. Monkofsky (mid-1980 through 1990)
Dr. Tim Ryan (1993 to present)

INTERROGATORY NO. 18:

State the duties and responsibilities of your chief or corporate medical officer and, if such duties and responsibilities have changed since 1920, and state the date of each such change. please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 18:

See response to Interrogatory No. 17.

INTERROGATORY NO. 19:

State the names and addresses of any organizations, groups, trade associations, inter-company, or industrial organizations including, but not limited to: (a) American conference of Governmental Industrial Hygienists [ACGIH]; (b) Asbestos Institute [AI]; (c) Asbestos Textile Institute [ATI]; (d) National Insulation Manufacturers Association [NIMA]; (e) Thermal Insulation Manufacturers Association [TIMA]; (f) Quebec Asbestos Mines Association [QAMA]; (g) Asbestos Information Association [AIA]; (h) Industrial Health Foundation [IHF]; (i) Industrial Hygiene Foundation [IHF]; (j) Iron and steel Institute; (k) National Safety Council [NSC]; (l) Refractories Institute; (m) Gypsum Association [GA]; (n) National Insulation Contractors Association; (o) American Association of Testing Materials [ASTM]; (p) International Association of Wall and Ceiling Contractors [IAWCC]; (q) Association of Wall Ceiling Insulators [AWCI]; (r) American National Standards Institute [ANSI]; (s) American Petroleum Institute [API]; (t) Fluid Sealing Association [FSI]; (u) Gasket Fabricators Association [GFA]; (v) Mechanical Packing Association [MPA]; (w) Asbestos Information Association of North America [AIANA]; (x) Sprayed Mineral Fiber Manufacturers Association [SMEMA]; (y) Asbestos Cement Products Association [ACPA]; (z) Mineral Fiber Products [MFPB]; (aa) Gypsum Drywall Contractors International [GDCI]; (bb) American Industrial Hygiene Association [AIHA]; (cc) National Mineral Wood Association; (dd) Acoustical Materials Association [AMA]; (ee) Acoustical Materials and Insulation Association [AMIA]; (ff) American Board Products Association [ABPA]; (gg) North American Industrial

Hygiene Association [NAIHA]; (hh) National Lime Association [NLA]; (ii) Contracting Plaster and Lathers Association [CPLI]; (jj) American Standards Association [ASI]; (kk) American Society of Safety Engineers [ASSE]; (ll) American Industrial Hygienists [AIHA]; (mm) Employing Plasterers Association [EPA]; (nn) Metal Lather Association [MLA]; (oo) Pulp and Paper Institute [PPI]; (pp) Hardboard Association [HA]; (qq) Asbestos Research Council of England [ARCE], to which you had or have had either corporate or individual association or to which you belong or belonged and in so doing state:

- a. Dates of membership as to each;
- b. Amount of money you contributed annually to each; and
- c. Identify all studies or investigations of ACP(s) which were performed and/or funded by any of the above named association(s), made available to any of the above named association(s) or known to any of the above named association(s) at any time wither before or while you were a member of such association(s).

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 19:

Defendant objects to this interrogatory on the grounds that it overly broad and burdensome and not calculated to lead to the discovery of admissible evidence. Without waiving this objection and subject thereto, defendant responds by stating that some of its members have been members of the American National Standards Institute (ANSI) and the American Society of Safety Engineers (ASSE).

INTERROGATORY NO. 20:

Identify all documents in your possession, custody, or control and all documents about which you have knowledge which emanated from any one or more of the organizations listed in these interrogatories which relate, refer, or pertain in any way to the use of asbestos or ACP(s) or to possible or actual health hazards or problems connected with the use of ACP(s), and identify the custodian of each such document.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 20:

Goulds has no documents in its possession, custody or control and knows of no documents

emanating from any of the associations listed in interrogatory 19 which refer or pertain in any way to the use of ACP or health hazards associated with same.

INTERROGATORY NO. 21:

Identify all journals, periodicals, magazines, and other publications to which you or your Environmental, Industrial Hygiene, Safety, Research & Development, or Medical Departments or equivalents subscribed to or received from 1920 until the present time, listing as to each the respective time periods each such publication was subscribed to or received.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 21:

See response to previous interrogatory.

INTERROGATORY NO. 22:

State whether any of your employees have ever made a claim for occupational disease including pulmonary disease or injury, malignant neoplasm pneumoconiosis of any sort, silicosis or asbestosis related to any ACP(s) under the occupational disease or workmen's compensation statute of any state, or any federal compensation statute, including but not limited to, the Longshoreman and Harbor Workers Compensation Act; if so, please state:

- a. The date that any such claim was first filed;
- b. The date that you first received notice of any such claim; and
- c. On a year-by-year basis, state the total number of such claims that were filed, state the number of claims or cases of pneumoconiosis by type, including silicosis and asbestosis for each year, and for each such year state the number of employees who actually received benefits under any occupational disease or workmen's compensation statute for asbestosis, silicosis or any other lung pathology.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 22:

Goulds objects to this interrogatory on the grounds that it is overly burdensome and it is not reasonably calculated to lead to the discovery admissible evidence.

Without waiving this objection and subject thereto, defendant responds by stating that it currently aware of only one claim by a former employee regarding alleged asbestos-related disease.

The case is entitled *Gerald Yeager v. Goulds Pumps* and is pending in the Workers' Compensation Administration of the State of California. Goulds first notice of this claim was in January of 1997. Defendant will provide copies of pleadings in its possession regarding this claim.

INTERROGATORY NO. 23:

If you contend that any ACP(s) named in your answer to these interrogatories was/is not dangerous to the health of persons coming into contact with same, identify each such product, and as to such product(s), identify all documents and any other information upon which you rely, and identify each individual who has knowledge of such facts, opinions, conclusions, and documents and other information.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 23:

Goulds objects to this interrogatory on the grounds that it presumes that ACPs were sold by Goulds, and further objects on the grounds that plaintiffs are improperly attempting to shift the burden of proof to defendant, Goulds. Subject to this objection, Goulds states that there have been and are many approved uses of asbestos, as reflected in, for example, EPA and OSHA regulations. Further, on information and belief, the gasket and packing materials used in Goulds' pumps contained no friable asbestos fiber which exceeded past or present or permissible exposure limits

INTERROGATORY NO. 24:

State when you first became aware that asbestos when breathed into the lungs was: (i) alleged to be hazardous to the breather; (ii) acknowledged to be hazardous to the breather; and (iii) could cause cancer; (iv) could cause mesothelioma; (v) when combined with smoking, substantially increases the risk of lung cancer; and state (vi) from whom you obtained this information; and (vii) what action, if any, you took upon receiving this information.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 24:

- (i) Objection, requires expert opinion and /or speculation;
- (ii) Objection, requires expert opinion and /or speculation;

- (iii) Objection. requires expert opinion and /or speculation:
- (iv) Objection. requires expert opinion and /or speculation:
- (v) Objection. requires expert opinion and /or speculation;
- (vi) Objection. requires expert opinion and /or speculation:
- (vii) Objection. requires expert opinion and /or speculation

INTERROGATORY NO. 25:

State when you first became aware that ACP(s) or their containers were being labeled with warnings or notices concerning or referring to the risks or dangers of the use of and exposure to ACP(s), identify the person who first obtained such knowledge and identify the product and manufacturer connected with such warning or notice.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 25:

Goulds has no documentation regarding asbestos products labeling, particularly with regard to warnings or notices.

INTERROGATORY NO. 26:

When, if at all, did you first place labels, notices or warnings on each ACP(s) identified in your answers to these interrogatories regarding or concerning the risks or dangers of the use of and exposure to any ACP(s)?

- a. Describe each such label, notice, or warning on each product, including composition, text, size, shape, and color;
- b. If any label, notice, or warning has ever changed, described each change and give the reasons for each change; and
- c. Identify any union, governmental agency, or other entity with whom or by whom each label, notice, or warning was ever reviewed or discussed and state, in detail, the dates and nature of the action.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 26:

As Goulds never manufactured any asbestos-containing product, it was never required to place any warnings on its products regarding asbestos. In 1985, federal law required products, which

incorporated asbestos-containing products in them. they include an appropriate warning. Goulds Pumps ceased selling any products which incorporated asbestos-containing gaskets or packing prior to 1985.

INTERROGATORY NO. 27:

Did you perform, engage others to perform, or become aware of tests of the safety of your ACP(s), or of products similar in function to your ACP(s), including but not limited to animal studies, fiber release studies, or other studies, and, if so, state all facts, opinions, conclusions, and identify all documents and any other information which you assert supports this position, and identify the individuals who have knowledge of such facts, opinions, conclusions, and any other information and identify the applicable documents.

- a. Identify each study or test, describe the protocol used in each study or test, and explain in detail the results of each study or test; and
- b. Identify any union, governmental agency, or other entity with whom or by whom the study or test was ever reviewed or discussed and state, in detail, the dates and nature of the action taken.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 27:

No.

INTERROGATORY NO. 28:

State all facts, opinions and conclusions, and identify all documents and any other information you have concerning warnings which you have given users of your ACP(s), and identify all individuals who have knowledge of such facts, opinions, conclusions and other information, and identify the applicable documents.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 28:

Not applicable.

INTERROGATORY NO. 29:

State all facts, opinions, and conclusions, and identify all documents and any other

information which you have concerning protective devices which you recommended be used by persons working with or exposed to ACP(s) and the actual use of such facts, opinions, conclusions and other information and identify the applicable documents.

ANSWER TO INTERROGATORY NO. 29:

As Goulds Pumps never manufactured any asbestos-containing product, it relied upon the asbestos-containing product manufacturers and the employers, of those persons who would be using the equipment, to take proper precaution regarding protective devices. Goulds Pumps are not considered "products" as that term is used regarding the necessity of material safety data sheets. Pumps are considered "articles" and are not subject to the MSDS requirements.

INTERROGATORY NO. 30:

Do you contend that there was no need or reason or that you did not have to give warnings of the risks and dangers of the use of and exposure to ACP(s) until the adoption of OSHA regulations? If so, state all facts, opinions, and conclusions and identify all documents and any other information which you assert supports this position, and identify the individuals who have knowledge of such facts, opinions, conclusions and other information and identify the applicable documents.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 30:

Goulds objects to this interrogatory since it attempts to shift the burden of proof, and since it calls for legal analysis and conclusion.

INTERROGATORY NO. 31:

Did you ever attempt by written communication to apprise anyone of the health and safety effects of exposure to asbestos? If so:

- a. The date of each communication;
- b. Identify the author of each such written communications;
- c. Identify the person who first recommended such communications;
- d. State the means used by Defendant to transmit same;
- e. Identify the custodian of all such written communications; and

- f. Identify any person or entity that received such communications or to whom they were directed.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 31:

No. Goulds relied upon the manufacturers of the products and the appropriate federal and state regulatory agencies to issue warnings and notices regarding any dangerous propensity of asbestos-containing products.

INTERROGATORY NO. 32:

Have you conducted or had conducted for you or participated in any investigation, study, test, review, or analysis (hereinafter referred to as "study"), concerning pneumoconiosis generally and/or asbestos-related disease, illnesses, or injuries and/or safety aspects concerning the use of ACP(s), if so, for each such study state by:

- a. The date each study was commenced;
- b. The date each study was concluded;
- c. The names and address of the person, association, organization or agency authorizing the study;
- d. The names, address and job title of the person in charge of the study;
- e. The names, addresses and job titles of the persons participating in the study;
- f. The title and subject of the study;
- g. The result of each study;
- h. The statistical analysis made, stating the results and describing the date and assumptions upon which they were based; and
- i. If in writing, identity the present custodian of the same.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 32:

No.

INTERROGATORY NO. 33:

Do you have in your possession or have knowledge of any books, pamphlets, memoranda.

correspondence, reports, studies, minutes of meetings, articles of newspapers, magazines, periodicals or journals, or other document(s) of any kind or character that would indicate that asbestos when inhaled is or may be dangerous to the health of human beings? If so, please set forth with regard to each such document:

- a. The identity of each such document;
- b. The date each such document was published and the name of the publisher and author;
- c. The date defendant first acquired knowledge of each such document;
- d. The date defendant first acquired possession of each such document; and
- e. The name, job title and address of each person who currently has possession of any such documents.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 33:

Defendant objects to this interrogatory on the grounds that it is overly broad and burdensome and is not calculated to lead to the discovery of admissible evidence. Further answering, Goulds Pumps does not have a library in which it keeps the documents referenced in this interrogatory.

INTERROGATORY NO. 34:

Have you at any time required your employees who worked directly with ACP(s) to wear respirators, gas masks, or other protective clothing, and/or utilize dust control equipment or other devices? If so, explain each and every reason why and state:

- a. The date you first required employees to do so;
- b. Whether your requirement or policy is embodied in any corporate memoranda, employee manual, or stated in any other document and, if so, identify each such document;
- c. Whether instructions for the proper use of said devices or clothing were communicated to your employees and, if so, how;
- d. Whether any employees were warned or reprimanded for failure to use such devices or to wear such masks or protective clothing; and
- e. Whether you provided or furnished the devices or protective clothing to your employees and, if so, what devices or protective clothing were provided or furnished, what years each was provided or furnished, and from whom were they purchased or acquired.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 34:

Not applicable.

INTERROGATORY NO. 35:

If you contend there are differences between asbestos types (i.e., chrysotile, amosite, and crocidolite or otherwise) with respect to their ability to cause disease in humans, state all facts, opinions, and conclusions relied upon to support your contention, identify all documents relating to same and all persons with knowledge of same.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 35:

Goulds objects since Goulds did not manufacture or design any ACP's, it had no knowledge of same and could not have formulated an opinion or "contention" on this issue. Defendant will rely upon the product manufacturers and expert witnesses to respond to this question.

INTERROGATORY NO. 36:

Identify all past and present officers, agents, servants, employees, representatives, consultants, or independent contractors of this Defendant who have ever testified or been deposed in connection with any claim or lawsuit for asbestos-related disease or exposure and provide a brief summary of the subject matter about which each person testified.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 36:

One former employee and one current employee have testified in deposition on behalf of Goulds Pumps. They are E. Barry Bradshaw, former Vice President and General Counsel and Robert McGowen who is an IPG salesman.

INTERROGATORY NO. 37:

State when you were first advised or had knowledge of either threshold limit values (TLV's)

or maximum allowable concentrations (MAC's) of both asbestos dust and total dust as published by the American Conference of Governmental Industrial Hygienists (ACGIH) and state:

- a. The identity of each of your employee(s) and official(s) receiving such advise or knowledge;
- b. The dates when and circumstances by which such knowledge came to your attention;
- c. Any action taken or communication made by you concerning such knowledge;
- d. When were warnings first put on the product.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 37:

Unknown.

INTERROGATORY NO. 38:

Identify all building products including but not limited to, shingles, siding, acoustical plasters, and texture treatments ever manufactured, sold, distributed, licensed, used and/or rebranded by or for you. For each identified state:

- a. The plant where the product was manufactured;
- b. The dates of manufacture;
- c. Intended use for the product;
- d. Asbestos fiber type used in each product;
- e. Percentage of asbestos fiber in each product;
- f. The person or persons who invented and/or formulated the product; and
- g. The reasons why each such product was taken off the market.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 38:

Goulds never manufactured, sold, distributed, licensed, used, or rebranded any building products.

INTERROGATORY NO. 39:

Identify each of your present, former employees and agents who, between 1920 and today

who are the most knowledgeable about each of the following topics:

- a. Marketing of asbestos-containing products;
- b. Sales of asbestos-containing products;
- c. Development of non-asbestos substitutes for asbestos-containing products;
- d. Labeling and warnings for asbestos-containing products;
- e. Research and development of asbestos-containing products;
- f. Research and development of each spray-on product identified in answer to previous interrogatories;
- g. Purchase of asbestos fibers;
- h. Sales of asbestos fibers;
- i. Scientific, medical, or trade journals received by you or your employees;
- j. Scientific, trade, or industry groups or organizations to which you or your employees belonged;
- k. Asbestos-containing products licensed to or by you;
- l. Purchase or sale of other asbestos product companies and possible successor liability;
- m. Customer or user companies or inquiries about the friability, dusting, flaking, fall out, drop out or separation of your spray-on products; and
- n. Location and authentication of your documents.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 39:

- a. Walter Connolly and William Goodman;
- b. See (a);
- c. Not applicable;
- d. Not applicable;
- e. Not applicable;
- f. Not applicable;
- g. Not applicable;
- h. Not applicable;
- i. Not applicable;
- j. Not applicable;

- k. Not applicable;
- l. Not applicable;
- m. Not applicable;
- n. Walter Connoly and William Goodman.

INTERROGATORY NO. 40:

Have you or your predecessor or affiliates at anytime required your employees who worked directly or indirectly with asbestos or ACP(s) to undergo medical examinations, to have chest roentgenogram, or pulmonary function tests? If so, explain each and every reason why and state:

- a. Whether such examination or tests were required, and if the test was required at least in part, because of health hazards presented by asbestos inhalation;
- b. The date you or your predecessors or affiliates first required employees to undergo such examinations or tests;
- c. Whether this requirement or policy was or is embodied in any corporate memoranda, employee manual, or stated in any other document;
- d. If the examinations or tests were conducted on site by company physicians and the names and current address of said physicians;
- e. If the examinations or tests were conducted or analyzed off-site or by an independent physician, clinic or other health care provider, and the names and current addresses of said health care providers;
- f. Whether the Saranac Laboratories, Saranac Lake, New York, were involved in any way in such examinations and testing;
- g. Whether any dates were complied or retained from such examinations and testing, and if so, the place and manner of its storage, and the identity of the custodian of said records; and
- h. Whether medical records generated by such examinations and testing were maintained, and if so, the place and manner of its storage, and the identity of the custodian of said records.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 40:

No.

INTERROGATORY NO. 41:

Please state when you first knew of the hazards associated with asbestos, setting for the date and source of such information and produce all documents in connection with this response. Please

produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 41:

Unknown. As explained in answer to interrogatory no. 29, defendant ceased the incorporation of asbestos-containing packing of gaskets prior to 1985.

INTERROGATORY NO. 42:

Please identify each person (by name, address, occupation, and specialty) whom defendants expect to call as an expert witness for the trial of this matter and for each, state:

- a. The subject matter to which the expert is expected to testify;
- b. The subject matter of the facts and opinions to which the expert is expected to testify;
- c. A summary of the grounds for each opinion, including, but not limited to, a list of all x-rays, CT scans, MRI's, pathology and medical records received; and
- d. Please attach copy of each expert's curriculum vitae and/or resume to your answers to these interrogatories.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 42:

1. Dr. Sheldon H. Rabinovitz, Ph.D., C.I.H., 275 Broadhollow Road, Suite 302, Melville, NY 11747, is an expert industrial hygienist and toxicologist. Dr. Rabinovitz will testify that the maintenance and use of Goulds' pumps caused minimal, if any, exposure to friable asbestos fibers since the gasket and packing used in Goulds pumps were encapsulated in a matrix that prevented crumbling.
2. John Tucker, Manager, PRO Shop Operations, Goulds Pumps, Inc., P.O. Box 964, Denham Springs, Louisiana 70726. Mr. Tucker has been in charge of pump repair at Goulds Pumps, Inc.'s repair facility located in Denham Springs, Louisiana for 27 years. He is expected to testify as to the infrequent intervals of pump repair, and that packing and gasket materials are usually removed from the pumps in a wet condition.
3. William Goodman, Goulds Pumps, Inc., 240 Fall Street, Seneca, New York 13148. Manager Order Engineering; regarding general aspects of use and operation of Goulds Pumps.
4. Walter Connolly, Goulds Pumps, Inc., 240 Fall Street, Seneca, New York 13148. Senior application engineer; regarding use and application of Goulds Pumps.
5. Gary Elkin, Goulds Pumps, Inc., 300 Willowbrook Office Park, Fairport, New York 14450. Director of Risk Management; regarding use and operations of Goulds Pumps.
6. Goulds may call other experts to be determined at a later date.

INTERROGATORY NO. 43:

Do you contend that any third party is liable for any of the acts and/or omissions complained of and/or alleged in the complaint filed in this matter? If your answer is in the affirmative, state all facts, opinions, and conclusions, and identify all documents and any other information which you contend to support this position and identify the individuals by name, address, telephone number, and occupation who have knowledge of same and/or will testify to these facts at trial.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 43:

Defendants objects to the Interrogatory on the grounds that it is overly broad and burdensome and not calculated to lead to the discovery of admissible evidence. Further, defendant objects on grounds that plaintiffs seek to alter the burden of proof. Without waiving these objections defendant reserves the right to seek indemnity and/or contribution from any liable third party.

INTERROGATORY NO. 44:

Please identify and/or describe any and all documents, photographs, diagrams, models, reports, results of tests, x-rays, CT scans, MRI's, medical records, or other such tangible items which in any way support or serve as a basis for the facts and opinions you expect to be given in testimony by any expert witness you expect to call at trial of this matter.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 44:

None at this time, beyond the documents already in the possession of the plaintiff.

INTERROGATORY NO. 45:

Please identify any journal articles, treatise excerpts, or other medical research either relied upon by your experts in reaching their opinions, or which you plan on reading or submitting to the jury.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 45:

Objection. Any such item to be relied upon by Goulds' expert witnesses will be determined after, by necessity, the plaintiff has put on his case, as it will be only then that Goulds will be in a position to decide which articles, rebut plaintiff's evidence.

INTERROGATORY NO. 46:

Please identify by name, address, telephone number, and occupation each person whom you will or may call as a witness in this case and summarize testimony to be offered by that witness in support of any defense to this cause of action.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 46:

See response to Interrogatory No. 42.

INTERROGATORY NO. 47:

Please describe all documentary and demonstrative evidence to show the jury which you will or may offer as evidence at the trial of this cause of action.

ANSWER TO INTERROGATORY NO. 47:

Not known at this time.

INTERROGATORY NO. 48:

Please produce all documentary or demonstrative evidence which you will or may offer as evidence or show the jury at the trial of this cause of action

ANSWER TO INTERROGATORY NO. 48:

Not known at this time.

INTERROGATORY NO. 49:

Identify by name, address, telephone number, and occupation each person answering or assisting in the answering of these interrogatories.

ANSWER TO INTERROGATORY NO. 49:

Sharon Hogan, Goulds Pumps, Inc., 300 Willowbrook Office Park, Fairport, New York 14450. Risk Manager; Lawrence G. Pugh, III, 1100 Poydras Street, 3200 Energy Centre, New Orleans, Louisiana 70163-3200.

INTERROGATORY NO. 50:

Identify any co-worker of plaintiff whom you have interviewed or intended to call as a witness in this litigation.

ANSWER TO INTERROGATORY NO. 50:

Not yet determined.

INTERROGATORY NO. 51:

Please state if any private investigation and/or surveillance of plaintiffs' activities have been conducted since the date of the defendant's first notification of plaintiffs' injury.

ANSWER TO INTERROGATORY NO. 51:

None.

INTERROGATORY NO. 52:

Please state the name and address of any person(s) who ordered or directed any surveillance or background checks to be made of plaintiff and provide:

- a) The known address and occupation of the person or persons engaged in carrying out the surveillance or investigation.
- b) The date on which any report, whether written or oral was made concerning the findings of each surveillance or investigation.
- c) The name, address and occupation of each person making such reports.
- d) The name, address and occupation of each person to whom each report was made.
- e) The date, time and place where each surveillance or investigation was conducted.
- f) Whether any films or photos were made of the plaintiffs' activities, and if so the number of photos and the amount of video film obtained.

ANSWER TO INTERROGATORY NO 52:

None.

INTERROGATORY NO. 53:

Please produce a copy of any and all surveillance films, photos or other visual depictions of the plaintiff or any property owned or rented to the plaintiff at any time and for any reason. Or, if you object to providing such copy, then state in whose possession, custody or control same is at present.

ANSWER TO INTERROGATORY NO. 53:

None.

INTERROGATORY NO. 54:

Please produce a copy of any and all documents of any nature or type obtained in the course of any surveillance or investigation of plaintiff, or which you have custody of. Or if you object, then state in whose possession, custody or control same is at present.

ANSWER TO INTERROGATORY NO. 54:

None.

Respectfully submitted,

MONTGOMERY, BARNETT, BROWN,
READ, HAMMOND, & MINTZ



Lawrence G. Pugh, III (#17351)
1100 Poydras Street
3200 Energy Centre
New Orleans, Louisiana 70163-3200
Telephone: (504) 585-7667
Attorney for Goulds Pumps, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by placing a copy of same at CBD Docusource on this 1st day of

May, 1997.



22ND JUDICIAL DISTRICT COURT FOR THE PARISH OF WASHINGTON

STATE OF LOUISIANA

NO. 70,760
C/W 72,154
C/W 72,986

IN RE: ROBERT LEE BICKHAM, ET AL

VERSUS

METROPOLITAN LIFE INSURANCE COMPANY, ET AL

FILED: _____

DEPUTY CLERK

**SUPPLEMENTAL ANSWERS TO INTERROGATORIES
ON BEHALF OF DEFENDANT, GOULDS PUMPS, INC.**

NOW INTO COURT, through undersigned counsel, comes defendant, Goulds Pumps, Inc., who, supplements its previously submitted answers the Interrogatories propounded to it by plaintiffs as follows. Defendant reserves the right, pursuant to CCP Art 1428, to supplement discovery responses as information becomes available to it.

INTERROGATORY NO. 7:

State the following information: (I) the trade names and a short description of all products sold that contained asbestos; (ii) the percentages of asbestos contained in each such product, (iii) the first and last dates of sale respecting each such product; (iv) the names and addresses of all distributors of such products; (v) the names and addresses of all providers of asbestos fiber; (vi) the names of all insurance carriers who are or who may be liable for amounts claimed by the plaintiffs; (vii) the amounts and years of coverage respecting each such insurer.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 7:

Additional suppliers of asbestos-containing material to Goulds may have included Garlock, Sealol, Inc., Flexitalic Gaskets and LeMons Metal Gaskets.

INTERROGATORY NO. 8:

Identify each and every insurance policy for which you claim or have claimed in the past that said insurance policy provided coverage, in whole or in part, for claims against you based on

personal injury alleged to arise from or to the related to exposure to ACP(s) or your activities involving ACP(s) and identify the following for each:

1. Insurer: Specify exactly as named in the insurance policy or other document evidencing coverage.
2. Insured: The insured named in the policy.
3. Policy Period: Refer to the actual period for which the insurance policy is in effect.
4. Policy Type: Specify whether primary, excess, or self-insured.
5. Policy Form: Enter the codes (A, B, C, etc.) that describe the insurance policy form.
 - A. Pre-1966 Standard Form Insurance Policy. (Pre-1966 Standard Form Insurance Policy means an insurance policy containing substantially the same defense of suits clause as the pre-10/1/66 National Bureau of Casualty Underwriters editions of the standard general liability insurance policy).
 - B. The insurance policy does not pay allocated expenses following exhaustion of aggregate limits. (Allocated expenses means all fees expenses incurred for services performed directly attributable to the defense and disposition of a particular asbestos-related claim).
 - C. The insurance policy does pay allocated expenses following exhaustion of aggregate limits.
 - D. The insurance policy expressly provides coverage on an specific manifestation basis.
 - E. The insurance policy expressly provides coverage on a claims-made basis.
 - F. The insurance policy expressly provides coverage on a first discovery basis.
 - G. The insurance policy pays allocated expenses and such expenses do not apply against aggregate limits.
 - H. The insurance policy pays allocated expenses and such expenses apply against aggregate limits.
 - I. The insurance policy does not pay allocated expenses.
6. Per Occurrence Accident Limits:

Refer to the limit for any one occurrence of any one accident.
7. Products Aggregate:

Refer to the aggregate limit applicable to products bodily injury liability coverage. Certain insurance policies may contain a combined aggregate for bodily injury, property damage and other covered perils; if so, refer to the combined limit.
8. Products Aggregate Consumption:

The function of the Aggregate Consumption Summary is to trace the consumption of total products liability aggregate limits claims. List such

consumption.

9. Types of Deductibles and Retentions:

Enter the codes (J, K, L, etc.) that describe the type of deductible or retention and thereafter, the amount:

- J. Per occurrence deductible
- K. Per claim deductible
- L. Deductible reduces the aggregate limits of the insurance policy
- M. Self insured retention
- N. Loss Limit
- O. Other

10. Policy Number:

Specify exactly as contained on the insurance policy or other evidential documents of coverage.

With respect to defendant's answer to this Interrogatory and each sub part thereof, produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the Interrogatory and each sub-part thereof.

ANSWER TO INTERROGATORY NO. 8:

See sample policy issued by Utica National Insurance Group to Goulds Pumps, Inc. At all relevant times of plaintiffs' alleged exposure, Goulds was insured with Utica National.

INTERROGATORY NO. 25:

State when you first became aware that ACP(s) or their containers were being labeled with warnings or notices concerning or referring to the risks or dangers of the use of and exposure to ACP(s), identify the person who first obtained such knowledge and identify the product and manufacturer connected with such warning or notice.

Please produce all documents relating to, concerning or referencing the information contained in your answer or to the subject matter of the above interrogatory.

ANSWER TO INTERROGATORY NO. 25:

See attached Engineering Change Notice.

INTERROGATORY NO. 42:

Please identify each person (by name, address, occupation, and specialty) whom defendants expect to call as an expert witness for the trial of this matter and for each, state:

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by placing a copy of same at CBD Docusource on this 16th day of .

Jf, 1997.

QSR