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August 26, 2011

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AUG 29 2011

Lisa Brokaw, Esq.
Harowitz & Tigerman, LLP
450 Sansome Street, Suite 300
San Francisco, CA 94111

Re: *Elizabeth Goldman and Gerald Goldman v. ACandS, Inc., et al.*
Alameda County Superior Court Action No. RG-11-579926
Alameda County Superior Court Standard "Dieden" Interrogatories;
In Re Complex Case No. 607734-9
Our Client: Graybar Electric Company, Inc.

Dear Ms. Brokaw:

In response to your request of August 24, 2011, enclosed please find Graybar Electric Company, Inc.'s Responses to Plaintiffs' First Set of Interrogatories prepared and served under In Re: Complex Asbestos Litigation, Case No. 607734-9, October 2, 2008.

Very truly yours,

ARCHER NORRIS


Deborah De La Housaye
Paralegal

RIC339/1213592-1

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10 Attorneys for Defendant

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 IN AND FOR THE COUNTY OF ALAMEDA

13 In Re: Complex Asbestos Litigation

CASE NO. 607734-9

14 **RESPONSE TO PLAINTIFFS' FIRST SET
15 OF INTERROGATORIES TO
16 DEFENDANT GRAYBAR ELECTRIC
17 COMPANY, INC.**

18 PROPOUNDING PARTY: Plaintiffs

19 RESPONDING PARTY: Defendant GRAYBAR ELECTRIC COMPANY, INC.

20 SET NUMBER: ONE (1)

21 TO DEFENDANT AND ITS ATTORNEY OF RECORD:

22 Plaintiffs require that said defendant answer, under oath, pursuant to Section 2030 of the
23 California Code of Civil Procedure the following interrogatories.

DEFINITIONS

24 GEOGRAPHIC LIMITATION. Unless otherwise specifically set forth, the geographic
25 scope of these interrogatories is NORTHERN CALIFONRIA.

26 TIME LIMITATION: Unless otherwise specifically set forth, the time frame of these
27 interrogatories is 1930 to the present

28 "THIS DEFENDANT" (THIS DEFENDANT's) shall mean the named defendant herein,
all of its predecessors in interest, and all of its successors in interest.

"YOU" AND "YOUR" refer to the defendant who is named above as the responding
party.

"ASBESTOS-CONTAINING PRODUCT(S)" shall mean any product(s) of THIS
DEFENDANT which THIS DEFENDANT knows or believes contain(s) the mineral asbestos.

"RAW ASBESTOS FIBER" means asbestos fiber mined or milled, either packaged or in

1 bulk, not compounded with other substances and essentially pure with the exception of naturally
2 occurring trace amounts of other substances.

3 "MARKET" (MARKETing, MARKETed) shall mean the mining, supply, sale, labeling,
4 distribution, importing, processing or manufacture of raw asbestos fiber and/or asbestos-
5 containing products.

6 A request to describe the "NATURE" of ASBESTOS-CONTAINING PRODUCT(S) shall
7 mean to describe the: (a) color, (b) texture, (c) form (i.e., powder, liquid, paste, solid, board,
8 cloth, blanket, wire insulation, etc.), and (d) physical dimensions (length, width, height, volume
9 and weight).

10 "DOCUMENT(s)" or "WRITINGS(S)" shall include all writings as defined by Section
11 250 of the California Evidence Code.

12 A request to "IDENTIFY" a "DOCUMENT" OR "WRITING" shall mean a request to
13 state: (a) the author; (b) the addressee; (c) date of origin; (d) the nature of the writing or
14 document (e.g., letter, telephone memorandum, audio tape recording, photograph, etc.); and (e) its
15 present location and name and present address of custodian thereof.

16 A request to state the "IDENTITY" of a person or individual means to state his or her
17 name, the place of employment, job title, present business or present or last known home address,
18 and present business telephone number.

19 "NORTHERN CALIFORNIA" shall encompass the following forty-six (46) counties:
20 Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado,
21 Fresno, Glenn, Humboldt, Kern, Kings, Lake, Lassen, Marin, Mariposa, Mendocino, Merced,
22 Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Francisco, San
23 Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma,
24 Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo and Yuba.

25 A "CONTRACT UNIT(S)" shall mean a department, division, subdivision, branch, or
26 group which has been or is now engaged in installation and/or removal of RAW ASBESTOS
27 FIBER and/or ASBESTOS-CONTAINING PRODUCT(S).

"COMPANY" means any profit making private enterprise, including corporations,
partnerships, joint ventures, and sole proprietorships.

18 INTRODUCTION AND GENERAL OBJECTIONS

19
20 Responding party Graybar Electric Company, Inc. ("Graybar") makes the following
21 general objections and incorporates by reference herein to each and every response to each
22 interrogatory:

23 1. Graybar also objects to these requests to the extent that they seek information or
24 materials which have been gathered or prepared in the course of the asbestos litigation, or
25 which are otherwise protected by the attorney-client privilege, the work product doctrine, or by
26 any other applicable privilege.
27

28 2. Graybar objects to each and every interrogatory to the extent that it seeks information

1 or documents not in responding party's possession, custody or control.

2 3. . Graybar objects to each and every interrogatory to the extent that it seeks information
3 or documents not relevant to the subject matter of this action nor reasonably calculated to lead to
4 the discovery of admissible evidence as to this responding party.

5 4. Graybar objects to each and every interrogatory to the extent that it fails to indicate a
6 relevant time period and is over broad, burdensome and oppressive.

7 5. Graybar objects to these interrogatories to the extent that they seek confidential or
8 trade secret information or materials.

9 6. Graybar objects to these interrogatories to the extent that they are excessive in scope,
10 as they are not limited to specific claims, time periods, exposure claims, or work sites.

11 7. Graybar objects to interrogatory that assumes or suggests that Graybar manufactured
12 "asbestos products", or sold or distributed "asbestos." Graybar did not manufacture "asbestos
13 products" and did not sell or distribute "asbestos."

14 8. Graybar also objects to any interrogatories to the extent that they seek confidential or
15 trade secret information or materials.

16 Graybar hereby reserves the right to supplement its responses pending further discovery in
17 this action. Graybar does not concede that any of its answers to these requests are, or will be,
18 admissible evidence at a trial of this action, and Graybar does not waive any objection, on any
19 ground, whether or not asserted herein, to the use of any such answer at trial. These general
20 objections and reservations are explicitly made a part of and incorporated by reference in each
21 response hereinafter provided.

22 Without waiving objections and subject to same, Graybar hereby responds to Plaintiff's
23 Interrogatories pursuant to Alameda County General Order 11 Interrogatories. In responding to
24 these interrogatories, responding party has provided such information as is presently available.

1 However, discovery continues and responding party reserves the right to introduce such additional
2 evidence or facts as later ascertained, and to present at trial further documentary or oral evidence for
3 analysis not yet obtained or available.

4 **Interrogatory No. 1:**

5 With respect to the individual verifying these answers on your behalf, state the following:
6 a. their name
7 b. their present business address
8 c. their present job title
9 d. their date of first employment with you, and the dates and titles of each job
10 position they have held while there were employed by you.

11 **ANSWER TO INTERROGATORY NO. 1:**

- 12 a. Alice Lehnhoff, Corporate Counsel
13 b. Graybar Electric Company, Inc.
14 34 North Meramec Avenue, Clayton, MO 63105
15 c. Corporate Counsel, June, 2004 to present
16 d. Legal Assistant, March, 1989 to April, 1992
17 Senior Legal Assistant II, April, 1992 to April, 1996
18 Senior Legal Assistant I, April, 1996 to June, 2004

19 **Interrogatory No. 2:**

20 State whether YOU are a corporation. If so, state:
21 a. YOUR full corporate name;
22 b. the state of incorporation;
23 c. the date of incorporation;
24 d. the address of YOUR principal place of business;
25 e. If YOU are wholly-owned or if more than five (5) percent of the ownership
26 interest of YOUR COMPANY is owned by another business entity, state that entity's name and
27 principal place of business.

28 **ANSWER TO INTERROGATORY NO. 2:**

Yes.

- a. Graybar Electric Company, Inc.
b. New York
c. December 11, 1925
d. 34 North Meramec Avenue, Clayton, Missouri

1 e. GRAYBAR is wholly owned by its employees and retirees

2 Interrogatory No. 3:

3 Has THIS DEFENDANT ever been identified, known, or done business under any other
4 name? If so, please state such name or names and the time period during which THIS
DEFENDANT was known or identified.

5 **ANSWER TO INTERROGATORY NO. 3:**

6 No.

7 Interrogatory No. 4:

8 State whether YOU have ever been registered or qualified to do business in the State of
9 California. If so, state the date YOU became qualified to conduct business in the State of
California.

10 **ANSWER TO INTERROGATORY NO. 4:**

11 Graybar has been qualified to do business in California since December 11, 1925.

12 Interrogatory No. 5:

13 Does THIS DEFENDANT currently have, or has THIS DEFENDANT had a department,
14 division, subdivision, branch or group responsible for the design, development, manufacture,
testing and use of ASBESTOS-CONTAINING PRODUCT(S). If so, state:

15 a. the name of each present or former corporate department, division, subdivision,
branch or group;

16 b. the IDENTITY of the person most knowledgeable about such department,
17 division, subdivision, branch or group.

18 **ANSWER TO INTERROGATORY NO. 5:**

19 No. Graybar is a distributor of products manufactured by others and does not manufacture
20 asbestos-containing products.

21 Interrogatory No. 6:

22 Has THIS DEFENDANT engaged in the MARKETING of ASBESTOS-CONTAINING
PRODUCT(s) comprised in whole or in part of amosite asbestos fiber; if so, please state:

23 a. the trade, brand name and/or generic name of each type of product;

24 b. the date(s) THIS DEFENDANT first MARKETed each type of product;

25 c. the date(s) THIS DEFENDANT ceased MARKETing each type of product;

26 d. a general description of the chemical composition of each type of product,
including:

27 (i) the type(s) and/or grade(s) of RAW ASBESTOS FIBER contained in each
type of product;

28 (ii) the quantitative percentage of the type(s) of RAW ASBESTOS FIBER in
each type of product;

(iii) any change(s) in the quantitative percentages of the type(s) of RAW

1 ASBESTOS FIBER in each type of product;

2 e. the NATURE of each type of product

3 f. a description of any wording, markings and/or logo on each type of product;

4 g. the recommended use(s) of each type of product, including temperature limits;

5 h. the name(s) of the manufacturer(s) of each type of product;

6 i. the name(s) and address(es) of the supplier(s) of the amosite asbestos fiber used in each type of product;

7 j. the IDENTITY of the person(s) most knowledgeable concerning the purchase of amosite asbestos fiber by THIS DEFENDANT.

8 **ANSWER TO INTERROGATORY NO. 6:**

9 GRAYBAR is a distributor of products manufactured by others. It no longer has
10 sufficient information upon which to fully answer this interrogatory. GRAYBAR locations keep
11 sales invoices for six years and the current year pursuant to its retention policy. Records reflecting
12 information for the years 1930 through 1985 have been discarded.

13 GRAYBAR believes that prior to 1985, it distributed asbestos-containing products
14 manufactured by others. Graybar was not the manufacturer of these products and, therefore, has
15 no information regarding the "chemical composition" of the product, its intended uses,
16 subsequent alterations, or for what purpose the products were intended. Similarly, because
17 Graybar did not manufacture these products, it is unable to state where the products were
18 manufactured, when the product was first put on the market, when it was taken off the market or
19 why any sales decisions were made. Graybar did not distribute, manufacture, mine or process
20 raw asbestos and therefore has no person most knowledgeable regarding the purchase of asbestos.
21 Those products are identified in GRAYBAR catalogs identified as follows. These archival, fragile, one of a
22 kind catalogs are available for review at GRAYBAR's corporate offices at 34 North Meramec Avenue,
23 Clayton, Missouri upon reasonable notice by contacting GRAYBAR's Custodian of Records through its
24 attorney-of-record, Archer Norris.
25

Catalog Number	Year of Issue	Number of Pages
100	1926	1085
101	1934	735
102	1941	1072
103	1948	1116

104	1952	1352
105	1958	1628
106	1967	1116
61	1961	214
62	1962	232
63	1963	236
25	1965	270
26	1966	242
27	1967	238
28	1969	256
29	1970	248
30	1971	248
31	1972	248
32	1973	238
33	1974	254
34	1975	240
35	1977	276
36	1979	326
37	1982	295

Interrogatory No. 7:

Has THIS DEFENDANT engaged in the MARKETING of amosite asbestos fiber; if so, please state:

- a. the name and location of each amosite asbestos mine which THIS DEFENDANT presently operates, has operated, or in which THIS DEFENDANT has or had an ownership interest, including the dates of such ownership and the grade of amosite asbestos fiber mined;
- b. the date(s) THIS DEFENDANT first MARKETed amosite asbestos fiber;
- c. the date(s) THIS DEFENDANT ceased MARKETing amosite asbestos fiber.
- d. the grade(s) of such amosite asbestos fiber MARKETed by THIS DEFENDANT;
- e. the recommended use(s) of each grade of such amosite asbestos fiber, including any temperature limits;
- f. the name(s) and address(es) of the supplier(s) of amosite asbestos fiber to THIS DEFENDANT.

ANSWER TO INTERROGATORY NO. 7:

No.

Interrogatory No. 8:

Has THIS DEFENDANT engaged in the MARKETing of ASBESTOS-CONTAINING PRODUCTS comprised in whole or in part of chrysotile asbestos fiber; if so, please state:

- a. the trade, brand name and/or generic name of each type of product;
 - b. the date(s) this Defendant first MARKETed each type of product;
 - c. the date(s) THIS DEFENDANT ceased MARKETing each type of product;
 - d. a general description of the chemical composition of each type of product,
- including:

- 1 (i) the type(s) and grade(s) of asbestos fiber contained in each type of product
2 (ii) the quantitative percentage of the types of asbestos fiber in each type of
3 product;
4 (iii) any change(s) in the quantitative percentages of the type(s) of asbestos
5 fiber in each type of product;
6 e. the NATURE of each type of product;
7 f. a description of any wording, markings, and/or logo on each type of product
8 g. the recommended use(s) of each type of product, including temperature limits;
9 h. the name of the manufacturer of each type of product;
10 i. the name(s) and address(es) of the supplier(s) of the chrysotile asbestos fiber used
11 in each type of product;
12 j. the IDENTITY of the person(s) most knowledgeable concerning the purchase of
13 chrysotile asbestos fiber by THIS DEFENDANT.

14 **ANSWER TO INTERROGATORY NO. 8:**

15 Responding party incorporates herein its response to Interrogatory No. 6.

16 Interrogatory No. 9:

17 Has THIS DEFENDANT engaged in the MARKETing of chrysotile asbestos fiber; if so,
18 please state:

- 19 a. the name and location of each chrysotile asbestos mine which THIS
20 DEFENDANT presently operates, has operated, or in which THIS DEFENDANT has or had an
21 ownership interest, including dates of such ownership, and the grade of chrysotile asbestos fiber
22 mined;
23 b. the date(s) THIS DEFENDANT first MARKETed chrysotile asbestos fiber;
24 c. the date(s) THIS DEFENDANT ceased MARKETing chrysotile asbestos fiber;
25 d. the grade(s) of such chrysotile asbestos fiber MARKETed by THIS
26 DEFENDANT;
27 e. the recommended use(s) of each grade of such chrysotile asbestos fiber, including
28 temperature limits;
f. the name(s) and address(es) of the supplier(s) of chrysotile asbestos fiber to THIS
DEFENDANT.

ANSWER TO INTERROGATORY NO. 9:

No.

Interrogatory No. 10:

Has THIS DEFENDANT engaged in the MARKETing of asbestos-CONTAINING
PRODUCTS comprised in whole or in part of crocidolite asbestos fiber; if so, please state:

- a. the trade, brand name and/or generic name of each type of product;
b. the date(s) this Defendant first MARKETed each type of product;
c. the date(s) THIS DEFENDANT ceased MARKETing each type of product;
d. a general description of the chemical composition of each type of product,
including:
(i) the type(s) and grade(s) of asbestos fiber contained in each type of product
(ii) the quantitative percentage of the types of asbestos fiber in each type of

1 product;

2 (iii) any change(s) in the quantitative percentages of the type(s) of asbestos
fiber in each type of product;

3 e. the NATURE of each type of product;

4 f. a description of any wording, markings, and/or logo on each type of product

5 g. the recommended use(s) of each type of product, including temperature limits;

6 h. the name of the manufacturer of each type of product;

7 i. the name(s) and address(es) of the supplier(s) of the crocidolite asbestos fiber used
in each type of product;

8 j. the IDENTITY of the person(s) most knowledgeable concerning the purchase of
crocidolite asbestos fiber by THIS DEFENDANT.

9 **ANSWER TO INTERROGATORY NO. 10:**

10 Responding party incorporates herein its response to Interrogatory No. 6.

11 Interrogatory No. 11:

12 Has THIS DEFENDANT engaged in the MARKETing of crocidolite asbestos fiber; if so,
please state:

13 a. the name and location of each crocidolite asbestos mine which THIS
DEFENDANT presently operates, has operated, or in which THIS DEFENDANT has or had an
ownership interest, including dates of such ownership, and the grade of crocidolite asbestos fiber
mined;

14 b. the date(s) THIS DEFENDANT first MARKETed crocidolite asbestos fiber;

15 c. the date(s) THIS DEFENDANT ceased MARKETing crocidolite asbestos fiber;

16 d. the grade(s) of such crocidolite asbestos fiber MARKETed by THIS

DEFENDANT;

17 e. the recommended use(s) of each grade of such crocidolite asbestos fiber, including
temperature limits;

18 f. the name(s) and address(es) of the supplier(s) of crocidolite asbestos fiber to THIS
DEFENDANT.

19 **ANSWER TO INTERROGATORY NO. 11:**

20 No.

21 Interrogatory No 12:

22 Does or did THIS DEFENDANT have a controlling ownership interest in any
23 COMPANY which MARKETed ASBESTOS-CONTAINING PRODUCT(S); if so, please state:

24 a. the name of such COMPANY

25 b. the date of incorporation of such COMPANY

26 c. the state of incorporation of such COMPANY

27 d. the date such interest was acquired;

28 e. the date such interest was changed or terminated, if applicable;

f. the name and location of each facility of such COMPANY;

g. the name of each type of ASBESTOS-CONTAINING PRODUCT(s) manufactured,
processed, and/or assembled by such COMPANY.

1 **ANSWER TO INTERROGATORY NO. 12:**

2 No.

3 Interrogatory No. 13:

4 Does or did THIS DEFENDANT have a controlling ownership interest in any
5 COMPANY that MARKETed RAW ASBESTOS FIBER; if so, please state:

- 6 a. the name of such COMPANY
7 b. the date of incorporation or charter of such COMPANY
8 c. the state or country of incorporation of such COMPANY
9 d. the date such interest was acquired;
 e. the date such interest was changed or terminated, if applicable;
 f. the name and location of each asbestos mine owned by such COMPANY;
 g. the name of each type of RAW ASBESTOS FIBER mined at each mine.

10 **ANSWER TO INTERROGATORY NO. 13:**

11 No.

12 Interrogatory No. 14:

13 Has THIS DEFENDANT warehoused any RAW ASBESTOS FIER or ASBESTOS-
14 CONTAINING PRODUCT(S) in the STATE of CALIFORNIA; if so, please state:

- 15 a. the address of each warehouse facility
 b. the year(s) THIS DEFENDANT utilized each facility;
 c. the IDENTITY of the custodian of warehousing records.

16 **ANSWER TO INTERROGATORY NO. 14:**

17 Responding party incorporates by reference the General Objections and Response to
18 Interrogatory No. 6. Without waiving objections and subject to same, responding party states that
19 it is not in the business of "warehousing" asbestos-containing products. Graybar currently has 22
20 branch locations in the STATE of CALIFORNIA. Those locations are in Anaheim, Bakersfield,
21 City of Industry, Costa Mesa, Fresno, Hayward, Long Beach, Los Angeles, Martinez, Modesto,
22 Rancho Cordova, Sacramento, San Bernardino, San Diego (3 locations); San Francisco, San
23 Jose, San Marcos, Santa Barbara, Santa Maria and Van Nuys. Pursuant to Graybar's records
24 retention policy it no long has records to reflect the sales of any products manufactured by others
25 up to the year 1985 it may or may not have distributed from any of these locations.
26
27
28

1 Interrogatory No. 15:

2 Has THIS DEFENDANT owned or operated facilities anywhere in the United States in
3 which ASBESTOS-CONTAINING PRODUCT(S) have been manufactured, processed and/or
4 assembled if so, state:

- 5 a. the address of each such facility, including city and state.

6 **ANSWER TO INTERROGATORY NO. 15:**

7 No.

8 Interrogatory No. 16:

9 If THIS DEFENDANT owned or operated facilities in which ASBESTOS-
10 CONTAINING PRODUCT(S) have been manufactured, processed and/or assembled, please
11 state:

- 12 a. the date said facilities began operation;
13 b. the date said facility ceased operation; and
14 c. the name of each type of ASBESTOS-CONTAINING PRODUCT manufactured,
15 processed or assembled at each such facility.

16 **ANSWER TO INTERROGATORY NO. 16:**

17 Not applicable.

18 Interrogatory No. 17:

19 Has THIS DEFENDANT purchased or otherwise acquired any rights to the manufacturer
20 or ASBESTOS-CONTAINING PRODUCT(S) from another COMPANY? If so, state:

- 21 a. the date of purchase or acquisition of such rights;
22 b. the trade, brand, and/or generic name of such ASBESTOS-CONTAINING
23 PRODUCT(S);
24 c. the name and location of any COMPANY from which such rights were purchased
25 or acquired;
26 d. the IDENTITY of the custodian of records of such purchase(s) or acquisition(s).

27 **ANSWER TO INTERROGATORY NO. 17:**

28 No. Responding party is a distributor and not a manufacturer of asbestos-containing
products.

29 Interrogatory No. 18:

30 Has THIS DEFENDANT applied for and/or received any patent(s) for any ASBESTOS-
31 CONTAINING PRODUCT(S)? If so, state for each such ASBESTOS-CONTAINING
32 PRODUCT:

- 33 a. the product for which each patent was applied and/or issued;
34 b. the date(s) of application;
35 c. the date(s) of issuance of the patent(s), if granted;
36 d. the date(s) of renewal, if any;
37 e. the patent number(s);
38 f. the name of the individual or COMPANY to whom each patent was issued;

1 g. the IDENTITY of the custodian of patent records of THIS DEFENDANT.

2 **ANSWER TO INTERROGATORY NO. 18:**

3 No. Responding party is a distributor and not a manufacturer of asbestos-containing
4 products.

5 Interrogatory No. 19:

6 Has THIS DEFENDANT registered any trademark(s) for any ASBESTOS-
7 CONTAINING PRODUCT(S); if so, state for each such ASBESTOS-CONTAINING
PRODUCT:

- 8 a. the product for which each trademark was registered;
9 b. whether the registration was State or Federal;
(i) if State, name the State;
10 c. the date(s) or registration;
11 d. the term(s) thereof;
12 e. the date(s) of renewal;
f. the name of the individual or COMPANY to whom each trademark was register

13 **ANSWER TO INTERROGATORY NO. 19:**

14 No. Responding party is a distributor and not a manufacturer of asbestos-containing
15 products.

16 Interrogatory No. 20:

17 Did THIS DEFENDANT contract with the General Services Administration and/or other
18 federal-government agency for the sale, anywhere in the United States, of RAW ASBESTOS
FIBER between 1930 and 1980; if so, state for each such sale:

- 19 a. The grade(s) and type(s) of RAW ASBESTOS FIBER;
20 b. the quantity;
21 c. the date(s) of delivery;
22 d. the location(s), including the address(es) of delivery
e. the name(s) of the agency with which THIS DEFENDANT contracted;
f. the date(s) of execution of such contract(s);
g. the IDENTITY of the custodian of such contract records of THIS DEFENDANT.

23 **ANSWER TO INTERROGATORY NO. 20:**

24 No.

25 Interrogatory No. 21:

26 Did THIS DFENDANT contract with the General Services Administration and/or other
27 federal-government agency for the sale, anywhere in the United States, of ASBESTOS-
CONTAINING PRODUCT(S) between 1930 and 1980, please state for each such sale:

- 28 a. the type of product;
b. the quantity;

- c. the date(s) of delivery
- d. the location(s), including the address(es) of delivery.
- e. the name(s) of the agency with which THIS DEFENDANT contracted;
- f. the date(s) of execution of such contract(s);
- g. the IDENTITY of the custodian of such contract records of this DEFENDANT.

ANSWER TO INTERROGATORY NO. 21:

Responding party incorporates by reference the General Objections and Response to Interrogatory No. 6. Pursuant to its records retention policy, responding party no longer has record of sales of any product for the period 1930 to 1980.

Interrogatory No. 22:

Does THIS DEFENDANT have any records of the MARKETING, advertisement, or delivery of its RAW ASBESTOS FIBER and/or ASBESTOS-CONTAINING PRODUCT(S) in or to NORTHERN CALIFORNIA? If so, state:

- a. the manner in which the records are kept, (e.g., in boxes, files, on microfilm, microfiche or computer tape or disk);
- b. the location (s) and address(es) where such records are maintained;
- c. the IDENTITY of the custodian of such records.

ANSWER TO INTERROGATORY NO. 22:

Responding party incorporates by reference the General Objections and Response to Interrogatory No. 6. Pursuant to its records retention policy, responding party no longer has record of sales of any product for the period 1930 to 1980.

Interrogatory No. 23:

If THIS DEFENDANT has in its possession any records of the MARKETING, advertisement, or delivery of its RAW ASBESTOS FIBER and/or ASBESTOS-CONTAINING PRODUCTS (INCLUDING MICROFILM, MICROFICHE, COMPUTER TAPE OR DISK, OR ANY OTHER SYSTEM IN WHICH DATA IS TAKEN FROM OTHER RECORDS), STATE WHETHER this defendant HAS RETAINED THE ORIGINAL documents from which the data entered into these modes of storage was obtained. If THIS DEFENDANT has not retained such original DOCUMENTS, state:

- a. the date(s) when and location (s) where the original DOCUMENTS were disposed of;
- b. the IDENTITY of the custodian of the original DOCUMENTS at the time of their disposal.

ANSWER TO INTERROGATORY NO. 23:

Responding party incorporates by reference the General Objections and Response to

1 Interrogatory No. 6. Pursuant to its records retention policy, responding party no longer has
2 record of sales of any product for the period 1930 to 1980.

3 Interrogatory No. 24:

4 Does THIS DEFENDANT have in its possession any exemplar(s) of advertisements or
5 brochures describing its RAW ASBESTOS FIBER and/or ASBESTOS-CONTAINING
6 PRODUCTS; if so, please state:

- 7 a. the location of each exemplar;
8 b. the year(s) in which said exemplar(s) was utilized;
9 c. the IDENTITY of the custodian of such exemplars.

10 **ANSWER TO INTERROGATORY NO. 24:**

11 Graybar further objects to the phrase "its . . . Asbestos-Containing Products" as Graybar
12 has no asbestos containing products. Without waiving its objections and subject to same,
13 responding party states that this Interrogatory is more appropriately directed to manufacturers of
14 products. Pursuant to its records retention policy, responding party no longer has record of sales
15 of any product manufactured by others during the designated time period. Responding party does
16 have available for review those documents referenced in Response to Interrogatory No. 6.

17 Interrogatory No. 25:

18 State the following:

- 19 a. the address(es) where the corporate records of THIS DEFENDANT (including
20 minutes from the Board of Directors meetings and corporation annual reports), are currently
21 located;
22 b. the IDENTITY of the custodian of such records.

23 **ANSWER TO INTERROGATORY NO. 25:**

24 Responding party incorporates by reference the General Objections and Response
25 to Interrogatory No. 6. Graybar also objects to these interrogatories and requests for production
26 to the extent that they seek confidential or trade secret information or propriety materials.
27 Without waiving said objections and subject to same, Graybar's custodian of business records is
28 Carrie Johnson, c/o Graybar's attorney of records, Archer Norris.

Interrogatory No. 26:

Describe the packaging or containers in which THIS DEFENDANT SOLD and/or
distributed RAW ASBESTOS FIBER, including composition, dimension, shape and color.

1 **ANSWER TO INTERROGATORY NO. 26:**

2 Not applicable. Responding party did not sell or distribute Raw Asbestos Fiber.

3 Interrogatory No. 27:

4 Describe any logo, design, marking or printing, including size and color, which appeared
5 on the packaging or containers in which THIS DEFENDANT sold and/or distributed RAW
ASBESTOS FIBER.

6 **ANSWER TO INTERROGATORY NO. 27:**

7 Not applicable. Responding party did not sell or distribute Raw Asbestos Fiber.

8 Interrogatory No. 28:

9 Described the packaging or containers in which THIS DEFENDANT sold and/or
10 distributed ASBESTOS-CONTAINING PRODUCT(S), including composition, dimension, shape
and color.

11 **ANSWER TO INTERROGATORY NO. 28:**

12 Responding party incorporates by reference the General Objections and Response to
13 Interrogatory No. 6. Responding party further states that it has not retained any exemplar
14 packaging for any product which may have contained asbestos that it distributed which was
15 manufactured by others during the identified time period.

16 Interrogatory No. 29:

17 Describe any logo, design, marking or printing, including size and color, which appeared
18 on the packaging or container in which THIS DEFENDANT sold and/or distributed ASBESTOS-
19 CONTAINING PRODUCT(S).

20 **ANSWER TO INTERROGATORY NO. 29:**

21 Responding party incorporates by reference the General Objections and Response to
22 Interrogatory No. 6. Responding party further states that it has not retained any exemplar
23 packaging for any product which may have contained asbestos that it distributed which was
24 manufactured by others during the identified time period.

25 Interrogatory No. 30:

26 Does THIS DEFENDANT have any exemplar(s) of packaging or containers in which its
27 RAW ASBESTOS FIBER and/or ASBESTOS-CONTAINING PRODUCT(S) were sold and/or
distributed; If so, state:

28 a. the location of each exemplar;

- 1 b. the year(s) in which said exemplar(s) was utilized;
2 c. the IDENTITY of the custodian of such exemplars.

3 **ANSWER TO INTERROGATORY NO. 30:**

4 No.

5 Interrogatory No. 31:

6 Did THIS DEFENDANT put warnings of asbestos-related health hazards on bags of
7 RAW ASBESTOS FIBER; if so, please state:

- 8 a. the wording of such warning(s), including size, location, and color;
9 b. whether the warning was put on a tag attached to the bags;
10 c. the date such warning(s) was first used.
11 d. whether any change was made in the wording of such warnings, the date(s) of such
12 change, and the reasons for such change.

13 **ANSWER TO INTERROGATORY NO. 31:**

14 No applicable to responding party.

15 Interrogatory No. 32:

16 Did THIS DEFENDANT put warnings of asbestos-related health hazards on the
17 packaging or containers of ASBESTOS-CONTAINING PRODUCTS(S)? If so, please state:

- 18 a. the wording of such warnings, including size, location on the packaging or
19 containers, and color:
20 b. the date such warning(s) was first used:
21 c. whether any change was made in the wording of such warning(s), the date(s) of
22 such change, and the reason(s) for such change.

23 **ANSWER TO INTERROGATORY NO. 32:**

24 Responding party incorporates by reference the General Objections and Response to
25 Interrogatory No. 6. Graybar distributed products manufactured by other entities and did not alter
26 the original packaging of those products in any way. Any warnings, instructions or sales material
27 connected with those products were placed on the product or provided with the product by the
28 manufacturer.

29 Interrogatory No. 33:

30 Has THIS DEFENDANT distributed any brochures or pamphlets that contain warnings of
31 any asbestos-related health hazards; if so, please state:

- 32 a. the wording of such warning;
33 b. the method used to distribute such brochures or pamphlets;
34 c. the date(s) such brochures or pamphlets were first issued;
35 d. whether THIS DEFENDANT has exemplar(s) of such brochures or pamphlets;

1 e. the IDENTITY of the custodian of such exemplar(s).

2 **ANSWER TO INTERROGATORY NO. 33:**

3 Responding party incorporates by reference herein its response to Interrogatory No. 32.

4 Interrogatory No. 34:

5 Did THIS DEFENDANT warn its employees and/or CONTRACT UNIT(S), anywhere in
6 the United States, that exposure to asbestos could be hazardous to human health. If so, state:

- 7 a. whether copies of DOUCMENTS containing such warnings exist;
b. the IDENTITY of the custodian of such DOCUMENTS.

8 **ANSWER TO INTERROGATORY NO. 34:**

9 Responding party has made a reasonable and good faith effort to obtain the information
10 requested by inquiry to other natural persons or organizations, except where the information is
11 equally available to propounding parties and responds: to its knowledge, GRAYBAR did not warn
12 its employees as to the hazards of asbestos exposure. Responding party does not have any Contract
13 Unit(s).

14 Interrogatory No. 35:

15 State the IDENTITY of medical directors and/or industrial hygienists retained by THIS
16 DEFENDANT in the United States.

17 **ANSWER TO INTERROGATORY NO. 35:**

18 Responding party has not retained any medical directors of industrial hygienists.

19 Interrogatory No. 36:

20 Has any employee of THIS DEFENDANT testified by deposition on behalf of THIS
21 DEFENDANT in a third-part case, brought in the United States, wherein the plaintiff has alleged
an asbestos-related injury? If so, for each such third party case, please state:

- 22 a. the caption and case number;
23 b. the court of filing including state and county;
24 c. the date of the deposition;
d. the names and address of plaintiff's counsel of record.

25 **ANSWER TO INTERROGATORY NO. 36:**

26 Yes.

27 **Ralph L. Sackett** (deceased) testified by deposition in the following matters:

- 28 1. A. *Walberg v. Fibreboard*, Case No. 90-2-00223-5

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- B. Superior Court of Washington for Kitsap County
 - C. March 30, 1992
 - D. Schroeter, Goldmark & Bender, P.S., 500 Central Building, 810 Third Avenue, S
Seattle, WA 98104
 - E. Venezia Reporting and Video Services, 1017 Olive Street, Suite L-2, St. Louis, MO
- 2.
- A. W.V. Civil Action 92-C-8888
 - B. Circuit Court of Kanawha County
 - C. August 31, 1993
 - D. Henderson & Goldberg, 1030 Fifth Avenue, Pittsburgh, PA 15219
 - E. Waller Reporting, Inc., 515 Olive Street, Suite 1506, St. Louis, MO 63101

Kevin O'Rourke

- 1.
- A. C.A. No. 93C-01-119; C.A. No. 94C-07-167; C.A. No. 94C-03-011; C.A. No. 94C-01-49; CA 94C-12-12-274.
 - B. A court located in the State of Delaware
 - C. August 22, 1995
 - D. Jacobs & Crumplar, P.A., 2 East 7th Street, Wilmington DE 19801
 - E. Wilkes & McCall, Telephone Number (302) 426-1007

Donald E. Lang

- 1.
- A. *Pamela A. Ondik, et al. v. ACandS, Inc. et al.*, No. 00-2463
 - B. Commonwealth of Massachusetts, Middlesex, Superior Court Department
 - C. December 12, 2000
 - D. Law Office of Michael C. Shepard, P.C., 205 Portland Street, Boston, MA 02114
 - E. Eppley Court Reporting, P.O. Box 532, Ashland, MA 01721

David Maxwell

- 1.
- A. *Alfred Todak v. Asbestos Defendants*, No. 320621
 - B. San Francisco Superior Court, State of California

- 1 C. January 10, 2002
- 2 D. Brayton Purcell, 222 Rush Landing Road, Novato, CA 94948
- 3 E. Tooker & Antz Court Reporting, 818 Mission Street, 5th Floor, San Francisco, CA
- 4 2. A. *Norman Hopkins v. Asbestos Defendants*, No. 408556
- 5 B. San Francisco Superior Court, State of California
- 6 C. May 9, 2003
- 7 D. Brayton Purcell, 222 Rush Landing Road, Novato, CA 94948
- 8 E. Aiken & Welch, One Kaiser Plaza, Suite 505, Oakland, CA
- 9 3. A. *Walter A. Cross v. Flintkote, et al.*, No. 00-CV-00117
- 10 B. In the Court of Common Pleas, Trumbull County, Ohio
- 11 C. August 30, 2006
- 12 D. Law Offices of Russell Smith, 503 Key Building, 159 South Main Street, Akron, OH 44308
- 13 E. Premier Court Reporting, 3rd Floor, 80 South Summit Street, Akron, OH
- 14

15 **James Estis**

- 16 A. *Douglas W. Cochrane* (WD: Carol S. Cochrane), Case No. 03-09321-NP
- 17 *Ronald Shuster* (WD: Lorraine E. Shuster), Case No. 03-09320-NP
- 18 *Nicholas/Betsy Waswick*, Case No. 04-01852-NP
- 19 B. Circuit Court for the County of Shiawassee, State of Michigan
- 20 C. August 9, 2005
- 21 D. Goldberg, Persky & White, P.C., 4800 Fashion Square Boulevard, Suite 260, Saginaw, Michigan 48604
- 22 E. Bienenstock Court Reporting & Video, www.bienenstock.com

23 **Gerald G. Pollick**

- 24 A. *Robert Donlan and Paulette F. Donlan v. A.W. Chesterton, et al.*, Case No. 07-0774
- 25 B. Commonwealth of Massachusetts, Middlesex Superior Court
- 26 C. September 13, 2007
- 27 D. Coady Law Firm, 205 Portland Street – 5th Floor, Boston, MA/Simon Eddins & Greenstone, LLP, 3232 McKinney Avenue, Suite 610, Dallas, TX
- 28

1
2 E. Eppley Court Reporting, LLC, P.O. Box 382, Hopedale, MA 01747

3 **Interrogatory No. 37:**

4 Has THIS DEFENDANT been a member of the following:

- 5 a. Asbestos Textile Institute (ATI);
6 b. Industrial Hygiene Foundation and/or Industrial Health Foundation (IHF);
7 c. Mineral Wool Institute;
8 d. Industrial Mineral Insulation Manufacturers Institute;
9 e. Magnesia Silica Insulation Manufacturers Association;
10 f. National Insulation Manufacturers Association (NIMA);
11 g. Thermal Insulation Manufacturers Association (TIMA);
12 h. Asbestos Information Association (AIA);
13 i. Quebec Asbestos Mining Association (QAMA);
14 j. National Safety Council
15 k. Asbestos Cement Producers Association;
16 l. Refractories Institute;
17 m. any other organizations or associations of manufacturers, miners, distributors,
18 importers, labellers, suppliers and/or sellers of ASBESTOS-CONTAINING
19 PRODUCTS;
20 (i) please state the name(s) of such organizations or associations.

21 **ANSWER TO INTERROGATORY NO. 37:**

22 a - l. No.

23 m: Responding party incorporates by reference its general objection to this
24 interrogatory. Responding party further objects to this interrogatory in that it would require
25 speculation on behalf of responding party regarding other organizations or distributors' products.
26 Graybar has no information responsive to this interrogatory.

27 **Interrogatory No. 38:**

28 For each organization, association or other entity identified in your Response to
Interrogatory No. 37, please state:

- a. the dates during which THIS DEFENDANT was a member.
b. the name(s) of any publication(s) received by THIS DEFENDANT from such
association or organization.
c. the name of such committee or subcommittee of which THIS DEFENDANT was a
member, and the dates, of such committee or subcommittee membership.

ANSWER TO INTERROGATORY NO. 38:

Not applicable.

///

1 Interrogatory No. 39:

2 Has THIS DEFENDANT received any DOCUMENT(S) containing results or conclusion
3 of any studies and/or tests conducted by the Saranac Laboratory at the Trudeau Foundation
relating to the human health consequences of exposure to asbestos? if so, please:

- 4 a. IDENTIFY all such DOCUMENT(S);
5 b. state the date upon which THIS DEFENDANT first received such
DOCUMENT(S);
6 c. the IDENTITY of the custodian of such DOCUMENT(S).

7 **ANSWER TO INTERROGATORY NO. 39:**

8 No.

9 Interrogatory No. 40:

10 State whether THIS DEFENDANT has ever maintained a library (or libraries) in the
11 United States which contains books, articles, periodicals, journals and/or reference materials that
12 relate to the subjects of asbestos, industrial hygiene, medicine, safety, occupational disease and/or
13 engineering. If so, state:

- 14 a. the date each such library was established;
15 b. the location of each such library;
16 c. the IDENTITY of each librarian or other person in charge of such library;

17 **ANSWER TO INTERROGATORY NO. 40:**

18 No.

19 Interrogatory No. 41:

20 Has THIS DEFENDANT exchanged documents containing the results of or
21 communicated with any individual or other COMPANY regarding tests and/or studies of the
22 relationship between the inhalation of asbestos fibers and development of disease(s); if so, please
23 state:

- 24 a. each individual or COMPANY with whom the information was exchanged or to
whom it was communicated.
25 b. the date(s) of any such exchanges or communications;
26 c. the IDENTITY of the custodian of such documents.

27 **ANSWER TO INTERROGATORY NO. 41:**

28 Responding party incorporates by reference herein its General Objections. Without
waiving said objections, responding party answers, No.

29 Interrogatory No. 42:

30 Has any employee of THIS DEFENDANT testified before the Occupational Safety and
31 Health Administration, the National Institute of Occupational Safety and Health, or any
32 committee or subcommittee of the United States Congress on the inhalation of asbestos dust and
33 the development of disease; if so, please state:

- 34 a. the entity before whom such testimony was given;

- 1 b. the date(s) and location(s) of such testimony;
2 c. the IDENTITY of the individual(s) who so testified;
3 d. whether any DOCUMENTS were presented to the entity before which testimony
4 was given;
5 e. whether copies of DOCUMENTS presented were retained by THIS
6 DEFENDANT;
7 (i) if so, state the IDENTITY of the custodian of the DOCUMENT(S).

8 **ANSWER TO INTERROGATORY NO. 42:**

9 No.

10 Interrogatory No. 43:

11 At any of the physical facilities identified in the response to Interrogatory No. 15, has
12 THIS DEFENDANT conducted, or caused to be conducted, tests and/or studies of ambient
13 asbestos dust created during the manufacture, processing and/or assembling of ASBESTOS-
14 CONTAINING PRODUCT(S); if so, please state:

- 15 a. each manufacturing facility, including location and address; at which any such test
16 and/or study was conducted;
17 b. the date of each such test and/or study;
18 c. the individual(s) or entity conducting each such test and/or study;
19 d. whether THIS DEFENDANT has any documents containing the results and/or
20 conclusions of each such study;
21 e. the IDENTITY of the custodian of the documents.

22 **ANSWER TO INTERROGATORY NO. 43:**

23 Not applicable to responding party. Responding party is distributor and not a
24 manufacturer, processor or assembler of any asbestos-containing products.

25 Interrogatory No. 44:

26 Has THIS DEFENDANT conducted, or caused to be conducted, any tests and/or studies
27 on ambient asbestos dust levels at any location or job site where its "ASBESTOS-CONTAINING
28 PRODUCTS" were utilized in the UNITED States; if so, please state:

- 29 a. the location, including name and address, at which each such test and/or study was
30 conducted.
31 b. the individual(s) or entity conducting each such test and/or study;
32 c. the date of each such test and/or study;
33 d. whether THIS DEFENDANT has any DOCUMENTS containing the results
34 and/or conclusions of each such test and/or study;
35 e. the IDENTITY of the custodian of these DOCUMENTS.

36 **ANSWER TO INTERROGATORY NO. 44:**

37 Responding party incorporates by reference herein its General Objections and Response to
38 Interrogatory No. 6. Responding party further objects to the term "utilized." Graybar further

1 objects to the phrase "its Asbestos-Containing Products" as Graybar has no asbestos containing
2 products. Without waiving said objects and subject to same, responding party states that this
3 interrogatory is more appropriately directed to manufacturers. Responding party has not
4 conducted any tests or studies.

5
6 Interrogatory No. 45:

7 Did THIS DEFENDANT have any laboratory or other facility anywhere in the United
8 States at which it conducted, or caused to be conducted, any tests and/or studies of its
9 ASBESTOS-CONTAINING PRODUCTS to measure the amount of asbestos dust generated by
10 any use for which such products were designed; if so, please state:

- 11 a. the location, including name and address, at which each such test and/or study was
12 conducted;
13 b. the individual(s) or entity conducting each such test and/or study;
14 c. the date of each such test and/or study;
15 d. whether THIS DEFENDANT has any DOCUMENTS containing the results
16 and/or conclusions of each such test and/or study;
17 e. the IDENTITY of the custodian of such DOCUMENTS.

18
19 **ANSWER TO INTERROGATORY NO. 45:**

20 Responding party incorporates by reference the General Objections and Response to
21 Interrogatory No. 6. Graybar further objects to the phrase "its Asbestos-Containing Products" as
22 Graybar has no asbestos containing products. Without waiving its objections and subject to same,
23 responding party states that this Interrogatory is more appropriately directed to manufacturers of
24 products. Responding party has no such laboratory or facility.

25
26 Interrogatory No. 46:

27 Has THIS DEFENDANT made available to its employees engaged in the MARKETING
28 of its RAW ASBESTOS FIBER and/or its ASBESTOS-CONTAINING PRODUCT(S), a
medical examination program; if so, please state:

- a. whether chest x-rays or pulmonary function tests were part of such program(s);
b. whether participation in any such program was a mandatory condition of
employment or was voluntary;
(i) if mandatory as a condition of employment, how frequently each employee was
required to undergo such examination;
c. whether THIS DEFENDANT has DOCUMENTS of such program;
d. The IDENTITY of the custodian of such DOCUMENTS

29
30 **ANSWER TO INTERROGATORY NO. 46:**

31 Responding party incorporates by reference the General Objections and Response to

1 Interrogatory No. 6. Graybar further objects to the phrase "its Asbestos-Containing Products" as
2 Graybar has no asbestos containing products. Without waiving its objections and subject to same,
3 responding party states that this Interrogatory is more appropriately directed to manufacturers of
4 products and responds, No.

5 Interrogatory No. 47:

6 Has THIS DEFENDANT notified in writing any individuals or COMPANIES to whom it
7 MARKETed RAW ASBESTOS FIBER and/or ASBESTOS-CONTAINING PRODUCT(S),
8 anywhere in the United States, of the potential relationship between exposure to asbestos and
9 disease; if so, please state:

- 10 a. the date(s) THIS DEFENDANT provided this information;
11 b. the means used for transmittal of such information
12 c. whether THIS DEFENDANT has any copies of any DOCUMENTS transmitting
13 such information;
14 d. the IDENTITY of the custodian of such documents.

15 **ANSWER TO INTERROGATORY NO. 47:**

16 Responding party incorporates by reference the General Objections and Responses to
17 Interrogatory Nos. 6 and 32. Without waiving its objections and subject to same, responding party
18 states that this Interrogatory is more appropriately directed to manufacturers of products.

19 Interrogatory No. 48:

20 Has THIS DEFENDANT required any individual(s) who MARKETed its ASBESTOS-
21 CONTAINING PRODUCT(S) to wear respirators or face masks; if so, please state:

- 22 a. the job title(s), if known, of individual(s) required to wear respirators or face masks;
23 b. the date(s) on which THIS DEFENDANT first required the wearing of respirators
24 or face masks;
25 c. the means by which the requirement to wear respirators or face masks was
26 communicated;
27 d. whether THIS DEFENDANT has any copies of DOCUMENTS communicating
28 such requirements;
e. the IDENTITY of the custodian of such DOCUMENTS.

ANSWER TO INTERROGATORY NO. 48:

Responding party incorporates by reference the General Objections and Response to
Interrogatory No. 6. Graybar further objects to the phrase "its Asbestos-Containing Products" as
Graybar has no asbestos containing products. Without waiving its objections and subject to same,
responding party states that this Interrogatory is more appropriately directed to manufacturers of

1 products and responds, No.

2 Interrogatory No. 49:

3 Does or did THIS DEFENDANT utilize or employ any CONTRACT UNIT. If so, please
4 state:

- 5 a. the inclusive periods of time the CONTRACT UNIT(s) was utilized or employed;
6 b. the business address and name of the CONTRACT UNIT(S)
7 c. whether THIS DEFENDANT has any DOCUMENTS showing the location(s) of
8 the job site(s) where the CONTRACT UNIT(S) WORKED, and if so, state the IDENTITY of the
9 custodian of such DOCUMENTS.

10 **ANSWER TO INTERROGATORY NO. 49:**

11 No.

12 Interrogatory No. 50:

13 Has THIS DEFENDANT received any written communication or other DOCUMENT,
14 other than a claim for workers' compensation, that any person was claiming injury as a result of
15 exposure to its RAW ASBESTOS FIBER and/or ASBESTOS-CONTAINING PRODUCT(S); if
16 so, please IDENTIFY the first such written communication or DOCUMENT.

17 **ANSWER TO INTERROGATORY NO. 50:**

18 Responding party incorporates by reference the General Objections. Graybar further
19 objects to the phrase "its . . . Asbestos-Containing Products" as Graybar has no asbestos
20 containing products. Without waiving its objections and subject to same, responding party states
21 Graybar has been named in civil litigations beginning in 1985 involving persons who have
22 alleged asbestos-related injury from alleged use of products manufactured by others and
23 distributed by Graybar. Information regarding those claims is equally available to plaintiff.

24 Interrogatory No. 51:

25 Has any person filed a claim for asbestos-related injury regarding THIS DEFENDANT
26 against any workers' compensation insurance carrier, which provided coverage for THIS
27 DEFENDANT; if so please state:

- 28 a. the date of such claim;
b. the name of claimant;
c. the caption;
d. the case number;
e. the court in which the claim was filed;
f. the IDENTITY of the custodian of such documents.

///

1 **ANSWER TO INTERROGATORY NO. 51:**

2 Responding party objects to the terms "any person" and "any workers" compensation
3 insurance carrier" as vague and calling for speculation. Without waiving objections and subject
4 to same, responding party states that based on information and belief, No.

5 **Interrogatory No. 52:**

6 Has any person filed a workers' compensation claim for asbestos-related injury against
7 THIS DEFENDANT; if so, please state:

- 8 a. the date of such claim;
9 b. the name of claimant;
10 c. the caption;
11 d. the case number;
12 e. the court in which the claim was filed;
13 f. the IDENTITY of the custodian of such documents.

14 **ANSWER TO INTERROGATORY NO. 52:**

15 No.

16 **Interrogatory No. 53:**

17 Does THIS DEFENDANT have insurance available to cover judgment(s) entered against
18 it in asbestos-related personal injury lawsuits; if so, please state:

- 19 a. the name and principal place of business of any insurance carrier who has issued
20 such policy of insurance;
21 b. the number and effective date of each policy;
22 c. the amount(s) of coverage of each policy;
23 d. the applicable dates of coverage
24 e. any reservation of rights contained in each such policy;
25 f. the amount of coverage presently exhausted under each such policy;
26 g. the amount of coverage presently available under each such policy;
27 h. whether limits contained in each such policy include costs of defense.

28 **ANSWER TO INTERROGATORY NO. 53:**

Yes. Royal Insurance Company.

Years of Coverage	Carrier/Policy Number	Policy Limits (Occurrence/Annual Products Liability Aggregate)
12/31/64 - 12/31/65	RLG 098720	\$200,000/\$500,000
12/31/65 - 12/31/68	RLG 105640	\$200,000/\$500,000
12/31/68 - 12/31/71	PTG 606428	\$200,000/\$500,000
12/31/71 - 12/31/72	PTG 606421	\$200,000/\$500,000
12/31/72 - 12/31/73	PTG 606422	\$200,000/\$500,000
12/31/73 - 12/31/74	PTG 606423	\$200,000/\$500,000
12/31/74 - 12/31/75	PTG 606424	\$200,000/\$500,000

1	12/31/75 – 12/31/76	PTG 606425	\$200,000/\$500,000
2	12/31/76 – 12/31/77	PTG 606426	\$200,000/\$500,000
3	01/01/78 – 01/01/79	PTG 313041	\$200,000/\$500,000
4	01/01/79 – 01/01/80	PTG 313042	\$200,000/\$500,000 CSL
5	01/01/80 – 01/01/81	PTG 313043	\$200,000/\$500,000 CSL
6	01/01/81 – 01/01/82	PTG 313044	\$200,000/\$500,000 CSL
7	01/01/82 – 01/01/83	PLU 608890	\$200,000/\$500,000 CSL
8	01/01/83 – 01/01/84	PLU B77700	\$200,000/\$500,000 CSL
9	01/01/84 – 01/01/85	PLU B77700	\$200,000/\$500,000 CSL

Interrogatory No. 54:

Has THIS DEFENDANT owned or operated any petroleum refining facilities; if so, please state:

- a. whether any ASBESTOS-CONTAINING PRODUCT(S) WERE MARKETed on the premises of such refining facilities;
- b. the location, including the name and address of all such refining facilities;
- c. the dates of operation of such refining facilities;
- d. the types of ASBESTOS-CONTAINING PRODUCT(S) MARKETed on such premises;
- e. the names of the manufacturers of any ASBESTOS-CONTAINING PRODUCTS MARKETed on such premises;
- f. whether THIS DEFENDANT has documents identifying such MARKETing;
- g. the IDENTITY of the custodian of such documents.

ANSWER TO INTERROGATORY NO. 54:

No.

Interrogatory No. 55:

Has THIS DEFENDANT held a controlling ownership interest in any COMPANY which owned or operated petroleum refining facilities: if so, for the period(s) of time during which THIS DEFENDANT held such interest, please state:

- a. whether any ASBESTOS-CONTAINING PRODUCTS were MARKETed on the premises of such refining facilities;
- b. the location, including the name and address of all such refining facilities;
- c. the dates of operation of such refining facilities;
- d. the types of ASBESTOS-CONTAINING PRODUCTS MARKETed on such premises.
- e. the names of the manufacturers of any ASBESTOS-CONTAINING PRODUCTS MARKETed on such premises;
- f. whether THIS DEFENDANT has DOCUMENTS identifying such MARKETing;
- g. the IDENTITY of the custodian of such DOCUMENTS.

ANSWER TO INTERROGATORY NO. 55:

No.

1 Interrogatory No. 56: There is no Interrogatory No. 56

2 Interrogatory No. 57:

3 Has THIS DEFENDANT contracted with any COMPANY for the MARKETing of
4 ASBESTOS-CONTAINING PRODUCT(S) on any premises owned or leased by THIS
DEFENDANT; if so, please state:

- 5 a. the location, including name and address of such premises;
- 6 b. the name and address of each such COMPANY
- 7 c. the types of ASBESTOS-CONTAINING PRODUCTS;
- 8 d. the name of the manufacturers of such ASBESTOS-CONTAINING PRODUCTS;
- 9 e. whether THIS DEFENDANT has DOCUMENTS of such MARKETing;
- 10 f. the IDENTITY of the custodian of such DOCUMENTS.

11 **ANSWER TO INTERROGATORY NO. 57:**

12 No.

13 Dated: October 2nd, 2008

14 ARCHER NORRIS

15 

16 Eugene C. Blackard Jr.
17 Cesar A. Alvarado
18 Attorneys for Defendant
19 GRAYBAR ELECTRIC COMPANY, INC.
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VERIFICATION

I have read the foregoing **RESPONSE TO PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANT GRAYBAR ELECTRIC COMPANY, INC.** and know its contents.

I am a party to this action. The matters stated in it are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

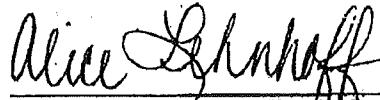


I am Corporate Counsel of Graybar Electric Company, Inc., a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. I have read the foregoing document(s). I am informed and believe and on that ground allege that the matters stated in it are true.

I am one of the attorneys of record for Defendant, a party to this action. Such party is absent from the county in which I have my office, and I make this verification for and on behalf of that party for that reason. I have read the foregoing document(s). I am informed and believe and on that ground allege that the matters stated in it are true.

Executed at Clayton, Missouri on this 1st day of October, 2008.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Alice Lehnhoff

1 **PROOF OF SERVICE**

2 **Name of Action: In Re: Complex Asbestos Litigation**
3 **Court and Action No: Alameda Superior Court Action No. 607734-9**

4 I, Rakia V. Grant-Smith, declare that I am over the age of eighteen years and not a party to
5 this action or proceeding. My business address is 2033 North Main Street, Suite 800, Walnut
6 Creek, California 94596-3759. On October 2, 2008, I caused the following document(s) to be
7 served: **RESPONSE TO PLAINTIFFS' FIRST SET OF INTERROGATORIES TO**
8 **DEFENDANT GRAYBAR ELECTRIC COMPANY, INC.**

9 ☒ by placing a true copy of the document(s) listed above, enclosed in a sealed envelope,
10 addressed as set forth below, for collection and mailing on the date and at the business
11 address shown above following our ordinary business practices. I am readily familiar
12 with this business' practice for collection and processing of correspondence for
13 mailing with the United States Postal Service. On the same day that a sealed envelope
14 is placed for collection and mailing, it is deposited in the ordinary course of business
15 with the United States Postal Service with postage fully prepaid.

16 ☐ by having a true copy of the document(s) listed above transmitted by facsimile to the
17 person(s) at the facsimile number(s) set forth below before 5:00 p.m. The transmission
18 was reported as complete without error by a report issued by the transmitting facsimile
19 machine.

20 ☐ by having personally delivered a true copy of the document(s) listed above, enclosed in
21 a sealed envelope, to the person(s) and at the address(es) set forth below.

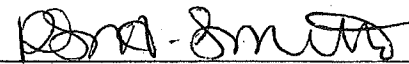
22 ☐ by having personal delivery by _____ of a true copy of the document(s)
23 listed above, enclosed in a sealed envelope, to the person(s) and at the address(es) set
24 forth below.

25 ☐ by placing a true copy of the document(s) listed above, in a box or other facility
26 regularly maintained by _____, an express service carrier, or delivered to a
27 courier or driver authorized by the express service carrier to receive documents, in an
28 envelope designated by the express service carrier, with delivery fees paid or provided
for, addressed as set forth below.

☐ I electronically served the above referenced document(s) through _____. E-
service in this action was completed on all parties listed on the service list with
_____. This service complies with the court's order in this case.

23 Kazan, McClain, Abrams, Lyons, Greenwood & Harley
24 A Professional Law Corporation
25 171 Twelfth Street, Third Floor
Oakland, CA 94607

26 I declare under penalty of perjury that the foregoing is true and correct. Executed on
27 October 2, 2008, at Walnut Creek, California.

28 
Rakia V. Grant-Smith