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8 Tel.: (415) 937-4950
9
10 Attorneys for Defendant
11 KELLY-MOORE PAINT COMPANY, INC.

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF ALAMEDA

11 No. 603286-1

12 IN RE DISCOVERY AND PRETRIAL) KELLY-MOORE PAINT COMPANY,
13 MATTERS FOR RELATED ASBESTOS CASES) INC.'S RESPONSE TO
14 (LAW OFFICES OF JACK K. CLAPPER) INTERROGATORIES

15 PROPOUNDING PARTY: PLAINTIFFS
16 RESPONDING PARTY: KELLY-MOORE PAINT COMPANY, INC.
17 SET NO.: 46

18
19 COMES NOW Defendant KELLY-MOORE PAINT COMPANY, INC., in
20 response to interrogatories propounded by Plaintiffs as follows:

21 GENERAL OBJECTIONS

22 Defendant KELLY-MOORE PAINT COMPANY objects to Plaintiffs'
23 definitions and each of them, to the extent that they attempt to
24 impose obligations greater than those allowable under statutory
25 authority or case law.

26 Most of the events which may be relevant to the issues
27 presented in these consolidated cases occurred many years ago.
28 As a result of the time lapse and the document retention and

- 1 17. KELLY-MOORE PAINT COMPANY specifically objects to this
2 interrogatory in that it seeks information subject to the
3 attorney-client privilege, attorney work product privilege
4 and otherwise not discoverable under the provisions of
5 C.C.P. §§ 2016(b), 2030(c) and 2037.
6 18. Without waiving the foregoing objections incorporated herein
7 by reference, no.

8
9 DATED: October 28, 1986

10 BURNHILL, MOREHOUSE, BURFORD,
11 SCHOFIELD & SCHILLER

12 By: 

13 NORBERT U. FROST, Esq.
14 Attorneys for Defendant
15 KELLY-MOORE PAINT COMPANY, INC.
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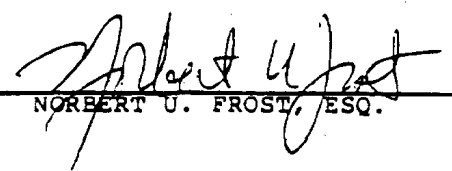
VERIFICATION

I, NORBERT U. FROST, declare that:

I am an attorney-at-law admitted to practice before all courts of the State of California and am a member of the law firm of Burnhill, Morehouse, Burford, Schofield & Schiller, counsel for Kelly-Moore Paint Company, Inc. Kelly-Moore Paint Company, Inc. is unable to make this verification because it is absent from the county in which this matter is venued and for that reason I make this verification on its behalf.

I have read the foregoing responses to interrogatories and am informed and believe that the matters stated therein are true and correct, except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct. Executed on Oct. 28, 1986 at Walnut Creek, California.


NORBERT U. FROST, ESQ.

CLAPPER BRAYTON
ATTOR AT LAW
CREEKWOOD PROFESSIONAL CENTER
280 BEL MARINEYS BOULEVARD
NOVATO CALIFORNIA 94947
(415) 883-3238

1 INTERROGATORY NO. 38: Has this defendant ever been a
2 member of the Industrial Health Foundation? If so, please
3 state:

- 4 (a) The inclusive dates during which this defendant was
5 a member;
- 6 (b) The names of any publication published by or written
7 by such association or organization;
- 8 (c) The name of any committees or sub-committees of
9 which this defendant was a member or on which this
10 defendant had a representative and the inclusive
11 dates of such representation;
- 12 (d) The names of each such committee and sub-committee
13 of which this defendant received minutes and the
14 inclusive date of such reception and the dates of
15 those minutes received.

16 NO.

17 INTERROGATORY NO. 39: Please state:

- 18 (1) Whether any of the following methods has been used
19 to transport either raw asbestos or asbestos-
20 containing products and/or materials of this defen-
21 dant to the San Francisco Bay Area:
- 22 (a) Ship
- 23 (b) Train
- 24 (c) Truck
- 25 (d) Other, and if so, please specify what method;
- 26 (2) The inclusive dates each such method was used by
this defendant;

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1 (3) The types of asbestos or asbestos-containing pro-
2 ducts and/or materials transported by each such
3 method.

4 (1) (a) No (b) Yes (c) Yes

5 (2) December 1960 to December 1978

6 (3) Cryotile, Joint Compound, Textures and Paint

7 INTERROGATORY NO. 40: Identify all brochures, pamph-
8 lets, catalogs or other descriptions or listings of asbestos-
9 containing products and/or materials which this defendant
10 manufactured, sold, distributed or supplied from the year 1930
11 to the present. For each such document please state:

12 (a) The title of such document;

13 (b) The year it was printed;

14 (c) The years in which it was used;

15 (d) The purpose of such document;

16 (e) Whether the document(s), or copy(ies) of said
17 document(s), presently exist;

18 (f) If said document(s) or copy(ies) still exist, where
19 they are located;

20 (g) The name, job title, and current address of the pre-
21 sent custodian of such document(s);

22 (h) Whether defendant would produce such document(s) for
23 inspection and copying without a formal request for
24 production of documents.

25 See answer to Interrogatory No. 30

26 INTERROGATORY NO. 41: State whether any raw asbestos or