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Bloomberg No. 6113
PLAINTIFF'S EXHIBIT
WH-842

July 30, 1986

Angelo J. Cifaldi, Esq.
Wilentz, Goldman & Spitzer
900 Route 9
P.O. Box 10
Woodbridge, New Jersey 07095

Re: Lake vs. Raymark Industries, et al.

Dear Angelo:

We enclose herewith for service upon you defendant Westinghouse Electric Corporation's Certified Answers to Form B Interrogatories in the above-captioned matter.

Very truly yours,

SHANLEY & FISHER, P.C.

Resa T. Drasin

RTD:mo
Enclosure
cc: All Counsel (w/o encls.)

SHANLEY & FISHER

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RTD:mo
Enclosure
cc: All Counsel (w/o encls.)

RECEIVED
AUG 1 1986

SHANLEY & FISHER, P.C.
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Attorneys for Defendant
Westinghouse Electric Corporation

WILLIAM G. LAKE, as Executor of the Estate of George Lake and MARY ANN MENICHALLA as Executrix of the Estate of George Lake Plaintiffs, vs. RAYMARK INDUSTRIES, INC., et al., Defendants.	:	UNITED STATES DISTRICT COURT OF NEW JERSEY Civil Action No. 85-1567 WESTINGHOUSE ELECTRIC CORPORATION'S ANSWERS TO FORM B INTERROGATORIES

PRELIMINARY STATEMENT AND GENERAL OBJECTIONS

Westinghouse Electric Corporation ("Westinghouse") is a broadly diversified corporation which currently employs approximately 133,000 people and manufactures in various countries some 7,500 basic products with approximately 300,000 variations of those products. Although Westinghouse is engaged principally in the manufacture, sale and service of equipment and components for the generation, transmission, utilization and control of electricity, its businesses also include a wide range of products and services which are unrelated to electrical manufacturing.

Many of the products are very complex and consist of hundreds or thousands of components. Many of the components, as well as materials, are supplied to Westinghouse by other companies. Westinghouse also sells thousands of finished products manufactured by other companies. For example, one Westinghouse division sells products from 3,600 - 3,700 suppliers. Westinghouse does not have records to identify the composition of each product from each of its suppliers of finished products. Similarly, Westinghouse does not know the ultimate destination of each product sold because Westinghouse sales frequently are not to the end user.

Westinghouse's portfolio of businesses and products changes almost continually. These changes occur when Westinghouse develops new products, discontinues old products, acquires other companies or their product lines, or divests itself of subsidiaries or product lines. Changes similarly occur when Westinghouse adds suppliers to and deletes suppliers from its product lines. For the reasons stated above, it is not possible for Westinghouse to answer many of the interrogatories in the broad manner in which they are framed.

Westinghouse is not now and has never been a miner of asbestos fibre or a manufacturer of asbestos insulation products and thus was not a member of the industry to which many of these interrogatories may relate, and in which other defendants may have participated. As such, many of these interrogatories are irrelevant as to Westinghouse.

Furthermore, the record of the case is totally devoid of any identification of any asbestos-containing products allegedly sold by Westinghouse which are claimed to have been a substantial causative factor in producing the decedent's alleged asbestos-related disorders. Similarly, the record is totally devoid of any evidence that plaintiffs' decedent used or was exposed to respirable asbestos fibers created from such products. To the extent such information becomes available during the course of discovery, Westinghouse will supplement its responses to these interrogatories in accordance with the applicable Rules of the Court.

Westinghouse assumes that its responses to these interrogatories are not intended to elicit information protected by the attorney client privilege and attorney work product doctrine and, pursuant to the applicable rules of court, this privileged and protected information has been omitted.

Without waiving these objections, and subject thereto, Westinghouse further responds to the interrogatories as follows:

RESPONSES TO GROUP A INTERROGATORIES

Westinghouse does not contest the exercise of in personam jurisdiction by the United States District Court of New Jersey in the context of this case. Therefore, and in accordance with the Court's instructions, Interrogatory Nos. A.1 through A.10 require no response.

RESPONSES TO GROUP B INTERROGATORIES

B.1. State the name, address and job position of each and every individual signing these interrogatories on behalf of the defendant.

ANSWER:

See Affidavit appended to Interrogatory Responses provided herein. The affiant, Robert E. Peters, Assistant Secretary, has his office at Six Gateway Center, Pittsburgh, Pennsylvania 15222.

B.1a. State the name, address and employer and job position of each person whether defendant's employees or otherwise who were consulted with or who assisted in the answering of these interrogatories.

ANSWER:

Objections are made to this question on grounds of attorney-client privilege and work product doctrine. Without waiving its objections, Westinghouse states that numerous persons and various departments were involved. No single officer, employee or agent of Westinghouse has direct knowledge of each and every answer provided.

B.2. Give a full and detailed description of the nature of the business that your company is engaged in.

ANSWER:

Westinghouse is a broadly diversified corporation. One aspect of its business is the manufacture and sale of equipment which is used in the electrical power generation industry. Westinghouse is involved in other types of business wholly unrelated to the claims alleged by the

plaintiff in this case. In the interests of judicial economy, and to conserve time, Westinghouse respectfully suggests that a description of its other businesses will serve no useful purpose in the context of this case. The latter position is subject to reconsideration, and possible supplementation, if plaintiffs can demonstrate a legitimate need for further information. In any event, this information is a matter of public record. See Response to No. B8, below.

B.3. When did your company commence its business?

ANSWER:

Westinghouse was incorporated in 1872.

B.4.a. Are or have any of defendant's predecessors, affiliates, subsidiaries, or parent corporations engaged in the mining, sale and distribution of asbestos and/or asbestos fiber and/or asbestos containing insulation products? If so, state the name of each entity, describe the nature of the involvement that each entity has or has had in the mining, distribution or sale of these products and materials, and set forth the inclusive dates each was involved in each aspect of this business.

ANSWER:

Objection is made to this interrogatory insofar as it purports to be directed to other entities. Without waiving its objection, Westinghouse states that it never has owned or operated asbestos mines, nor did it manufacture asbestos insulation products. Furthermore, Westinghouse is not at this time in a position to respond to interrogatories which

seek information about products or categories of products which are not alleged by plaintiffs to have been sold by Westinghouse and to have given off respirable asbestos fibers which were a substantial factor in producing, or the proximate cause of, the alleged asbestos-related illnesses which are the subject of this lawsuit.

B.4.b. As to each such entity referred to in (a) above, state:

1. the relationship between defendant and each such entity;

2. the date such relationship began and terminated;

3. the names and addresses of each such entity's corporate officers and Board of Directors;

4. the names and addresses of your corporate officers and Board of Directors.

ANSWER:

Not applicable.

B.5. From the year 1925 until the present, identify and state the address of any organization in which defendant, its officers, agents or employees have belonged, having anything to do with setting standards, regulations or the conducting of research into the use of asbestos, asbestos products or asbestos fiber.

ANSWER:

Westinghouse objects to this interrogatory as burdensome and oppressive, as well as vague. The 60 year time frame encompassed by this interrogatory is unreasonable on its face. The incorporated terminology to wit: "having anything to do with setting standards, regulations, or the

conducting of research into the use of asbestos, asbestos products or asbestos fiber" is vague. Properly constituted governmental departments or agencies set legal standards and regulations. Furthermore, Westinghouse has never been a member of the asbestos industry as that term is commonly used and is not a member of organizations to which this interrogatory might otherwise relate (e.g. the Asbestos Textile Institute, National Insulation Manufacturers Association). With respect to the remaining aspect of this Interrogatory -- research -- please refer to response No. B.6, below.

B.6. Has defendant ever been a member of or affiliated with any trade groups, professional associations or organizations? If so, identify each such group, association or organization and set forth the inclusive dates of defendant's membership in each.

ANSWER:

Without regard to the terminology employed in this Interrogatory, and with specifically reserved objections to the validity of its vague and generalized use of the terms "trade group", "professional association" or "organization", Westinghouse currently is, or has been a member of:

(a) National Safety Council (Charter member)

(b) Industrial Health Foundation (1936-1984)

(c) American Industrial Hygiene Foundation (1978-present)

For the reasons, and objections stated in response to Interrogatory No. B.5, above, Westinghouse objects to reviewing its records to identify organizations in which its employees (past or present) may have had membership over the past 60 years, which organizations may, or may not, fall within plaintiffs' conception of the scope of this question. Furthermore, there is no central depository of such information.

B.7. Has defendant ever been a member of or affiliated with the Asbestos Textile Institute? If so, indicate when your company was affiliated or was a member of this organization.

ANSWER:

No.

B.8. Does your company publish or distribute a manual or booklet which describes the nature of the business that defendant is engaged in? If so, set forth the title of such manual or booklet, indicate when it was published and attach a copy of same hereto.

ANSWER:

As a corporation whose shares are publicly traded, Westinghouse issues Annual Reports. These reports give a full description of Westinghouse's business and copies are available for inspection and copying. Other reports are filed in accordance with the requirements of the Federal

Securities and Exchange Commission and, as such, are available for public inspection.

B.9. Has any employee or representative of your corporation ever attended a meeting of the Asbestos Textile Institute? If so, identify each such individual who attended these meetings and set forth the dates on which each such individual went to such a conference or meeting.

ANSWER:

No.

B.10. Has your company ever been a member of, affiliated with or provided funding for the Industrial Hygiene Foundation? If so, indicate when your company was a member or affiliated with this organization and set forth the dates, if applicable, when you provided funding to this organization.

ANSWER:

See Response to Interrogatory B.6. Furthermore, based on presently available information, Westinghouse is unaware of having provided funding to the Industrial Health Foundation.

B.11. Does your company have a Board of Directors?

ANSWER:

Yes.

B.12. Does your company's Board of Directors conduct meetings?

ANSWER:

Yes.

B.13. Have minutes of the Board of Directors meetings been taken and maintained by your company? If so, indicate who has custody of the minutes at this time.

ANSWER:

Yes. The corporate minutes are in the custody of the Secretary of the Corporation.

B.14. Has your company, and/or its subsidiaries or affiliates ever manufactured or distributed asbestos containing products?

ANSWER:

As limited to Westinghouse, and subject to the Preliminary Statement, yes.

B.15. Give a complete and detailed description of the particular qualities that asbestos has or had that caused your company and/or its subsidiary or affiliate to utilize asbestos in your products.

ANSWER:

See the Preliminary Statement. Furthermore, Westinghouse objects to this Interrogatory because plaintiffs have not demonstrated that their decedent was exposed to any product manufactured, supplied or installed by Westinghouse which contained asbestos.

B.16. Did any of the entities from whom you received asbestos fiber or any of the entities referred to in B6, B7, B9 and B10 ever inform you or your company's employees that asbestos was potentially hazardous to the health of individuals who were exposed to it?

ANSWER:

See the Preliminary Statement and Responses to Interrogatories Nos. B6, B7, B9 and B10. Without waiving its objections, Westinghouse states that it does not know at the present time.

B.17. If so, for each such company that transmitted such information to you and your company, set forth the following information:

a. the name of each and every entity that informed your company that asbestos was potentially hazardous to health;
b. the dates you received this information from each such company;
c. indicate how this information was transmitted to you;
d. the substance of each warning;
e. annex hereto copies of each such warning.

ANSWER:

See Response to Interrogatory B.16, above.

B.18. Has defendant distributed or sold asbestos or asbestos containing products in the State of New Jersey? If so, set forth the following information:

a. the date that defendant commenced selling asbestos or asbestos containing products in the State of New Jersey;
b. the date the defendant terminated the sale of asbestos or asbestos containing products in the State of New Jersey;
c. the areas of New Jersey where asbestos or asbestos containing products were sold.

ANSWER:

See the Preliminary Statement. Furthermore, Westinghouse states that it is conceivable that at some time it may have sold asbestos containing products in New Jersey. However, Westinghouse records are not maintained in a manner which would enable it to answer this interrogatory as framed. If plaintiffs will identify the product which they claim contained asbestos, gave off airborne asbestos fibers which were inhaled by their decedent and which were a

contributing proximate cause, or substantial factor in producing, the alleged injuries of plaintiffs' decedent, Westinghouse will attempt to supplement its response as to that product.

B.19. Did defendant ever affix any warnings to any of the asbestos or asbestos containing products it marketed and distributed? If so, for each such product that contained a warning set forth the following information?

a. the brand and tradename of each such product that contained a warning;

b. the date a warning was attached to each such product;

c. the substance of each warning;

d. annex hereto copies of each such warning.

ANSWER:

See the Preliminary Statement.

B.20. Set forth the name, address and job position of each and every individual who took part in your company's decision to place a warning on its asbestos or asbestos containing products.

ANSWER:

See the Preliminary Statement.

B.21. Prior to 1964, did any employee of the defendant ever recommend that it utilize a warning on its asbestos containing products? If so, identify each such employee, indicate when he made such a recommendation, indicate what the recommendation was, to whom it was given and what action was taken thereon.

ANSWER:

See the Preliminary Statement.

B.22. Has defendant ever established or maintained a library or libraries which in any way dealt with industrial hygiene, medicine, safety and engineering? If so, state:

a. where the library was or is located;

b. the names of all journals which that library subscribed to;

c. for whom and for what purpose the library was established;

d. whether there is an inventory of the books and publications which are or were housed in this library, and if so, attach a copy hereto.

ANSWER:

Westinghouse cannot respond to this Interrogatory as framed. No central library is maintained. Westinghouse and certain of its employees have subscribed to medical, industrial hygiene and safety and engineering publications. Such materials are not organized or categorized in the manner contemplated by this Interrogatory.

B.23. Did defendant or its agents or employees ever make any effort to keep abreast of medical literature concerning potential health hazards posed by the use of an/or (sic) exposure to asbestos? Indicate the names, addresses and job positions of all your company's employees who reviewed this literature.

ANSWER:

See the Preliminary Statement. Westinghouse's Industrial Hygiene and Safety personnel endeavor to keep generally abreast of developments pertaining to a wide-range of industrial health related issues, including asbestos. Employees of Westinghouse as a group do not keep abreast of such information. For the reasons stated in the Preliminary

Statement, it is not possible to identify the names, addresses and job positions of all Westinghouse employees who may have reviewed such literature.

B.24. Prior to 1964 had your company done any studies or tests or had your company participate in, been the subject of, or been aware of any studies or tests by others concerning the potential effects of inhalation of asbestos dust or fibers by one using or being exposed to asbestos or asbestos containing products. If so, state:

a. the date each study or test was conducted and the date defendant became aware of said study or test;

b. the names and addresses of the persons conducting each test or study;

c. the purpose of the study or test;

d. the results of each study or test;

e. if reduced to writing attach a copy hereto.

ANSWER:

Westinghouse is presently unaware of having performed, participated in, or having been the subject of any studies or tests concerning the potential effects of exposure to asbestos dust prior to 1964. However, prior to 1964, Westinghouse was aware of certain hazards associated with exposure to asbestos dust. Westinghouse is presently unable to state the source nor the extent of such knowledge. Furthermore, Westinghouse is unable to identify all of its employees who may have acquired such knowledge.

B.25. Prior to 1964, did defendant's agents or employees conduct any experiments with laboratory animals to determine whether or not its asbestos containing products were potentially hazardous to the health of workers who were using them? If so,

for each such experiment which was conducted, indicate who conducted it, state when it was conducted and describe the results of each such experiment.

ANSWER:

No.

B.26. Since 1964 has your company done any studies or tests or has your company participated in, been the subject of, or been aware of any studies by others concerning the effects of inhalation of asbestos dust and fibers by one using or being exposed to asbestos or asbestos containing products? If so, state the following:

a. the date each such study or test was conducted and the date defendant became aware of said study or test;

b. the names and addresses of persons conducting the tests or studies;

c. the purpose of the tests;

d. the results of each test or study;

e. attach a copy of any reports based upon each study or test.

ANSWER:

In August 1974, a report titled "Identification and Quantification of Fibrous Dust and Ferruginous Bodies in Lungs of Autopsied Adults" was published by the Industrial Health Foundation, Inc. This report was prepared for the Environmental Protection Agency of Cincinnati, the Aluminum Company of America, the Gulf Oil Company, and Westinghouse Electric Company by Paul Gross, M.D., John M.G. Davis, Ph.D and Russell A. Harley, Jr., M.D. This report studied the mineral fiber (including asbestos) content of human lungs. Westinghouse has no present knowledge of the reason for the appearance of its corporate name on this report.

B. 27. Since 1964, has defendant or its agents or employees sponsored or performed any laboratory experiments with animals to determine whether or not its asbestos containing products were potentially hazardous to the health of workers who were using them? If so, state who conducted each study, indicate where each study was conducted, and describe what the results of each test were.

ANSWER:

No.

B.28. Prior to 1964, did defendant or its agents or employees ever go out to construction sites, factories or power houses where its asbestos or asbestos containing products were being used to determine or measure the levels of asbestos dust or fibers in the work environment? If so, for each such study or experiment that was conducted, set forth the following information:

a. when and where each measurement, study or test was conducted;

b. who conducted each measurement, study or test;

c. what types of equipment were utilized to measure the levels of asbestos dust or fibers in the air;

d. attach a copy of any reports concerning the measurements, tests or studies.

ANSWER:

Unknown at the present time.

B.29. Since 1964, has defendant and/or its agents or employees ever gone out to any construction sites, factories or power houses where its asbestos or asbestos containing products were being used to determine the levels of asbestos dust or fibers which were in the work environment? If so, for each such study or experiment which was conducted, set forth the following information:

a. who conducted each measurement, study or test;

b. when and where each measurement, study or test was conducted;

c. what type of equipment was utilized to measure the levels of asbestos in the working environment;

d. what the results of each study, measurement or test were;

e. attach a copy of any report concerning each measurement, study or test.

ANSWER:

No.

B. 30. Give a complete description of all programs implemented and precautions taken by the defendant at its plants and facilities where it manufactures asbestos or asbestos containing products to reduce the levels of asbestos dust and fibers in the air. Include in this description all programs implemented and precautions taken since each plant was in operation. Include in this answer the date that each precaution was taken or procedure was implemented.

ANSWER:

This defendant does not manufacture asbestos. As to "asbestos-containing products", Westinghouse objects to this Interrogatory for the reasons set forth in its Preliminary Statement and Response to Interrogatory B.4(a), above.

B. 31. Did defendant at any time require its employees who worked in the manufacture of asbestos or asbestos containing products to wear respirators, face masks or other protective devices? If so, set forth which employee (by type) was required to wear such protective devices, when the directive relative to same was issued for each type of employee and specify what type of device was to be worn by each type of employee.

ANSWER:

See the Preliminary Statement and Response to Interrogatory B.30.

B.32. Give a complete explanation of why each and every employee set forth in the preceding answer was required to wear a respirator, face mask or other protective device while working with asbestos.

ANSWER:

Not applicable. See also Responses to Interrogatories B.30 and B.31.

B.33. Has any worker employed by your company, its subsidiaries or affiliates ever filed a worker's compensation claim against defendant or its predecessors, affiliates or subsidiaries, for an occupational disease or condition which was allegedly caused by exposure to asbestos, asbestos products, asbestos dust or fibers? If so, set forth:

a. the date each claim was made;

b. where each claim was made;

c. the name and address of the party making the claim;

d. the name and address of the party against whom the claim was made.

ANSWER:

Yes. Based on presently available information, the first workers' compensation case relating to asbestos was filed against Westinghouse in 1976. Westinghouse is presently aware of only seven such claims filed against it. Four claims were filed in Pennsylvania, two in Louisiana and one in South Carolina. Westinghouse objects to the remaining portion of this interrogatory as the identity of the claimants is irrelevant to the plaintiffs' claim. See also the Preliminary Statement.

B.34. If any employee or officer of defendant has testified at trial or by deposition in any litigation involving an alleged occupational exposure to asbestos, state:

a. name, address and title of each such person who testified;

b. date, location and form of testimony;

c. whether defendant has a copy of such testimony;

ANSWER:

Not in New Jersey. Furthermore, Westinghouse objects to this interrogatory for the reasons stated in Response to Interrogatory B.33, above.

B.35. Has defendant at any time since its inception, maintained any office or department dealing with medical research? If so, state:

a. the name of each such department;

b. the dates each such department was in operation;

c. the name, address and job position of each such person who has been in charge of said department or departments.

ANSWER:

No.

B.36. When was the first time the defendant became aware of or knowledgeable of any disease or illness associated with or causally related to the inhalation of asbestos, asbestos fibers or asbestos dust in any form whatsoever? Indicate which disease defendant became aware of and describe how defendant became aware of its alleged relationship to inhalation or exposure to asbestos.

ANSWER:

See Response to Interrogatory B.24. Westinghouse does not consider itself competent to offer opinions as to "causal

relationships", if any, between various substances and alleged disease processes. Westinghouse must defer to the reasoned judgment and opinions of its medical expert witnesses on all such questions of human disease, its cause and diagnosis.

B.37. In reference to the preceding interrogatory, if defendant acknowledges a causal relationship between asbestos and disease or illness, set forth the following information:

a. what diseases or illnesses defendant acknowledges are causally related to or associated with exposure to asbestos dust or fibers;

b. the date upon which defendant became aware of the association with or causal relation to each such disease or illness;

c. the date upon which defendant confirmed the causal relation of each such disease to exposure to asbestos dust or fibers;

d. how defendant became aware of each such causal relationship or association, indicating the source of all such information.

ANSWER:

See Response to Interrogatory B.36.

B. 38. If your company manufactured any products which contained asbestos and which were commonly used by insulation and pipe coverers, describe how the following products were cut, shaped, mixed an applied when used:

a. asbestos cement;

b. asbestos containing pipe covering;

c. asbestos sheeting;

d. asbestos insulation to cover extremes of heat as well as cold.

ANSWER:

Not applicable.

B.39. Prior to 1964, were there any memoranda written by, distributed, or circulated among defendant's employees agents or representatives concerning the potential health hazards concerned with asbestos containing products? If so, state:

a. dates of each memorandum;

b. name, address and job position of each individual who wrote each memorandum;

c. name and address and job position of each individual to whom the memorandum was directed;

d. attach copies of each memorandum hereto.

ANSWER:

See the Preliminary Statement. Without waiving its objections, Westinghouse states that its Industrial Hygiene Laboratory on January 2, 1953 published a safe practice data sheet.

B.40. Has defendant or its predecessor corporations ever had a division, affiliate or subsidiary which was involved in contracting for or installation of asbestos-containing materials in New Jersey? If so, for each such entity involved in the contracting or installation of these products, set forth the following information:

ANSWER:

Unknown at the present time. Westinghouse reserves the right to amend its response in light of further investigation and discovery.

B.41. Did defendant ever provide any of the employees who worked in the contracting for or installation of asbestos containing materials with any respirators, face masks or protective clothing? If so, indicate what types of protective clothing, respirators or face masks were provided, describe when each type was first provided to each employee and describe why they were provided to each type of employee.

ANSWER:

See the Preliminary Statement. Westinghouse has identified no record of any such employees at the present time.

B.42. Has any individual who was ever employed in the contracting and insulation business referred to above ever filed a claim for workmen's compensation because of an alleged occupational disease sustained allegedly because of occupational exposure to asbestos? If so, for each such employee who has filed a claim, set forth the following information:

a. name of each such employee;

b. when each claim was filed;

c. where each claim was filed;

d. name of the attorney who represented the petitioner and respondent.

ANSWER:

Not applicable.

B.43. State the full name, job title and present residences, business and professional addresses of any and all persons who have knowledge of any relevant facts relating to this case and the defense of your company.

ANSWER:

See the Preliminary Statement. Prior to the institution of suit, Westinghouse had no knowledge of this claim. Individuals who may have knowledge of facts, which at trial may be deemed relevant, have or will be identified in Answers to Interrogatories and deposition testimony furnished by other parties to this litigation.

B.44. State the name, address and credentials of each and every expert witness you intend to utilize at the time of trial, and annex hereto a copy of their report.

ANSWER:

Westinghouse has not determined which expert witnesses it may call at the trial of this case. It is possible that Lee B. Reichman, M.D., may be called upon to provide expert testimony. If so, a report will be supplied within the time provided by the Court. Other experts who may be called upon to offer testimony on behalf of Westinghouse, when identified, will be named in accordance with the applicable Rules of Court.

B.45. Do you contend that the plaintiff's illness is a consequence of the negligence or the fault of a third party or anyone who is not a party to this action? If so, state the name and address of each such party and set forth all facts which support your contention.

ANSWER:

Yes. However, as indicated in the Preliminary Statement, the record is presently devoid of evidence of product identification. Accordingly, Westinghouse reserves the

right to supplement its response as a result of ongoing investigation and discovery.

B.46. Do you contend that the illness and/or death of the decedent in this action was not causally related to an occupational exposure to asbestos dust and fibers? If so, give a full and detailed description of your contentions.

ANSWER:

Investigation and discovery are continuing. The answer to this interrogatory will be supplied upon completion of discovery.

B.47. Do you contend that other agents and/or substances caused the illness and/or death of the plaintiff in this matter? If so, identify each such agent and/or substance and set forth all facts to support your contentions.

ANSWER:

See Response to Interrogatory B.46.

B.48. Has defendant and/or its agents or employees obtained any statements from anyone who has knowledge of the facts surrounding this cause of action? If so, set forth:

a. name, address and job position of the person that obtained the statement;

b. the name, address and job position of the person who gave the statement;

c. the date the statement was given;

d. whether the statement is in writing, and if so, who has custody of it.

ANSWER:

No, other than discovery taken to date in connection with this litigation. See also the Preliminary Statement.

B.49. Does defendant contend that plaintiff or plaintiff's decedent suffered injuries and/or death due to his own negligence? If so, set forth all facts which support your contentions.

ANSWER:

See Response to Interrogatory B.46.

B.50. Does defendant contend that plaintiff or plaintiff's decedent failed to use defendant's asbestos or asbestos containing products properly? If so, set forth all facts which support your contentions.

ANSWER:

As actual "use" has not been established, nor the conditions or dates thereof, this Interrogatory is premature.

RESPONSES TO GROUP C. INTERROGATORIES

C.1. Has defendant and/or its affiliates or subsidiaries purchased asbestos fiber for use in its business or for manufacturing its products? If so, set forth the following information:

a. the inclusive dates that your company purchased asbestos fiber;

b. the name and address of each and every entity that you purchased the asbestos fiber from;

c. the nature and types of products that your company used asbestos fiber for;

d. the type of asbestos fiber that your company purchased.

ANSWER:

Westinghouse objects to this Interrogatory until plaintiffs identify the specific product(s) manufactured

or distributed by Westinghouse which are alleged to have contributed to plaintiffs' decedent's injuries and/or death. Westinghouse further objects to responding to this interrogatory for any products not alleged to have contributed to the injuries and/or death of plaintiffs' decedent. The grounds for this objection are that this part of the Interrogatories is overly broad and unduly burdensome and seeks information which is irrelevent and immaterial to these proceedings and which is not reasonably calculated to lead to the discovery of relevant, material or admissible evidence.

C.2. Does defendant have or has it had any plants, factories or production facilities located in the State of New Jersey which was or is engaged in the importation, manufacture, processing, or converting, compounding, packaging, distribution, and/or sale of asbestos, asbestos containing products and/or asbestos containing insulation products? If so, for each such plant, factory or facility which is or has been located in New Jersey, set forth the following information:

a. the name and address of each such plant, factory or production facility;

b. the inclusive dates that each plant, factory or facility existed;

c. a complete and detailed description of all products that each plant, factory or production facility was engaged in producing (include in your description the type of product and its generic and trade name).

ANSWER:

See Response to Interrogatory C.1.

C.3. Indicate which asbestos products and asbestos materials manufactured and distributed by the defendant are or were classified as "insulating materials".

ANSWER:

See Response to Interrogatory No. C.1.

C.4. With reference to the preceding question, give a full and complete description of the purposes for which defendant's insulating materials containing asbestos were designed.

ANSWER:

See Response to Interrogatory No. C.1.

C.5. Set forth the name and address of each and every entity that your company purchased or received asbestos fiber from which was utilized in the manufacture of your company's asbestos containing insulation products. Include in your answer the inclusive dates that your company purchased asbestos from each such entity.

ANSWER:

See Response to Interrogatory No. C.1.

C.6. As to any asbestos products or raw asbestos mined, converted, fabricated, produced, compounded, manufactured, processed, sold or distributed by defendant, state whether any was shipped or sold to plaintiff's employer in New Jersey either directly or through a third party, stating which.

ANSWER:

See Response to Interrogatory No. C.1.

C.7. If the answer to C6 is in the affirmative, state as to each asbestos product, or raw asbestos:

a. exactly what product(s) or type(s) of asbestos was (were) shipped or sold to plaintiff's employer;

b. the dates and quantities of each such product shipped or sold;

c. whether any warnings, cautions, caveats or directions accompanied the materials so shipped, the date these appeared and the exact wordings of the warnings, cautions caveats or directions and where the warnings, cautions, caveats or directions appeared;

d. the name and address of any intermediate supplier or distributor who sold this defendant's products to plaintiff's employer during the period referred to above;

e. did your company affix its corporate logo or insignia on the packages of asbestos containing insulation products that it distributed and sold? If so, describe the type of logo or insignia which was used,indicate which products it was affixed to, and set forth the inclusive dates that each insignia or log was utilized. Annex hereto a photograph or copy of each such logo described in this matter;

f. please describe in detail the type of packages in which defendant has sold, distributed of manufactured asbestos materials, listing the dates each type of package was used, a physical description thereof and description of any printed material or trademark that appeared thereon.

ANSWER:

See Responses to Interrogatory Nos. C.5 and C.6, above.

C.8. Have any of the products listed in Interrogatory C7 above been altered in chemical composition since being marketed? If so, set forth the following information:

a. the date of each alteration;

b. a detailed description of the nature of each alteration;

c. the reason for such alteration.

ANSWER:

See Responses to Interrogatory Nos. C.5-C.7, above.

C.9. Have you discontinued manufacturing and/or distributing and/or supplying or selling any asbestos or asbestos products referred to in C7? If so, set forth the following:

a. what such product is;

b. the reasons therefor;

c. when the discontinuance took place.

ANSWER:

See Responses to Interrogatory Nos. C.5-C.7, above.

C.10. Give a complete and detailed description of each and every asbestos containing product that your company has designed, manufactured and distributed into the stream of commerce. Include in your description the trade, brand and generic names of each such product and indicate the type and amount of asbestos that was contained in each particular product. Include in this answer the inclusive dates that each particular product was manufactured and distributed.

ANSWER:

See Preliminary Statement and Response to Interrogatory No. C.1.

C.11. With reference to your answer to B18 state the names and addresses of the entities to whom the products were sold.

ANSWER:

See Responses to Interrogatory Nos. B.18 and C.1.

C.12. Did your company and/or its affiliates or subsidiaries do business with or utilize any distributors in the State of New Jersey for purposes of selling or installing its asbestos products? If so, identify each such entity, indicate and describe the nature of the business that you did with each such entity, and set forth the dates this business relationship existed.

ANSWER:

See the Preliminary Statement and Response to Interrogatory No. C.1.

C.13. Has your company ever employed any employees or salesmen whose responsibility it was to sell your company's asbestos containing products to a geographical area encompassing the State of New Jersey? If so, for each such employee or salesman who worked for your company, indicate the dates of his employment, his name and address.

ANSWER:

See Response to Interrogatory C.1.

C.14. Give a complete and detailed description of the manner in which your company packaged each of the asbestos containing products that it manufactured and/or distributed in the State of New Jersey. Include in your description the type of packaging which was used and the material each type of packaging was comprised of.

ANSWER:

See Response to Interrogatory No. C.1.

C.15. Did your company affix its corporate logo or insignia on the packages of asbestos containing products that it distributed and sold in the State of New Jersey? If so, describe the type of logo or insignia which was used, indicate which products it was affixed to, and set forth the inclusive dates that each insignia or logo was utilized. Annex hereto a photograph or copy of each such logo described in this answer.

ANSWER:

Not applicable.

C.16. Did the packages or containers for the asbestos containing products that your company sold or distributed in the State of New Jersey contain any writing or labels? If so, for each such package or container which contained a label, set forth the following information about the writing on the package or label.

a. the size of each label;

b. the substance of all writing on the label;

c. the inclusive dates that each writing or label appeared on each type of product;

d. annex hereto copies of or photographs of each such label that your company used.

ANSWER:

Not applicable.

C.17. Give a complete and detailed description of each and every asbestos containing product that your company has designed, manufactured and distributed into the stream of

commerce. Include in your description the trade, brand and generic names of each such product and indicate the type and amount of asbestos that was contained in each particular product. Include in this answer the inclusive dates that each particular product was manufactured and distributed.

ANSWER:

See Response to Interrogatory No. C.1.

C.18. During the years that your company manufactured and/or sold asbestos containing materials, did your company prepare and/or publish any sales or promotional literature which depicted and described these products? If so, describe the particular literature which your company prepared and indicate the information the literature contained. Describe who has custody of this literature at the present time.

ANSWER:

See the Preliminary Statement and Response to Interrogatory No. C.1.

C.19. Has your company manufactured asbestos containing products and materials which were distributed by another entity or corporation under their name or trademark? If so, identify each such entity which sold or distributed these products, indicate which of your company's products this company marketed and indicate the inclusive dates that this particular commercial arrangement existed.

ANSWER:

See the Preliminary Statement and Response to Interrogatory No. C.1.

C.20. Has your company marketed under its own name or trademark any asbestos containing insulation products which were manufactured by another corporation? If so, identify each and every product which your company marketed which was manufactured by another corporation, indicate the inclusive dates that you marketed each product and describe the name, tradename and generic name of each such product which your company marketed.

ANSWER:

See Response to Interrogatory No. C.5 above.

C.21. Were any of the asbestos containing insulation products that defendant sold or distributed into the stream of commerce accompanied by written instruments or package inserts? If so, indicate which such products were provided with such instructions and package inserts, indicate when each product was accompanied by these materials, state the substance of what the instructions or package inserts stated and annex copies of same hereto.

ANSWER:

See Response to Interrogatory No. C.5 above.

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COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF ALLEGHENY)

Before me, the undersigned authority, a Notary Public in and for said Commonwealth and County, personally appeared R. E. PETERS, who, being duly sworn deposes and says that he is ASSISTANT SECRETARY of WESTINGHOUSE ELECTRIC CORPORATION; that he is authorized to make this Affidavit for and on its behalf; and that the statements contained in the foregoing RESPONSES TO INTERROGATORIES are true and correct to the best of his knowledge, information and belief.

R. E. PETERS
Assistant Secretary

SWORN TO and subscribed
before me this 25th day
of July, 1986.

Notary Public
JOANN E. NOBLE, NOTARY PUBLIC
PITTSBURGH, ALLEGHENY COUNTY
MY COMMISSION EXPIRES [illegible] 1988
Member, Pennsylvania Association of Notaries