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SUPERIOR COURT OF THE STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

IN RE:
COMPLEX ASBESTOS LITIGATION.

CASE NO. 828684

GENERAL ELECTRIC COMPANY'S
AMENDED RESPONSES TO
PLAINTIFF'S GENERAL ORDER NO. 129
STANDARD INTERROGATORIES TO
ALL DEFENDANTS

RESPONDING PARTY: GENERAL ELECTRIC COMPANY

SET NUMBER: STANDARD INTERROGATORIES TO ALL DEFENDANTS
[1-53]

Pursuant to section 2030 of the California Code of Civil Procedure, and San Francisco Superior Court General Order No. 129, defendant General Electric Company ("GE" or "Defendant") hereby submits the following Amended Responses to the General Order 129 Standard Interrogatories to All Defendants.

AUTHORIZED OBJECTIONS AND RESERVATIONS

1. These responses are made solely for the purpose of responding to standard interrogatories pursuant to General Order No. 129. Under General Order 129, objections are not allowed except on grounds of attorney-client privilege, work product doctrine and/or burden. GE

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1 U. U. S. Maritime Commission;

2 V. IDENTIFY any other organizations, associations or groups of manufacturers,
3 miners, distributors, importers, labelers, suppliers, and/or sellers of ASBESTOS-CONTAINING
4 PRODUCTS of which THIS DEFENDANT was a member;

5 W. IDENTIFY any such representative of THIS DEFENDANT.

6 **RESPONSE TO INTERROGATORY NO. 13:**

7 GE has never been a miner, miller or supplier of RAW ASBESTOS fiber.

8 GE is a large, decentralized company comprised of numerous separate businesses with
9 over 300,000 employees. GE operates in more than 100 countries around the world, and since
10 1979, GE has bought and/or sold thousands of businesses. See
11 <http://www.ge.com/investor/annuals.htm>. GE may be unable to fully determine whether, during
12 the period between GE's incorporation in the 1890s and the end of the "time frame," GE may
13 have paid dues for any representative or employee to be a member of the named organizations.
14 GE further states that because it is a large, decentralized company with facilities in numerous
15 states and foreign countries, and because there is no central repository for information of the type
16 sought by way of this interrogatory, GE no longer has, or never had, the documents required to
17 fully answer this interrogatory.

18 Notwithstanding the above, GE further states that it has never been a member of the
19 asbestos industry as that term is commonly used, nor has it ever been a member of the trade
20 organizations of the asbestos industry. GE responds further below:

21 A. American Conference of Governmental Industrial Hygienists: GE states that some
22 of its employees may have been members of the American Conference of Governmental
23 Industrial Hygienists ("ACGIH") at some points in their individual careers. GE has not been able
24 to locate historical materials in its possession received from the ACGIH during the relevant time
25 period. GE further states, however, that it is continuing to search for documents in its own files
26 confirming its historical membership in the ACGIH.

27 B. American Industrial Hygiene Association: Upon information and belief, some of
28 GE's employees are currently members of the American Industrial Hygiene Association.

1 However, GE has not been able to determine whether any of its employees may have been
2 members of the American Industrial Hygiene Association at some points in their individual
3 careers during the time period at issue in these discovery requests or whether GE received any
4 materials from the American Industrial Hygiene Association during the time period at issue in
5 these discovery requests. Investigation continues.

6 C. American Petroleum Institute: To date, GE's investigation has not discovered any
7 information or documents indicating that GE was ever a member, or paid dues for any
8 representative to be a member, of this organization.

9 D. American Railroad Association: To date, GE's investigation has not discovered
10 any information or documents indicating that GE was ever a member, or paid dues for any
11 representative to be a member, of this organization.

12 E. Asbestos Cement Producers Association: To date, GE's investigation has not
13 discovered any information or documents indicating that GE was ever a member, or paid dues for
14 any representative to be a member, of this organization.

15 F. Asbestos Information Association (AIA): To date, GE's investigation has not
16 discovered any information or documents indicating that GE was ever a member, or paid dues for
17 any representative to be a member, of this organization.

18 G. Asbestos Information Association/North America (AIA/NA): To date, GE's
19 investigation has not discovered any information or documents indicating that GE was ever a
20 member, or paid dues for any representative to be a member, of this organization.

21 H. Asbestos Textile Institute (ATI): To date, GE's investigation has not discovered
22 any information or documents indicating that GE was ever a member, or paid dues for any
23 representative to be a member, of this organization.

24 I. Industrial Hygiene Foundation and /or Industrial Health Foundation (IHF): Upon
25 information and belief, in 1947, GE became a member of the Industrial Hygiene Foundation
26 ("IHF"), an association of industrial hygiene professionals from government, academia, and
27 industry which shared technical information relating to current industrial hygiene topics about
28 numerous industrial materials among its members. GE has not been able to locate historical

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1 materials in its possession received from the IHF during the time period at issue in this discovery.
2 GE continues to search for documents in its own files confirming its historical membership in the
3 IHF.

4 J. Industrial Mineral Insulation Manufacturers Institute: To date, GE's investigation
5 has not discovered any information or documents indicating that GE was ever a member, or paid
6 dues for any representative to be a member, of this organization.

7 K. Magnesia Insulation Manufacturers' Association: To date, GE's investigation has
8 not discovered any information or documents indicating that GE was ever a member, or paid
9 dues for any representative to be a member, of this organization.

10 L. Magnesia Silica Insulation Manufacturers Association: To date, GE's
11 investigation has not discovered any information or documents indicating that GE was ever a
12 member, or paid dues for any representative to be a member, of this organization.

13 M. Mineral Wool Institute: To date, GE's investigation has not discovered any
14 information or documents indicating that GE was ever a member, or paid dues for any
15 representative to be a member, of this organization.

16 N. National Insulation Manufacturers Association (NIMA): To date, GE's
17 investigation has not discovered any information or documents indicating that GE was ever a
18 member, or paid dues for any representative to be a member, of this organization.

19 O. National Safety Council: Upon information and belief, GE was a charter member
20 of the National Safety Council ("NSC") in approximately 1913. It has also been brought to GE's
21 attention through documents produced by other parties in asbestos-related litigation that some of
22 its employees may have been members of the NSC at some points in their individual careers.
23 However, GE has not been able to locate any documents in its own files demonstrating this, and
24 therefore cannot attest to the authenticity of the documents or the information contained therein
25 relating to membership in the NSC. GE has not been able to locate historical materials in its
26 possession received from the NSC or which relate to the NSC during the time period at issue in
27 this discovery. GE's investigation continues and it reserves to supplement this response if
28 additional relevant material becomes available.

1 P. New York Academy of Sciences: To date, GE's investigation has not discovered
2 any information or documents indicating that GE was ever a member, or paid dues for any
3 representative to be a member, of this organization.

4 Q. Quebec Asbestos Mining Association (QAMA): To date, GE's investigation has
5 not discovered any information or documents indicating that GE was ever a member, or paid
6 dues for any representative to be a member, of this organization.

7 R. Refractories Institute: To date, GE's investigation has not discovered any
8 information or documents indicating that GE was ever a member, or paid dues for any
9 representative to be a member, of this organization.

10 S. Safe Building Alliance: To date, GE's investigation has not discovered any
11 information or documents indicating that GE was ever a member, or paid dues for any
12 representative to be a member, of this organization.

13 T. Thermal Insulation Manufacturers Association (TIMA): To date, GE's
14 investigation has not discovered any information or documents indicating that GE was ever a
15 member, or paid dues for any representative to be a member, of this organization.

16 U. U. S. Maritime Commission: This was and is an agency of the U.S. federal
17 government and it is not clear how any person could pay "dues" or become a "member" of this
18 agency.

19 V. [Other described organizations]: Additionally, it has been brought to GE's
20 attention through documents produced by other parties in asbestos-related litigation that some of
21 its employees were members of the American Ceramics Society at some points in their individual
22 careers. However, GE has not been able to locate these documents in its own files, and therefore
23 cannot attest to their authenticity. Nonetheless, upon request, GE will produce copies of these
24 documents to plaintiffs' counsel at a mutually convenient time and place. GE further states upon
25 information and belief that certain GE businesses were at various points in time members of the
26 National Electrical Manufacturers Association ("NEMA").

27 W. See Responses to Subparts A through V.

28 GE's investigation continues and it reserves to supplement this response if additional

1 **RESPONSE TO INTERROGATORY NO. 16:**

2 GE is a large, decentralized company comprised of numerous separate businesses with
3 over 300,000 employees. GE operates in more than 100 countries around the world. Since 1979,
4 GE has bought and/or sold thousands of businesses. See
5 <http://www.ge.com/investor/annuals.htm>. GE further states that because it is a large,
6 decentralized company with facilities in numerous states and foreign countries, and because there
7 is no central repository for information of the type sought by way of this interrogatory, GE may
8 no longer have, or never have had, the documents required to fully answer this interrogatory.
9 There is no possible way to determine whether or not, during the period between GE's
10 incorporation in the 1890s and 1973, any GE employee received a copy or any portion of a study
11 or test conducted by an insurance company, including but not limited to Metropolitan Life
12 Insurance Company and Aetna Insurance, "relating to asbestos exposure in the workplace or the
13 human health consequences of exposure to asbestos."

14 Notwithstanding the above, GE states that it has conducted a reasonably thorough and
15 diligent search and has not been able to locate any documents or records reflecting receipt of any
16 such documents prior to 1973.

17
18 **INTERROGATORY NO. 17:**

19 Had THIS DEFENDANT prior to 1973 received any DOCUMENTS containing results or
20 conclusions of any studies and/or tests conducted by any laboratory, including but not limited to,
21 the Saranac Laboratory relating to asbestos exposure in the workplace or the human health
22 consequences of exposure to asbestos? If so:

23 A. Either (1) attach all DOCUMENTS evidencing the information sought in this
24 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks
25 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that they
26 may be made the subject of a request for production of documents.

27 B. State the date upon which THIS DEFENDANT first received such
28 DOCUMENTS;

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1 C. State the IDENTITY of the custodian of such DOCUMENTS.

2 D. This interrogatory does not apply to DOCUMENTS contained in a library
3 maintained by a DEFENDANT hospital or a DEFENDANT'S library providing access to the
4 general public.

5 **RESPONSE TO INTERROGATORY NO. 17:**

6 GE is a large, decentralized company comprised of numerous separate businesses with
7 over 300,000 employees. GE operates in more than 100 countries around the world. Since 1979,
8 GE has bought and/or sold thousands of businesses. See
9 <http://www.ge.com/investor/annuals.htm>. GE further states that because it is a large,
10 decentralized company with facilities in numerous states and foreign countries, and because there
11 is no central repository for information of the type sought by way of this interrogatory, GE may
12 no longer have, or never have had, the documents required to fully answer this interrogatory.
13 There is no possible way to determine whether or not, during the period between GE's
14 incorporation in the 1890s and 1973, a GE employee received a document that contained results
15 or conclusions of a study or test conducted by a laboratory, including but not limited to, the
16 Saranac Laboratory, "relating to asbestos exposure in the workplace or the human health
17 consequences of exposure to asbestos."

18 Notwithstanding the above, GE states that it would have received or become aware of the
19 results of studies performed by the U.S. Public Health Service in 1938 published by Dr. Dreesen
20 ("A Study of Asbestosis in the Asbestos Textile Industry," Public Health Bull. No. 241,
21 Washington, D.C.: U.S. Public Health Service (1938)) and the U.S. Maritime Administration
22 published by Fleischer and Drinker in 1946 ("A Survey of Pipecovering Operations in
23 Constructing Naval Vessels," J. Indust. Hyg. Tox. 28:9-16 (1946)). Indeed, GE does not deny
24 that it would have known of the existence of medical and scientific literature and studies as well
25 as government regulations and standards pertaining to asbestos exposure at various levels going
26 back to early part of the last century.

- 1 A. Whether chest x-rays or pulmonary function tests were part of such program(s);
2 B. Whether participation in any such program was a mandatory condition of
3 employment or was voluntary;
4 C. Whether THIS DEFENDANT has DOCUMENTS of such program(s);
5 D. The IDENTITY of the custodian of such DOCUMENTS.

6 **RESPONSE TO INTERROGATORY NO. 24:**

7 GE objects to the extent this Interrogatory potentially calls for confidential medical
8 information regarding its employees. Subject to and without waiving this objection, GE states
9 that it at all times kept itself informed of the prevailing standard of medical art and the prevailing
10 standards of the industry relating to its products. In or about 1972, when OSHA began
11 mandating medical surveillance for certain employees, GE would have complied with such
12 regulations. Further, prior to the formation of OSHA, in cooperation with the Massachusetts
13 Department of Health, certain of its Lowell, MA employees may have participated in a medical
14 surveillance program; such examinations were not required by regulation. GE has not been able
15 to locate documents relating to this medical surveillance program in its own files, but has
16 obtained copies of certain documents with information about this program from the government
17 through a FOIA request. These documents are as available to plaintiffs as to this defendant.

18 GE further states that because it is a large, decentralized company with facilities in
19 numerous states and foreign countries, because there is no central repository for information of
20 the type sought by way of this interrogatory, and because GE no longer has, or never had, many
21 of the documents required to answer this interrogatory, GE is unable to fully respond to this
22 Interrogatory. Nonetheless, GE's investigation is continuing, and GE reserves the right to
23 supplement its responses.

24
25 **INTERROGATORY NO. 25:**

26 Prior to 1973, did any person file a Workers' Compensation claim for asbestos-related
27 injury against THIS DEFENDANT or against any Workers' Compensation insurance carrier
28 which provided coverage for THIS DEFENDANT? If so, state the total number of such claims

- 1 and, for the first 20 such claims state:
- 2 A. The date of such claim;
- 3 B. The name of the claimant;
- 4 C. The case number;
- 5 D. The court in which the claim was filed;
- 6 E. The IDENTITY of THIS DEFENDANT'S custodian of DOCUMENTS
- 7 evidencing such claims.

8 **RESPONSE TO INTERROGATORY NO. 25:**

9 GE is aware of a historical paper card file maintained at one time by a third-party

10 administrator, Sedgwick Claims Management, Inc., in Albany, New York for workers

11 compensation claims prior to 1990. The file contains eight cards for seven claimants reflecting

12 "dates of accidents" for asbestosis and one for lung cancer prior to 1970. It is not clear whether

13 the "date of the accident" reflects the dates of the claims or the dates of employment/exposure,

14 nor is it apparent if and when GE became aware of these claims. The dates on which reserves

15 were set, however, would indicate that none of these claims were made before 1971. Upon

16 request, these cards will be made available for inspection at a mutually convenient time and

17 place, or copies will be produced.

18

19 **INTERROGATORY NO. 26:**

20 Does THIS DEFENDANT have insurance available to cover judgment(s) entered against

21 it in asbestos-related personal injury lawsuits? If so, state:

- 22 A. The name and principal place of business of any insurance carrier who has issued
- 23 such policy of insurance;
- 24 B. The number and effective date of each policy;
- 25 C. The amount(s) of coverage of each policy;
- 26 D. The applicable dates of coverage.

27 **RESPONSE TO INTERROGATORY NO. 26:**

28 Yes. GE states that it is currently insured under multiple liability policies which provide

1 asbestos, or been used in connection with products that contained asbestos, during a time period
2 which may or may not be relevant to any given case.

3 By way of further response, based on its investigation to date in asbestos related litigation
4 across the country, GE provides the following additional information. GE's investigation
5 continues about the products in many cases as noted below. Additionally, because relevant
6 information about any given product may vary depending on the facts specific to any given case --
7 including dates of alleged exposure, information about the specific model, serial number or type
8 of product allegedly at issue -- GE will work with plaintiffs' counsel in each specific case to
9 gather additional relevant, existing, and responsive information.

10
11 Land- Based Steam Turbines

12 (A) The generic name of this product is land-based steam turbine.

13 (B) GE has been manufacturing and selling land-based steam turbines for
14 approximately the last one hundred years. Whether asbestos-containing materials were used in
15 connection with GE's land-based steam turbines may, in some instances, be determined from
16 individual records pertaining to a particular site and the steam turbines installed there, to the
17 extent such records are available. GE continues to investigate when asbestos-containing
18 materials were first used in connection with its land-based steam turbines. *See also* GE's
19 Response to Subpart D, *infra*.

20 (C) The Turbine Business Operations division began recommending to its customers
21 that insulation materials applied by others on its land turbines be of asbestos-free materials in the
22 early 1970s. Answering further, whether some other asbestos-containing materials were used in
23 connection with GE's land-based steam turbines may, in some instances, be determined from
24 individual records pertaining to a particular site and the steam turbines installed there, to the
25 extent such records are available. GE continues to investigate when any such other asbestos-
26 containing materials were no longer used in connection with its land-based steam turbines. *See*
27 *also* GE's Response to Subpart D, *infra*.

28 (D) GE's land-based steam turbines are not asbestos or asbestos-containing products

1 (B) GE's residential boilers varied in shape and size. Certain of GE's residential
2 boilers may have been labeled with the GE logo, which is a cursive, capitalized "GE" in a circle.

3 (F) GE's residential boilers were used to heat water for home use.

4 (G) Investigation is continuing.

5 (H) Not applicable.

6 (I) To the best of its knowledge and belief, GE no longer has purchase orders,
7 invoices, or similar documents with respect to the sales or supply of its residential boilers to any
8 premise or site within the GEOGRAPHIC AREA.

9 (J) GE ceased the manufacture of its residential boilers in 1956. Therefore, many of
10 the documents, drawings and specifications for this product may no longer exist due to the
11 passage of time. If plaintiffs provide GE with identifying information regarding a particular
12 residential boiler at issue in a case, such as a serial number, model number, or other identifying
13 information, GE will attempt to locate any existing relevant and responsive records and, upon
14 request, will produce them to plaintiff's counsel at a mutually convenient time and place.

15
16 Gas Turbines

17 (A) The generic name of this product is gas turbine.

18 (B) GE continues to investigate when it first began to manufacture and sell gas
19 turbines that may have been used in connection with asbestos containing materials.

20 (C) GE continues to investigate when it no longer manufactured or sold gas turbines
21 that may have been used in connection with asbestos containing materials.

22 (D) GE's gas turbines are not asbestos or asbestos-containing products as those terms
23 are commonly understood. Rather, they are mechanical devices made of metal. GE's gas
24 turbines are used to convert heat energy into mechanical energy for various purposes in certain
25 industrial and marine applications. GE's gas turbines are manufactured by GE's Power Systems
26 and Aircraft Engines businesses. It is possible that some materials may have been used in
27 connection with GE's gas turbines, during a period of time that may or may not be relevant to
28 this litigation, that may have contained some quantity of asbestos. These materials were

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1 manufactured by outside vendors, not by GE. Furthermore, although gas turbines generally did
2 not employ thermal insulation, it is possible that small portions of some individual units may
3 have been insulated with thermal insulation, that may have contained some quantity of asbestos,
4 based on customer requirements and circumstances, during a period of time that may or may not
5 be relevant to any specific case. This thermal insulation material would have been manufactured
6 and installed by others, however, and not by GE.

7 The aforementioned other manufacturers and installers may have provided warnings or
8 other information concerning asbestos in their insulation products that were used in connection
9 with GE's gas turbines. GE was not have been involved in the preparation of such warnings. To
10 the best of GE's knowledge, no warnings regarding such other manufacturer's products were
11 placed on the metal surfaces of GE's gas turbines. Further, the nature and type of thermal
12 insulation, if any, to be applied at any given site typically remained the prerogative of the utility
13 or facility that purchased the turbine(s), and/or its consulting architect-engineers. GE is not
14 aware of any clinical, epidemiological, toxicological, industrial hygiene, medical and/or scientific
15 literature demonstrating that GE's gas turbines cause asbestos-related disease.

16 Whether asbestos-containing materials were used in such applications, and their type, if
17 any, may, in some instances, be determined from individual records pertaining to a particular site
18 and the gas turbines installed there, to the extent such records are available. See Response to
19 Subpart J, *infra*.

20 GE's investigation with respect to its gas turbines is continuing and it reserves the right to
21 supplement its answer with additional existing, relevant, and responsive information.

22 (E) GE's gas turbines are mechanical devices made of metal which varied in size and
23 shape. Certain of GE's gas turbines may have been labeled with the GE logo, which is a cursive,
24 capitalized "GE" in a circle.

25 (F) GE's gas turbines are used to power various equipment in industrial and marine
26 applications.

27 (G) Investigation is continuing.

28 (H) Not applicable.

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1 the type sought by way of this interrogatory, and because GE may no longer have, or never have
2 had, many of the documents required to answer this interrogatory, its response may not be
3 comprehensive at this time and it reserves the right to supplement its responses.

4
5 **INTERROGATORY NO. 43:**

6 State whether or not any of YOUR CONTRACT UNITS installed and/or removed RAW
7 ASBESTOS and/or ASBESTOS-CONTAINING PRODUCTS in the GEOGRAPHIC AREA at
8 any time between 1930 and 1985. If so:

9 A. State the business addresses and name of the CONTRACT UNIT;

10 B. State the inclusive periods of time the CONTRACT UNITS were working in the
11 GEOGRAPHIC AREA;

12 C. State the name and address of each job site within the GEOGRAPHIC AREA and
13 the dates the CONTRACT UNIT worked at those job sites, and, IDENTIFY the RAW
14 ASBESTOS and/or ASBESTOS-CONTAINING PRODUCTS installed or removed on each
15 occasion;

16 D. Either (1) attach all DOCUMENTS evidencing the information sought in this
17 Interrogatory and its subparts to your answers to these Interrogatories, or (2) attach disks
18 containing such data, or (3) describe such DOCUMENTS with sufficient particularity that they
19 may be made the subject of a request for production of documents.

20 **RESPONSE TO INTERROGATORY NO. 43:**

21 Not applicable. See Response to Interrogatory No. 42, *supra*.

22
23 **INTERROGATORY NO. 44:**

24 When do YOU contend that THIS DEFENDANT first became aware that there is an
25 association between asbestos exposure and disease in human beings?

26 **RESPONSE TO INTERROGATORY NO. 44:**

27 GE notes that the amount of materials published in both the technical and popular press
28 that discuss possible correlation between exposure to asbestos at sufficient levels, especially