PLAINTIFF'S EXHIBIT

K-1985

IL036D.ASB
10/17/94

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
COUNTY OF MACON

ROSE NEATHERY, Individually and as Special Administrator of the Estate of Ralph Neathery, deceased, Plaintiff,	)	
v.	)	No. 93 L 54
OWENS-CORNING FIBERGLAS CORPORATION, et al, Defendants.	)	

DEFENDANT, OWENS-ILLINOIS, INC.'S ANSWERS TO PLAINTIFFS' FIRST SET OF INTERROGATORIES

PRELIMINARY STATEMENT

Some of the events which may be relevant to the matters inquired about by Plaintiffs' Interrogatories apparently occurred more than thirty-five years ago. In addition, effective April 30, 1958, Owens-Illinois, Inc. disposed of the business involved in this action by way of sale of that business to Owens-Corning Fiberglas Corporation. Since that time, Owens-Illinois, Inc. has not engaged in the asbestos-containing insulation products manufacturing business. It does not now and it has not since that sale manufactured, distributed or sold any of its Kaylo asbestos-containing insulation products. As a result of the foregoing factors, many of the individuals who might have had personal knowledge of the matters to which plaintiffs' interrogatories relate are deceased, or are otherwise unavailable to Owens-Illinois, Inc., and investigations to date indicate that at least some documents which relate to matters inquired about by these interrogatories were transferred to Owens-Corning Fiberglas Corporation with the transfer of the business in question in 1958. Owens-Illinois, Inc. is engaged in a continuing investigation in an attempt to locate, confirm the transfer of, or confirm the absence of, such documents and is also engaged in a continuing investigation into the matters inquired about in

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defendant now believes that this defendant's commercially produced asbestos-containing products were hydrous calcium silicates containing between 13% and approximately 20% asbestos. Chrysotile asbestos was the primary type apparently used. Amosite was incorporated to a lesser extent.

(e) Owens-Illinois Glass Company began limited pilot plant operations involving the production of "Kaylo" asbestos-containing products in 1943. It began the manufacture of commercial quantities of "Kaylo" asbestos-containing products in about 1948, and began the manufacture of commercial quantities of "Kaylo-20" in or after mid-1955, and continued such manufacture until about April 30, 1958.

Q. 39. Has Defendant, at any time since it began selling asbestos or asbestos containing products, issued a warning concerning the consequences of exposure to asbestos, which warning was intended by Defendant to reach those persons who would breath or ingest asbestos or asbestos containing products during their distribution and/or use? If so, state as to each such warning:

(a) the language of the warning;

(b) date first issued or distributed;

(c) date last issued or distributed;

(d) the method of communication or distribution used;

(e) the name, position at that time, and current address, position and employer of each person ordering or recommending the warning.

A. 39. This defendant ceased the manufacture, sale and distribution of its Kaylo asbestos-containing products in 1958. This defendant has not found information in its records sufficient to enable it to answer this

AFFIDAVIT

STATE OF OHIO)

)SS:

COUNTY OF LUCAS)

H. G. BRUSS, being duly sworn according to law, deposes and says that he is an Assistant Secretary of Owens-Illinois, Inc., a defendant herein; that as such he is authorized to make an Affidavit on its behalf; and that the facts set forth in the foregoing DEFENDANT, OWENS-ILLINOIS, INC.'S ANSWERS TO INTERROGATORIES, are true and correct to the best of his knowledge, information and belief.

H. G. BRUSS

SWORN TO and subscribed before me this 20th day of October, 1994

My Commission Expires: January 4th, 1996

SEAL

Notary Public

MARY JANET CRAWFORD
Notary Public, State of Ohio
My Commission Expires 1-4-96