

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

PLAINTIFF'S
EXHIBIT

UR-39

JOHN DALTON AND CAROL DALTON

CIVIL ACTION

VERSUS

NO.: 88-2605

UNIROYAL (formerly U.S. Rubber)

SECTION L MAG. 4

UNIROYAL'S ANSWERS TO INTERROGATORIES PROPOUNDED BY PLAINTIFFS

Uniroyal, Inc. ("Uniroyal"), defendant, responds to plaintiffs' interrogatories as follows:

GENERAL STATEMENT

Uniroyal, Inc. was the owner of the manufacturing facility located in Hogansville, Georgia, at which plaintiff alleges he was exposed to asbestos fiber in 1964-1967. Uniroyal no longer owns or has control over the Hogansville, Georgia facility, or over anyone who presently works there. Further, none of Uniroyal's present employees ever worked in the Hogansville, Georgia facility. In responding to these interrogatories, Uniroyal has attempted to obtain information from its corporate records and through contact with employees of the present owner of the Hogansville, Georgia facility. The substantial lapse of time has meant that records are now incomplete. The lack of control over present employees has also hindered Uniroyal's attempts to respond.

The following responses represent Uniroyal's best effort, given the constraints outlined above.

INTERROGATORY NO. 1

State the name, age, business address, and present home address, of any person or persons answering or assisting in the preparation of your answers to these interrogatories. Also, with regard to each such individual, please:

a. State when said individual was first employed by you and the duration of any such employment.

b. List each and every position said individual has held with Uniroyal or any subsidiary of Uniroyal or predecessor companies.

c. List the educational background of any such individual answering these interrogatories.

ANSWER TO INTERROGATORY NO. 1

David J. O'Boyle, Assistant Secretary, Uniroyal, Inc.,
455 Chase Parkway, Waterbury, Connecticut.

a. September 1, 1984.

b. Associate General Counsel and Assistant Secretary.

c. LLB, Harvard, 1949.

INTERROGATORY NO. 2

State the name and address of each and every person who was present at the answering or preparation for the answering of these interrogatories. State what connection, if any, said person has with Uniroyal.

ANSWER TO INTERROGATORY NO. 2

Gary A. Bezet, Post Office Box 3513, Baton Rouge, Louisiana, 70821 and Lawrence D. Lenihan, The Crown House Building, 297 King Street, Chappaqua, New York, 10514.

INTERROGATORY NO. 3

Please list each and every writing, article, publication, or document consulted by you, your attorneys, agents, servants, or employees in the preparation of your answers to these interrogatories.

ANSWER TO INTERROGATORY NO. 3

The answers contained herein are based in substantial part on interviews conducted and reviews of records by counsel for Uniroyal in other asbestos-related litigation in which it is or was involved. It is impossible to ascertain and/or reconstruct every writing, article, publication or document consulted.

INTERROGATORY NO. 4

With respect to Uniroyal's facility in Hogansville, Georgia, please:

(a) describe the kind of business in which it was engaged between the years 1964-67.

(b) state whether raw asbestos fiber or asbestos end products were utilized in its business, and if so:

(i) state how this raw fiber or end product was used.

(ii) state from whom it was purchased between the years 1964-67 and in what quantity(s).

(iii) state how the asbestos fiber or products so purchased were packaged and whether any warnings appeared on the packaging.

(iv) state whether any material safety data sheets (MSDS) or other safety documents accompanied the quantities of asbestos fiber or products so purchased and, if so, attach copies of these documents to your answer.

(c) state the brand names of the asbestos-containing insulation products used to insulate the facility prior to December, 1967, and for each such product, give the time period during which it was incorporated into the facility.

d) state whether asbestos-containing insulation products were being removed for repairs, turnarounds, or maintenance during the period 1964-67 and, if so, the names of those in charge of the removal.

(e) state whether asbestos-containing insulation products were being applied to pipes, steam lines, boilers or other apparatus at any time between 1964 and 1967 and, if so, the names of those in charge of the application, whether outside contractors or Uniroyal employees.

ANSWER TO INTERROGATORY NO. 4

(a) Uniroyal manufactured cloth, yarn, and tape, some containing asbestos, between 1941 and 1976 at its facilities in Hogansville, Georgia.

(b) Yes. Raw chrysotile asbestos fiber was used. It was incorporated into products such as cloth, yarn and tape.

(ii) Suppliers of raw chrysotile asbestos were Bell Asbestos Mines, Thetford Mines, Quebec, Canada; Rhodesian & General Asbestos Corporation, Ltd., Bulawayo, Rhodesia; Cassiar Asbestos Corporation, Ltd., British Columbia, Canada; Huxley Development Corporation, New York, New York; Asbestos Corp., address unknown. Defendant believes it may also have purchased chrysotile asbestos from the General Services Administration sometime during the years when it manufactured asbestos products, but is unable to state when it obtained asbestos from this source. Pursuant to Rule 33(c), Fed. R. Civ. P., records relating to such purchases will be made available for inspection at 455 Chase Parkway, Waterbury, Connecticut. Upon information and belief, this defendant may have obtained a small quantity of asbestos fibers from other suppliers during the period in question but the total amount supplied by other sources would constitute less than 5 percent of all asbestos fibers supplied to this defendant.

(iii) In bags. In later years, it is believed that the bags contained warnings, but Uniroyal is without information concerning the exact language and placement of the warnings, or the precise period over which such warnings were placed on the packaging of raw asbestos received by Uniroyal.

(iv) No, not to Uniroyal's present knowledge.

(c) If asbestos-containing insulation was used, Uniroyal does not know the brand name thereof.

(d) See response to Interrogatory Number 4(c).

(e) See response to Interrogatory Number 4(c).

INTERROGATORY NO. 5

Has Uniroyal ever received notice of, acquired or possessed any advice, publication, statement, warning, order, directive, letter, memorandum, recommendation or document, written or oral, which purported to state an opinion that there existed a possible harmful effect to humans of exposure to or inhalation of asbestos or dust from asbestos fiber or an asbestos-containing product? If so, state the following as to each such document and oral conversation, and each such occasion prior to December 31, 1967.

A. Identify all documents pertaining to the advice, publication, statement, warning, order, directive, letter, memorandum, or recommendation.

B. Identify all oral conversations pertaining to the opinion that asbestos or asbestos-containing dust may be harmful.

C. The nature and exact wording of the advice, warning, statement, etc., or, if unknown, the substance thereof.

D. Identify all employees, officers and directors who received notice of the existence of the document or oral conversation.

E. What action, if any, was taken by you as a consequence of the document or oral conversation?

F. Attach a copy of each and every such document.

ANSWER TO INTERROGATORY NO. 5

Yes. Uniroyal was aware from time to time of various information concerning the potential health hazards of asbestos, but has no information as to when it first received this information. To the extent Uniroyal received information of the kind described in this Interrogatory, it will, pursuant to Rule 33(c), Fed. R. Civ. P., produce documents for inspection at its offices in Waterbury, Connecticut reflecting this information. Uniroyal is unable to reconstruct "oral conversations" on this subject, nor is it able to ascertain which employees received such notice.

INTERROGATORY NO. 6

State whether or not you, your agents, servants, or employees or anyone known to you to have either originals or copies of any and all documents, pamphlets, brochures, writings, warnings, instructions, or any documents of any type whatsoever (hereinafter referred to as "document"), which contain instructions or recommended procedures or methods for field handling, installation, or removal or tearing out of asbestos fiber or asbestos-containing industrial insulation products (no matter when published or obtained by you).

a. If so, attach a copy of each and every such document.

b. If you object to attaching a copy, then state in whose possession same is at the present time.

c. List each and every such document by title, date of publication, and author.

ANSWER TO INTERROGATORY NO. 6

Uniroyal never participated or was involved in the field handling, installation or removal or tearing out of asbestos fiber and did not manufacture asbestos-containing industrial insulation. Upon information and belief, no such records exist.

INTERROGATORY NO. 7

State whether or not Uniroyal at the Hogansville, Georgia Facility at any time prior to December, 1967, offered any type of respirator, mask, protective equipment, appliance, or protective clothing (hereinafter referred to as "protective equipment") to its employees or others working at the facility for their use while handling or working around or in the presence of asbestos. If so, please state as to each group of employees who were furnished such protective equipment:

A. Describe the type of protective equipment provided (e.g., disposable paper mask, disposable cloth filter type, half facepiece cartridge respirator, full facepiece cartridge respirator, airline supplied respirator, self-contained positive pressure breathing apparatus, special clothing, etc.) as well as identify its manufacturer and model.

B. For what reason was the protective equipment offered.

C. When was the protective equipment first provided and the time period provided thereafter.

D. Specifically what individuals were provided the

protective equipment (e.g., insulators, painters, riggers, welders, boilermakers, machinists, operators, instrumentmen, warehousemen, etc.).

E. Under what specific working conditions were individuals recommended or required to use the protective equipment.

F. Was use of the safety equipment mandatory, or optional?

G. What, if anything, were the individuals told as to why the safety equipment was being made available (in the case of optional use) or as to why they were required to be used (in the case of mandatory use)? If no explanation as to why the protective equipment was being provided for the employee's optional or mandatory use, why not?

H. Identify all persons involved in the decisions to provide the protective equipment, and in particular identify the prime decision-maker.

I. Identify all documents relating to the decision to provide such protective equipment for the use by your employees or other workers at the facility.

ANSWER TO INTERROGATORY NO. 7

Yes. At certain times and in particular work areas, protective clothing and respirators were issued and available to employees in the Asbeston Mill at Hogansville. To the extent this subject is addressed in documents, such documents will be made available for inspection at Uniroyal's offices in Waterbury.

Connecticut. Other than the information reflected in its documents, Uniroyal can add no further response to this interrogatory.

INTERROGATORY NO. 8

State whether you have any information that any of the respirators or masks described in your response to the previous interrogatory did actually prevent the inhalation of asbestos dust and fibers. If so, please 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 for your claim that such respirator or mask actually will prevent the inhalation of such dust and fibers.
- D. Identify any tests performed regarding the efficaciousness of such respirators or masks in preventing the inhalation of asbestos dust and fibers including, date, title, author and number.

ANSWER TO INTERROGATORY NO. 8

See Uniroyal's response to the preceding interrogatory.

INTERROGATORY NO. 9

Please state whether or not Uniroyal ever measured or caused or allowed someone else to measure the asbestos fiber levels (hereinafter referred to as "dust studies") in order to measure the asbestos fiber levels encountered by workers at the Uniroyal facility in Hogansville, Georgia as a result of the use, installation, presence, tearing out or removal of asbestos or

asbestos-containing products. If so, please state the following for each such dust study:

a. The dates of any such dust study, including the name or term given any such study.

b. State the place or places where any such dust study was conducted, including the department or unit of the facility.

c. State the names and addresses of each and every person, firm, or corporation conducting each and every such dust study.

d. Identify the person, persons, or entity who directed that the dust study be performed.

e. State the amount of your monetary contribution toward any such study, or your investment in such study.

f. State the product(s) measured and describe the conditions of the measurement, including the measurement methodology.

g. Describe what efforts, if any, were used in the study to test the various conditions under which asbestos exposure occurred, such as in confined spaces or tunnels, in the areas in which the studies were conducted.

h. State specifically and in detail the findings, results, and conclusions of any such dust study.

i. Identify all documents pertaining to the dust study.

j. State whether or not the findings, results, or conclusions of any and all such dust studies were disseminated to any person, firm, or corporation.

- i. State the manner in which any such results or conclusions were disseminated.
- ii. State the dates of dissemination of any such matter. Identify to whom said results were disseminated.
- iii. State whether or not any such results or conclusions were published.
- iv. If published, state the date of publication and the name of the publication wherein they appeared, including volume and number.

ANSWER TO INTERROGATORY NO. 9

(a.-d.) Uniroyal conducted numerous dust counts at its Hogansville facility as part of its effort to reduce dust to a minimum in its manufacturing process. No installation, tearing out or removal of asbestos is known to have occurred at this facility. Pursuant to Rule 33(c), Fed. R. Civ. P., dust study records will be made available for inspection and copying at Uniroyal's offices in Waterbury, Connecticut.

(e) Unknown at the present time.

(f)-(j). Pursuant to Rule 33(c), Fed. R. Civ. P., dust study records will be made available for inspection and copying at its offices in Waterbury, Connecticut.

INTERROGATORY NO. 10

Please state whether any changes in Uniroyal's safety rules or procedures with regard to the use, application or removal of asbestos or asbestos-containing products were ever made as a result of the asbestos fiber level testing or measurements

described in the preceding interrogatories. If so, please state the following as to each such change:

A. State the exact nature of the change made, as well as when the change was made.

B. Identify each person in charge of or involved in making the change.

C. State the reason for making such a change.

D. Identify all documents relating to the change.

ANSWER TO INTERROGATORY NO. 10

To the extent such information may be derived from documents in Uniroyal's possession, such documents will be produced for inspection and copying at Uniroyal's offices in Waterbury, Connecticut. Other than the information reflected in its documents, Uniroyal can add no further response to this interrogatory.

INTERROGATORY NO. 11

Regardless of whether or the extent to which Uniroyal conducted any asbestos fiber level testing or measurements, please state whether Uniroyal ever considered or discussed performing tests. If so, please state the following as to each occasion on which such consideration was given:

A. Describe the asbestos fiber level testing or measurement proposal at issue.

B. Identify when and where the consideration took place.

C. Identify all participants in the consideration.

D. Identify all documents or oral conversations relating to the consideration.

E. State whether the testing or measurements were ever performed, and if so, by whom.

F. Describe the results of the consideration in terms of what follow-up action took place.

ANSWER TO INTERROGATORY NO. 11

See answer to Interrogatory Number 9.

INTERROGATORY NO. 12

Please identify, all trade, industry or industrial safety associations, organizations, foundations, institutes, or other groups that Uniroyal was, or is, a member, participated in, or was otherwise associated and state the following as to each such group:

A. The name and address of the group.

B. Inclusive dates of your membership, participation or association.

C. The names and addresses of other members during the years of your membership, participation, or association.

D. The names or titles of any minutes, bulletins, publications or other documents published or written by the group during the period of your membership, participation or association and the frequency of such publications or documents.

E. State which of the foregoing publications, minutes, bulletins or other documents were sent to members during the period of your membership, participation or association.

F. Identify all documents in your possession relating in any way to the group, including documents before, during and after the period of your membership, participation or association.

G. Identify each of your past or present employees who participated in any manner in the group as your representative and state the nature of the participation, including every committee, division or subcommittee in which that individual served, the years of such participation, the nature and date of each meeting attended, and the offices, if any, held by each employee in the group.

H. How much money did you contribute to the group, or its activities, in each year of your membership or during the period of your membership?

ANSWER TO INTERROGATORY NO. 12

A.-F. Uniroyal belonged to many trade organizations. However, ATI is the only organization composed of manufacturers of asbestos-containing products of which Uniroyal was a member. Uniroyal was a member of ATI from 1960 to 1976. The ATI is no longer active. Other members of the ATI included, but were not necessarily limited to, H.K. Porter, Southern Asbestos, Johns-Manville, Amatex, and Raybestos-Manhattan. Minutes of meetings were maintained by the ATI. To the extent that a few such ATI minutes or documents are contained in extant Uniroyal files, they will be produced for inspection at Uniroyal's offices in Waterbury, Connecticut.

G. Staton Peele, now deceased, Asbeston Sales Manager, was President of ATI in the early 1960's. H.E. Sunbury, a former Uniroyal employee may have attended ATI meetings in the early 1960's. D.T. Austin, Jr., deceased, may have attended ATI meetings in the early 1960's. The identity of the other Uniroyal employees who attended ATI meetings would be reflected in ATI minutes.

H. Unknown at the present time.

INTERROGATORY NO. 13

Please state whether or not Uniroyal was ever a member of or participated in or was otherwise associated with the National Safety Council, National Institute of Occupational Safety and Health, Industrial Health Foundation (or one of its predecessors), Asbestos Information Association of America, American Industrial Hygiene Association, American Association of Government Industrial Hygienists or Trudeau Foundation. If so, answer subparts A through H of the preceding interrogatory, as to each such group.

ANSWER TO INTERROGATORY NO. 13

Upon information and belief, insofar as asbestos-related products, no.

INTERROGATORY NO. 14

List each and every document, including minutes, abstracts, or recordings in Uniroyal's possession, or available to Uniroyal, of any and all meetings of the institutes or associations listed in the preceding two interrogatories to which you presently claim membership, participation, or association, or in the past have claimed membership, participation, or association.

A. State in whose custody any such abstracts are at the present time.

B. Attach a copy of any such document to your answers to interrogatories.

ANSWER TO INTERROGATORY NO. 14

To the extent such documents are in Uniroyal's

possession, they will be produced for inspection and copying at Uniroyal's offices in Waterbury, Connecticut.

INTERROGATORY NO. 15

State whether or not Uniroyal recognizes that asbestos can cause or result in the disease of mesothelioma.

A. If so, state the date when Uniroyal first learned that asbestos or asbestos fibers could cause or result in the disease of mesothelioma.

B. State the source of information from which Uniroyal learned that asbestos could cause or result in the disease of mesothelioma in human beings.

C. State what is Uniroyal's understanding of the condition known as mesothelioma (i.e., what portions, areas, or organs of the body, are affected).

D. What was done to advise individuals working in areas of your Hogansville, Georgia facility where they would foreseeably be exposed to asbestos of the possible or probable effects of asbestos on the human body.

ANSWER TO INTERROGATORY NO. 15

A. Uniroyal objects to Interrogatory Number 15 to the extent it seeks information on Uniroyal's "awareness" after December, 1967. Such information is neither admissible into evidence, nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to the foregoing objection, Uniroyal is aware of certain studies and/or findings which relate mesothelioma to exposure to certain types of asbestos. Uniroyal became aware of these studies and/or findings in October, 1964.

B. A presentation in October, 1964 by Dr. Selikoff at the New York Academy of Medicine.

C. A fibrosis or fibrous mass generally located in the pleural lining of the lung.

D. Uniroyal required medical examinations of all employees and told their employees that the purpose of the examinations was to monitor health effects from possible exposure to asbestos fibers.

INTERROGATORY NO. 16

State whether or not Uniroyal recognizes that exposure to asbestos is in any way associated with cancer in human beings.

A. If so, state the date Uniroyal first learned that such exposure was associated with cancer in human beings.

B. State the source of information from which Uniroyal derived its information that exposure to asbestos was associated with cancer in human beings.

C. State what is Uniroyal's understanding the relationship between cancer and asbestos exposure briefly describing the types of cancer and the organs of the human body affected.

D. What was done to advise individuals working in areas of your Hogansville, Georgia facility where they would foreseeably be exposed to asbestos of the possible or probable effects of asbestos on the human body.

ANSWER TO INTERROGATORY NO. 16

A. Uniroyal objects to Interrogatory Number 15 to the extent it seeks Uniroyal's "recognition" regarding asbestos

exposure to cancer. Plaintiff does not allege that Mr. Dalton contracted cancer. Uniroyal further objects to questions involving Uniroyal's knowledge acquired after December, 1967. Subject to the foregoing, Uniroyal became aware of an "association" between asbestos and cancer in October, 1964.

B. See response to Interrogatory Number 15B.

C. Uniroyal objects to questions regarding cancer which is not what Mr. Dalton alleges to have contracted.

D. See response to Interrogatory Number 15D.

INTERROGATORY NO. 17

Please identify each class of employees or other persons (this interrogatory does not require you to give the particular names of persons within such class) to whom you delegated your responsibility to provide John Dalton, and others working at the Uniroyal facility in Hogansville, Georgia, with a safe place to work with regard to asbestos exposure by providing the following information with regard to each such class of employees:

A. Job title (e.g., Industrial Hygienist, Safety Department Head, Safety Inspector, etc.).

B. Job description.

C. The job title(s) (e.g., Personnel Manager, Safety Department Head, etc.) of the employees who typically hired each class of employees identified in your answer to part "A" of this interrogatory.

D. How and in what manner their duties involved protecting your employees from asbestos.

ANSWER TO INTERROGATORY NO. 17

Uniroyal has no records to indicate that John Dalton was ever in its Hogansville facility, or that if he were there, he was exposed to asbestos fibers. Regarding remaining employees:

A. The plant manager was responsible for safety within the plant.

B. See response to Interrogatory Number 17A.

C. Plant managers were promoted from within rather than hired.

D. Uniroyal has no information on this subject other than as may be reflected in its documents which will be produced pursuant to Rule 33(c), Fed. R. Civ. P., in lieu of further response.

INTERROGATORY NO. 18

Please identify each and every person who belonged to any class of employees described in parts "A" or "C", in the previous interrogatory between January 1, 1964 and December 31, 1967, stating for each such individual:

A. Name, current address, and telephone number.

B. Job title and period of employment of the individual.

C. The identity of the person (name, address, job title) who hired or participated in the hiring of such individual.

D. The company official or supervisor to whom the individual reported.

ANSWER TO INTERROGATORY NO. 18

- A. A.C. Link, deceased.
- B. Plant Manager prior to 1964 and after 1967.
- C. Unknown.
- D. Lou Boulwere, Production Manager, Textile Division.
Present whereabouts unknown.

INTERROGATORY NO. 19

Please identify each and every document of any type which Uniroyal has read, consulted, been advised on, and any and all information of whatever kind obtained concerning asbestos and its potential harmful effects on the bodies of human beings between 1940 and 1967.

- A. List each and every document by title, date, and author, and name of publication, in which said appeared.
- B. State the date you obtained copies of any such document.

ANSWER TO INTERROGATORY NO. 19

See answer to Interrogatory Number 5.

INTERROGATORY NO. 20

Please state each and every document consulted by you, or any of your witnesses, lay or expert, in connection with the cause and effects of the disease known as mesothelioma and with respect to each state:

- A. The title of any such document.
- B. Where said document was published, if published, including the date and volume of any said publication.

ANSWER TO INTERROGATORY NO. 20

Uniroyal has not determined what witness it will call. Therefore, the response to this interrogatory is none. Uniroyal will respond as and when appropriate. However, as to experts, this interrogatory is objected to as beyond the scope of discovery of experts permitted by the Federal Rules of Civil Procedure.

INTERROGATORY NO. 21

State whether or not Uniroyal, or its agents, servants or employees, including its attorneys, are aware of any medical or scientific articles of any kind published in any journal, writing book, or other publication of any nature, before December, 1967, dealing with mesothelioma and its appearance in individuals required to work with or in the vicinity of asbestos fibers. If so, for each such article, please:

A. Identify such article by date, author, and the publication in which said article appeared.

B. State when Uniroyal first became aware of any such article.

C. State the name of that person in the defendant's employ who first learned of said article.

i. Give the present address of any such person.

ii. State whether or not he is still employed by this defendant, and if so, in what capacity.

iii. State the educational background of that person first learning of such article.

D. State whether any interoffice memoranda,

communications, or other documents were prepared concerning any article or articles known to Uniroyal before December, 1967, concerning said article.

E. Please list by date and author, including recipient, each and every such interoffice communication, memorandum, or document.

F. Please attach a copy of any such interoffice communication or memorandum to your answers to interrogatories.

G. If you object to attaching a copy, then state in whose custody or control same are at present time.

ANSWER TO INTERROGATORY NO. 21

Yes.

A. See response to Interrogatory Number 23.

B. See response to Interrogatory Number 23.

C. Uniroyal has no information on this subject other than as may be reflected in its documents which will be produced pursuant to Rule 33(c), Fed. R. Civ. P., in lieu of further response.

D. Uniroyal has no information on this subject other than as may be reflected in its documents which will be produced pursuant to Rule 33(c), Fed. R. Civ. P., in lieu of further response.

E. Uniroyal has no information on this subject other than as may be reflected in its documents which will be produced pursuant to Rule 33(c), Fed. R. Civ. P., in lieu of further response.

F. Uniroyal has no information on this subject other than as may be reflected in its documents which will be produced pursuant to Rule 33(c), Fed. R. Civ. P., in lieu of further response.

INTERROGATORY NO. 22

Please state specifically and in detail the date you first became aware of the incidence of asbestos-related cancer in persons required to work with or in the vicinity of asbestos fiber or asbestos-containing insulation. State:

A. The source of said information.

B. Who with your Company, was first made aware of any such incidence?

C. What was done to advise individuals working in areas of your Hogansville, Georgia facility where they would foreseeably be exposed to asbestos of the possible or probable effects of asbestos on the human body?

ANSWER TO INTERROGATORY NO. 22

Uniroyal objects to this interrogatory because it is incapable of response. The words "incidence" and "vicinity" are not defined and, without definition, no meaningful response is possible.

INTERROGATORY NO. 23

State whether or not Uniroyal contends that prior to December, 1967, that the state of the art concerning asbestos and its effects on the human body was such that Uniroyal did not know asbestos was dangerous to human life or health.

A. If so, state specifically and in detail what you contend the state of the art was with regard to the danger to human life or health from exposure to asbestos, prior to that time.

B. State specifically and in detail what information, knowledge, or data upon which Uniroyal relied, if any, prior to December, 1967, to justify the position that the state of the art was such that it did not know that asbestos was deleterious, harmful, or dangerous to persons required to work with or in the vicinity of asbestos fiber or asbestos-containing insulation.

C. List by date and author, including the publication in which any such article appeared, each and every:

- i. Medical or scientific article, and each and every interoffice communication or letter or writing of any kind which relates to your knowledge or lack thereof of the effect of asbestos on persons required to work with or in the vicinity of asbestos fiber or asbestos-containing insulation prior to December, 1967.
- ii. Medical or scientific articles, and each and every interoffice communication or letter or writing of any kind relating to Uniroyal's knowledge or lack thereof of the effect of asbestos on person required to work with or in the vicinity of asbestos fiber or asbestos-containing insulation at your Hogansville, Georgia facility.

ANSWER TO INTERROGATORY NO. 23

Uniroyal objects to Interrogatory Number 23 because the term "dangerous" is not defined. Uniroyal states that, until the presentation by Dr. Selikoff in October, 1964, at the New York Academy of Medicine, there was no confirmation that exposure to asbestos could cause injuries or illnesses of the type or seriousness allegedly encountered by Mr. Dalton. From October, 1964 until December, 1967, Uniroyal states that the state of the art was that exposure to asbestos fibers could not be eliminated altogether, but that Uniroyal took all known feasible measures to reduce the exposure.

INTERROGATORY NO. 24

On the date of first discovery by Uniroyal of the dangers to one's health from exposure to asbestos, what, if anything, did Uniroyal do to alert those working at its facility in Hogansville, Georgia who as persons were likely to be or likely to have been exposed to asbestos fiber or asbestos-containing products, of the dangers associated with the use of asbestos-containing products or to protect them from such dangers? In particular:

A. State what, if anything, Uniroyal did at any time, from the time of first learning of the dangers of asbestos until the present time, to protect the health and safety of its employees with regard to asbestos or to warn them of the dangers of asbestos exposure.

B. State the dates any and all programs or directives were instituted concerning protection of your employees from the

hazards associated with the use of asbestos fiber or asbestos products or attempts to notify or warn your employees of the effects of asbestos exposure.

C. Identify each and every item of interoffice communication or other document, by date, author, and recipient, including title, which involves steps to be taken to protect your employees from the hazards associated with the use of asbestos or to warn them of the dangers of asbestos exposure.

D. Identify each and every interoffice memorandum or other document by date, author and recipient which in any way relates to the presence of asbestos on your Hogansville, Georgia facility, or the hazards posed thereby.

E. Attach copies of each document.

F. If you object to attaching copies of the documents requested to be identified in this interrogatory, then state in whose custody same is at the present time.

ANSWER TO INTERROGATORY NO. 24

A. Uniroyal conducted x-ray and medical examinations of employees, measured plant dust levels, installed dust collection equipment, issued protective clothing and respirators where appropriate, and monitored the working environment on a continual basis.

B.-F. To the extent such documents exist on this subject, they will be produced for inspection at Uniroyal's offices in Waterbury, Connecticut.

INTERROGATORY NO. 25

Has any person or entity ever served as a consultant to Uniroyal in any manner regarding occupational medicine, toxicology, industrial hygiene aspects or safety? (The term consultant is meant to include any specialist in the above area who was at least in part retained for his expertise and opinions in other than a fulltime salaried position.) If so, please state the following as to each such person or entity:

- A. Identify the person or entity.
- B. The beginning date, ending date, and period of service for the person or entity.
- C. The job duties and/or responsibilities for the person, as well as a summary of work performed.
- D. The plant address, office address, or duty assignment location for the person for each part of the consultancy.
- E. The reason for retaining the person.
- F. Identify the person responsible for retaining the consultant, as well as identify the persons with whom the consultant met during the period of the consultancy.
- G. Identify all documents relating to the consultancy in any way, including contracts, correspondence, reports, status reports, studies, etc.

ANSWER TO INTERROGATORY NO. 25

A.-D. Dr. John Wells was retained as a medical consultant by the Hogansville plant from approximately 1955 to 1986. Uniroyal retained Dr. Eugene Pendergrass in the late 1940's as a medical consultant.

INTERROGATORY NO. 26

Did Uniroyal ever employ on a full-time salaried basis an "industrial or occupational hygienist" or trained personnel to serve in an industrial hygiene capacity? If so, please state for each such individual:

- A. The reasons for hiring or training the hygienist.
- B. The location where the hygienist was assigned.
- C. The duties and responsibilities of the hygienist.
- D. Identify the hygienist and the person hiring the hygienist.
- E. The date when the hygienist was hired as well as the period of employment.
- F. The certification, training or education received by the named hygienist.
- G. Identify the company officials or supervisors to which the hygienist reported.
- H. Identify all documents of any nature authored in whole or in part by the hygienist during his employment pertaining to asbestos or asbestos dust.

ANSWER TO INTERROGATORY NO. 26

Yes.

A.-G. Uniroyal states that the first industrial hygienist, Frederick Sands (now deceased) was hired in approximately 1943 to establish and oversee a comprehensive company-wide program for the maintenance of a healthful working environment. His office was located at Uniroyal's corporate headquarters in New York City. Mr. Sands served from approximately

1943 until 1966. He was succeeded by L.F. Dierenger, who served until 1986. Mr. Sands was hired by E. Beck, Industrial Relations Director, in approximately 1943 and served until 1966. He was succeeded by L.F. Dierenger, who was hired by Eugene Worcester.

H. To the extent such documents exist and are relevant to this case, they will be produced for inspection at Uniroyal's offices in Waterbury, Connecticut.

INTERROGATORY NO. 27

Did Uniroyal ever employ on a full-time salaried basis a "Toxicologist" or trained personnel to serve in a toxicology capacity? If so, please state for each such individual:

- A. The reasons for hiring or training the toxicologist.
- B. The location where the toxicologist was assigned.
- C. The duties and responsibilities of the toxicologist.
- D. Identify the toxicologist and the person hiring the toxicologist.
- E. The date when the toxicologist was hired as well as the period of employment.
- F. The certification, training or education received by the named toxicologist.
- G. Identify the company officials or supervisors to whom the toxicologist reported.
- H. Identify all documents of any nature authored in whole or in part by the toxicologist during his employment pertaining to asbestos or asbestos dust.

ANSWER TO INTERROGATORY NO. 27

Not with respect to asbestos products.

INTERROGATORY NO. 28

Did Uniroyal ever employ on a full-time salaried basis a workmen's compensation coordinator and/or loss control coordinator or train personnel to serve in such capacities? If so, please state for each such person:

A. Identify the person, and state his period of employment and period of responsibility for workmen's compensation and/or loss control.

B. State the person's job description, including any changes in the job description, the date that changes were made in the job description, and the reason for the changes.

C. Identify the company officers or supervisors to which the person reported.

D. If the person had responsibilities and duties in addition to those just mentioned, describe the additional responsibilities and duties.

ANSWER TO INTERROGATORY NO. 28

Robert G. Havener, presently employed by Uniroyal/Goodrich in Akron, Ohio, was Corporate Manager, Health, Safety and Workmen's Compensation from 1963 to 1986. His duties were the company-wide responsibility for the areas outlined in his title. He reported to Ed Finkenstadt and Robert Lowell (present whereabouts unknown to Uniroyal).

INTERROGATORY NO. 29

Did Uniroyal ever have a full-time salaried safety director, safety engineer and/or occupational medical director, or any person, however titled, responsible for safety and/or occupational medical practices and procedures, or training and educating employees, contractors, or the employees of contractors working at your Hogansville, Georgia facility. If so, please state as to each such person:

A. Identify the person, and state his period of employment and period of responsibility for safety and/or occupational medicine.

B. State the person's job description, including any changes in the job description, the date that changes were made in the job description, and the reason for the changes.

C. Identify the company officers or, supervisors to whom the person reported.

D. If the person had responsibilities and duties in addition to those just mentioned, describe the additional responsibilities and duties.

E. State the professional qualification of the person, including, but not limited to, formal education, any degrees, special education or training, general education, prior experience, any professional contribution, including but not limited to publications or writing in the field, and membership in any research organizations, or participation in any professional organizations, institutes, foundations, or other bodies which conducted or sponsored any asbestos-related research.

F. Identify all documents of a professional nature or advisory nature dealing in any way with safety or occupational medicine authored (in whole or in part) by the person during his employment, and as to publications, identify the journal, volume, pages, dates, article title, or other means of professional citation.

ANSWER TO INTERROGATORY NO. 29

A., B. Dr. Jack Wolfsie was medical director from 1964 to 1971. He was succeeded by Dr. Dexter Forbes who served in such capacity from 1971 to 1985. Their function was to create, implement and supervise Uniroyal's medical programs throughout its organization and not limited to Hogansville.

C. Jim Guy, Safety Supervisor at Hogansville, John Alexander, Industrial Relations Manager from the 1950's until 1969 and Rance Sprayberry, Industrial Relations Manager from 1969-1976 each had specific responsibilities for safety in the Hogansville plant.

D. N/A.

E. Both were M.D.s.

F. These documents, if they exist, will be produced pursuant to Rule 33(c), Fed. R. Civ. P.

INTERROGATORY NO. 30

Please state whether or not Uniroyal ever employed, engaged or retained any physician as a consultant, plant physician or otherwise who acted in a medical advisory capacity, in connection with its Hogansville, Georgia facility. If so, please state the following as to each such physician:

A. Identify the physician and give complete dates and places of employment or service.

B. State the physicians duties and responsibilities.

C. Identify the company person to which the physician reported.

D. State the purposes for which the physician was employed, engaged or retained.

E. Identify all documents pertaining to the physician's professional activities involving asbestos and/or individuals exposed to asbestos.

F. Job description.

ANSWER TO INTERROGATORY NO. 30

Dr. John Wells, Newnan, Georgia, was contract physician in Hogansville, Georgia during the relevant time period. To the extent information about such consultants can be obtained from extant Uniroyal documents, they will be produced for inspection at Uniroyal's offices in Waterbury, Connecticut.

INTERROGATORY NO. 31

Please state whether or not any industrial hygienist, toxicologist, safety director, occupational medical director, physician or consultant in any of the foregoing areas, previously identified or insurance company or governmental agency, ever made at any time any recommendations and/or suggestions to Uniroyal pertaining to the potential risks or health hazards posed by the application, use, removal or presence of asbestos or asbestos-containing products at the Hogansville, Georgia facility. If so, state the following as to each such occasion:

A. Identify who made the recommendation and/or suggestions.

B. State the date of the recommendation and/or suggestions.

C. Identify all persons who received the recommendation and/or suggestions.

D. State the substance of the recommendation and/or suggestions.

E. Identify all documents and/or oral conversations embodying or pertaining to the recommendation and/or suggestions.

ANSWER TO INTERROGATORY NO. 31

Uniroyal objects to Interrogatory Number 31 to the extent it seeks information on Uniroyal's actions after December, 1967.

As to the period prior to January, 1968, to the extent that Uniroyal's medical consultants made any written recommendations to Uniroyal, they would be contained in the documents available for inspection at Uniroyal's offices in Waterbury, Connecticut.

Uniroyal is without knowledge of any oral recommendations made by such consultants which are not reflected in a writing.

INTERROGATORY NO. 32

Did Uniroyal ever employ or engage any employee or consultant who had responsibility for assuring that Uniroyal was in compliance with all applicable health and safety regulations, that is, with U.S. Public Health Service, N.I.O.S.H., O.S.H.A. or any State or Federal governmental health or hygiene regulations? If so, please state for each such individual:

A. His name, address and job title.

B. The date such person was hired as well as the period of employment.

ANSWER TO INTERROGATORY NO. 32

See response to Interrogatory Number 26. Neither OSHA nor NIOSH were involved in asbestos exposure before 1972. Uniroyal therefore will not respond further as to OSHA or NIOSH. Uniroyal's actions were monitored by the State of Georgia. To the extent Uniroyal employees dealt with state officials, this information is contained in Uniroyal's files which will be produced in lieu of further response.

INTERROGATORY NO. 33

Please state whether Uniroyal at any time maintained any office or department responsible for medical functions, including medical research. If so, please state the following as to each such office or department:

- A. The name of the office or department.
- B. The location of the office or department.
- C. The years during which the office or department operated.
- D. Identify each person who has been in charge of the office or department, and the years each person was in charge.
- E. The functions of the office or department, including the extent to which it was involved with asbestos-related issues.
- F. Identify all documents relating to the office or department.

ANSWER TO INTERROGATORY NO. 33

Uniroyal had no department performing medical research. The remaining aspects of Uniroyal's operations, which could be characterized as "medical functions", have been set forth in response to previous interrogatories.

INTERROGATORY NO. 34

Is or has Uniroyal been aware of the American Conference of Government Industrial Hygienists (ACGIH) recommendations for the threshold limit value (TLV), or industrial hygiene practices for asbestos? If so, state the date you acquired such knowledge, identify all persons employed by you who possessed such awareness and state whether you are aware of any revisions of such recommendations.

ANSWER TO INTERROGATORY NO. 34

Uniroyal objects to this interrogatory to the extent it seeks information about Uniroyal's knowledge acquired after December, 1967. Subject to the foregoing, upon information and belief, Uniroyal was advised or received information from time to time about threshold limit values but has no information or records to enable it to provide any other information sought herein.

INTERROGATORY NO. 35

Has Uniroyal ever implemented any industrial hygiene controls (e.g. exhaust ventilation, closed conveyor systems, etc.), recommended safe working practices (e.g. respiratory protection, spraying fiber, bagging scrap material, wet sweeping, roping off areas in which asbestos is being applied or removed, etc.) or exposure monitoring program with respect to the exposure of any of

ANSWER TO INTERROGATORY NO. 36

On information and belief prior to 1967, no.

INTERROGATORY NO. 37

Have any employees of Uniroyal ever been subject to some form of asbestos related periodic medical examination? If so, for each such program please state:

A. Whether the program was sponsored or offered by Uniroyal or by its insurance carrier.

B. The manner of communicating with employees about such program.

C. Whether the examination was mandatory or optional.

D. What percentage of your total work force were examined.

E. What percentage of workers permitted to undergo such examination participated.

F. What percentage of workers were found to have pleural thickening, pleural plaques, asbestosis, cancer, or mesothelioma?

G. With respect to workers referred to in part (F) of this interrogatory, what percentage of such workers were paid disability or workmen's compensation benefits or for whose benefit medical expenses were paid to undergo treatment for such conditions?

H. Who performed the examinations and where were they conducted?

I. What tests or procedures were performed?

J. Identify all physicians and medical facilities that read the chest x-rays.

its employees or others working at the Hogansville, Georgia facility to the hazards of asbestos fiber? If so, please state as to each such industrial hygiene control, recommended working practice or exposure monitoring program:

A. The substance of the industrial hygiene control, safe working practice or exposure monitoring.

B. The date the activity, program or practice was first implemented, and the years it was in force.

C. The means by which employees were informed of the need for the activity, program or practice, and if by writing, identify all such documents.

D. Identify all persons involved in the decisions to implement the activity, program or practice and in particular, identify the prime decisionmaker.

E. Identify all documents relating to the activity, program or practice.

ANSWER TO INTERROGATORY NO. 35

This information was previously given.

INTERROGATORY NO. 36

With regard to the industrial hygiene controls, safe working practices or exposure monitoring listed in your Answers to the preceding Interrogatory, has Uniroyal ever been compelled to institute any of these? If so, please describe in detail the date, place and circumstances of each such compulsion.

K. How many employees were tested each year since 1940, and, on average, how many years of exposure to asbestos had these employees had prior to each year's testing.

L. Identify each employee reassigned, terminated, pensioned or otherwise adversely affected as a result of a medical examination revealing a lung abnormality such as asbestosis, cancer or mesothelioma.

M. State the number of diagnosed or suspected cases of asbestos-related disease (whether pleural, parenchymal, or cancer) 1940 to the present.

N. Identify all documents reflecting any abnormal results found by the medical examinations.

O. Identify all documents which are in any way concerned with the subjects of parts A through N of this interrogatory, including any summaries or final reports reflecting the results of such periodic medical examination programs.

ANSWER TO INTERROGATORY NO. 37

Yes. In 1941, Uniroyal established a medical program for its employees at its Hogansville Plant to monitor possible health problems resulting from extended exposure to asbestos fiber and dust in the manufacturing of asbestos products.

- (a) By Uniroyal;
- (b) Oral and written;
- (c) Mandatory;
- (d) 100%;
- (e) 100%;

(f) Upon information and belief, asbestosis was not a diagnosis that was utilized in connection with these examinations. No workers were found to have mesothelioma or cancer. See response to Interrogatory Number 37(m).

(g) A total of 27 workmen's compensation claims were made for disability resulting from exposure to asbestos at the Hogansville Plant. Payments were made in 16 claims.

(h) Dr. H. Wells; Newnan, Georgia.

(i) X-rays.

(j) Dr. Grady, LaGrange, Georgia; Dr. Eugene Fendergrast, Philadelphia, Pennsylvania.

(k) Don't know. Approximately 2,000 employees in Hogansville from 1941-_____.

(l) Uniroyal objects to Interrogatory Number 37(l) in that it seeks information which is not relevant and which is not reasonably calculated to lead to discovery of relevant evidence and because it violates the privacy and confidentiality of Uniroyal's employees.

(m) There are fifty (50) diagnosed or suspected cases of asbestosis or asbestos-related disease, including pleural thickening.

(n) See response to Interrogatory Number 37(1).

(o) To the extent any documents in the possession of Uniroyal reflect such information and are not confidential, they will be made available for inspection at Uniroyal's offices in Waterbury, Connecticut. No employee records will be produced.

INTERROGATORY NO. 38

With respect to those medical programs identified in your answer to the previous interrogatory, please state:

A. Whether you had a written or unwritten policy concerning how or whether the results of such medical examinations should be revealed to your employees.

B. Identify any documents relating to such policy.

C. Identify all doctors, clinics, associations and personnel associated with Uniroyal who were instructed as to such policy.

D. Identify all documents or agreements setting forth conditions under which such programs were to be performed in instructing the examiner(s) as to the (non-) disclosure of results.

E. Whether your policy, included instructions to disclose results of medical examinations to other personal physicians of employees, or others.

F. Whether there is central repository where the results of such medical examinations or studies are located. If so, please identify the location of such repository.

ANSWER TO INTERROGATORY NO. 38

(a) Upon information and belief, no.

(b) N/A.

(c) N/A.

(d) N/A.

(e) Upon information and belief, there was no policy of nondisclosure.

(f) Certain documents would be located in Hogansville, Georgia; others at the examining physicians' offices.

INTERROGATORY NO. 39

Did your workmen's compensation or liability insurance carrier require the medical monitoring of the condition of your employees who were exposed to asbestos? If so, identify the writings by which they communicated this requirement to you.

ANSWER TO INTERROGATORY NO. 39

Uniroyal was self-insured as to workman's compensation. Its liability carrier required no monitoring.

INTERROGATORY NO. 40

Please provide the following information as to each written caution, warning or hazard statement, explanation or written instructions with regard to proper procedures to be followed or precautions to be taken when working around asbestos which you maintain you ever gave your employees between 1940 and the present time:

- A. What was the precise wording?
- B. What date(s) was the written caution, warning, hazard statement, explanation or instruction given?
- C. How was the caution, warning, hazard statement, explanation or instruction distributed to the employees?
- D. To which type workers (insulators, painters, warehousemen, etc.) were the cautions, warnings, hazard statements, explanations or instructions given?
- E. Identify all persons involved in the decisions to

provide your employees with such written cautions, warnings, hazard statements, explanations or instructions.

F. Identify all documents related in any way to the decision to give your employees such oral cautions, warnings, hazard statements, explanations or instructions.

ANSWER TO INTERROGATORY NO. 40

To the extent such written warnings remain in Uniroyal's records, those records will be produced in lieu of further response to these interrogatories. Uniroyal can add nothing to the information which is contained in its records.

INTERROGATORY NO. 41

Please provide the following information as to each oral caution, warning, hazard statement, explanation or written instruction with regard to proper procedures to be followed or cautions to be taken when working around asbestos which you maintain you gave your employees (for example, through safety meetings, special training sessions, etc.) from 1940 to 1967.

A. What was the substance of the caution, warning, hazard statement, explanation or instruction?

B. What date was the oral caution, warning, hazard statement, explanation or instruction given?

C. How was the oral caution, warning, hazard statement, explanation or instruction communicated to the employees (i.e. safety meetings, special training sessions, etc.).

D. To which type workers (insulators, painters, warehousemen, etc.) were the oral cautions, warnings, hazard statements, explanations or instructions given?

E. Identify all persons involved in the decisions to provide your employees with such oral caution, warning, hazard statement, explanation or instruction, and, in particular, identify the prime decision-maker.

F. Identify all documents related in any way to the decision to give your employees such oral caution, warning, hazard statement, explanation or instruction.

ANSWER TO INTERROGATORY NO. 41

Uniroyal objects to Interrogatory Number 42 because it is overly broad in time (1940-1967). Subject to the foregoing, Uniroyal states that it cannot, at this time, reconstruct any oral warnings in the pre-1968 time frame. Written warnings, if they were retained, are reflected in Uniroyal's records which will be produced in lieu of further response. However, discovery is continuing and Uniroyal will amend these responses when appropriate.

INTERROGATORY NO. 42

State whether any of your contractors who performed work at your Hogansville, Georgia facility between 1940 and 1967 were provided with any instructions in regard to the asbestos hazards presented by the use, presence or removal of asbestos fiber or asbestos-containing products on the premises. If so, please state:

- A. By whom and when were these instructions made.
- B. State the specific instructions provided.
- C. Identify all oral communications and documents related to these instructions.

ANSWER TO INTERROGATORY NO. 42

It is unknown whether there were any such contractors or whether, if there were, whether such instructions were given.

INTERROGATORY NO. 43

Has Uniroyal, at any time, published and/or distributed any "safety manuals", "contractors manuals", or other documents of any kind or character that contain any cautions, hazard statements or explanations concerning the possibility of injury resulting from the use, presence or removal of asbestos-containing products or which provided instructions as to safety procedures to be followed by persons working with or in the vicinity of such fiber or products?

A. If so, identify each such document.

B. In addition, whether or not any such document was published or distributed, please state:

- (1) For what period of time you published and/or distributed "safety manuals", "contractors' manuals" or other such documents without any form of warnings, cautions, hazard statements, explanations or instructions concerning asbestos.
- (2) Describe the types of "safety manuals" listed above that you published and/or distributed over the years, and state the years during which each such document was published or distributed.
- (3) Identify each such document, giving where possible the date of its publication and distribution.

ANSWER TO INTERROGATORY NO. 43

Upon information and belief, no, prior to December, 1967.

INTERROGATORY NO. 44

Please state whether Uniroyal ever received any form of material safety data sheet (MSDS) or similar product information document concerning asbestos or asbestos-containing products. If so, for each such MSDS, please provide the following information:

A. Identify each such document by manufacturer, product description and date.

B. Identify the department of Uniroyal which received the document.

C. Identify the employee who received such MSDS.

D. State whether the hazards described in the MSDS were communicated to your employees, contractors, or the employees of contractors at the Uniroyal facility in Hogansville, Georgia and, if so, the date and manner in which such information was disseminated.

E. Identify any document which in any way related to such dissemination of information.

ANSWER TO INTERROGATORY NO. 44

See answer to Interrogatory Number 5. On information and belief prior to December, 1967, Uniroyal never received any MSDS or similar product on asbestos or an asbestos-containing product.

INTERROGATORY NO. 45

Please state whether Uniroyal, or any of their employees, agents or directors ever sponsored or attended any meeting, seminar, conference, convention or legislative hearing where the

subject of any potential health hazard posed by asbestos exposure was discussed. If so, please state the following as to each such meeting, seminar, conference, convention or legislative hearing:

- A. Identify the meeting, when it was held and where.
- B. A brief and general description of the subject matter discussed.
- C. Identify each of your employees, officers or directors who attended, as well as their purpose for being there.
- D. Identify the other speakers or attendants at the meeting.
- E. Identify all documents relating in any manner to the meeting.

ANSWER TO INTERROGATORY NO. 45

Uniroyal objects to this interrogatory to the extent it seeks information acquired after December, 1967. Subject to the foregoing objection, throughout its years of manufacturing asbestos-containing products at its Hogansville Plant, Uniroyal had meetings of such a nature from time to time, the exact dates of which are unknown, and representatives of the company may have attended meetings, conferences, seminars or conventions at which asbestos was discussed. Documents reflecting attendance at any such event, if still extant, will be made available for inspection at Uniroyal's offices in Waterbury, Connecticut.

INTERROGATORY NO. 46

Please state whether Uniroyal, or any of their employees, agents, or directors sponsored or attended any meeting, seminar, conference, convention or legislative hearing where the subject

industrial hygiene and safety, toxicology, industrial medicine or safe work practices was discussed. If so, please answer subparts A through E of the previous interrogatory.

ANSWER TO INTERROGATORY NO. 46

See answer to Interrogatory Number 45.

INTERROGATORY NO. 47

Please state the scientific or medical periodicals to which Uniroyal, their medical departments, safety departments, industrial hygiene divisions or consulting physicians subscribed during the period between 1940 and December, 1967.

ANSWER TO INTERROGATORY NO. 47

Uniroyal has no records or information which would enable it to answer this interrogatory other than to state that it did subscribe to, among others, National Safety Council News, Journal of Industrial Hygiene and Technology, and the British Journal of Industrial Medicine and Environmental Research.

INTERROGATORY NO. 48

Please state whether Uniroyal ever maintained any form of library or collection of books, publications and other written materials. If so, state the following as to each such library or collection of written materials:

- A. The original location of the library.
- B. The years during which the library was in operation.
- C. The offices, plant facilities, departments or other organizational units serviced by the library.
- D. Identify each custodian of the library or librarian as well as the years of his or her service as librarian.

E. The extent to which the library contained books or publications pertaining to occupational medicine, dust diseases, and/or lung disease.

F. The extent to which the library contained books or publications pertaining to industrial hygiene, or toxicology.

G. The extent to which the library contained books or publications pertaining to safe work practices and industrial safety.

H. The extent to which the library contained books or publications pertaining to asbestos and health.

I. Identify each card catalog, index of publications, or other form of listing of documents contained in the library which still exists.

J. The extent to which the library's collection of written material still exists, and if so, identify the current custodian of these documents.

K. State the title and date of issue of each book, publication, journal, or other written material contained in the library pertaining to asbestos and health, dust diseases, lung diseases, occupational medicine, industrial hygiene, safe work practices and toxicology as well as the year acquired by the library.

ANSWER TO INTERROGATORY NO. 48

Uniroyal maintained a general collection of medical or health-related information at its corporate headquarters in New York City and later in Middlebury, Connecticut. No particular

individual maintained such collection. No further information is available.

INTERROGATORY NO. 49

Please state whether prior to December, 1967, Uniroyal was ever a member of or directly or indirectly funded or contributed to any library containing medical literature, or literature relating to industrial hygiene and safety, other than the libraries discussed in the preceding interrogatory. If so, state the following as to each such library:

- A. The name of the library and its location.
- B. The years during which you were a member.
- C. The nature of the financial or other support provided by you to the library, and the years of this support.
- D. The services available to you as a consequence of your membership or support.

ANSWER TO INTERROGATORY NO. 49

No.

INTERROGATORY NO. 50

Identify all contractors engaged by Uniroyal between the years 1964-1967 for the purpose of removing asbestos insulation from your Hogansville, Georgia facility.

ANSWER TO INTERROGATORY NO. 50

None, to Uniroyal's present knowledge.

INTERROGATORY NO. 51

In the chain of command, from top to bottom, identify by job title those positions between 1964 and 1967, where the duty to

provide employees with a safe place to work, as relates to asbestos exposure, was delegated.

ANSWER TO INTERROGATORY NO. 51

This information, to the extent it exists, has been provided in previous responses.

INTERROGATORY NO. 52

State whether or not Uniroyal has attempted to keep abreast of the scientific knowledge and data concerning asbestos and the reported harmful effects of asbestos upon the bodies of human beings.

A. If so, state the name of that particular department(s) or section(s), or organization(s) within your company charged with the responsibility of keeping abreast of the scientific knowledge concerning the harmful effects of asbestos.

B. Give the names of any and all persons who have been responsible for, or in a superintendence role over said section(s), department(s), or organization(s) within your company between 1940 and 1967.

C. State who is presently in charge of said section(s) or department(s).

D. State the educational background of each and every person identified in your answer to parts (b) and (c) of this interrogatory.

ANSWER TO INTERROGATORY NO. 52

Uniroyal objects to this interrogatory because it is not limited in time. Further responding, Uniroyal was dissolved

December 2, 1986. Uniroyal has not been in any asbestos-related business since 1976, except for the production of rocket motor shields in Indiana.

INTERROGATORY NO. 53

Please identify all of the corporate predecessors, successors and subsidiaries of "Uniroyal" or any other entity which constitutes the same continuing business enterprise as "Uniroyal", stating for each:

- A. Its name.
- B. Its date of incorporation.
- C. Its place of incorporation.
- D. Its years of incorporation.
- E. Its relationship, if any, to what is now known as the Uniroyal facility in Hogansville, Georgia and the dates that relationship existed.

ANSWER TO INTERROGATORY NO. 53

A.-D. Uniroyal, Inc. until 1967, was known as United States Rubber Company, a name under which it operated since its incorporation in 1892.

Uniroyal, Inc. is a corporation which was formed under the laws of the State of New Jersey and filed a certificate of dissolution in New Jersey on December 2, 1986. It is not engaged in any business, but it has an office at 455 Chase Parkway, Waterbury, Connecticut.

E. The Hogansville Plant was one facility operated by the Textile Division of the Company from about 1941 until its sale in 1986. The Asbeston Mill at Hogansville was operated from about

1941 to 1976, when all asbestos-containing product manufacture was discontinued.

Submitted by:



Gary A. Bezet (#3036)
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing
was mailed, postage prepaid, to all counsel of record.

Baton Rouge, Louisiana, Sept 13, 1989.



Gary A. Bezet

VERIFICATION

STATE OF CONNECTICUT

COUNTY OF _____

BEFORE ME, undersigned Notary, personally came and appeared:

DAVID J. O'BOYLE

who, being by me first duly sworn, did depose and state that:

He is the Assistant Secretary of Uniroyal, Inc. and, as such, he is fully familiar with the facts of the foregoing matter and is authorized to make this verification, and that he has read the foregoing responses to interrogatories, and they are true and correct to the best of his knowledge, information and belief.

DAVID J. O'BOYLE

SWORN TO AND SUBSCRIBED before me, this 17th day of October, 1989.

Notary Public