

1 PAUL, HASTINGS, JANOFSKY & WALKER
2 555 South Flower Street
3 Twenty-Second Floor
4 Los Angeles, California 90071
5 (213) 489-4000

6 Attorneys for Defendant
7 GAF Corporation

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

10
11 ROBERT BUZZARD, JR.,
12 Plaintiff,
13 v.
14 JOHNS-MANVILLE CORPORATION,
15 etc., et al.,
16 Defendants.

CASE NO. C 295 122
RESPONSES OF DEFENDANT
GAF CORPORATION TO
PLAINTIFF'S FIRST SET
OF INTERROGATORIES

17 AND RELATED CASES

18
19 TO PLAINTIFF AND HIS ATTORNEY OF RECORD:

20 Pursuant to California Code of Civil Procedure Section
21 2030, defendant GAF CORPORATION (hereinafter "GAF") responds,
22 under oath, to plaintiff's First Set of Interrogatories as
23 follows:

24 //

25 //

26 //

27 //

28 //

11 INTERROGATORY NO. 2:

12 Please state the address of your principal place of
13 business and whether you have assumed the assets and/or
14 liabilities of any predecessor corporation or entity (such
15 predecessor corporations being limited to any association
16 whatsoever with the asbestos aspect of the defendant's
17 business). Answer these Interrogatories for each such acquired
18 company which manufactured insulation products containing
19 asbestos.

20
21 RESPONSE TO INTERROGATORY NO. 2:

22 GAF's principal place of business is 140 West 51st
23 Street, New York, New York, 10020. In 1967 The Ruberoid Company
24 merged into GAF by means of a statutory merger by which GAF
25 assumed both the assets and liabilities of the Ruberoid Company.

26 //

27 //

28 //

1 INTERROGATORY NO. 3:

2 Has defendant, at any time, engaged in the manufacture
3 of insulation products containing asbestos fibers?
4

5 RESPONSE TO INTERROGATORY NO. 3:

6 Yes.
7

8 INTERROGATORY NO. 4:

9 Has defendant, at any time, engaged in the mining and/or
10 milling of material containing asbestos fibers?
11

12 RESPONSE TO INTERROGATORY NO. 4:

13 Yes.
14

15 INTERROGATORY NO. 5:

16 Has defendant, at any time, engaged in the processing,
17 marketing and sale of products containing asbestos fibers?
18

19 RESPONSE TO INTERROGATORY NO. 5:

20 Objection: Overly broad; vague and ambiguous as to the
21 term "processing"; neither relevant to the subject matter of this
22 action nor reasonably calculated to lead to the discovery of
23 admissible evidence. Without waiving said objections and
24 reserving the right to assert same in the event of a motion to
25 compel further answers or at trial, GAF responds that it produced
26 industrial thermal insulation products containing asbestos.

27 //

28 //

1 INTERROGATORY NO. 6:

2 If the answer to one or more of the last three questions
3 is affirmative, please state as to each affirmative answer the
4 following:

5 a) The trade or brand name of each such product mined,
6 manufactured, and/or marketed.

7 b) The dates each of such products were placed on the
8 market.

9 c) The dates each of such products were withdrawn from
10 the market.

11 d) A description of the physical (the chemical)
12 composition of each such product including the type of
13 asbestos contained in each such product (i.e., amosite,
14 chrysotile or crocidolite) and the quantitative
15 percentage of asbestos in each product.

16 e) A description of the physical appearance of each
17 such product.

18 f) A detailed description of the intended uses of each
19 such product.

20 h) The mining or milling concern from which the raw
21 asbestos fiber was obtained.

23 RESPONSE TO INTERROGATORY NO. 6:

24 Objection: Overly broad; neither relevant to the
25 subject matter of this action nor reasonably calculated to lead
26 to the discovery of admissible evidence. Without waiving said
27 objections and reserving the right to assert same in the event of
28 a motion to compel further answers or at trial, GAF responds that

1 INTERROGATORY NO. 1:

2 State the name, present business address, present
3 residence, and capacity or title of the individual signing these
4 Interrogatories on behalf of the answering defendant.

5

1 it manufactured the following industrial thermal insulation
2 products containing asbestos:

3 a) (1) Calsilite: High temperature pipe covering and
4 built-up block containing approximately 10% amosite
5 asbestos fiber and 2% chrysotile asbestos fiber. The
6 remainder consists of hydrous lime silicate and
7 diatomaceous earth. Calsilite is white and hollow.
8 Calsilite was manufactured at Gloucester, New Jersey
9 from 1949 until October, 1971.

10 (2) Insulation Cements

11 "115" and "214" Insulation Cements: Known generally as
12 7M and 7K type cements, respectively. These cements
13 were off-white to light grey in color and were composed
14 entirely of chrysotile asbestos fiber. The cements were
15 manufactured at Hyde Park, Vermont from 1937 through
16 September, 1975.

17 Calsilite insulation cement was composed of 36.8%
18 ground Calsilite, 45% chrysotile asbestos fiber, 13.6%
19 Lummite Cement, and 4.5% Portland Cement. It was
20 lighter in appearance and texture than other GAF
21 insulation cements, and had a somewhat chalky
22 consistency. Calsilite insulation cement was produced
23 at Gloucester City, New Jersey from 1951 until around
24 1960.

25 (3) "T/NA-100" Insulation Jacketing: A grayish-
26 white two-ply laminated product consisting of an
27 interior layer of asbestos paper containing 40%
28 chrysotile asbestos fiber bounded with neoprene to a

1 layer of polyvinylfluoride (Tedlar) plastic film on the
2 exterior of the product. T/NA-100 was manufactured at
3 South Bound Brook, New Jersey from 1962 to September,
4 1971.

5 (4) Asbestos paper, millboard and rollboard:

6 *Asb. Paper* Products composed of sulphite pulp and chrysotile
7 *Millboard* asbestos. The asbestos content of papers and millboards
8 *Rollboard* varied from 40% to 90%, depending on the product. The
9 color of such products varied from light grey to dark
10 grey. These products were manufactured in Erie,

11 Pennsylvania from before World War II, until 1981.

12 b) See response to Interrogatory No. 6(a) above.

13 c) See response to Interrogatory No. 6(a) above.

14 d) See response to Interrogatory No. 6(a) above.

15 e) See response to Interrogatory No. 6(a) above.

16 f) Each product was used for industrial thermal
17 insulation purposes.

18 *Mfg.* g) The manufacturer until 1967 was the Ruberoid
19 Company. After 1967, the manufacturer was GAF
20 Corporation.

21 h) Carey Canadian Mines, Inc., Canadian Johns-Manville
22 *Purchased* Corporation; Lake Asbestos of Quebec, Ltd.; Bell Mines;
23 *Fiber* Johnson Asbestos; Johnson's Co's. Ltd.; Asbestos Corpo-
24 *from:* ration; North American Asbestos Co.,; Cape Asbestos
25 Corp.,; Union Carbide; The Ruberoid Company; Vermont
26 Asbestos Group.

27 //

28 //

1 INTERROGATORY NO. 9:

2 Have any of the products listed in Interrogatory No. 6
3 above been altered in chemical composition or asbestos type or
4 content since first being marketed?

5
6 RESPONSE TO INTERROGATORY NO. 9:

7 Yes.

8
9 INTERROGATORY NO. 10:

10 If so, please state:

- 11 a) The trade name of each such product.
12 b) The date each such product was altered.
13 c) The nature of the alteration.
14 d) The reason for the alteration.

15
16 RESPONSE TO INTERROGATORY NO. 10:

17 The Calsilite formula was adjusted constantly in order
18 to compensate for changes in the quality and availability of raw
19 material, as well as for competitive reasons. Aside from such
20 general changes to achieve product quality, a major change in
21 composition took place in 1954, when all Vermont chrysotile
22 asbestos was eliminated from the product. A second major change
23 in composition occurred in the mid-1960's, when Ruberoid
24 developed "Calsilite SS." Calsilite SS was an "inhibited"
25 product designed specifically to prevent stress corrosion and
26 chloride cracking of austenitic stainless steel piping. Another
27 major change in composition occurred in 1970, when GAF developed
28 an asbestos-free Calsilite, also occasionally referred to as

1 "Calsilite II". In the asbestos-free Calsilite, asbestos was
2 replaced by sulphite pulp. The asbestos-free product was
3 discontinued because it was unprofitable.
4

5 INTERROGATORY NO. 11:

6 Do any written memoranda, specifications, blueprints or
7 other written materials of any kind or character exist relating
8 to the testing of said products?
9

10 RESPONSE TO INTERROGATORY NO. 11:

11 No.
12

13 INTERROGATORY NO. 12:

14 Did defendant make any design changes as a result of
15 such tests?
16

17 RESPONSE TO INTERROGATORY NO. 12:

18 Not applicable.
19

20 INTERROGATORY NO. 13:

21 If so, please state:

22 a) The nature of the change made.

23 b) The name, address, and job classification of each
24 person in charge of making a change.
25

26 RESPONSE TO INTERROGATORY NO. 13:

27 Not applicable.
28

//

1 INTERROGATORY NO. 14:

2 Has defendant, at any time, published and/or distributed
3 any brochures, sales literature, pamphlets, or other written
4 materials (aside from caution labels on containers) of any kind
5 or character that contain any warnings, cautions, caveats or
6 directions concerning the possibility of injury resulting from
7 the use of the products listed in Interrogatory No. 6 above?

8 RESPONSE TO INTERROGATORY NO. 14:

9
10 Objection: Overly broad; vague; ambiguous. Without
11 waiving said objections and reserving the right to assert same in
12 the event of a motion to compel further answers or at trial GAF
13 responds that it published warning and cautionary labels for its
14 industrial thermal insulation products containing asbestos
15 fiber. Defendant's other literature speaks for itself.

16
17 INTERROGATORY NO. 15:

18 From 1930 until the present, did the asbestos products
19 manufactured or distributed by you, contain any warning, caution,
20 caveat or other statement on the product or its packaging.

21
22 RESPONSE TO INTERROGATORY NO. 15:

23 Objection: Overly broad; vague, ambiguous; neither
24 relevant to the subject matter of this action nor reasonably
25 calculated to lead to the discovery of admissible evidence.
26 Without waiving said objections and reserving the right to assert
27 same in the event of a motion to compel further answers or at
28 trial, GAF responds that it no longer produces any industrial

1 thermal insulation products containing asbestos fibers. However,
2 when said products were manufactured, warning and cautionary
3 labels were placed on the outside packaging.
4

5 INTERROGATORY NO. 16:

6 If so, please state:

- 7 a) When did the warning first appear?
8 b) What was the precise wording of the warning, when
9 it first appeared?
10 c) Was the warning altered, amended or changed in any
11 manner? If so, how and when?
12 d) Where was the warning located on the product or
13 packaging?
14 e) When did you become aware of warnings placed on
15 products distributed by other defendants? State the
16 reason warnings of the other defendants were not placed
17 on your products.
18 f) State the manner in which your product is shipped
19 and the type of container it is shipped in to retailers.
20 g) State whether any industrial psychologists or human
21 factors engineers were consulted prior to utilizing such
22 warnings, cautions, etc.

23
24 RESPONSE TO INTERROGATORY NO. 16:

25 See objections to Interrogatories Nos. 14 and 15.
26 Without waiving said objections, GAF responds as follows:

27 //

28 //

- 1 a) Warning labels were placed on packages of
2 industrial thermal insulation products containing
3 asbestos in approximately late 1964 and early 1965.
4 b) "CAUTION. THIS PRODUCT CONTAINS ASBESTOS FIBER."
5 INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES OVER LONG
6 PERIODS OF TIME MAY BE HARMFUL. IF DUST IS CREATED WHEN
7 THIS PRODUCT IS HANDLED, AVOID BREATHING THE DUST. IF
8 ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE, WEAR
9 RESPIRATORS APPROVED BY THE U. S. BUREAU OF MINES FOR
10 PNEUMOCONIOSIS PRODUCING DUST."
11 c) In 1970, this warning label was changed to read as
12 follows:

13 WARNING

14 CONTAINS ASBESTOS FIBER. INHALATION IN
15 EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY
16 BE HARMFUL. AVOID BREATHING DUST. IF ADEQUATE
17 VENTILATION IS NOT POSSIBLE, WEAR RESPIRATORS
18 APPROVED BY THE U.S. BUREAU OF MINES FOR
19 PNEUMOCONIOSIS PRODUCING DUST.

20 In approximately 1972, this warning was
21 further changed to read as follows:

22 CAUTION

23 CONTAINS ASBESTOR FIBERS. INHALATION IN
24 EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME MAY
25 BE HARMFUL. AVOID BREATHING DUST.

- 26 d) On the outside of packages of industrial thermal
27 insulation products containing asbestos fiber.
28 //

1 e) Approximately 1965. GAF objects to the remainder
2 of this interrogatory on the grounds that it is vague,
3 ambiguous and calls for speculation.

4 f) Calsilite was shipped in corrugated cardboard
5 cartons. 115 and 214 Cement was shipped in heavy duty
6 bags. T/N/A 100 sheets were sold in rolls and shipped
7 in corrugated cardboard boxes. Asbestos paper and
8 millboard were shipped in corrugated cardboard cartons,
9 although millboard is sometimes stacked on trucks
10 without boxes.

11 g) Unknown.
12

13 INTERROGATORY NO. 17:

14 Have you received notice that any other person was
15 claiming injury as a result of using asbestos products
16 manufactured and/or sold by your company (both prior to and
17 subsequent to the filing of this action)?
18

19 RESPONSE TO INTERROGATORY NO. 17:

20 Yes.
21

22 INTERROGATORY NO. 18:

23 If so, please state:

- 24 a) The name and address of each claimant.
25 b) The date of notice of each claim.
26 c) A description of the claim, i.e., worker's
27 compensation, products liability, etc.
28 d) The type of injuries allegedly sustained.

1 e) The name and address of each attorney who represents
2 individuals making such claims.

3 f) The style and court number of each claim currently
4 pending.

5 g) The resolution of each claim that has been settled
6 or taken to judgment.
7

8 RESPONSE TO INTERROGATORY NO. 18:

28-82) 9 Objection: Burdensome; oppressive. As plaintiff is
pres. 10 well aware, GAF has been named as a defendant in numerous actions
11 in the Los Angeles Superior Court. Nationwide, GAF has been
12 named in approximately 10,000 actions.

13 Without waiving said objection, GAF responds that the
14 first asbestos-related lawsuit naming GAF as a defendant was
15 Totter v. Fibreboard, et al., (USDC E.D. Texas; CV 7329; filed
16 July 29, 1969).
17

18 INTERROGATORY NO. 19:

19 Do you have any records indicating that any of your
20 products containing asbestos fibers were sold to any of the
21 companies named as co-defendants in this suit?
22

23 RESPONSE TO INTERROGATORY NO. 19:

24 Objection: Overly broad as to time and place; burden-
25 some; oppressive; neither relevant to the subject matter of this
26 action nor reasonably calculated to lead to the discovery of
27 admissible evidence. Without waiving objections and reserving
28 the right to assert same in the event of a motion to compel

1 further answers or at trial, GAF responds that it has in its
2 possession certain shipping records of its industrial thermal
3 insulation products containing asbestos. The information
4 contained therein is retrievable by reference of year, company
5 shipped to and/or jobsite shipped to. The documents are
6 available for inspection at GAF's principal place of business at
7 a time which is mutually convenient for GAF and for plaintiff's
8 counsel.

9
10 INTERROGATORY NO. 20:

11 If so, please state:

12 a) The name, address and job classification of each
13 individual who currently has possession of such records.

14 b) Please list the names of each co-defendant to whom
15 your products have been sold.

16 c) Please state the dates of each such sale and the
17 amount and kind of materials sold.

18 d) State whether your company manufactured asbestos
19 containing insulation products for a co-defendant but
20 placed said co-defendant's labels, logos or containers
21 on said products and list each such co-defendants [sic].
22

23 RESPONSE TO INTERROGATORY NO. 20:

24 a-c) See responses to Interrogatory No. 19, above.

25 d) No.

26 //

27 //

28 //

1 INTERROGATORY NO. 21:

2 Does defendant contend that plaintiff improperly used
3 their products?
4

5 RESPONSE TO INTERROGATORY NO. 21:

6 GAF objects to this interrogatory on the grounds that it
7 assumes GAF products were used. Without waiving said objection
8 and reserving the right to assert same in the event of a motion
9 to compel further answers and at the trial of this action, GAF
10 responds as follows. GAF has not completed investigation of the
11 facts relating to this case, has not completed discovery and has
12 not completed preparation for trial. Therefore, the following
13 answer is given without prejudice to its right to produce
14 evidence of any subsequently discovered facts. At this time, so
15 far as is known, GAF answers yes.
16

17 INTERROGATORY NO. 22:

18 If so, please set out in detail in what respect said
19 products were improperly used.
20

21 RESPONSE TO INTERROGATORY NO. 22:

22 See objection and caveat to Interrogatory No. 21.
23 Subject to the foregoing, GAF responds that plaintiff may have
24 ignored oral and/or written instructions or otherwise not used
25 asbestos containing products in a manner intended or reasonably
26 foreseeable.
27 //
28 //

1 INTERROGATORY NO. 23:

2 Does defendant have policies of insurance that cover the
3 claims that have been made by plaintiff herein?
4

5 RESPONSE TO INTERROGATORY NO. 23:

6 Yes.
7

8 INTERROGATORY NO. 24:

9 If so, please list the name of each insurance carrier
10 who has coverage, the amount of such coverage, and the dates of
11 each such policy?
12

13 RESPONSE TO INTERROGATORY NO. 24:

14 Objection: Overly broad; burdensome; neither relevant
15 to the subject matter of this action nor reasonably calculated to
16 lead to the discovery of admissible evidence. Without waiving
17 said objections, GAF responds that a schedule containing part of
18 the information requested in this interrogatory is attached
19 hereto as Exhibit A.
20

21 INTERROGATORY NO. 25:

22 Does defendant contend that insulation products
23 containing asbestos can be manufactured or treated so as to
24 eliminate all potential health hazards to workers installing
25 same?
26 //
27 //
28 //

1 RESPONSE TO INTERROGATORY NO. 25:

2 GAF objects to this interrogatory on the grounds that it
3 calls for speculation and expert medical opinion.
4

5 INTERROGATORY NO. 26:

6 If so, please explain.
7

8 RESPONSE TO INTERROGATORY NO. 26:

9 See objection to Interrogatory No. 25, above.
10

11 INTERROGATORY NO. 27:

12 Please describe in detail the type of packages in which
13 defendant has sold asbestos material, listing the dates each type
14 of package was used, a physical description thereof, and a
15 description of any printed material or trade marks that appeared
16 thereon.

Packaging
17
18 RESPONSE TO INTERROGATORY NO. 27:

19 From the late 1940's to 1971, calsilite pipe covering
20 was sold in corrugated cardboard boxes. From 1962 to 1971, T/NA-
21 100 was sold in corrugated boxes, as was asbestos paper and
22 millboard from before World War II, until 1981. From 1937 to
23 1975, 115 and 124 insulation cements were sold in heavy duty
24 bags. All corrugated boxes and heavy duty bags bore the company
25 name or logo and tradename. Other specific descriptive language
26 appearing on those packages is unknown, except that in some
27 instances the temperatures up to which the product could be used
28 did appear thereon.

1 INTERROGATORY NO. 28:

2 Did you receive any reports or communications from your
3 workmen's compensation insurance carrier or products liability
4 insurance carrier with regard to the hazards incident to use of
5 asbestos containing insulation products? If so, please state who
6 had possession of said reports, the location of said reports and
7 the substance of the contents of said reports, listing for each
8 such report the respective insurance company, its address, and
9 the agent signing such correspondence.

10
11 RESPONSE TO INTERROGATORY NO. 28:

12 Objection: Attorney-client privilege; attorney work-
13 product limitation on discovery; vague; ambiguous; burdensome;
14 oppressive. Without waiving said objections and reserving the
15 right to assert same in the event of a motion to compel further
16 answers or at trial, GAF responds that it does not believe so.

17
18 INTERROGATORY NO. 29:

19 If the answer to Interrogatory No. 4 (mining and
20 milling) is yes, state:

21 a) Where the asbestos was mined and milled.

22 b) How long the defendant has mined and milled
23 asbestos.

24 c) Whether the defendant has supplied this mined
25 and/or milled asbestos to any of the other defendants
26 since 1950, when these transactions took place; and the
27 dollar and tonnage amount of such sales.

28 //

1 d) Whether any warnings, cautions, caveats or
2 directions accompanied the materials referred to in (c)
3 and the date these first appeared.
4

5 RESPONSE TO INTERROGATORY NO. 29:

- 6 a) Hyde Park, Vermont.
7 b) 1936-1975.
8 c) See response to Interrogatory No. 19.
9 d) See response to Interrogatory No. 29(c).
10

11 INTERROGATORY NO. 30:

12 If the answer to Interrogatory No. 4 is no, state:

- 13 a) From what source or sources, if any, did your
14 company obtain mined asbestos since 1950;
15 b) Whether any warnings, cautions, caveats, or
16 directions accompany the materials referred to in (a)
17 and the nature and extent of said warnings, cautions,
18 caveats or directions accompanying said asbestos.
19 c) Approximately what date said warnings, cautions,
20 caveats or directions first appeared on the mined
21 asbestos.
22

23 RESPONSE TO INTERROGATORY NO. 30:

24 Not applicable.

25 //

26 //

27 //

28 //

1 INTERROGATORY NO. 31:

2 If the answer to Interrogatory No. 3 is yes, state:

3 a) Where the asbestos or asbestos materials was
4 manufactured.

5 b) How long the defendant has manufactured asbestos or
6 asbestos materials.

7 c) Whether the defendant has supplied this
8 manufactured asbestos or asbestos materials to any of
9 the other defendants since 1945, when these transactions
10 took place, where, and the compensation paid for the
11 manufactured asbestos or asbestos materials;

12 d) Whether any warnings, cautions, caveats or
13 directions accompanied the materials referred to in (c)
14 and the date these first appeared.
15

16 RESPONSE TO INTERROGATORY NO. 31:

17 a) Asbestos is not manufactured. Products containing
18 asbestos were manufactured in Gloucester City, New
19 Jersey. Calsilite, asbestos paper and millboard were
20 manufactured in Erie, Pennsylvania. 115 and 214 Cement
21 was processed at Hyde Park, Vermont. T/NA-100 was
22 manufactured in South Bound Brook, New Jersey.

23 b) See response to Interrogatory No. 6(a) above.

24 c) GAF objects to part (c) of this interrogatory on
25 the grounds of relevance. Without waiving said
26 objection, GAF responds that it has in its possession
27 certain shipping records of its industrial thermal
28 insulation products containing asbestos. The

1 information contained therein is retrievable by
2 reference of year, company shipped to and/or jobsite
3 shipped to. The documents are available for inspection
4 at GAF's principal place of business at a time which is
5 mutually convenient for GAF and for plaintiff's counsel.

6 d) See objection to Interrogatory No. 19, above.
7 overly broad, burdensome, irrelevant, etc.

8 INTERROGATORY NO. 32:

9 If the answer to Interrogatory No. 3 is no, state:

10 a) From what source or sources, if any, did your
11 company obtain asbestos containing insulation since
12 1945.

13 b) Whether any warnings, cautions, caveats, or
14 directions accompany the material referred to in (a) and
15 the nature and extent of said warnings, cautions,
16 caveats or directions accompanying said asbestos and
17 asbestos materials.

18 c) Approximately what date said warnings, cautions,
19 caveats or directions first appeared on the manufactured
20 asbestos or asbestos materials.
21

22 RESPONSE TO INTERROGATORY NO. 32:

23 Not applicable.
24

25 INTERROGATORY NO. 33:

26 Has the defendant imported asbestos or asbestos
27 materials since 1930?

28 //

1 RESPONSE TO INTERROGATORY NO. 33:

2 Yes.

3
4 INTERROGATORY NO. 34:

5 If the answer to the preceding interrogatory is in the
6 affirmative, state:

7 a) From where the asbestos or asbestos materials was
8 [sic] imported.

9 b) How long the defendant has imported asbestos and
10 asbestos materials.

11 c) Whether the defendant has supplied this imported
12 asbestos or asbestos materials to any of the other
13 defendants since 1945, when these transactions took
14 place and where.

15 d) Whether any warnings, cautions, caveats, or
16 directions accompanied the materials referred to in (c)
17 and the date these first appeared.
18

19 RESPONSE TO INTERROGATORY NO. 34:

20 a) South Africa, Canada and the United States.

21 b) No records available.

22 c) See objection and response to Interrogatory No. 19.

23 d) See responses to Interrogatory No. 15 and
24 Interrogatory No. 16.
25

26 INTERROGATORY NO. 35:

27 Has the defendant sold or distributed asbestos or
28 asbestos containing insulation materials at any time since 1930?

1 RESPONSE TO INTERROGATORY NO. 35:

2 Products were sold by GAF, not distributed.

3
4 INTERROGATORY NO. 36:

5 If the answer to the preceding interrogatory is in the
6 affirmative, state:

7 a) Where the defendant has sold or distributed such
8 products since 1930.

9 b) How long the defendant has sold or distributed such
10 products.

11 c) Whether the defendant has sold or distributed such
12 products to any of the other defendants named in this
13 litigation since 1930 and state the dollar and tonnage
14 amounts of such sales and the dates of same.

15
16 RESPONSE TO INTERROGATORY NO. 36:

17 a) Objection: irrelevant; burdensome; oppressive.

18 b) Approximately 1928-1975. See response to
19 Interrogatory No. 6, above.

20 c) See objection and response to Interrogatories Nos.
21 19 and 20, above. (Burdensome, etc. - avail. shipping
22 records can be copied)

23 INTERROGATORY NO. 37:

24 If the answer to subpart (c) of Interrogatory No. 36 is
25 in the affirmative, state:

26 a) Whether any warnings, cautions, caveats or
27 directions accompany the asbestos or asbestos materials
28 sold or distributed to these other defendants, the

1 content of said warnings, cautions, caveats, or
2 directions accompanying said asbestos.

3 b) Approximately what date said warnings, cautions,
4 caveats or directions first appeared on asbestos
5 materials distributed to the other defendants.
6

7 RESPONSE TO INTERROGATORY NO. 37:

8 See responses to Interrogatory No. 15, Interrogatory
9 No. 16, Interrogatory No. 19 and Interrogatory No. 20 above.
10

11 INTERROGATORY NO. 38:

12 If the defendant has discontinued manufacturing and/or
13 selling any asbestos products, please state the reason or reasons
14 therefor.
15

16 RESPONSE TO INTERROGATORY NO. 38:

17 Continued manufacturing of products containing asbestos
18 was not profitable.
19

20 INTERROGATORY NO. 39:

21 Have any of the other defendants named in the litigation
22 ever furnished the defendant answering these interrogatories with
23 information as to the state of the medical knowledge regarding
24 the connection between asbestos exposure and the contracting of
25 pulmonary diseases including cancer and asbestosis?
26 //
27 //
28 //

1 RESPONSE TO INTERROGATORY NO. 39:

2 No, with the exception of preparation of pretrial
3 litigation.

4 INTERROGATORY NO. 40:

5 If the answer to the preceding interrogatory is in the
6 affirmative, state:

- 7 a) What information was the defendant furnished with.
8 b) When the defendant was furnished the information.
9 c) By whom was the defendant furnished the information.

10
11 RESPONSE TO INTERROGATORY NO. 40:

12 Not applicable.

13
14 INTERROGATORY NO. 41:

15 Have any defendants furnished this defendant, or has
16 this defendant furnished any other defendant with the results of
17 any research, tests, medical studies or experiments regarding the
18 state of the medical knowledge as to the connection between
19 asbestos exposure and the contracting of pulmonary diseases,
20 including lung cancer and asbestosis, since 1930?

21
22 RESPONSE TO INTERROGATORY NO. 41:

23 No, with the exception of preparation of pretrial
24 litigation.

25
26 INTERROGATORY NO. 42:

27 If the answer to the preceding interrogatory is in the
28 affirmative, state:

- 1 a) When each took place.
2 b) Who participated in each.
3 c) Summarize the content of each document or
4 communication.

5
6 RESPONSE TO INTERROGATORY NO. 42:

7 Not applicable.
8

9 INTERROGATORY NO. 43:

10 Has the defendant become aware, as the result of other
11 litigation or by any other means, of any studies, research,
12 experiments or tests conducted by another defendant which, if
13 known at the time said study, research, experiment or tests were
14 made, would have altered the manner or way the defendant
15 answering these interrogatories acted in distributing these
16 asbestos products?
17

18 RESPONSE TO INTERROGATORY NO. 43:

19 GAF objects to this interrogatory on the grounds that it
20 calls for speculation, conclusion and expert medical opinion. In
21 addition, GAF objects on the grounds that it is vague and
22 ambiguous. Without waiving these objections, GAF responds that
23 it was not a distributor.
24

25 INTERROGATORY NO. 44:

26 If the answer to the preceding interrogatory is in the
27 affirmative, state:

28 //

1 a) When these studies, research, experiments or tests
2 were made.

3 b) By whom were these studies, research, experiments or
4 tests made.

5 c) Summarize the contents of these studies and how the
6 defendant would have acted differently.

7
8 RESPONSE TO INTERROGATORY NO. 44:

9 Not applicable.

10
11 INTERROGATORY NO. 45:

12 Please state if the defendant or anybody on behalf of
13 the defendant ever conducted or sponsored or contributed
14 financially to any studies or research to determine if the
15 inhalation of asbestos fibers may be harmful. If so, please
16 state:

17 a) By whom the research was conducted, giving complete
18 names and addresses.

19 b) The dates that each such test was conducted.

20 c) The complete results of each test or study.

21 d) Supply copies of reports of the research department
22 pertaining to the use by the corporation of asbestos in
23 their manufactured insulation products.

24
25 RESPONSE TO INTERROGATORY NO. 45:

26 GAF objects to this interrogatory on the grounds of
27 overbreadth, burdensome and oppressive. GAF also objects on the
28 grounds that this interrogatory is vague and ambiguous as to the

id not, 1 meaning of the term "harmful" and as to time. This interrogatory
g itself, 2 is further objected to as an improper and burdensome request for
3 production of documents. Without waiving said objections, GAF
4 responds that it did not, by itself, finance, conduct or sponsor
5 any such studies or research. GAF did and does belong to certain
6 trade associations and other organizations.
7
8

9 INTERROGATORY NO. 46:

10 Please state the names and addresses of the defendant's
11 chief medical officers from 1930 until the present time, listing
12 the periods of time each such medical officer was employed by
13 defendant and in what capacity.

14 RESPONSE TO INTERROGATORY NO. 46:

15 GAF did not have an employee whose title or function was
16 Chief Medical Officer.
17

18 INTERROGATORY NO. 47:

19 Please state to whom in the corporate structure the
20 chief medical officer reports, also giving that person's position
21 or job title with defendant.
22

23 RESPONSE TO INTERROGATORY NO. 47:

24 See response to Interrogatory No. 46, above.
25

26 INTERROGATORY NO. 48:

27 Please state the duties and responsibilities of the
28 corporation's chief medical officer.

1 RESPONSE TO INTERROGATORY NO. 48:

2 See response to Interrogatory No. 46, above.

3
4 INTERROGATORY NO. 49:

5 Please state the names and addresses of all physicians
6 who were employed, retained or otherwise engaged by the defendant
7 at any of its facilities from the years of 1930 until the present
8 time.

9
10 RESPONSE TO INTERROGATORY NO. 49:

11 Objection: Overly broad as to time; vague; ambiguous;
12 burdensome; oppressive; neither relevant to the subject matter of
13 this action nor reasonably calculated to lead to the discovery of
14 admissible evidence. Without waiving said objections and
15 reserving the right to assert same in the event of a motion to
16 compel further answers or at trial, GAF responds that from time
17 to time during the period beginning in approximately 1930, GAF
18 called upon local physicians from surrounding cities or towns
19 near its plant locations to perform routine physical examinations
20 and to administer routine medical treatment when and if neces-
21 sary. There are no records presently within the possession,
22 custody or control of GAF which reflects the names of these
23 physicians or the professional services performed by them.

24
25 INTERROGATORY NO. 50:

26 Please state the names and addresses of all persons
27 employed by defendant from 1930 until the present time who
28 functioned as industrial hygienists. As contemplated by these

1 Interrogatory, an industrial hygienist is one that performs
2 engineering and health studies to identify, and evaluate
3 potential occupational health hazards and suggests methods of
4 dealing with same. Please state:

- 5 a) The facility or office to which they were assigned.
6 b) Their complete and precise duties and
7 responsibilities.

8
9 RESPONSE TO INTERROGATORY NO. 50:

10 GAF did not employ any persons whose title or function
11 was that of industrial hygienist.

12
13 INTERROGATORY NO. 51:

14 Please state if the defendant's medical officers ever
15 made at any time any recommendations and/or suggestions to the
16 defendant pertaining to the risks or hazards to persons involved
17 in the manufacturing or use of insulation products containing
18 asbestos? If so, please state:

- 19 a) Where were such recommendations and/or suggestions
20 made?
21 b) To whom were such recommendations and/or suggestions
22 made?
23 c) By whom were these recommendations and/or
24 suggestions made?
25 d) The substance of the recommendations and/or
26 suggestions made?

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 51:

2 Not applicable.

3
4 INTERROGATORY NO. 52:

5 Please state the names of trade association periodicals
6 to which the defendant subscribed from 1928 to the present
7 date. State whether or not the defendant had any knowledge of
8 any articles being printed in industry trade journals, essays,
9 memoranda and other similar sources pertaining to the hazardous
10 potentials of asbestos and which of such articles were received
11 by you.
12

13 RESPONSE TO INTERROGATORY NO. 52:

14 Objection: Overly broad; burdensome; vague; ambiguous;
15 oppressive. Without waiving said objections and reserving the
16 right to assert same in the event of a motion to compel further
17 answers or at trial, GAF responds that this information is
18 unknown at this time.
19

20 INTERROGATORY NO. 53:

21 Please state organizations, groups, inter-company or in-
22 dustrial organizations to which the defendant belongs which con-
23 ducted studies or researched the relationship, if any, between
24 exposure to asbestos fibers or products and asbestosis and lung
25 cancer from 1945 to 1970.

26 //

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 53:

2 Objection: Assumes fact that a relationship exists
3 between exposure to asbestos fibers or products and lung disease;
4 argumentative. Without waiving said objections and reserving the
5 right to assert same in the event of a motion to compel further
6 answers or at trial, GAF responds that it has belonged to the
7 following trade associations:

8 Asbestos Information Association/
9 North American
10 Suite 914
11 1660 L Street, N.W.
12 Washington, D. C. 20036

13 National Insulation Manufacturers
14 Association, Inc.
15 441 Lexington Avenue
16 New York, New York 10017

17 Asbestos Cement Product Association
18 (believed defunct)

19 American Society of Testing Materials
20 Race Street
21 Philadelphia, Pennsylvania

22 INTERROGATORY NO. 54:

23 Please state the amounts spent or contributed by the
24 defendant annually from 1930 until the present time for research
25 specifically directed to the relationship, if any, between an
26 insulation worker's exposure to asbestos containing insulation
27 products and asbestosis, lung cancer or any other pulmonary
28 disease.

29 RESPONSE TO INTERROGATORY NO. 54:

30 Objection: Assumes fact that a relationship exists
31 between exposure to asbestos and asbestosis, lung cancer or any
32 other pulmonary disease; argumentative. Without waiving said

1 objections and reserving the right to assert same in the event of
2 a motion to compel further answers or at trial, GAF responds that
3 it has made no direct contribution of funds to such research.
4

5 INTERROGATORY NO. 55:

6 Please state the amount annually contributed by the
7 defendant to any independent medical research group or groups
8 conducting research into the relationship, if any, between
9 exposure of insulation workers to asbestos and any pulmonary
10 diseases.
11

12 RESPONSE TO INTERROGATORY NO. 55:

13 Objection: Assumes fact that a relationship exists
14 between exposure of workers to asbestos and any pulmonary
15 disease; argumentative. Without waiving said objections and
16 reserving the right to assert same in the event of a motion to
17 compel further answers or at trial, GAF responds that it has made
18 no direct contributions.
19

20 INTERROGATORY NO. 56:

21 Please state the names and addresses of the organizations
22 or groups conducting the studies referred to in answer to Inter-
23 rogatory Nos. 54 and/or 55.
24

25 RESPONSE TO INTERROGATORY NO. 56:

26 Not applicable.

27 //
//

1 INTERROGATORY NO. 57:

2 Please state whether the defendant has a department,
3 division or section devoted to scientific and/or medical research
4 during the period from 1930 until the present time. If so,
5 please state when it was first formed.

6
7 RESPONSE TO INTERROGATORY NO. 57:

8 The Ruberoid Company had a product research department
9 from at least as early as 1947 through 1967 when the company
10 merged with GAF. GAF has continued to maintain a research
11 department from that date to present.

12
13 INTERROGATORY NO. 58:

14 Please state the scientific or medical periodicals to
15 which the defendant, its medical department or industrial hygiene
16 division subscribed during the period between 1930 and 1964
17 specifying the date such subscriptions were begun.

18
19 RESPONSE TO INTERROGATORY NO. 58:

20 Objection: Overly broad; burdensome; oppressive.
21 Without waiving said objections, and reserving the right to
22 assert same in the event of a motion to compel further answers or
23 at trial, GAF responds that the information requested is not
24 known at this time.

25
26 INTERROGATORY NO. 59:

27 Please state whether any of the distributors of your as-
28 bestos containing insulation products were provided with any

1 special instructions, oral or written, in regard to utilizing
2 said products in a manner so as to avoid exposing workers to
3 amounts of dust exceeding threshold limit values. If so, please
4 state:

- Instructions for prod. use were in warning labels
- 5 a) When these instructions were given.
 - 6 b) By whom these instructions were given.
 - 7 c) Were the instructions oral or written.
 - 8 d) The precise content of the instructions.
 - 9 e) If the instructions were written, please attach a
10 copy of the instructions.

11
12 RESPONSE TO INTERROGATORY NO. 59:

13 Instructions as to use were provided in written warning
14 labels which were placed on packages of industrial thermal
15 insulation products containing asbestos in approximately late
16 1964 and early 1965. See response to Interrogatory No. 16,
17 above. (Caution label info.)
18

19 INTERROGATORY NO. 60:

objection 1st 2K. Comp claim
20 Please state whether any employee of the defendant has
21 ever made a claim for asbestosis under the Occupational Disease
22 or Worker's Compensation Statute of any state. If so, please
23 state the date that the defendant first received notice of any
24 claim for asbestosis under the Occupational Disease or Worker-
25 men's Compensation Statute of any state and state the total
26 number of claims filed for the years 1930 to 1965.

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 60:

2 Objection: Overly broad; burdensome; neither relevant
3 to the subject matter of this action nor reasonably calculated to
4 lead to the discovery of admissible evidence.
5

6 INTERROGATORY NO. 61:

7 Is the defendant a member of the Asbestos Tile
8 Institute? If so, when did it first become a member and list the
9 years inclusively of membership?
10

11 RESPONSE TO INTERROGATORY NO. 61:

12 No.
13

14 INTERROGATORY NO. 62:

15 State whether any representatives of the defendant was
16 [sic] a member of the Air Hygiene committee of the ATI or ever
17 attended any meetings of such committee and list the years of
18 such membership.
19

20 RESPONSE TO INTERROGATORY NO. 62:

21 Unknown.
22

23 INTERROGATORY NO. 63:

24 State whether the defendant received copies of tran-
25 scribed minutes of the various committee meetings, general
26 meetings and Board of Directors meetings of the ATI within one
27 year of each such meeting.
28

//

1 RESPONSE TO INTERROGATORY NO. 63:

2 GAF has no record or present knowledge of ever having
3 received any documents prior to the commencement of discovery
4 proceedings in asbestos-related actions.
5

6 INTERROGATORY NO. 64:

7 Has the defendant ever been a member of the Industrial
8 Hygiene Foundation or the Industrial Health Foundation, and if
9 so, please state the years inclusively of such membership.
10

11 RESPONSE TO INTERROGATORY NO. 64:

12 No.
13

14 INTERROGATORY NO. 65:

15 State whether any representative of the defendant was in
16 attendance at the 20th annual meeting of the IHF in November,
17 1955, in Pittsburgh, Pennsylvania, and, if so, give the name and
18 current address of such attendee.
19

20 RESPONSE TO INTERROGATORY NO. 65:

21 No
22

23 INTERROGATORY NO. 66:

24 State whether the defendant received a copy or copies of
25 the Industrial Hygiene Digest published monthly by the IHF and
26 state the date of initial receipt of such publication.
27

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 66:

2 No.

3
4 INTERROGATORY NO. 67:

5 Please state whether the defendant ever requested
6 officials at the IHF to:

- 7 a) Perform a search of the medical literature to
8 determine whether any scientists or doctors were
9 reporting cases of insulation workers with asbestosis
10 and/or lung cancer or discussing the potential hazards
11 incident to use of asbestos containing insulation
12 products.
13 b) Perform any studies or research into potential
14 health hazards incident to the use of asbestos
15 containing insulation products.
16 c) Review governmental publications of Great Britain
17 toward the end of determining whether any research was
18 being conducted by the British Government into any
19 potential health hazards incident to the use of
20 insulation products containing asbestos.
21 d) Review governmental publications of Great Britain to
22 determine whether the Chief Inspector of Factories or
23 any other British Government agency had issued any
24 regulations or published any findings relative to
25 potential health hazards incident to the use of
26 insulation products containing asbestos.

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 67:

2 Objection: Neither relevant to the subject matter of
3 this action nor reasonably calculated to lead to the discovery of
4 admissible evidence; overly broad as to time and place; burden-
5 some; oppressive. Without waiving said objections and reserving
6 the right to assert same in the event of a motion to compel
7 further answers or at trial, GAF responds that it has no infor-
8 mation indicating that it made any such requests.

9
10 INTERROGATORY NO. 68:

11 Did the defendant sponsor since 1930 for its employees
12 or distributors any meetings, seminars, conferences, or conven-
13 tions where the subject of occupational health and exposure to
14 asbestos was discussed?

15
16 RESPONSE TO INTERROGATORY NO. 68:

17 No.

18
19 INTERROGATORY NO. 69:

20 If the answer to Interrogatory No. 68 is in the affir-
21 mative, state?

22 a) The date and place of such meeting, seminar,
23 conference, or convention where the subject of
24 occupational health and exposure to asbestos was
25 discussed.

26 b) The name and address of the speaker or discussant.

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 69:

2 Not applicable.

3
4 INTERROGATORY NO. 70:

5 Did the defendant ever warn any labor union representing
6 insulation workers of any potential health hazard from the use of
7 insulation products containing asbestos.

8
9 RESPONSE TO INTERROGATORY NO. 70:

10 Not directly. Labor unions that represented insulation
11 workers were warned of potential health hazards through the
12 warning labels placed on all GAF industrial thermal insulation
13 products containing asbestos. It is also believed that certain
14 labor unions were provided with information published or trans-
15 mitted by trade associations to which GAF belonged.

16
17 INTERROGATORY NO. 71:

18 If the answer to the preceding Interrogatory is in the
19 affirmative, state:

- 20 a) The union.
21 b) How said union was informed.
22 c) The date and place of said information or warning.
23 d) The content and nature of said warning.
24 e) The individual or individuals warned.

25
26 RESPONSE TO INTERROGATORY NO. 71:

27 See response to Interrogatory No. 70, above.

28 //

1 INTERROGATORY NO. 72:

2 Did the defendant at any time give any advice, publica-
3 tion, warning, order, directive, requirement or recommendation,
4 written or oral, including by U. S. Mail, which purported to:

5 a) Advise the plaintiff personally and directly of the
6 possible harmful effects of exposure to, or inhalation
7 of, asbestos or asbestos containing products.

8 b) Advise or recommend to the plaintiff personally and
9 directly as to techniques, methods or equipment which
10 would serve to reduce or guard against such potentially
11 harmful exposure.
12

13 RESPONSE TO INTERROGATORY NO. 72:

14 Objection: Overly broad as to time and place; vague and
15 ambiguous as to the phrase "which purported to". Without waiving
16 said objections and reserving the right to assert same in the
17 event of a motion to compel further answers, or at trial, GAF
18 responds that other than its warning labels (see response to
19 Interrogatory No. 16), GAF has no record of any direct personal
20 contact with plaintiff.
21

22 INTERROGATORY NO. 73:

23 If your answer to any part of the above Interrogatory
24 No. 72 is in the affirmative, state:

25 a) The nature and exact wording of such advice,
26 warning, recommendation, etc.

27 b) The complete identity of each source of such advice,
28 warning, recommendation, etc.

c) The date, time, place, manner and circumstances when such advice, warning, recommendation, etc., was given.

d) The name, business address and telephone number, job title, residence address and telephone number of each and every witness to the plaintiff's reception of such advice, warning, recommendation, etc.

e) The name, business address and telephone number, job title, residence address and telephone number of each and every co-worker or similar member of their trade and occupation who also received the same or similar advice, warning, recommendation, etc.

RESPONSE TO INTERROGATORY NO. 73:

See response to Interrogatory No. 72, above.

INTERROGATORY NO. 74:

Have any investigations or other reports been prepared, compiled, submitted or made by or on your behalf in this action? If so, as to each such investigation or report, state fully and in detail:

a) The identity of same by date, subject matter, name, address, job title, or capacity of the person or persons to whom addressed or directed.

b) The name, address, job title or capacity of the person or persons to whom addressed or directed.

//

//

1 c) The name, address and present whereabouts of the
2 person who has present custody or control thereof and
3 the purpose of such preparation.
4

5 RESPONSE TO INTERROGATORY NO. 74:

6 Objection: Attorney-client privilege and attorney work
7 product privilege; burdensome; oppressive; vague; ambiguous.
8

9 INTERROGATORY NO. 75:

10 Do you, your agents, employees or representatives, know
11 of any statement having been made by the plaintiff or the defen-
12 dants pertaining to any circumstances of the illness which is the
13 subject of this lawsuit?
14

15 RESPONSE TO INTERROGATORY NO. 75:

16 Objection: Overly broad; vague; ambiguous; unintel-
17 ligible.
18

19 INTERROGATORY NO. 76:

20 If the answer to the foregoing interrogatory is in the
21 affirmative, was any statement in writing and, if so, in whose
22 possession is such statement, and when and where it may be
23 inspected by the plaintiff?
24

25 RESPONSE TO INTERROGATORY NO. 76:

26 See response to Interrogatory No.75, above.

27 //

28 //

1 INTERROGATORY NO. 77:

2 If your answer to Interrogatory No. 75 is in the
3 affirmative and any such statement was oral, when and where was
4 any such statement made, in whose presence was such statement
5 made, and what was the substance of such statement?
6

7 RESPONSE TO INTERROGATORY NO. 77:

8 See objection to Interrogatory No. 75, above.
9

10 INTERROGATORY NO. 78:

11 State the name of all persons who have acted in the
12 capacity as a medical librarian for the defendant since 1930, and
13 give their current address, telephone number and current position
14 with the company.
15

16 RESPONSE TO INTERROGATORY NO. 78:

17 GAF has had no employee with the title or function of
18 medical librarian or acting in the capacity of medical librarian
19 from the years 1930 to present.
20

21 INTERROGATORY NO. 79:

22 State whether you subscribed to or received copies of
23 the Asbestos Worker magazine and state the years of subscription
24 or receipt of this magazine.
25

26 RESPONSE TO INTERROGATORY NO. 79:

27 No.

28 //

1 INTERROGATORY NO. 80:

2 Please state whether you subscribed to the Asbestos
3 magazine and list the inclusive dates of your subscription.

4
5 RESPONSE TO INTERROGATORY NO. 80:

6 Yes. Unknown dates.
7

8 INTERROGATORY NO. 81:

9 Please identify all booklets, manuals, journals and
10 publications directed from you to customers and users of all
11 asbestos containing insulation products and the dates said
12 information was forwarded regarding the proper use and
13 application of your asbestos containing insulation products.
14

15 RESPONSE TO INTERROGATORY NO. 81:

16 Objection: Overly broad; vague; ambiguous; neither
17 relevant to the subject matter of this action nor reasonably
18 calculated to lead to the discovery of admissible evidence.
19 Without waiving said objections and reserving the right to assert
20 same in the event of a motion to compel further answers or at
21 trial, GAF responds that sales and promotional literature for its
22 industrial thermal insulation products containing asbetos
23 included information regarding the use of said products. These
24 documents are not dated.
25

26 INTERROGATORY NO. 82:

27 Please describe and identify all test [sic] and experi-
28 ments conducted by you to determine whether or not asbestos

1 fibers contained within your asbestos containing products would
2 become airborne upon their being applied by asbestos insulation
3 mechanics or helpers. Please state the dates of all tests and
4 experiments, and the results and conclusions of each test and/or
5 experiment.

6
7 RESPONSE TO INTERROGATORY NO. 82:

8 Objection: Neither relevant to the subject matter of
9 this action nor reasonably calculated to lead to the discovery of
10 admissible evidence; overly broad as to time and place; burden-
11 some; oppressive; ambiguous as to the term "applied."

12
13 INTERROGATORY NO. 83:

14 At any time prior to 1964 were any tests or studies
15 conducted or sponsored by you to determine:

16 a) The level of dust or fiber concentration incident
17 to:

18 (i) Cutting or sawing your insulation products
19 containing asbestos;

20 (ii) Implacing the product on (1) pipes,

21 (2) boilers;

22 (iii) Tearing down the product during repair and
23 maintenance functions;

24 (iv) Mixing asbestos containing insulating
25 cements.

26 (b) Whether long term (20 years or more) exposure to
27 insulation products containing 15% asbestos or less for
28 work periods less than 8 hours a day, both indoors and

1 outdoors, which resulted in the liberation of asbestos
2 dust or fiber below 5 million particles per cubic foot
3 (mppcf) might cause asbestosis or expose such worker to
4 an increased statistical risk of contracting:

- 5 (i) Bronchogenic cancer;
6 (ii) Mesothelioma (pleural or peritoneal);
7 (iii) Gastrointestinal cancer.
8

9 RESPONSE TO INTERROGATORY NO. 83:

10 GAF objects to this interrogatory on the grounds of
11 relevance, overbreadth as to time and place, burdensome and
12 oppressive. GAF also objects on the grounds that this inter-
13 rogatory is vague and ambiguous as to the term "sponsored" and
14 calls for expert medical opinion. Without waiving said objec-
15 tions and reserving the right to assert same in the event of a
16 motion to compel further answers or at trial, GAF responds no.
17

18 INTERROGATORY NO. 84:

19 Please identify all texts, articles, publications,
20 pamphlets, standards and rules upon which you intend to rely at
21 the time of trial to support your case.
22

23 RESPONSE TO INTERROGATORY NO. 84:

24 GAF objects to this interrogatory on the grounds of
25 attorney-client privilege and attorney work product privilege.
26 //
27 //
28 //

1 INTERROGATORY NO. 85:

2 Please describe and define threshold limit value (TLV)
3 of dust containing asbestos and the application of threshold
4 limit value to the asbestos manufacturing insulation trade.
5

6 RESPONSE TO INTERROGATORY NO. 85:

7 GAF objects to this interrogatory on the grounds that
8 the recommendations of the American Conference of Governmental
9 and Industrial Hygienists as to threshold limit values are a
10 matter of public record and are readily available to and equally
11 accessible to plaintiff. In addition, GAF objects on the grounds
12 that this interrogatory calls for speculation, conclusion and
13 expert medical opinion.
14

15 INTERROGATORY NO. 86:

16 State whether or not you had an opinion in 1960 as to
17 whether or not the concentration of the airborne asbestos fibers
18 at jobsites at which your asbestos containing insulation products
19 were being applied by asbestos insulation mechanics were within
20 the prescribed threshold limit values for 1960 when said
21 application was being performed and state the basis for your
22 opinion and list all publications upon which you relied in
23 formulating said opinion.
24

25 RESPONSE TO INTERROGATORY NO. 86:

26 GAF objects to this interrogatory on the grounds that it
27 is vague and ambiguous and calls for speculation, conclusion and
28 expert opinion.

1 INTERROGATORY NO. 87:

2 State the date and the source from which you received
3 your first notice and awareness of threshold limit values per-
4 taining to the concentration of airborne asbestos fibers.
5

6 RESPONSE TO INTERROGATORY NO. 87:

7 GAF does not recall the date at which it first became
8 aware of threshold limit values recommended by the American
9 Conference of Governmental Industrial Hygienists.
10

11 INTERROGATORY NO. 88:

12 Describe what action was taken by you prior to 1960 to
13 determine whether insulation mechanics who were applying your
14 asbestos containing insulation products were exposed to
15 concentrations below the TLV, and state the date and nature of
16 each action taken by you.
17

18 RESPONSE TO INTERROGATORY NO. 88:

19 Objection: Overly broad as to time and place; burden-
20 some; oppressive. GAF also objects on the grounds that this
21 interrogatory is vague and ambiguous as to the terms "concen-
22 trations" and "action."
23

24 INTERROGATORY NO. 89:

25 State your knowledge as to the manner in which your
26 asbestos containing insulation products were cut, sawed, fabri-
27 cated and prepared for application upon job sites since 1940 by
28 asbestos insulation mechanics, and also state your knowledge as
29

1 to the manner in which asbestos containing insulation cement
2 manufactured by you was mixed by said asbestos insulation
3 mechanics upon job sites since 1940, particularly as to the
4 creation of dust, in the form of asbestos airborne fibers
5 resulting from preparation and application of said asbestos
6 insulation products and cements

7
8 RESPONSE TO INTERROGATORY NO. 89:

9 GAF objects to this interrogatory on the grounds that it
10 is overly broad, vague, ambiguous and unintelligible.

11
12 INTERROGATORY NO. 90:

13 Are you aware of articles authored by W. C. Dressen in
14 Public Health Bulletin No. 241 of 1938, establishing threshold
15 limit values for airborne asbestos fibers? If so, when did you
16 become aware?

17
18 RESPONSE TO INTERROGATORY NO. 90:

19 Yes, exact date unknown.

20
21 INTERROGATORY NO. 91:

22 Please state whether or not you ever obtained any knowl-
23 edge concerning the likelihood of asbestos inhalation being
24 hazardous to health, and if so, state when the corporation first
25 became aware of the hazardous potential of asbestos and its pro-
26 ducts. State how the defendant first obtained this knowledge and
27 became so aware of said hazards and from what source this infor-
28 mation was obtained.

1 RESPONSE TO INTERROGATORY NO. 91:

2 In late 1964, GAF became aware of opinions expressed by
3 certain members of the medical profession, such as Dr. Irving
4 Selikoff, that industrial thermal insulation products containing
5 asbestos were potentially hazardous to the health of insulation
6 workers. These opinions did not relate specifically to the use
7 of GAF's products.

8
9 INTERROGATORY NO. 92:

10 Please state whether or not defendant ever maintained a
11 library or collection of medical information pertaining to
12 effects of asbestos upon human health, including its hazardous
13 effects, and if so, where said library or collection was and is
14 located, who the person was who maintained it, and what biblio-
15 graphy of medical articles, materials, and other reports were a
16 part of said library on said subject, including journals,
17 publications, reports and all memoranda published and received by
18 you since 1930.

19
20 RESPONSE TO INTERROGATORY NO. 92:

21 No.

22
23 INTERROGATORY NO. 93:

24 Please state whether or not any governmental agency has
25 ever written letters of warning to defendant pertaining to the
26 likelihood of injury to persons being exposed to asbestos and
27 asbestos related materials of the defendant.

28 //

1 RESPONSE TO INTERROGATORY NO. 93:

2 Yes.

3
4 INTERROGATORY NO. 94:

5 If the answer to the preceding interrogatory is yes,
6 which agency, when and who possesses a copy of the letter?
7

8 RESPONSE TO INTERROGATORY NO. 94:

9 OSHA and other governmental bodies. GAF does not and
10 has not maintained any retention system with respect to the
11 information requested by plaintiff. On that basis, GAF is unable
12 to respond in further detail.
13

14 INTERROGATORY NO. 95:

15 Please annex copies of all such correspondence and
16 notices of governmental agencies pertaining to said warnings.
17

18 RESPONSE TO INTERROGATORY NO. 95:

19 See response to Interrogatory No. 94, above.
20

21 INTERROGATORY NO. 96:

22 State whether any substance other than asbestos can
23 produce the restrictive lung disease denominated asbestosis.
24

25 RESPONSE TO INTERROGATORY NO. 96:

26 GAF objects to this interrogatory on the grounds that it
27 calls for speculation, conclusion and expert medical opinion.
28 //

1 INTERROGATORY NO. 97:

2 State whether asbestos workers, including insulation
3 workers, face a statistically higher risk of contracting lung
4 disease if:

5 a) They have asbestosis and

6 (i) Have never smoked;

7 (ii) Have smoked.

8 b) They do not have asbestosis and

9 (i) Have never smoked;

10 (ii) Have smoked.

11
12 RESPONSE TO INTERROGATORY NO. 97:

13 GAF objects to this interrogatory on the grounds that it
14 calls for speculation, conclusion, and expert medical opinion..
15 In addition, GAF objects on the grounds that medical evidence on
16 this point is equally available to plaintiff.

17
18 INTERROGATORY NO. 98:

19 State whether asbestos workers, including insulation
20 workers face a statistically higher risk of contracting
21 mesothelioma, pleural or peritoneal.

22
23 RESPONSE TO INTERROGATORY NO. 98:

24 See objection to Interrogatory No. 97 above.

25
26 INTERROGATORY NO. 99:

27 State whether there is any relationship between
28 cigarette smoking and mesothelioma.

1 RESPONSE TO INTERROGATORY NO. 99:

2 See objection to Interrogatory No. 97 above.

3
4 INTERROGATORY NO. 100:

5 State your knowledge as to the relationship between the
6 inhalation of asbestos fibers and cancer of the lungs, rectum,
7 stomach and brain.

8
9 RESPONSE TO INTERROGATORY NO. 100:

10 See objection to Interrogatory No. 97 above.

11
12 INTERROGATORY NO. 101:

13 State when your knowledge as to the association between
14 inhalation of asbestos fibers and the contraction of cancer and
15 asbestosis was first acquired, and state the source of that
16 information.

17
18 RESPONSE TO INTERROGATORY NO. 101:

19 Objection: Vague; ambiguous; assumes fact that an
20 association exists between inhalation of asbestos fibers and the
21 contraction of cancer and asbestosis; argumentative.

22
23 INTERROGATORY NO. 102:

24 State whether you ever conducted or sponsored any tests
25 relative to the possibility of a relationship between asbestos
26 exposure and cancer and if so, state when such studies were per-
27 formed, by whom they were performed and the results of such
28 studies.

1 RESPONSE TO INTERROGATORY NO. 102:

2 No.

3
4 INTERROGATORY NO. 103:

5 State your knowledge as to the cancer producing capa-
6 bilities of amosite asbestos fibers, crocidolite asbestos fibers,
7 and chrysotile asbestos fibers.

8
9 RESPONSE TO INTERROGATORY NO. 103:

10 See objection to Interrogatory No. 97 above.

11
12 INTERROGATORY NO. 104:

13 Do you subscribe to the United States Public Health
14 Bulletin Service? If your answer is in the affirmative, please
15 state the date when you first so subscribed to the Public Health
16 Service Bulletin.

17 RESPONSE TO INTERROGATORY NO. 104:

18 No.

19
20 INTERROGATORY NO. 105:

21 Please state the date when you first notified your
22 employees working in your manufacturing plants and factories as
23 to the need to wear and use respirators.

24
25 RESPONSE TO INTERROGATORY NO. 105:

26 With respect to asbestos, employees were notified of the
27 need to wear and use respirators in approximately 1964.

28 //

1 INTERROGATORY NO. 106:

2 Please state the date when you first notified asbestos
3 insulation mechanics applying your asbestos insulation products
4 as to the need to wear respirators.

5
6 RESPONSE TO INTERROGATORY NO. 106:

7 Approximately 1964.

8
9 INTERROGATORY NO. 107:

10 State whether or not defendant has ever published bulle-
11 tins, warning its employees concerning the hazards of inhaling
12 asbestos and coming into contact with the products of this
13 defendant containing asbestos. If so, please attach copies of
14 bulletins issued by the defendant to its employees on said
15 subject stating the date and year that said bulletins were
16 distributed to your employees, and the name of the author of said
17 bulletin in the employ of the defendant.

18
19 RESPONSE TO INTERROGATORY NO. 107:

20 Objection: Neither relevant to the subject matter of
21 this action nor reasonably calculated to lead to the discovery of
22 admissible evidence; improper request to produce; vague and
23 ambiguous as to the phrase "coming into contact with"; assumes
24 fact that contact with GAF industrial thermal insulation products
25 is hazardous; argumentative. Without waiving said objections and
26 reserving the right to assert same in the event of a motion to
27 compel further answers or at trial, GAF responds that it pub-
28 lished bulletins warning employees concerning potential hazards

1 associated with its industrial thermal insulation products con-
2 taining asbestos. However, because GAF has no copies of said
3 bulletins, it has no information with regard to the remainder of
4 this interrogatory.

5
6 INTERROGATORY NO. 108:

7 If it is your contention that plaintiff as an asbestos
8 insulation mechanic, knew that the inhalation of asbestos fibers
9 was harmful to his health, please state how plaintiff would have
10 acquired said knowledge. Please state the date plaintiff became
11 aware of the harmful effects of the inhalation of asbestos
12 fibers.

13
14 RESPONSE TO INTERROGATORY NO. 108:

15 GAF objects to this interrogatory on the grounds that it
16 is ambiguous, calls for speculation, and is premature. Without
17 waiving said objections and reserving the right to assert same in
18 the event of a motion to compel further answers and at the trial
19 of this action, GAF responds as follows:

20 GAF has not completed investigation of the facts
21 relating to this case, has not completed discovery and has not
22 completed preparation for trial. Investigation and discovery are
23 continuing. Therefore, the following answer is given without
24 prejudice to its right to produce evidence of any subsequently
25 discovered facts. At this time, so far as is known, GAF contends
26 that plaintiff, in the course of plaintiff's employment, knew
27 that the inhalation of asbestos fibers was harmful to plaintiff's
28 health.

1 INTERROGATORY NO. 109:

2 State whether any officers, agents, servants or
3 employees of the defendant has ever testified before any
4 governmental body regarding the possible harmful effects of
5 asbestos exposure. If so, state:

- 6 a) When and where such testimony was given.
7 b) Summary of said testimony.
8 c) If recorded, and if so, attach a copy to the answer
9 to these interrogatories.
10

11 RESPONSE TO INTERROGATORY NO. 109:

12 Objection: Vague and ambiguous as to the term "govern-
13 mental body"; overly broad as to time and place; burdensome;
14 oppressive. Without waiving said objections and reserving the
15 right to assert same in the event of a motion to compel further
16 answers or at trial, GAF responds that in so far as it under-
17 stands this interrogatory, to the present knowledge of GAF there
18 has been no testimony given at investigative congressional
19 hearings or state legislative hearings.
20

21 INTERROGATORY NO. 110:

22 State the names of any expert witness that you intend to
23 rely upon at the trial of this action, and identify the subject
24 matter upon which each said expert will testify, his opinions,
25 and the grounds upon which the opinions are based.

26 //

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 110:

2 GAF objects to this interrogatory on the grounds of
3 attorney work product privilege and attorney-client privilege.
4 GAF also objects on the grounds that this interrogatory and the
5 information sought thereby is premature, improper and calls for
6 speculation. GAF has not completed investigation of the facts
7 relating to this case, has not completed discovery and has not
8 completed preparation for trial. Investigation and discovery are
9 continuing.

10
11 INTERROGATORY NO. 111:

12 If written documentation in the form of "scientific
13 data" will be introduced into evidence upon a trial of this cause
14 by the defendant, describe each such document, and include its
15 title, author, and the date and identity of any publication in
16 which such data was published.

17
18 RESPONSE TO INTERROGATORY NO. 111:

19 See response to Interrogatory No. 110, above.
20

21 INTERROGATORY NO. 112:

22 State the full name, present full address, telephone
23 number of all witnesses who will testify on behalf of the
24 defendant upon a trial of this cause, and identify the subject
25 matter upon which each such witness will testify.

26
27 RESPONSE TO INTERROGATORY NO. 112:

28 See response to Interrogatory No. 110, above.

1 INTERROGATORY NO. 113:

2 Describe all written documentation which will be offered
3 upon a trial of this cause on behalf of the defendant against
4 plaintiff.

5
6 RESPONSE TO INTERROGATORY NO. 113:

7 See response to Interrogatory No. 110, above.
8

9 INTERROGATORY NO. 114:

10 Please state if the defendant intends to assert a
11 defense of comparative fault. If so, state all facts which the
12 defendant bases its contention that the plaintiff was at fault.
13

14 RESPONSE TO INTERROGATORY NO. 114:

15 GAF has not completed investigation of the facts
16 relating to this case and has not completed discovery.
17 Investigation and discovery are continuing. Therefore the
18 following answer is given without prejudice to its right to
19 produce evidence of any subsequently discovered facts. At this
20 time, so far as is known, GAF answers yes. GAF believes that
21 plaintiff may not have followed instructions from plaintiff's
22 superiors or other sources and may have been careless in the
23 performance of job duties.
24

25 INTERROGATORY NO. 115:

26 If the answer to the preceding interrogatory is in the
27 affirmative, state in detail those witnesses who may be called to
28 testify in reference to comparative fault.

1 RESPONSE TO INTERROGATORY NO. 115:

2 See response to Interrogatory No. 110, above.

3
4 INTERROGATORY NO. 116:

5 Please state if the defendant intends to assert a
6 defense of incurred and/or assumed risk. If so, state all facts
7 on which the defendant bases its contention that the plaintiff
8 incurred and/or assumed the risk.

9
10 RESPONSE TO INTERROGATORY NO. 116:

11 GAF has not completed investigation of the facts
12 relating to this case, has not completed discovery and has not
13 completed preparation for trial. Investigation and discovery are
14 continuing. Therefore the following answer is given without
15 prejudice to its right to produce evidence of any subsequently
16 discovered facts. At this time, so far as is known, GAF answers
17 that it intends to assert a defense of assumption of risk. GAF
18 believes that plaintiff may have had knowledge of the hazards of
19 plaintiff's employment.

20
21 INTERROGATORY NO. 117:

22 If the answer to the preceding interrogatory is in the
23 affirmative, state in detail those witnesses who may be called to
24 testify in reference to incurred and/or assumed risk.

25
26 RESPONSE TO INTERROGATORY NO. 117:

27 See response to Interrogatory No. 110, above.

28 //

1 INTERROGATORY NO. 118:

2 Please state if the defendant intends to assert a
3 defense of the Statute of Limitations. If so, state all facts on
4 which the defendant bases its contention that the Statute of
5 Limitations had run on the plaintiff's claims.
6

7 RESPONSE TO INTERROGATORY NO. 118:

8 GAF has not completed investigation of the facts
9 relating to this case and has not completed discovery. Investi-
10 gation and discovery are continuing. Therefore, the following
11 answer is given without prejudice to its right to produce evi-
12 dence of any subsequently discovered facts. At this time, so far
13 as is known, GAF intends to assert a defense of the Statute of
14 Limitation. GAF believes plaintiff may have had an informed
15 diagnosis and/or suffered disability more than one year prior to
16 filing this action, and would otherwise be barred.
17

18 INTERROGATORY NO. 119:

19 If the answer to the preceding Interrogatory is in the
20 affirmative, state in detail those witnesses who may be called to
21 testify in reference to Statute of Limitations.
22

23 RESPONSE TO INTERROGATORY NO. 119:

24 See response to Interrogatory No. 110, above.
25

26 INTERROGATORY NO. 120:

27 Please state if the defendant intends to assert the
28 defense that there is no causal relationship between plaintiff's

1 injuries and the exposure to asbestos and asbestos materials. If
2 so, state all facts on which the defendant bases his contention.
3

4 RESPONSE TO INTERROGATORY NO. 120:

5 GAF has not completed investigation of the facts
6 relating to this case, has not completed discovery and has not
7 completed preparation for trial. Investigation and discovery are
8 continuing. Therefore, the following answer is given without
9 prejudice to its right to produce evidence of any subsequently
10 discovered facts. At this time, so far as is known, GAF contends
11 yes.
12

13 INTERROGATORY NO. 121:

14 If the answer to the preceding interrogatory is in the
15 affirmative, state in detail those witnesses who may be called to
16 testify in reference to the lack of causal relationship between
17 plaintiff's injuries and the exposure to asbestos and asbestos
18 materials.
19

20 RESPONSE TO INTERROGATORY NO. 121:

21 See response to Interrogatory No. 110, above.
22

23 INTERROGATORY NO. 122:

24 Please state if the defendant intends to assert that it
25 does not manufacture, sell distribute, or supply asbestos insula-
26 tion materials to the United States Navy.

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 122:

2 GAF has not completed investigation of the facts
3 relating to this case, has not completed discovery and has not
4 completed preparation for trial. Investigation and discovery are
5 continuing. Therefore, the following answer is given without
6 prejudice to its right to produce evidence of any subsequently
7 discovered facts. At this time, so far as is known, GAF intends
8 to assert that it has not manufactured thermal insulation pro-
9 ducts containing asbestos since September 30, 1975 except for
10 asbestos paper and millboard products which were discontinued, by
11 sale to another company, in 1981, and, therefore, does not sell
12 such materials to the United States Navy.

13
14 INTERROGATORY NO. 123:

15 If the answer to the preceding Interrogatory is in the
16 affirmative, state in detail those witnesses who may be called to
17 testify in reference to said contention.

18
19 RESPONSE TO INTERROGATORY NO. 123:

20 See response to Interrogatory No. 110, above.

21
22 INTERROGATORY NO. 124:

23 State all distributors and companies to which the defen-
24 dant sold or distributed asbestos or asbestos insulation
25 materials for the years 1940-70.

26 //

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 124:

2 Objection: Overly broad as to time and scope; neither
3 relevant to the subject matter of this action nor reasonably
4 calculated to lead to the discovery of admissible evidence.
5 Without waiving said objections and reserving the right to assert
6 same in the event of a motion to compel further answers or at
7 trial, GAF responds that it has in its possession certain
8 shipping records of its industrial thermal insulation products
9 containing asbestos. The information contained therein is
10 retrievable by reference of year, company shipped to and/or
11 jobsite shipped to. The documents are available for inspection
12 at GAF's principal place of business at a time which is mutually
13 convenient for GAF and for plaintiff's counsel.
14

15 INTERROGATORY NO. 125:

16 Please state any product within your knowledge which
17 could be or is being used for the same purpose as asbestos
18 containing insulation material, and state when it was determined
19 that said materials could be used as a substitute for asbestos
20 insulation products.
21

22 RESPONSE TO INTERROGATORY NO. 125:

23 GAF objects to this interrogatory on the grounds that it
24 is overly broad, burdensome, calls for speculation and requests
25 information equally available to plaintiff. Without waiving said
26 objection, GAF responds that it began producing asbestos-free
27 "Calsilite II" in mid-1970.
28 //

1 INTERROGATORY NO. 126:

2 Prior to answering these interrogatories, have you made
3 due and diligent search of all books, records and papers of the
4 defendant and due and diligent inquiry of all agents and
5 employees of the defendant with a view to eliciting all informa-
6 tion available in this action.
7

8 RESPONSE TO INTERROGATORY NO. 126:

9 Objection: Neither relevant to the subject matter of
10 this action nor reasonably calculated to lead to the discovery of
11 admissible evidence.
12

13 INTERROGATORY NO. 127:

14 If the answer to the preceding interrogatory is in the
15 affirmative, state and identify what records of [sic] books and
16 papers were searched and state and identify what agents and
17 employees who were questioned.
18

19 RESPONSE TO INTERROGATORY NO. 127:

20 See objection to Interrogatory No. 126, above.
21

22 INTERROGATORY NO. 128:

23 State whether any distributive catalogs or other adver-
24 tisement material is disseminated by you.
25

26 RESPONSE TO INTERROGATORY NO. 128:

27 Yes.
28

//

1 INTERROGATORY NO. 129:

2 Do you advertise by any media whatsoever?

3
4 RESPONSE TO INTERROGATORY NO. 129:

5 Yes.

6
7 INTERROGATORY NO. 130:

8 Have any residents or corporations or other entities of
9 Georgia ordered your products by mail or telephone from
10 California? If so, how many from 1975 through 1976?

11
12 RESPONSE TO INTERROGATORY NO. 130:

13 Objection: Neither relevant to the subject matter of
14 this action nor reasonably calculated to lead to the discovery of
15 admissible evidence. This interrogatory has nothing to do with
16 this case and demonstrates the boilerplate nature of these inter-
17 rogatories.

18
19 INTERROGATORY NO. 131:

20 State whether you sold any asbestos products to any
21 United States governmental agency, and if so:

22 a) List each such agency.

23 b) The year of each such sale.

24 c) The final government destination of each such
25 product sold.

26 //

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 131:

2 Objection: Overly broad; neither relevant to the sub-
3 ject matter of this action nor reasonably calculated to lead to
4 the discovery of admissible evidence. Without waiving said
5 objections and reserving the right to assert same in the event of
6 a motion to compel further answers or at trial, GAF responds that
7 it has in its possession certain shipping records of its indus-
8 trial thermal insulation products containing asbestos. The
9 information contained therein is retrievable by reference of
10 year, company shipped to and/or jobsite shipped to. The docu-
11 ments are available for inspection at GAF's principal place of
12 business at a time which is mutually convenient for GAF and for
13 plaintiff's counsel.

14
15 INTERROGATORY NO. 132:

16 With reference to these questions, the defendant is
17 identified by its present corporate name. The questions are,
18 however, directed, in addition, to all predecessor corporations
19 whether acquired by merger, stock purchase or otherwise.
20 Answering such questions does not waive any positions the
21 defendant might take with reference to "assets only" defenses.
22 Please state when defendant formed within its corporate structure
23 a group known as "contract unit." As contemplated in these
24 interrogatories, a "contract unit" is a division or group within
25 the corporation which, inter alia, engages in the actual instal-
26 lation of thermal insulations products containing asbestos at job
27 sites.

28 //

1 RESPONSE TO INTERROGATORY NO. 132:

2 Objection: Neither relevant to the subject matter of
3 this action nor reasonably calculated to lead to the discovery of
4 admissible evidence; vague; ambiguous. Without waiving said
5 objections and reserving the right to assert same in the event of
6 a motion to compel further answers or at trial, GAF responds that
7 it did not engage in the actual installation of industrial ther-
8 mal insulation products containing asbestos at jobsites.
9

10 INTERROGATORY NO. 133:

11 Please state whether or not any defendant "contract
12 units" were employed at any time in California for the years of
13 1955-1970.
14

15 RESPONSE TO INTERROGATORY NO. 133:

16 See response to Interrogatory No. 132, above.
17

18 INTERROGATORY NO. 134:

19 If the answer to interrogatory No. 133 is "yes," please
20 state the dates the defendant "contract units" were in operation,
21 the job sites where they worked, and the names of all employees
22 of defendant employed by the "contract units."
23

24 RESPONSE TO INTERROGATORY NO. 134:

25 See response to Interrogatory No. 132, above.
26 //
27 //
28 //

1 INTERROGATORY NO. 135:

2 If the answer to Interrogatory No. 133 is "yes," please
3 provide the full name of each employee, the last known address of
4 each employee, and the job title of each employee.
5

6 RESPONSE TO INTERROGATORY NO. 135:

7 See response to Interrogatory No. 132, above.
8

9 INTERROGATORY NO. 136:

10 On any occasion did defendant in connection with any of
11 its "contract units" ever advise any of the contract unit
12 employees as to the hazards related to the inhalation and/or
13 ingestion of asbestos fibers.
14

15 RESPONSE TO INTERROGATORY NO. 136:

16 See response to Interrogatory No. 132, above.
17

18 INTERROGATORY NO. 137:

19 If the answer to interrogatory No. 136 is "yes," please
20 note in detail the job site where such warnings were provided,
21 the time period of the job, the foreman or superintendent in
22 charge of the job, and the name, last known address, and job
23 title of each employee of said "contract unit."
24

25 RESPONSE TO INTERROGATORY NO. 137:

26 See response to Interrogatory No. 132, above.
27 //

28 //

1 INTERROGATORY NO. 138:

2 State whether respirators approved by the U. S. Bureau
3 of Mines for pneumoconiosis producing dust were provided to
4 "contract unit" employees and when first provided.

5
6 RESPONSE TO INTERROGATORY NO. 138:

7 See response to Interrogatory No. 132, above.

8
9 INTERROGATORY NO. 139:

10 State whether respirators for "noxious dusts" are
11 different from respirators approved by the U. S. Bureau of Mines
12 of pneumoconiosis producing dust.

13
14 RESPONSE TO INTERROGATORY NO. 139:

15 GAF objects to this interrogatory on the grounds that it
16 is vague and ambiguous and calls for expert opinion and specula-
17 tion.

18
19 INTERROGATORY NO. 140:

20 List the supplier and brand name for all:

21 (a) Noxious dust respirators provided to all "contract
22 unit" employees in California from 1962-1968;

23 (b) Respirators approved by the U. S. Bureau of Mines
24 for pneumoconiosis producing dust to all "contract unit"
25 employees in California for the years 1962-1970;

26 //

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 140:

2 See response to Interrogatory No. 132, above.

3
4 INTERROGATORY NO. 141:

5 State whether the following information was ever
6 disseminated to "contract unit" employees and as to each item,
7 state the manner in which it was disseminated, by whom it was
8 disseminated, when it was disseminated and if disseminated in
9 writing, where a copy of same is located, and;

10
11 (a) That band saw cutting of insulation materials
12 containing asbestos should not be attempted without
13 exhaust ventilation and use of respirators by contract
14 unit employees;

15 (b) That insulation materials containing asbestos
16 should not be wrapped or pounded or cut without general
17 exhaust ventilation or air changes or the wearing of
18 respirators;

19 (c) That old insulation material containing asbestos
20 should not be removed or torn down without the wearing
21 of respirators.

22
23 RESPONSE TO INTERROGATORY NO. 141:

24 See response to Interrogatory No. 132, above.

25
26 INTERROGATORY NO. 142:

27 State when the first manual of safe practices for the
28 handling and installation of insulation products containing

1 asbestos was disseminated to "contract unit" employees.

2 RESPONSE TO INTERROGATORY NO. 142:

3 See response to Interrogatory No. 132, above.

4
5 INTERROGATORY NO. 143:

6 State when the first safety meeting for "contract unit"
7 employees was held in California at which it was revealed to
8 "contract unit" employees that:

9
10 (a) The inhalation of asbestos dust or fibers might
11 cause asbestosis.

12 (b) The inhalation of asbestos dust or fibers might
13 cause mesothelioma.

14 (c) Insulators faced a higher statistical risk than the
15 general population of contracting (1) lung cancer, (2)
16 mesotheliona, (3) gastrointestinal cancer.

17
18 RESPONSE TO INTERROGATORY NO. 143:

19 See response to Interrogatory No. 132, above.

20
21 INTERROGATORY NO. 144:

22 State whether "contract unit" employees who were
23 provided respirators received instruction at the time of
24 provision of such respirators relative to:

25 (a) Proper facial fitting.

26 (b) Proper maintenance of the respirator.

27 (c) The necessity for wearing the respirator.

28 (d) The necessity to rotate respirators.

1 RESPONSE TO INTERROGATORY NO. 144:

2 See response to Interrogatory No. 132, above.

3
4 INTERROGATORY NO. 145:

5 If answer to interrogatory No. 144 is "yes," please
6 state the first occasion that respirators were provided for
7 "contract unit" employees, the job site, the exact date, the
8 names of the employees on the job, their last known address and
9 job title, and the specific type respirator provided.

10
11 RESPONSE TO INTERROGATORY NO. 145:

12 Not applicable.

13
14 INTERROGATORY NO. 146:

15 If answer to interrogatory No. 138 is "yes," please
16 state whether or not any physical examinations were conducted on
17 defendant "contract unit" employees prior to their being fur-
18 nished with respirators.

19
20 RESPONSE TO INTERROGATORY NO. 146:

21 Not applicable.

22
23 INTERROGATORY NO. 147:

24 Please state whether or not any airborne asbestos dust
25 concentration studies were run in the field where "contract unit"
26 employees worked.

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 147:

2 See response to Interrogatory No. 132, above.

3
4 INTERROGATORY NO. 148:

5 If the answer to interrogatory No. 147 is "yes," please
6 state the date such first test was run, the place such first test
7 or study was made, the results of said test or study, and the
8 name, last known address and title of person or persons con-
9 ducting such test or study.

10
11 RESPONSE TO INTERROGATORY NO. 148:

12 Not applicable.

13
14 INTERROGATORY NO. 149:

15 If the answer to interrogatory No. 148 is "yes," will
16 you without a motion to produce, attach copies of all studies
17 and/or tests run relating to interrogatory No. 148 above?

18
19 RESPONSE TO INTERROGATORY NO. 149:

20 Not applicable.

21
22 INTERROGATORY NO. 150:

23 If your answer to interrogatory No. 149 is "yes," attach
24 copies of such tests or studies, commencing with the first study
25 up to and including the last test or study.

26
27 RESPONSE TO INTERROGATORY NO. 150:

28 Not applicable.

1 INTERROGATORY NO. 151:

2 Relative to defendant's "contract units" please state
3 whether or not defendant's "contract unit" employees used
4 routers, saws, sanders, grinders, or any type device used to
5 shape, form, cut, or fabricate asbestos contained [sic]
6 material.

7
8 RESPONSE TO INTERROGATORY NO. 151:

9 See response to Interrogatory No. 132, above.

10
11 INTERROGATORY NO. 152:

12 If the answer to Interrogatory No. 151 is "yes," please
13 state whether or any occasion any vacuum systems, dust control
14 devices, or watering-down systems, or systems of any kind
15 designed to reduce asbestos dust in the air were at any time used
16 by employees of defendant's "contract units."

17
18 RESPONSE TO INTERROGATORY NO. 152:

19 Not applicable.

20
21 INTERROGATORY NO. 153:

22 If the answer to Interrogatory No. 152 is "yes," please
23 state the first time such devices were used, describing in detail
24 the type devices which were used, the job site upon which such
25 devices were used, the names of all "contract unit" employees on
26 said job, their last known place of address, job title and date
27 of said job.

28 //

1 RESPONSE TO INTERROGATORY NO. 153:

2 Not applicable.

3
4 INTERROGATORY NO. 154:

5 State whether defendant owned or possessed an ownership
6 interest in any asbestos mines. If the answer is "yes," please
7 answer interrogatory numbers 155 through 164.

8
9 RESPONSE TO INTERROGATORY NO. 154:

10 Yes.

11
12 INTERROGATORY NO. 155:

13 State whether defendant's mining employees in the course
14 of extracting asbestos from the earth were exposed to dusts other
15 than asbestos dust.

16
17 RESPONSE TO INTERROGATORY NO. 155:

18 Objection: Vague; ambiguous; neither relevant to the
19 subject matter of this action nor reasonably calculated to lead
20 to the discovery of admissible evidence.

21
22 INTERROGATORY NO. 156:

23 Relative to asbestos mines owned by defendant, please
24 describe in detail the mining operation; that is, whether defen-
25 dant's asbestos mines are of the "gravel pit" type--that is,
26 above ground, where asbestos is mined by surface method; or
27 whether its asbestos mines are "shaft type" requiring tunnels and
28 penetration into the earth to extract asbestos.

1 RESPONSE TO INTERROGATORY NO. 156:

2 Above ground.

3
4 INTERROGATORY NO. 157:

5 Relative to asbestos mines; please state whether or not
6 on any occasion defendant provided respirators to its asbestos
7 miners.

8 RESPONSE TO INTERROGATORY NO. 157:

9 Yes.

10
11 INTERROGATORY NO. 158:

12 If the answer to interrogatory No. 157 is "yes," please
13 state whether respirators were provided to all mine employees.

14
15 RESPONSE TO INTERROGATORY NO. 158:

16 Yes, as we understand this interrogatory.

17
18 INTERROGATORY NO. 159:

19 If answer to interrogatory No. 157 is "no", please state
20 to what mine employee's [sic] respirators were provided, giving
21 job classification.

22
23 RESPONSE TO INTERROGATORY NO. 159:

24 Not applicable.

25 //

26 //

27 //

28 //

1 INTERROGATORY NO. 160:

2 Please state the type respirators provided describing in
3 detail from the first such respirator provided through the
4 current date if respirators are still used.

5
6 RESPONSE TO INTERROGATORY NO. 160:

7 A diligent search has revealed that GAF has no informa-
8 tion with respect to this interrogatory.

9
10 INTERROGATORY NO. 161:

11 Please state whether any physical examinations were
12 given to any mine employees prior to their being furnished with
13 respirators of any type.

14
15 RESPONSE TO INTERROGATORY NO. 161:

16 Objection: Vague; ambiguous. Without waiving said
17 objections and reserving the right to assert same in the event of
18 a motion to compel further answers or at trial and assuming that
19 this interrogatory seeks information with respect to whether or
20 not the results of examinations led to the furnishing of miners
21 with respirators, GAF responds that it does not have any
22 information with respect to such request.

23
24 INTERROGATORY NO. 162:

25 Were any studies or tests done at any defendant mines
26 relative to the dangers or hazards of inhalation and/or ingestion
27 of asbestos fibers?

28 //

1 RESPONSE TO INTERROGATORY NO. 162:

2 No.

3
4 INTERROGATORY NO. 163:

5 If the answer to interrogatory No. 152 is "yes," please
6 attach copies of all such studies.

7
8 RESPONSE TO INTERROGATORY NO. 163:

9 Not applicable.

10
11 INTERROGATORY NO. 164:

12 If any medical examination of any mine employees of
13 defendant were [sic] made, did any such medical test reveal that
14 mine employees of defendant were developing asbestosis even
15 though their job was an "outside type job" as contrasted with a
16 job wherein they worked in a confined or limited area?

17
18 RESPONSE TO INTERROGATORY NO. 164:

19 Objection: Vague; ambiguous; improperly calls for
20 expert medical opinion.

21
22 INTERROGATORY NO. 165:

23 State whether defendant belonged to, or was an associate
24 or correspondent [sic] of, the Asbestos Research Council of
25 England.

26
27 RESPONSE TO INTERROGATORY NO. 165:

28 No.

1 INTERROGATORY NO. 166:

2 State whether defendant sold or distributed any asbestos
3 products to English firms or corporations for any year from 1948
4 to 1963.

5
6 RESPONSE TO INTERROGATORY NO. 166:

7 Objection: Overly broad; vague; ambiguous; neither
8 relevant to the subject matter of this action nor reasonably
9 calculated to lead to the discovery of admissible evidence.
10 Without waiving said objections and reserving the right to assert
11 same in the event of a motion to compel further answers or at
12 trial, GAF responds that it has in its possession certain
13 shipping records of its industrial thermal insulation products
14 containing asbestos. The information contained therein is
15 retrievable by reference of year, company shipped to and/or
16 jobsite shipped to. The documents are available for inspection at
17 GAF's principal place of business at a time which is mutually
18 convenient for GAF and for plaintiff's counsel.

19
20 INTERROGATORY NO. 167:

21 State whether defendant possessed any ownership interest
22 in any firm or corporation involved in the mining, processing or
23 sale of raw asbestos or insulation products containing asbestos
24 which were domiciled, headquartered or doing business in the
25 British Isles for any year from 1948 to 1963.

26
27 RESPONSE TO INTERROGATORY NO. 167:

28 No.

1 INTERROGATORY NO. 168:

2 State whether any such firm or corporation possessed any
3 ownership interest in defendant from 1948 to 1963.
4

5 RESPONSE TO INTERROGATORY NO. 168:

6 Not applicable.
7

8 INTERROGATORY NO. 169:

9 When was the first claim for Workmen's Compensation
10 filed by a "contract unit" employee in which it was alleged that
11 said claimant had contracted:

12 (a) Asbestosis.

13 (b) Lung cancer.

14 (c) Mesothelioma.

15 For each such claimant, list the date the claim was
16 filed, the claimant's name and the State of filing.
17

18 RESPONSE TO INTERROGATORY NO. 169:

19 See response to Interrogatory No. 132, above.
20

21 INTERROGATORY NO. 170:

22 State whether the defendant entered into licensing
23 agreements with any British or German concerns which manufactured
24 products containing asbestos.
25

26 RESPONSE TO INTERROGATORY NO. 170:

27 No.
28

29 //

1 INTERROGATORY NO. 171:

2 If the answer to the above question is affirmative, list
3 for the years 1947 to 1964:

4 a) The name of each such British or German concern;

5 b) The year the agreement was entered into and all
6 years between 1947 and 1964 that it was in effect;

7 c) Describe the type products manufactured by such
8 licensees including:

9 (i) The percent composition of asbestos;

10 (ii) The use of the products;

11 (iii) Whether the products were marketed in the
12 United States.

13
14 RESPONSE TO INTERROGATORY NO. 171:

15 Not applicable.

16
17 INTERROGATORY NO. 172:

18 State whether the defendant at any time between 1945 and
19 1970 had an International Division.

20
21 RESPONSE TO INTERROGATORY NO. 172:

22 Yes.

23
24 INTERROGATORY NO. 173:

25 State when the International Division was created and
26 where it was headquartered from its inception.

27 //

28 //

1 RESPONSE TO INTERROGATORY NO. 173:

2 The International Division was created in 1972 and was
3 headquartered in New York City.
4

5 INTERROGATORY NO. 174:

6 State whether the defendant had an asbestos fiber divi-
7 sion which exported asbestos fibers and, if so, whether such
8 division for the years 1945 to 1960 supplied any British manu-
9 facturers of thermal insulation products containing asbestos with
10 any raw asbestos.
11

12 RESPONSE TO INTERROGATORY NO. 174:

13 Objection: Overly broad as to time and place; burden-
14 some; oppressive; neither relevant to the subject matter of this
15 action nor reasonably calculated to lead to the discovery of
16 admissible evidence. Without waiving said objections and
17 reserving the right to assert same in the event of a motion to
18 compel further answers or at trial, GAF responds that it has in
19 its possession certain shipping records of its industrial thermal
20 insulation products containing asbestos. The information con-
21 tained therein is retrievable by reference of year, company
22 shipped to and/or jobsite shipped to. The documents are available
23 for inspection at GAF's principal place of business at a time
24 which is mutually convenient for GAF and for plaintiff's coun-
25 sel. In addition, GAF no longer owns any asbestos mines.

26 //

27 //

28 //

1 INTERROGATORY NO. 175:

2 State whether defendant sold or distributed any thermal
3 insulation products containing asbestos to any British insulation
4 contractor for the years 1947 to 1960.

5
6 RESPONSE TO INTERROGATORY NO. 175:

7 See response to Interrogatory No. 174, above.

8
9 INTERROGATORY NO. 176:

10 State whether any defendant's "contract units" performed
11 any contract jobs requiring the use of thermal insulation pro-
12 ducts containing asbestos in the British Isles for the years 1947
13 to 1960 and specify the year and location of any such job.

14
15 RESPONSE TO INTERROGATORY NO. 176:

16 See response to Interrogatory No. 132, above.

17
18 INTERROGATORY NO. 177:

19 List the names and addresses of all insurance carriers
20 which provided, inter alia, Workmen's Compensation coverage for
21 occupational diseases for contract unit employees for each year
22 from 1945 to 1966.

23
24 RESPONSE TO INTERROGATORY NO. 177:

25 See response to Interrogatory No. 132, above.

26 //

27 //

28 //

1 INTERROGATORY NO. 178:

2 What was the defendant's gross sales from asbestos con-
3 tained [sic] insulation material for each year from 1933 to pre-
4 sent?
5

6 RESPONSE TO INTERROGATORY NO. 178:

7 Objection: Burdensome; overly broad; neither relevant
8 to the subject matter of this action nor reasonably calculated to
9 lead to the discovery of admissible evidence.
10

11 INTERROGATORY NO. 179:

12 What was defendant's net earnings per year from asbestos
13 contained [sic] insulation materials from 1933 to present?
14

15 RESPONSE TO INTERROGATORY NO. 179:

16 See objection to Interrogatory No. 178, above.

17 *Burdensome, overly broad, not relevant*

18 INTERROGATORY NO. 180:

19 What percent of defendant's total gross sales involved
20 sales of asbestos contained [sic] insulation materials for each
21 of the years from 1933 through the present?
22

23 RESPONSE TO INTERROGATORY NO. 180:

24 See objection to Interrogatory No. 178 above.

25 *Burdensome, overly broad, not relevant*

26 //

27 //

28 //

29 //

1 INTERROGATORY NO. 181:

2 What percent of defendant's total net earnings involved
3 sales of asbestos contained [sic] insulation materials for each
4 of the years from 1933 through present?
5

6 RESPONSE TO INTERROGATORY NO. 181:

7 See objection to Interrogatory No. 178, above.

8 *Burdensome, overly broad, not relevant*

9 INTERROGATORY NO. 182:

10 What was defendant's total net earnings per year from
11 1933 to present?
12

13 RESPONSE TO INTERROGATORY NO. 182:

14 See objection to Interrogatory No. 178 above.
15

16 INTERROGATORY NO. 183:

17 Have you or any of your subsidiaries, or any distributor
18 for you or any of your subsidiaries, ever sold asbestos or
19 asbestos-containing products to any shipping company or other
20 operator of merchant vessels? If so, state the name and address
21 of each such shipping company or operator of merchant vessels,
22 and the date upon which such sale was made.
23

24 RESPONSE TO INTERROGATORY NO. 183:

25 Objection: Overly broad as to time and place; burden-
26 some; oppressive; neither relevant to the subject matter of this
27 action nor reasonably calculated to lead to the discovery of
28 admissible evidence. Without waiving said objections and

1 reserving the right to assert same in the event of a motion to
2 compel further answers or at trial, GAF responds that it has in
3 its possession certain shipping records of its industrial thermal
4 insulation products containing asbestos. The information con-
5 tained therein is retrievable by reference of year, company
6 shipped to and/or jobsite shipped to. The documents are available
7 for inspection at GAF's principal place of business at a time
8 which is mutually convenient for GAF and for plaintiff's counsel.
9

10 INTERROGATORY NO. 184:

11 If you have never sold or otherwise distributed asbestos
12 or asbestos containing products to any shipping company or other
13 operator of merchant vessels, do you have any knowledge that
14 asbestos or asbestos containing products manufactured by you or
15 any of your subsidiaries have ever been utilized on merchant
16 ships? If so, state how such knowledge was acquired, and the
17 name and address of each such shipping company or operator of
18 merchant vessels.

19
20 RESPONSE TO INTERROGATORY NO. 184:

21 See response to Interrogatory No. 183, above. Without
22 waiving said objections and reserving the right to assert same in

23 //

24 //

25 //

26 //

27 //

28 //

the event of a motion to compel further answers or at trial, GAF responds as follows: No.

DATED: June 1, 1982.

PAUL, HASTINGS, JANOFSKY & WALKER

By Douglas C. Conroy
Attorneys for Defendant
GAF CORPORATION

Companies which insure GAF include but are not limited to the following:

THE AETNA CASUALTY AND SURETY COMPANY
AGRIPPINA RUCKVERSICHERUNGS, AKTIENGESELLSCHAFT
AIU INSURANCE COMPANY
ALBA GENERAL INSURANCE COMPANY, LTD.
ALLIANZ INTERNATIONAL INSURANCE COMPANY, LTD.
AMERICAN CENTENNIAL INSURANCE COMPANY
AMERICAN EXCESS INSURANCE COMPANY
AMERICAN MOTORISTS INSURANCE COMPANY
AMERICAN RE-INSURANCE COMPANY
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BIRMINGHAM
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BRYANSTON INSURANCE COMPANY, LTD.
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CALIFORNIA UNION INSURANCE COMPANY
CITY INSURANCE COMPANY
COLUMBIA CASUALTY COMPANY

EXHIBIT "A"

COMMERCIAL UNION INSURANCE COMPANY
COMPAGNIE D'ASSURANCES MARITIMES AERIENNES ET TERRESTRES
COMPAGNIE EUROPEENE D'ASSURANCES INDUSTRIELLES S.A.
CONTINENTAL CASUALTY COMPANY
DART INSURANCE COMPANY, LTD.
DOMINION INSURANCE COMPANY, LTD.
THE DRAKE INSURANCE COMPANY, LTD.
EDINBURGH ASSURANCE COMPANY, LTD.
EL PASO INSURANCE COMPANY, LTD.
EMPLOYER'S LIABILITY INSURANCE COMPANY
EMPLOYER'S MUTUAL INSURANCE COMPANY
EMPLOYER'S REINSURANCE CORPORATION
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ESIS
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FIDELIDADE INSURANCE COMPANY OF LISBON
FIREMAN'S FUND INSURANCE COMPANY
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GENERAL REINSURANCE CORPORATION
GRANITE STATE INSURANCE COMPANY
GREAT ATLANTIC INSURANCE COMPANY
THE HOME INDEMNITY COMPANY
THE HOME INSURANCE COMPANY
IDEAL MUTUAL
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LONDON & EDINBURGH INSURANCE COMPANY, LTD.
LONDON & OVERSEAS INSURANCE COMPANY, LTD.
LOUISVILLE INSURANCE COMPANY, LTD.
LUMBERMENS MUTUAL CASUALTY COMPANY
MENTOR INSURANCE COMPANY (U.K.)
MIDLAND INSURANCE COMPANY
MINSTER INSURANCE COMPANY, LTD.
MISSION INSURANCE COMPANY
MUTUAL REINSURANCE COMPANY
NATIONAL CASUALTY COMPANY OF AMERICA
NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA.
NORTH ATLANTIC INSURANCE COMPANY, LTD.
NORTHBROOK EXCESS & SURPLUS INSURANCE COMPANY
THE NORTH RIVER INSURANCE COMPANY
NORTH STAR REINSURANCE CORPORATION
THE ORION INSURANCE COMPANY, LTD.
PACIFIC & GENERAL INSURANCE COMPANY, LTD.
THE PRUDENTIAL INSURANCE COMPANY OF AMERICA
PRUDENTIAL REINSURANCE COMPANY
THE RIVER PLATE REINSURANCE COMPANY, LTD.
RIVER THAMES INSURANCE COMPANY, LTD.

ST. HELEN'S INSURANCE COMPANY, LTD.
ST. KATHERINE INSURANCE COMPANY, LTD.
SCAN REINSURANCE COMPANY, LTD.
SCOTTISH LION INSURANCE COMPANY, LTD.
SOVEREIGN MARINE & GENERAL INSURANCE COMPANY, LTD.
SPHERE INSURANCE COMPANY
STOREBRAND INSURANCE COMPANY (U.K.)
STRONGHOLD INSURANCE COMPANY, LTD.
SWISS UNION GENERAL INSURANCE COMPANY, LTD.
TAISHO MARINE & FIRE INSURANCE COMPANY (U.K.) LTD.
TOKIO MARINE & FIRE INSURANCE COMPANY (U.K.) LTD.
TRANSAMERICA INSURANCE COMPANY
TRANSIT CASUALTY COMPANY
TUREGUM INSURANCE COMPANY
UNDERWRITERS AT LLOYD'S OF LONDON
P.J.F. GREEN
R.A. JACKSON
J.E. GREEN
W.B. ROUSE
R.J.M. MERRETT
H.G. HILL
L.R. DREW
P.E.J. CAMERON-WEBB
L'UNION ATLANTIQUE D'ASSURANCES, S.A.
UNITED STANDARD INSURANCE COMPANY
WALBROOK INSURANCE COMPANY, LTD.

"WINTERTHUR" SWISS INSURANCE COMPANY

WORLD AUXILIARY INSURANCE CORPORATION, LTD.

YASUDA FIRE & MARINE INSURANCE COMPANY (U.K.) LTD.

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS

PATRICIA CORBUTT, being duly sworn, deposes and says:

I am an Assistant Secretary of GAF Corporation, which is a defendant in the case of Robert Buzzard, Jr. versus Johns-Manville Corporation, etc., et al., Los Angeles Superior Court, Case Number C 295 122 and related cases.

I am authorized by GAF Corporation to make this affidavit. I have read the foregoing Responses of Defendant GAF Corporation to Plaintiff's First Set of Interrogatories dated June 1, 1982.

To the best of my knowledge, information and belief, the contents of the answers are true.

Patricia Corbutt
Patricia Corbutt

Sworn this 28th
day of May , 1982.

Vanessa Liwaka
Notary Public

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF

I, the undersigned, say:

I have read the foregoing _____ and know its contents.

☒ CHECK APPLICABLE PARAGRAPH

☐ 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 ☐ an officer ☐ a partner _____ ☐ a _____ of _____

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 am informed and believe and on that ground allege that the matters stated in it are true.

☐ I am one of the attorneys for _____ a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in it are true.

Executed on _____, 19____, at _____ California.

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

(Signature)

ACKNOWLEDGMENT OF RECEIPT OF DOCUMENT (other than summons and complaint)

Received copy of document described as _____

on _____ 19____.

(Signature)

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California.
I am over the age of 18 and not a party to the within action; my business address is: 555 South Flower Street, Twenty-Second Floor, Los Angeles, California 90071
On June 1, 19____, I served the foregoing document described as RESPONSES OF DEFENDANT GAF CORPORATION TO PLAINTIFF'S FIRST SET OF INTERROGATORIES

_____ on interested parties
in this action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at: Los Angeles, California 90071
addressed as follows:

Girardi, Keese and Crane
Union Bank Square, Suite 1750
445 South Figueroa Street
Los Angeles, California 90071

(See attached mailing list)

Executed on June 1, 1982 at Los Angeles, California.
(check applicable paragraph below)

☒ (State) I declare under penalty of perjury that the above is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

(Signature)

JILL A. FRANKLIN

LOS ANGELES DEFENSE COUNSEL

Acret & Perrochet
11812 San Vicente Blvd.
4th Floor
Los Angeles, CA 90049

Adams, Duque & Hazeltine
P. O. Box 54795
Los Angeles, CA 90054

Anderson, McPharlin & Conners
611 West Sixth St., Suite 1710
Los Angeles, CA 90017

Ball, Hunt, Hart, Brown &
Baerwitz
450 North Roxbury Drive
Beverly Hills, CA 90010

Berg & Phelps
615 South Flower St.
Suite 1900
Los Angeles, CA 90017

Law Offices of Joseph Bogan
401 North Brand Boulevard
Suite 726
Glendale, CA 91203

Breidenbach, Swainston,
Yokatis, Crispo
888 West Sixth Street, #1400
P.O. Box 57936
Los Angeles, CA 90017

Brill, Hunt & Debuys
3055 Wilshire Blvd., Suite 1000
Los Angeles, CA 90010

Buck, Moloney, Nimmo & Ammirato
Suite 401, Coast Federal Bldg.
4401 Atlantic Avenue
Long Beach, CA 90807

Caplan & Overlander
727 W. Seventh St., Suite 255
Los Angeles, CA 90017

Chase, Rotchford, Drukker &
Bogust
606 South Olive St., 22nd Floor
Los Angeles, CA 90014

Coyle, Marrone & Robinson
3356 Barham Boulevard
Los Angeles, CA 90068

Law Offices of James E. Cusick
4201 Wilshire Boulevard
Los Angeles, CA 90010

Daniels, Baratta & Fine
10920 Wilshire Blvd.
Suite 1202
Los Angeles, CA 90024

Gibson, Dunn & Crutcher
515 South Flower Street
Los Angeles, CA 90071

Hagenbaugh & Murphy
1301 West Second Street
Los Angeles, CA 90026

Haight, Dickson, Brown &
Bonesteel
Asbestos Unit
2800 28th Street
Santa Monica, CA 90405

Hall, Small, Burns & Palumbo
5939 Monterey Road
Los Angeles, CA 90042

Hill, Genson, Even, Crandall &
Wade
505 Shatto Place
Los Angeles, CA 90020

Hillsinger & Costanzo
3055 Wilshire Boulevard
7th Floor
Los Angeles, CA 90010

LOS ANGELES DEFENSE COUNSEL

Kadison, Pfaelzer, Woodard,
Quinn & Rossi
707 Wilshire Boulevard
40th Floor
Los Angeles, CA 90017

Kean, Engle & Cervenak
3600 Wilshire Boulevard
Suite 1020
Los Angeles, CA 90010

Kern, Wooley & Maloney
11454 San Vicente Boulevard
Los Angeles, CA 90049

Kinsella, Boesch, Fujikawa
& Towle
1875 Century Park East
Suite 1600
Los Angeles, CA 90067

Laura Diane Kotsiris, Esq.
55 Tundra Way
Sacramento, CA 95834

LaFollette, Johnson, Schroeter
& Dehaas
320 North Vermont Avenue
Los Angeles, CA 90004

Levy, Bivona & Cohen
2049 Century Park East
Los Angeles, CA 90067

Lynberg & Nelson
800 West Sixth Street
Suite 1000
Los Angeles, CA 90017

MacLachlan, Burford & Stanfield
150 West Fifth Street
Suite 103
San Bernardino, CA 92401

Martin & Stamp
110 Pine Avenue
Suite 820
Long Beach, CA 90802

McHale & Connor
626 Wilshire Boulevard
Suite 500
Los Angeles, CA 90017

McKay & Byrne
3250 Wilshire Boulevard
Suite 603
Los Angeles, CA 90010

Morgan Wenzel & McNicholas
1545 Wilshire Boulevard
Suite 800
Los Angeles, CA 90017

Morris, Polich & Purdy
900 Wilshire Boulevard
Suite 830
Los Angeles, CA 90017

Murchison & Cummings
680 Wilshire Boulevard
Post Office Box 75965
Los Angeles, CA 90075

Norby & Brodeur
21535 Hawthorne Boulevard
Suite 200
Torrance, CA 90503

Nouskajian & Rhoads
~~835 Mission Street~~
~~South Pasadena, CA 91030~~

Overton, Lyman & Prince
550 South Flower
Fifth Floor
Los Angeles, California 90071

Robertson and Frank
Eighth Floor
1875 Century Park East
Los Angeles, CA 90067

Schell & Delamar
3333 Wilshire Boulevard
Suite 500
Los Angeles, CA 90010

LOS ANGELES DEFENSE COUNSEL

**Shield & Smith
1200 Wilshire Boulevard
Suite 400
Los Angeles, CA 90017**

**Smylie & Selman
1875 Century Park East
Suite 1610
Los Angeles, CA 90067**

**Stearns & Nelson
1800 North Highland Avenue
Suite 520
Los Angeles, CA 90028**

**Wells, Barber & Sherlock
1540 Wilshire Boulevard
Los Angeles, CA 90017**

**Yusim, Stein & Hangar
8383 Wilshire Boulevard
Suite 330
Beverly Hills, CA 90211**

PAUL, HASTINGS, JANOFSKY & WALKER
555 South Flower Street, 22nd Floor
Los Angeles, California 90071
(213) 489-4000

Attorneys for Defendant
GAF CORPORATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

LAWRENCE KANE,
Plaintiff,
vs.
JOHNS-MANVILLE CORPORATION,
a corporation, etc., et al.,
Defendants.

NO. C 258940

FURTHER RESPONSES OF
DEFENDANT GAF TO
PLAINTIFF'S FIRST
SET OF INTERROGATORIES

TO PLAINTIFF LAWRENCE KANE AND TO HIS ATTORNEYS OF RECORD:

Pursuant to Section 2033 of the California Code of
Civil Procedure, defendant GAF Corporation provides further
responses, under oath, to the interrogatories which were pro-
pounded by plaintiff to said defendant as follows:

INTERROGATORY NO. 10:

If so, please state:

- (a) The trade name of each such product.
- (b) The date each such product was altered.

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& DOWESTEE

1 (c) The nature of the alteration.

2 (d) The reason for the alteration.

3
4 RESPONSE TO INTERROGATORY NO. 10:

5 Minor changes were made in the composition of calsilite
6 in approximately 1957 to facilitate its manufacturing process.

7 No change was made in the asbestos content or type of said
8 product. In mid-1970 GAF commenced the production of asbestos
9 free calsilite (Calsilite II).

10
11 INTERROGATORY NO. 18:

12 If so, please state:

13 (a) The name and address of each claimant.

14 (b) The date of notice of each claim.

15 (c) A description of the claim, i.e., worker's
16 compensation, products liability, etc.

17 (d) The type of injuries allegedly sustained.

18 (e) The name and address of each attorney who
19 represents individuals making such claims.

20 (f) The style and court number of each claim
21 currently pending.

22 (g) The resolution of each claim that has been
23 settled or taken to judgment.

24
25 RESPONSE TO INTERROGATORY NO. 18:

26 The first asbestosis action filed against GAF was in
27 Totter v. Fiberboard, et al. (USDC E.D. Texas; CV 6329; filed
28 July 29, 1969.)

1 INTERROGATORY NO. 19:

2 Do you have any records indicating that any of your
3 products containing asbestos fibers were sold to any of the
4 companies named as co-defendants in this suit?

5
6 RESPONSE TO INTERROGATORY NO. 19:

7 Objection, not reasonably calculated to lead to the
8 discovery of admissible evidence. Without waiving said
9 objection, defendant GAF responds as follows:

10
11 GAF has in its possession shipping records for certain
12 of its industrial thermal insulation products for the years
13 1967-69 (in part) and for 1970-71 (in whole). These records
14 are indexed by jobsite and not by sales to specific companies.

15
16 If plaintiff will identify the "contract units" used
17 by co-defendants working at a particular jobsite for which
18 plaintiff claims injury, GAF will attempt to search the records
19 it has available to provide relevant information.

20
21 INTERROGATORY NO. 27:

22 Please describe in detail the type of packages in
23 which defendant has sold asbestos material, listing the dates
24 each type of package was used, a physical description thereof,
25 and a description of any printed material or trademarks that
26 appeared thereon.

27 / / /

28 / / /

1 RESPONSE TO INTERROGATORY NO. 27:

2 Most Ruberoid and GAF thermal insulation products were
3 sold in corrugated cardboard boxes bearing the companys'
4 respective names or logos. Insulating cement was sold in
5 heavy-duty bags.

6
7
8 INTERROGATORY NO. 29:

9 If the answer to Interrogatory 4 (mining and milling)
10 is yes, state:

- 11 (a) Where the asbestos was mined and milled.
12 (b) How long the defendant has mined and milled
13 asbestos.
14 (c) Whether the defendant has supplied this mined
15 and/or milled asbestos to any of the other
16 defendants since 1950, when these transactions
17 took place; and the dollar and tonnage amount of
18 such sales.
19 (d) Whether any warnings, cautions, caveats or
20 directions accompanied the materials referred to
21 in (c) and the date these first appeared.
22

23 RESPONSE TO INTERROGATORY NO. 29:

24 Objection, not reasonably calculated to lead to the
25 discovery of admissible evidence. Without waiving said objection,
26 defendant GAF responds as follows:

27 / / /

28 / / /

1 GAF Corporation has certain records relating to the
2 information requested from the time period 1965 to 1975. These
3 records are indexed by jobsite and not by purchaser.
4

5 If plaintiff will specify the "contract units" of
6 specific co-defendants working at a jobsite where plaintiffs
7 claim to have been injured, GAF will search said records in an
8 attempt to ascertain relevant information.
9

10 INTERROGATORY NO. 31:

11 If the answer to Interrogatory 3 is yes, state:

- 12 (a) Where the asbestos or asbestos materials was
13 manufactured.
14 (b) How long the defendant has manufactured asbestos
15 or asbestos materials.
16 (c) Whether the defendant has supplied this
17 manufactured asbestos or asbestos materials to
18 any of the other defendants since 1945, when
19 these transactions took place, where, and the
20 compensation paid for the manufactured asbestos
21 or asbestos materials;
22 (d) Whether any warnings, cautions, caveats or
23 directions accompanied the materials referred to
24 in (c) and the date these first appeared.
25

26 RESPONSE TO INTERROGATORY NO. 31:

27 Objection, not reasonably calculated to lead to the
28 discovery of admissible evidence. Without waiving said objection,

1 defendant GAF responds as follows:

2
3 GAF has retained certain records concerning sales of
4 asbestos materials by jobsite. These records are indexed solely
5 by jobsite and not by purchaser.
6

7 If plaintiff will identify the "contract units" of
8 specific co-defendants working at jobsites where plaintiffs
9 claim to have been injured, GAF will search its records and
10 attempt to ascertain relevant information.
11

12 INTERROGATORY NO. 34:

13 If the answer to the preceding interrogatory is in
14 the affirmative, state:

- 15 (a) From where the asbestos or asbestos materials
16 was imported.
17 (b) How long the defendant has imported asbestos and
18 asbestos materials.
19 (c) Whether the defendant has supplied this imported
20 asbestos or asbestos materials to any of the
21 other defendants since 1945, when these
22 transactions took place and where.
23 (d) Whether any warnings, cautions, caveats, or
24 directions accompanied the materials referred to
25 in (c) and the date these first appeared.
26

27 RESPONSE TO INTERROGATORY NO. 34:

- 28 (c) No direct sales were made.

1 (d) See answer to Interrogatory No. 15.

2
3 INTERROGATORY NO. 39:

4 Have any of the other defendants named in the litiga-
5 tion ever furnished the defendant answering these Interrogatories
6 with information as to the state of the medical knowledge regarding
7 the connection between asbestos exposure and the contracting of
8 pulmonary diseases including cancer and asbestosis?

9
10 RESPONSE TO INTERROGATORY NO. 39:

11 No, with the exception of preparation of pretrial
12 litigation.

13
14 INTERROGATORY NO. 41:

15 Have any defendants furnished this defendant, or has this
16 defendant furnished any other defendant with the results of any
17 research, tests, medical studies or experiments regarding the
18 state of the medical knowledge as to the connection between
19 asbestos exposure and the contracting of pulmonary diseases,
20 including lung cancer and asbestosis, since 1930?

21 RESPONSE TO INTERROGATORY NO. 41:

22 No, with the exception of preparation of pretrial
23 litigation.

24
25 INTERROGATORY NO. 59:

26 Please state whether any of the distributors of your
27 asbestos containing insulation products were provided with any
28 special instructions, oral or written, in regard to utilizing

1 said products in a manner so as to avoid exposing workers to
2 amounts of dust exceeding threshold limit values. If so,
3 please state:

- 4 (a) When these instructions were given.
5 (b) By whom these instructions were given.
6 (c) Were the instructions oral or written.
7 (d) The precise content of the instructions.
8 (e) If the instructions were written, please attach
9 a copy of the instructions.

10
11 RESPONSE TO INTERROGATORY NO. 59:

12 Instructions as to use were contained in warning labels
13 were placed on the packages containing insulation products
14 containing asbestos. See answer to Interrogatory No. 15.
15 Instructions were also contained in United States Patent
16 No. 3,330,927.

17
18 As a result of the labels which were placed on
19 packages containing insulation products containing asbestos,
20 GAF did receive some telephone calls with respect to those
21 warnings. No record was kept of those calls, the persons
22 placing those calls, the persons responding to those calls, or
23 the subject matter of the inquiries.

24
25 INTERROGATORY NO. 60:

26 Is the defendant a member of the Asbestos Textile
27 Institute? If so, when did it first become a member and list
28 the years inclusively of membership?

1 RESPONSE TO INTERROGATORY NO. 60:

2 Objection, not reasonably calculated to lead to the
3 discovery of admissible evidence. Overbroad and burdensome.
4 GAF stands by its answer to this interrogatory.
5

6 INTERROGATORY NO. 68:

7 Did the defendant sponsor since 1930 for its employees
8 or distributors any meetings, seminars, conferences, or conven-
9 tions where the subject of occupational health and exposure
10 to asbestos was discussed?
11

12 RESPONSE TO INTERROGATORY NO. 68:

13 No.
14

15 INTERROGATORY NO. 79:

16 State whether you subscribed to or received copies of
17 the Asbestos Worker magazine and state the years of subscription
18 or receipt of this magazine.
19

20 RESPONSE TO INTERROGATORY NO. 79:

21 No.
22

23 INTERROGATORY NO. 93:

24 Please state whether or not any governmental agency
25 has ever written letters of warning to defendant pertaining to
26 the likelihood of injury to persons being exposed to asbestos
27 and asbestos related materials of the defendant.
28

///

1 RESPONSE TO INTERROGATORY NO. 93:

2 Yes.

3
4 INTERROGATORY NO. 94:

5 If the answer to the preceding Interrogatory is yes,
6 which agency, when and who possesses a copy of the letter?

7
8 RESPONSE TO INTERROGATORY NO. 94:

9 Objection, overly broad, vague, and ambiguous. Without
10 waiving said objection, defendant GAF responds as follows:

11
12 OSHA and other governmental bodies.

13
14 GAF does not and has not maintained any retention system
15 with respect to the information requested by plaintiff. On that
16 basis, GAF is unable to respond in further detail.

17 / / /

18 / / /

19 / / /

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22 / / /

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28 / / /

1 INTERROGATORY NO. 102:

2 State whether you ever conducted or sponsored any
3 tests relative to the possibility of a relationship between
4 asbestos exposure and cancer and if so, state when such studies
5 were performed, by whom they were performed and the results of
6 such studies.

7
8 RESPONSE TO INTERROGATORY NO. 102:

9 No.

10
11 INTERROGATORY NO. 131:

12 State whether you sold any asbestos products to any
13 United States governmental agency and if so:

14 (a) List each such agency.

15 (b) The year of each such sale.

16 (c) The final government destination of each such
17 product sold.

18
19 RESPONSE TO INTERROGATORY NO. 131:

20 Objection, overly broad, not reasonably calculated to
21 lead to the discovery of admissible evidence. Not relevant to
22 the subject matter of the action herein.

23
24 Without waiving said objection, GAF responds as follows:
25 GAF retains records by jobsite and not by purchaser.

26 / / /

27 / / /

28 / / /

1 INTERROGATORY NO. 160:

2 Please state the type respirators provided describing
3 in detail from the first such respirator provided through the
4 current date if respirators are still used.

5
6 RESPONSE TO INTERROGATORY NO. 160:

7 A diligent search has revealed that GAF has no infor-
8 mation with respect to this interrogatory.

9
10 INTERROGATORY NO. 161:

11 Please state whether any physical examinations were
12 given to any mine employees prior to their being furnished with
13 respirators of any type.

14
15 RESPONSE TO INTERROGATORY NO. 161:

16 Objection, vague and ambiguous. Without waiving said
17 objections, assuming that this interrogatory seeks information
18 with respect to whether or not the results of examinations led
19 to the furnishing of miners with respirators, GAF's answer is
20 it does not have any information with respect to that request.

21
22 INTERROGATORY NO. 162:

23 Were any studies or tests done at any defendant mines
24 relative to the dangers or hazards of inhalation and/or ingestion
25 of asbestos fibers?

26
27 RESPONSE TO INTERROGATORY NO. 162:

28 No.

1 INTERROGATORY NO. 167:

2 State whether defendant possessed any ownership
3 interest in any firm or corporation involved in the mining,
4 processing or sale of raw asbestos or insulation products
5 containing asbestos which were domiciled, headquartered or
6 doing business in the British Isles for any year from 1948 to
7 1963.

8
9 RESPONSE TO INTERROGATORY NO. 167:

10 No.

11
12 INTERROGATORY NO. 174:

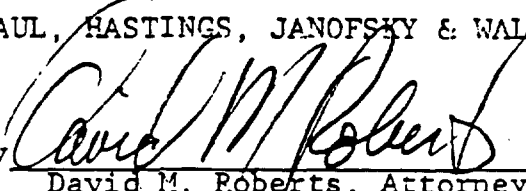
13 State whether the defendant had an asbestos fiber
14 division which exported asbestos fibers and, if so, whether
15 such division for the years 1945-1960 supplied any British
16 manufacturers of thermal insulation products containing asbestos
17 with any raw asbestos.

18
19 RESPONSE TO INTERROGATORY NO. 174:

20 GAF no longer owns any asbestos mines. Additionally,
21 GAF does not have any information or records with respect to the
22 information requested in this interrogatory.

23
24 DATED: July 25, 1979

25 PAUL, HASTINGS, JANOFFSKY & WALKER

26
27 By 

28 David M. Roberts, Attorneys for
Defendant GAF CORPORATION

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JONATHAN BERGER, being first duly sworn, deposes and
says:


JONATHAN BERGER

Orville Foss
Notary Public in and for Said
County and State

DOROTHY FASS
Notary Public, State of New York
No. 24-01FA4682123
Qualified in Kings County
Commission Expires March 30, 1990

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF

I, the undersigned, say:

I have read the foregoing _____ and know its contents.

☒ CHECK APPLICABLE PARAGRAPH

☐ 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 ☐ an officer ☐ a partner _____ ☐ a _____ of _____

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 am informed and believe and on that ground allege that the matters stated in it are true.

☐ I am one of the attorneys for _____

a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in it are true.

Executed on _____, 19____, at _____ California.

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

(Signature)

ACKNOWLEDGMENT OF RECEIPT OF DOCUMENT (other than summons and complaint)

Received copy of document described as _____

on _____ 19____.

(Signature)

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California.

I am over the age of 18 and not a party to the within action; my business address is: _____
555 South Flower Street, 22nd Floor, Los Angeles, CA 90071

On July 25 1979, I served the foregoing document described as _____
FURTHER RESPONSES OF DEFENDANT GAF TO PLAINTIFF'S FIRST SET OF
INTERROGATORIES

_____ on THE INTERESTED PARTIES
in this action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at: Los Angeles, California,
addressed as follows:

SEE ATTACHED LIST.

Executed on July 25, 1979 at Los Angeles, California.
(check applicable paragraph below)

☒ (State) I declare under penalty of perjury that the above is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made

Colleen J. Senart
(Signature)
Colleen J. Senart

ANDERSON, McHALE & CONNOR
Attn.: James Tillipman, Esq.
626 Wilshire Blvd., Ste. 500
Los Angeles, CA 90017

BOLTON HEMER & DUNN
Attn.: Ralph Hemer, Esq.
900 Wilshire Blvd., Ste. 1200
Los Angeles, CA 90017

BREIDENBACH, SWAINSTON, YOKAITIS
& CRISPO
Attn.: James Van Dam, Esq.
888 West Sixth Street, Ste. 1400
Los Angeles, CA 90017

BRILL, HUNT, DeBUYS & BURBY
Attn.: Edward DeBuys, Esq.
3055 Wilshire Blvd., Ste. 1000
Los Angeles, CA 90010

BUCK, MOLONY, NIMMO & AMMIRATO
Attn.: Robert Buck, Esq.
100 East Ocean Blvd., Ste. 620
Long Beach, CA 90802

CARLSTROEM & SANFORD
Attn.: Charles Carlstroem, Esq.
6006 Wilshire Blvd., Ste. 204
Los Angeles, CA 90036

CHASE, ROTCHFORD, DRUKER
& BOGUST
Attn.: Henry E. Kappler, Esq.
606 South Olive St., 22nd Fl.
Los Angeles, CA 90014

COYLE, MARRONE & ROBINSON
Attn.: Richard B. Coyle, Esq.
3356 Barham Blvd.
Los Angeles, CA 90068

JAMES E. CUSICK
Attn.: Joseph A. Nicassio, Esq.
4201 Wilshire Blvd.
Los Angeles, CA 90010

GILLILAND, ROBERSON & MOSER
Attn.: William Roberson, Esq.
606 South Olive St., Ste. 919
Los Angeles, CA 90014

HAIGHT, DICKSON, BROWN & BONESTEEL
Attn.: Fulton Haight, Esq.
April Haskell, Esq.
815 Moraga Drive
Los Angeles, CA 90049

HALL, LINDEMAN, SMALL, BURNS
& COLOMBO
3600 Wilshire Blvd., Ste. 1800
Los Angeles, CA 90010

HILLSINGER & CONSTANZO
Attn.: John Constanzo, Esq.
3345 Wilshire Blvd.
Los Angeles, CA 90010

LaFOLLETTE, JOHNSON & SCHROETER
Attn.: John T. LaFollette, Esq.
320 North Vermont Avenue
Los Angeles, CA 90004

MARTIN & STAMP
Attn.: Lloyd V. Stamp, Esq.
110 Pine Avenue, Ste. 820
Long Beach, CA 90802

MCCUTCHEON, BLACK, VERLEGER & SHEA
Attn.: Robert Wrede, Esq.
3435 Wilshire Blvd., 30th Fl.
Los Angeles, CA 90010

McKAY, BYRNE & UDKOVICH
Attn.: John P. McKay
3250 Wilshire Blvd., Ste. 603
Los Angeles, CA 90010

MORGAN, WENZEL & McNICHOLAS
Attn.: John P. McNicholas
1545 Wilshire Blvd., Ste. 800
Los Angeles, CA 90017

MORRIS & POLICH
Attn.: Douglas Purdy, Esq.
900 Wilshire Blvd., Ste. 430
Los Angeles, CA 90017

NORBY & BRODEUR
Attn.: John W. Norby
21535 Hawthorne Blvd., Ste. 200
Torrance, CA 90503

PATTERSON, RITNER & I KWOOD
Attn.: Tom Mulligan, Esq.
1543 West Olympic Blvd., Ste. 2000
Los Angeles, CA 90503

SCHELL & DELAMER
Attn.: Fred B. Belanger, Esq.
1200 Wilshire Blvd., Suite 500
Los Angeles, CA 90017

SHIELD & SMITH
Attn.: Richard B. Castle, Esq.
1200 Wilshire Blvd., Ste. 400
Los Angeles, CA 90017

STEARNS & NELSON
Attn.: Bruce Nelson, Esq.
1800 North Highland Ave., Ste. 520
Los Angeles, CA 90028

WATERS, McCLUSKEY & CORCORAN
Attn.: Joseph Bogan, Esq.
Roosevelt Building, Ste. 1155
727 West Seventh Street
Los Angeles, CA 90017

LAW OFFICE OF VIRGIL WELLS
Attn.: Robert Sherlock, Esq.
1540 Wilshire Blvd.
Los Angeles, CA 90017

YUSIM, CASSIDY, STEIN & HANGER
Attn.: Andrew Stein, Esq.
8383 Wilshire Blvd., Ste. 330
Beverly Hills, CA 90211

VOORHIES, GREENE, O'REILLY,
AGNEW & BROILLET
Attn.: Aaron H. Simon, Esq.
1122 Wilshire Boulevard
Los Angeles, California 90017