

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

12/16/03
Rose
Bill

IN RE: ALL ASBESTOS LITIGATION	)	<u>D E F E N D A N T</u>	<u>D A N A</u>
FILED BY THE SIMMONS FIRM, LLC	)	<u>C O R P O R A T I O N ' S</u>	<u>I N I T I A L</u>
Plaintiffs,	)	<u>R E S P O N S E S</u>	<u>T O P L A I N T I F F S '</u>
	)	<u>S T A N D A R D</u>	<u>R E Q U E S T F O R</u>
vs.	)	<u>P R O D U C T I O N</u>	<u>O F D O C U M E N T S</u>
	)	<u>R E G A R D I N G</u>	<u>F O R M E R S P I C E R</u>
A.W. CHESTERTON, et al.,	)	<u>C L U T C H</u>	<u>D I V I S I O N</u>
Defendants.	)		

PRELIMINARY STATEMENT

Pursuant to the consent order dated October 20, 2003, Dana Corporation ("Defendant") submits these responses to Plaintiffs' Standard Request for Production of Documents, addressing documents that relate to the former Spicer Clutch Division. This preliminary statement applies to, and is hereby incorporated into, each response below.

Paragraph 9 of the consent order provides that, although interrogatory responses are to be provided by December 15, 2003, "Plaintiffs understand and agree that production and copying of documents may take longer than stipulated in this agreement." Defendant has expended enormous resources in order to timely respond to Plaintiffs' interrogatories. In addition, Defendant has been diligently been searching for and gathering documents concerning the former Spicer Clutch Division that may be responsive to Plaintiffs' Standard Request for Production of Documents. However, given the large number of divisions or other entities for which Defendant has been compiling information and documents, as well as the historical nature of the issues and the documents themselves, that process of searching for and gathering documents necessarily is taking longer than as was stipulated in the agreement.

Accordingly, Defendant will produce during the week of December 15, 2003 certain documents that are responsive to Plaintiffs' Standard Request for Production of Documents and that Defendant has been able to locate, assemble, copy, and produce at this time. Defendant continues diligently to search for and assemble additional responsive documents, anticipates that it will

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