

✱ ✱ ✱ ✱ ✱ ✱ ✱ ✱ ✱ ✱ ✱ ✱ ✱ ✱

**RESPONSE OF GAF CORPORATION TO
PLAINTIFFS' SECOND REQUESTS FOR ADMISSION**

GAF Corporation ("GAF"), by its attorneys, in answer to Plaintiffs' Second Requests for Admission ("the Requests") directed to it, states as follows:

PRELIMINARY STATEMENT

1. GAF responds to these Second Requests for Admission on behalf of itself and The Ruberoid Co. and is not responding on behalf of its insurance carriers, consultants, or independent contractors retained by this defendant, or any other entities or persons, inasmuch as none of them is a party to this lawsuit.

2. The "knowledge" of this defendant includes only such knowledge as this defendant has obtained in accordance with the discovery rules contained in the Maryland Rules. Specifically, "knowledge" on the part of this defendant does not include the knowledge of its insurance carriers, consultants or independent contractors hired by this defendant, or any other persons or entities. Such "knowledge" does not include scientific or medical theories aside from those involved in the manufacture of industrial thermal insulation products containing asbestos. These responses to Requests for Admission reflect the knowledge of this defendant, as knowledge is defined above, as of the date of these responses.

Such knowledge as stated in these responses does not reflect the knowledge of this defendant at any particular time during the period of its manufacture and distribution of asbestos-containing industrial thermal insulation products, or as otherwise set forth in the request.

3. GAF will supplement these responses to Plaintiff's Second Requests for Admission only insofar as required by the applicable Rules of this Court.

4. GAF joins in and adopts the objections and exceptions of the other defendants in this case to the Second Requests for Admission.

PRELIMINARY OBJECTIONS

5. GAF objects to these Requests on the grounds that plaintiffs have failed to identify any GAF Corporation products as being present at any relevant worksite. Without any identification by plaintiffs of specific products, this defendant cannot adequately determine which Requests are proper and relevant to this action.

6. GAF objects to these Requests on the grounds that they are not limited in time to a period prior to or contemporaneous with the events underlying this lawsuit.

7. GAF objects to these Requests on the grounds that they are burdensome and overbroad.

8. GAF objects to these Requests on the grounds that they are vague, ambiguous, indefinite, misleading and capable of more than one interpretation.

9. GAF objects to these Requests on the grounds that they call for speculation.

10. GAF objects to these Requests on the grounds that they are not relevant or germane to the facts at issue in the present action.

11. GAF objects to these Requests on the grounds that they require explanation, and are phrased so as to infer unfairly a particular or varied conclusion from the fact requested to be admitted.

12. GAF objects to these Requests to the extent that they seek to require it to provide information other than that which may be obtained through a reasonably diligent search of its records.

13. GAF objects to these Requests to the extent that they seek to require it to provide information specifically with respect to mining and manufacturing operations, or any safety precautions or tests undertaken therein whether in compliance with OSHA or otherwise, inasmuch as the occupational level exposures of asbestos mining and manufacturing workers are different from the occupational level exposures of insulators, construction bystanders and steel plant employees working with finished asbestos-containing products.

14. GAF objects to these Requests to the extent that they seek to require it to provide information, or to identify any documents or other tangible things prepared or obtained in anticipation of litigation or for trial where the plaintiffs have not shown that they (1) have substantial need for the materials in the preparation of the case and (2) are unable to obtain the

substantial equivalent of the materials by other means without undue hardship.

15. GAF objects to these Requests to the extent that they seek to require it to disclose privileged attorney-client communications or information otherwise protected from discovery on the grounds of privilege.

16. GAF objects to these Requests to the extent that they seek to require it to provide information which is equally available to the plaintiffs as to GAF.

17. GAF objects and does not respond to these Requests to the extent that they seek to require it to respond or provide information with respect to mined asbestos in its raw state. Exposures to mined asbestos or milled asbestos in mines are wholly disparate from and irrelevant to exposures, if any, from the occupational level exposures by insulators, construction bystanders and steel plant employees working with finished asbestos-containing industrial thermal insulation products.

Subject to the foregoing objections, GAF responds to plaintiffs' Requests without waiver and with preservation of:

The right to object to the use of any responses, or the subject matter thereof, on any ground in any proceedings in any action (including any trials);

The right to object on any ground at any time to a demand or request for a further response to this discovery request or to any interrogatories, document requests, or other discovery proceedings involving or relating to the subject matter of the discovery requests herein responded to; and,

The right at any time to revise, correct, add to, supplement or clarify any of the individual responses to these Requests as follows:

REQUESTS FOR ADMISSION
Directed to GAF Corporation

REQUEST NO. 1:

You received notice that the State of Maryland banned certain spray-on applications of asbestos in:

- | | |
|---------------|---------------|
| a. 1972; | b. 1973; |
| c. 1974; | d. 1975; |
| e. 1976-1980; | f. 1981-1990. |

RESPONSE TO REQUEST NO. 1:

Subject to the objections set forth in the preliminary paragraphs of this Response, and without waiver thereof, this defendant states that it has no records from which such information can be ascertained; moreover, it never manufactured spray-on insulation products and therefore denies this Request.

REQUEST NO. 2:

You received notice that the U.S. Government banned certain spray-on applications of asbestos in:

- | | |
|---------------|---------------|
| a. 1972; | b. 1973; |
| c. 1974; | d. 1975; |
| e. 1976-1980; | f. 1981-1990. |

RESPONSE TO REQUEST NO. 2:

Subject to the objections set forth in the preliminary paragraphs of this Response, and without waiver thereof, this Defendant states that it has no records from which such information can be ascertained; moreover, it never manufactured spray-on insulation products and therefore denies this Request.

REQUEST NO. 3:

You received notice that the ban by the U.S. Government on certain spray-on applications of asbestos was instituted because of health concerns for workers who would be exposed at or near such applications in:

- | | |
|---------------|---------------|
| a. 1972; | b. 1973; |
| c. 1974; | d. 1975; |
| e. 1976-1980; | f. 1981-1990. |

RESPONSE TO REQUEST NO. 3:

Subject to the objections set forth in the preliminary paragraphs of this Response, and without waiver thereof, this Defendant states that it has no records from which such information can be ascertained; moreover, it never manufactured spray-on insulation products and therefore denies this Request.

REQUEST NO. 4:

You received a recommended health and safety practices pamphlet regarding the use of asbestos-containing products from the National Insulation Manufacturers Association (NIMA) or the Sprayed Mineral Fibers Manufacturers Association (SMFMA) in:

- | | |
|-----------|----------|
| a. 1968; | b. 1969; |
| c. 1970; | d. 1971; |
| e. 1972; | f. 1973; |
| g. 1974; | h. 1975; |
| i. never. | |

RESPONSE TO REQUEST NO. 4:

Subject to the objections set forth in the preliminary paragraphs of this Response, denied.

REQUEST NO. 5:

You assisted in drafting a recommended health and safety practices pamphlet regarding the use of asbestos-containing products from the National Insulation Manufacturers Association (NIMA) or the Sprayed Mineral Fibers Manufacturers Association (SMFMA) in:

- | | |
|----------|----------|
| a. 1968; | b. 1969; |
| c. 1970. | |

RESPONSE TO REQUEST NO. 5:

Subject to the objections set forth in the preliminary paragraphs of this Response, denied.

REQUEST NO. 6:

You distributed the recommended health and safety practices pamphlet regarding the use of asbestos-containing products published by the National Insulation Manufacturers Association (NIMA) or the Sprayed Mineral Fibers Manufacturers Association (SMFMA) to purchasers, suppliers and/or distributors of your asbestos-containing products in:

- a. 1968; b. 1969;
- c. 1970.

RESPONSE TO REQUEST NO. 6:

Subject to the objections set forth in the preliminary paragraphs of this Response, denied.

REQUEST NO. 7:

The recommended health and safety practices pamphlets regarding the use of asbestos-containing products published by NIMA and SMFMA did not specifically warn users that they could develop asbestosis, mesothelioma or other asbestos-related cancers as a result of inhalation of airborne asbestos fibers.

RESPONSE TO REQUEST NO. 7:

This defendant objects to this Request for the reasons set out in the preliminary paragraphs of this Response and on the further grounds that, inasmuch as the documents, if they exist, which is not admitted, will speak for themselves, this is an improper Request.

REQUEST NO. 8:

You attended a conference or seminar at which Dr. Irving Selikoff spoke on the hazards of asbestos exposure in:

- | | |
|---------------|---------------|
| a. 1964; | b. 1965; |
| c. 1966; | d. 1967; |
| e. 1968; | f. 1969; |
| g. 1970; | h. 1971; |
| i. 1972; | j. 1973; |
| k. 1974; | l. 1975; |
| m. 1976-1980; | n. 1981-1990; |
| o. never. | |

RESPONSE TO REQUEST NO. 8:

Subject to the objections set forth in the preliminary paragraphs of this Response, and without waiver thereof, this defendant states:

- a - d: Denied
e: Admitted
f - m: Denied

n: Objected to
o: Denied

REQUEST NO. 9:

You attended a conference or seminar where the hazards of asbestos exposure were discussed in:

- | | |
|---------------|---------------|
| a. 1930-1939; | b. 1940-1949; |
| c. 1950-1959; | d. 1960-1963; |
| e. 1964; | f. 1965; |
| g. 1966; | h. 1967; |
| i. 1968; | j. 1969; |
| k. 1970; | l. 1971; |
| m. 1972; | n. 1973; |
| o. 1974; | p. 1975; |
| q. 1976-1980; | r. 1981-1990; |
| s. never. | |

RESPONSE TO REQUEST NO. 9:

This defendant objects to this Request for the reasons set forth in the preliminary paragraphs of this Response and on the further grounds that its employees attended a wide variety of conferences over the years, and it is impossible at this time for this defendant to know what subject matter may have been raised, either in or out of the presence of any such employee. Accordingly, this defendant is unable to respond completely. Subject to these objections and subject to the various meanings of

the words used in the Request, and without waiver thereof, this defendant states:

a - d:	Denied
e, g and i:	Admitted
f, h, j - q and s:	Denied
r:	Objected to

REQUEST NO. 10:

You received written materials on the dangers of asbestos exposure that had been provided at a conference or seminar where such dangers were discussed in:

a. 1930-1939;	b. 1940-1949;
c. 1950-1959;	d. 1960-1963;
e. 1964;	f. 1965;
g. 1966;	h. 1967;
i. 1968;	j. 1969;
k. 1970;	l. 1971;
m. 1972;	n. 1973;
o. 1974;	p. 1975;
q. 1976-1980;	r. 1981-1990;
s. never.	

RESPONSE TO REQUEST NO. 10:

This defendant objects to this Request for the reasons set forth in the preliminary paragraphs of this Response and on the further grounds that its employees attended a wide variety of

conferences over the years, and it is impossible at this time for this defendant to know what written materials, if any existed, which is not admitted, such employees may have received. Accordingly, this defendant is unable to respond completely. Subject to these objections and subject to the various meanings of the words used in the Request, and without waiver thereof, this defendant states that it has no records from which such information can be ascertained and, therefore, it denies a - d, f, h and j. This defendant does not have sufficient information to admit or deny e, g, i, j - p and s. This defendant objects to q - r.

REQUEST NO. 11:

At any time during the period between 1930 and the present you discussed orally and/or in writing the hazards of asbestos exposure with employees of:

- a. Johns Manville;
- b. Raybestos-Manhattan/Raymark;
- c. H.K. Porter/Southern Asbestos;
- d. Celotex/Philip Carey;
- e. Carey Canada;
- f. National Gypsum;
- g. Pittsburgh Corning;
- h. Owens Corning Fiberglas;
- i. Owens-Illinois;
- j. Keene/Ehret/Baldwin-Hill/Baldwin-Ehret-Hill;
- k. Fibreboard;

- l. GAF/Ruberoid;
- m. Armstrong World Industries/Armstrong Cork;
- n. Flintkote;
- o. Asbestospray/Smith & Kanzler/Spraycraft;
- p. Georgia-Pacific;
- q. U.S. Gypsum;
- r. W.R. Grace;
- s. Turner & Newall;
- t. U.S. Minerals;
- u. Asbestos Corporation Ltd.;
- v. Asbestos Unlimited;
- w. Union Carbide;
- x. Cape Asbestos;
- y. Bell Asbestos Mines;
- z. Lake Asbestos of Quebec;
- aa. Turner Brothers Asbestos;
- bb. Nicolet Industries;
- cc. Cassiar Asbestos Corp.;
- dd. ACandS/Armstrong Contracting & Supply.

RESPONSE TO REQUEST NO. 11:

This defendant objects to this Request for the reasons set forth in the preliminary paragraphs of this Response. Subject to those objections, and without waiver thereof, this defendant states that it attended certain meetings or conferences during the 1960's at which the hazards of asbestos exposure were mentioned. Employees of one or more of the entities referred to in this

Request are believed to have been present at such meetings, although this defendant is not now able to state exactly who was or was not present. Accordingly, this request is denied.

REQUEST NO. 12:

At any time during the period between 1930 and the present you subscribed to and/or received the following medical, scientific and/or trade periodicals and journals:

- a. Asbestos Magazine;
- b. Engineering News-Record;
- c. Walls & Ceiling (f/k/a Plastering Industries);
- d. Heating & Ventilating Magazine;
- e. Scientific American;
- f. American Journal of Industrial Medicine;
- g. Lancet;
- h. The Petroleum Engineer;
- i. National Safety News;
- j. Chemical Weekly;
- k. Safety Engineering;
- l. Public Health Monographs (f/k/a PublicHealth Bulletins);
- m. Workmen's Compensation Law Reporter;
- n. Journal of Occupational Medicine;
- o. Industrial Hygiene Digest (literature abstracts);
- p. American Industrial Hygiene Association Journal;
- q. Journal of Occupational Safety and Health;
- r. New England Journal of Medicine;

- s. The Medical Letter;
- t. Archives of Environmental Health;
- u. Occupational Safety and Health Reporter (BNA);
- v. Chemical Reporter (BNA);
- w. Journal of the American Medical Association;
- x. American Journal of Public Health;
- y. Archives of Internal Medicine;
- z. British Journal of Public Health;
- aa. The Medical Clinics of North America;
- bb. Chemical Week.

RESPONSE TO REQUEST NO. 12:

This defendant objects to this Request for the reasons set forth in the preliminary paragraphs of this Response. Subject to those objections, and without waiver thereof, this defendant states that during the time period referred to, it, or one or more of its employees, may have subscribed to or received one or more of the publications set out in this Request, but at this time it does not have information sufficient to permit it either to admit or deny as to specific periodicals.

REQUEST NO. 13:

You did not place any label on any package or container in which you packaged your asbestos-containing products warning users that inhalation of asbestos could cause mesothelioma or other cancers prior to:

- | | |
|----------|----------|
| a. 1940; | b. 1950; |
| c. 1960; | d. 1970; |
| e. 1972; | f. 1975; |
| f. 1980; | h. 1985; |
| i. 1990. | |

RESPONSE TO REQUEST NO. 13:

This defendant objects to this Request in that the requested statement of fact is phrased so it cannot be admitted or denied without explanation and/or is phrased so as to infer unfairly a particular varied conclusion from any admission thereof. Johnstone v. Cronlund, 25 F.R.D. 42 (E.D. Pa. 1960). Subject to this objection, and without waiver thereof, this defendant responds that it complied with Government specifications concerning product form, content, packaging and labeling for products to be used in Government-owned and sponsored projects and facilities.

In approximately 1964, The Ruberoid Co. began placing the following warning labels on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER.
INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES
OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS
HANDLED, AVOID BREATHING THE DUST. IF
ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE,
WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU
OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

By 1970, GAF placed the following warning labels on asbestos fiber, insulation cements, millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite pipecovering and block products from the sides to the front of the carton. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN
EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME
MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION
IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY
THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS
PRODUCING DUST.

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

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING
DUST. BREATHING ASBESTOS MAY CAUSE SERIOUS
BODILY HARM.

Until 1972, GAF's use of these warnings followed the lead of other manufacturers in the industry which used such cautionary notices after some opinions were expressed by members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of

asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

REQUEST NO. 14:

You never placed any label on any package or container in which you packaged your asbestos-containing products warning users that inhalation of asbestos could cause mesothelioma or other cancers.

RESPONSE TO REQUEST NO. 14:

This defendant objects to this Request in that the requested statement of fact is phrased so it cannot be admitted or denied without explanation and/or is phrased so as to infer unfairly a particular varied conclusion from any admission thereof. Johnstone v. Cronlund, 25 F.R.D. 42 (E.D. Pa. 1960). Subject to this objection, and without waiver thereof, this defendant responds that it complied with Government specifications concerning product form, content, packaging and labeling for products to be used in Government-owned and sponsored projects and facilities.

In approximately 1964, The Ruberoid Co. began placing the following warning labels on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER.
INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES
OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS
HANDLED, AVOID BREATHING THE DUST. IF
ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE,
WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU
OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

By 1970, GAF placed the following warning labels on
asbestos fiber, insulation cements, millboard, rollboard, and
asbestos paper products, as well as relocating the warning
label for Calsilite pipecovering and block products from the
sides to the front of the carton. This warning label read as
follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN
EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME
MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION
IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY
THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS
PRODUCING DUST

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

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING
DUST. BREATHING ASBESTOS MAY CAUSE SERIOUS
BODILY HARM.

Until 1972, GAF's use of these warnings followed the lead of other manufacturers in the industry which used such cautionary notices after some opinions were expressed by members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

REQUEST NO. 15:

You did not place any label on any asbestos-containing product itself warning users that inhalation of asbestos could cause mesothelioma or other cancers prior to:

- | | |
|----------|----------|
| a. 1940; | b. 1950; |
| c. 1960; | d. 1970; |
| e. 1972; | f. 1975; |
| f. 1980; | h. 1985; |
| i. 1990. | |

RESPONSE TO REQUEST NO. 15:

This defendant objects to this Request in that the requested statement of fact is phrased so it cannot be admitted or denied without explanation and/or is phrased so as to infer unfairly a particular varied conclusion from any admission thereof. Johnstone v. Cronlund, 25 F.R.D. 42 (E.D. Pa. 1960). Subject to this objection, and without waiver thereof, this defendant responds that it complied with Government specifications concerning product form, content, packaging and labeling for products to be used in Government-owned and sponsored projects and facilities.

In approximately 1964, The Ruberoid Co. began placing the following warning labels on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER.
INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES
OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS
HANDLED, AVOID BREATHING THE DUST. IF
ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE,
WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU
OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

By 1970, GAF placed the following warning labels on packages of asbestos fiber, insulation cements, millboard, rollboard, and asbestos paper products, as well as relocating the warning label for Calsilite pipecovering and block products from the sides to the front of the carton. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN
EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME
MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION
IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY
THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS
PRODUCING DUST

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

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING
DUST. BREATHING ASBESTOS MAY CAUSE SERIOUS
BODILY HARM.

In 1978, warning labels were placed on individual sheets of
millboard.

Until 1972, GAF's use of these warnings followed the lead of
other manufacturers in the industry which used such cautionary
notices after some opinions were expressed by members of the
medical profession that there might be a health risk to some
persons who installed industrial thermal insulation products con-
taining asbestos from the inhalation of excessive quantities of
asbestos fibers over prolonged periods of time under certain
conditions. Commencing in 1972, pursuant to the requirements of

the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

REQUEST NO. 16:

You never placed any label on any asbestos-containing product itself warning users that inhalation of asbestos could cause mesothelioma or other cancers.

RESPONSE TO REQUEST NO. 16:

This defendant objects to this Request in that the requested statement of fact is phrased so it cannot be admitted or denied without explanation and/or is phrased so as to infer unfairly a particular varied conclusion from any admission thereof. Johnstone v. Cronlund, 25 F.R.D. 42 (E.D. Pa. 1960). Subject to this objection, and without waiver thereof, this defendant responds that it complied with Government specifications concerning product form, content, packaging and labeling for products to be used in Government-owned and sponsored projects and facilities.

In approximately 1964, The Ruberoid Co. began placing the following warning labels on packages of its asbestos-containing industrial thermal insulation products:

CAUTION

THIS PRODUCT CONTAINS ASBESTOS FIBER.
INHALATION OF ASBESTOS IN EXCESSIVE QUANTITIES
OVER LONG PERIODS OF TIME MAY BE HARMFUL.

IF DUST IS CREATED WHEN THIS PRODUCT IS
HANDLED, AVOID BREATHING THE DUST. IF
ADEQUATE VENTILATION CONTROL IS NOT POSSIBLE,
WEAR RESPIRATORS APPROVED BY THE U.S. BUREAU
OF MINES FOR PNEUMOCONIOSIS PRODUCING DUST.

By 1970, GAF placed the following warning labels on packages
of asbestos fiber, insulation cements, millboard, rollboard, and
asbestos paper products, as well as relocating the warning label
for Calsilite pipecovering and block products from the sides to the
front of the carton. This warning label read as follows:

CAUTION

CONTAINS ASBESTOS FIBER. INHALATION IN
EXCESSIVE QUANTITIES OVER LONG PERIODS OF TIME
MAY BE HARMFUL.

AVOID BREATHING DUST. IF ADEQUATE VENTILATION
IS NOT POSSIBLE, WEAR RESPIRATORS APPROVED BY
THE U.S. BUREAU OF MINES FOR PNEUMOCONIOSIS
PRODUCING DUST

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

CAUTION

CONTAINS ASBESTOS FIBER. AVOID BREATHING
DUST. BREATHING ASBESTOS MAY CAUSE SERIOUS
BODILY HARM.

In 1978, warning labels were placed on individual sheets of millboard.

Until 1972, GAF's use of these warnings followed the lead of other manufacturers in the industry which used such cautionary notices after some opinions were expressed by members of the medical profession that there might be a health risk to some persons who installed industrial thermal insulation products containing asbestos from the inhalation of excessive quantities of asbestos fibers over prolonged periods of time under certain conditions. Commencing in 1972, pursuant to the requirements of the Occupational Safety and Health Act of 1970, GAF placed the last notice set out above.

REQUEST NO. 17:

You did not affix labels on the packages of asbestos or asbestos-containing products you sold, supplied, marketed and/or distributed in South American countries warning users of the health hazards of asbestos inhalation prior to:

- | | |
|-----------|----------|
| a. 1962; | b. 1963; |
| c. 1964; | d. 1965; |
| e. 1966; | f. 1967; |
| g.. 1968; | h. 1969; |

i. 1970;	j. 1971;
k. 1972;	l. 1973;
m. 1974;	n. 1975;
o. 1976;	p. 1977;
q. 1978;	r. 1979;
s. 1980;	t. 1990.

RESPONSE TO REQUEST NO. 17:

This defendant objects to this Request on the grounds set forth in the preliminary objections and on the further grounds that it is wholly irrelevant to the subject matter of the pending action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 18:

You never affixed labels on the packages of asbestos or asbestos-containing products you sold, supplied, marketed and/or distributed in South American countries warning users of the health hazards of asbestos inhalation.

RESPONSE TO REQUEST NO. 18:

This defendant objects to this Request on the grounds set forth in the preliminary objections and on the further grounds that it is wholly irrelevant to the subject matter of the pending action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 19:

You never affixed labels on the packages of asbestos or asbestos-containing products you sold, supplied, marketed and/or distributed in African countries warning users of the health hazards of asbestos inhalation prior to:

- | | |
|----------|----------|
| a. 1962; | b. 1963; |
| c. 1964; | d. 1965; |
| e. 1966; | f. 1967; |
| g. 1968; | h. 1969; |
| i. 1970; | j. 1971; |
| k. 1972; | l. 1973; |
| m. 1974; | n. 1975; |
| o. 1976; | p. 1977; |
| q. 1978; | r. 1979; |
| s. 1980. | |

RESPONSE TO REQUEST NO. 19:

This defendant objects to this Request on the grounds set forth in the preliminary objections and on the further grounds that it is wholly irrelevant to the subject matter of the pending action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 20:

You never affixed labels on the packages of asbestos or asbestos-containing products you sold, supplied, marketed or distributed in African countries warning users of the health hazards of asbestos inhalation.

RESPONSE TO REQUEST NO. 20:

This defendant objects to this Request on the grounds set forth in the preliminary objections and on the further grounds that it is wholly irrelevant to the subject matter of the pending action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 21:

You never affixed labels on the packages of asbestos or asbestos-containing products you sold, supplied, marketed and/or distributed in Asian countries warning users of the health hazards of asbestos inhalation prior to:

- | | |
|----------|----------|
| a. 1962; | b. 1963; |
| c. 1964; | d. 1965; |
| e. 1966; | f. 1967; |
| g. 1968; | h. 1969; |
| i. 1970; | j. 1971; |
| k. 1972; | l. 1973; |
| m. 1974; | n. 1975; |
| o. 1976; | p. 1977; |

q. 1978;

r. 1979;

s. 1980;

t. 1990.

RESPONSE TO REQUEST NO. 21:

This defendant objects to this Request on the grounds set forth in the preliminary objections and on the further grounds that it is wholly irrelevant to the subject matter of the pending action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 22:

You never affixed labels on the packages of asbestos or asbestos-containing products you sold, supplied, marketed and/or distributed in Asian countries warning users of the health hazards of asbestos inhalation.

RESPONSE TO REQUEST NO. 22:

This defendant objects to this Request on the grounds set forth in the preliminary objections and on the further grounds that it is wholly irrelevant to the subject matter of the pending action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 23:

You did not affix labels on the packages of your raw asbestos warning users of the health hazards of asbestos inhalation prior to:

- | | |
|----------|----------|
| a. 1962; | b. 1963; |
| c. 1964; | d. 1965; |

RESPONSE TO REQUEST NO. 23:

This defendant objects to this Request on the grounds set forth in the preliminary objections and on the further grounds that it is wholly irrelevant to the subject matter of the pending action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 24:

You never affixed labels on the packages of your raw asbestos warning users of the health hazards of asbestos inhalation.

RESPONSE TO REQUEST NO. 24:

This defendant objects to this Request on the grounds set forth in the preliminary objections and on the further grounds that it is wholly irrelevant to the subject matter of the pending action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 25:

You sold, supplied, marketed and/or distributed raw asbestos
in:

- | | |
|---------------|------------------|
| a. 1930-1939; | b. 1940-1949; |
| c. 1950-1959; | d. 1960-1969; |
| e. 1970-1979; | f. 1980-present. |

RESPONSE TO REQUEST NO. 25:

This defendant objects to this Request on the grounds set forth in the preliminary objections and on the further grounds that it is wholly irrelevant to the subject matter of the pending action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 26:

You never notified Plaintiffs orally or by letter of the health hazards of asbestos inhalation.

RESPONSE TO REQUEST NO. 26:

This defendant objects to this Request in that the requested statement is phrased so it cannot be admitted or denied without explanation and/or is phrased so as to infer unfairly a particular varied conclusion from any admission thereof. Johnstone v. Cronlund, 25 F.R.D. 42 (E.D. Pa. 1960).

REQUEST NO. 27:

You never notified Plaintiffs orally or by letter that asbestos inhalation could cause:

- | | |
|-----------------|-------------------|
| a. asbestosis; | b. mesothelioma; |
| c. lung cancer; | d. other cancers. |

RESPONSE TO REQUEST NO. 27:

This defendant objects to this Request in that the requested statement is phrased so it cannot be admitted or denied without explanation and/or is phrased so as to infer unfairly a particular varied conclusion from any admission thereof. Johnstone v. Cronlund, 25 F.R.D. 42 (E.D. Pa. 1960).

REQUEST NO. 28:

You first received notice that the threshold limit value (TLV) for asbestos was not applicable to mesothelioma or other cancers in:

- | | |
|---------------|---------------|
| a. 1930-1939; | b. 1940-1949; |
| c. 1950-1959; | d. 1960-1969; |
| e. 1970-1979. | |

RESPONSE TO REQUEST NO. 28:

This defendant objects to this Request as requiring the possession of scientific medical knowledge or opinions beyond that which this defendant does or can be expected to possess.

REQUEST NO. 29:

You first received notice that asbestos was a carcinogen in:

- a. 1930-1939; b. 1940-1949;
- c. 1950-1959; d. 1960-1969;
- e. 1970-1979.

RESPONSE TO REQUEST NO. 29:

This defendant objects to this Request as requiring the possession of scientific medical knowledge or opinions beyond that which this defendant does or can be expected to possess.

REQUEST NO. 30:

You first received notice that a worker who used your asbestos-containing products filed a state Workers' compensation claim alleging asbestos-related lung disease in:

- a. 1920-1929; b. 1930-1939;
- c. 1940-1949; d. 1950-1959;
- e. 1960-1964; f. 1965-1969;
- g. 1970; h. 1971;
- i. 1972; j. 1973;
- k. 1974; l. 1975;
- m. 1976; n. 1977;
- o. 1978; p. 1979.

RESPONSE TO REQUEST NO. 30:

Subject to the objections set forth in the preliminary paragraphs of this Response, denied.

REQUEST NO. 31:

You continue to manufacture, fabricate, supply, sell and/or distribute asbestos-containing products at the present time.

RESPONSE TO REQUEST NO. 31:

Subject to the objections set forth in the preliminary paragraphs of this Response, denied.

REQUEST NO. 32:

You never performed tests on any respirators to determine their effectiveness in preventing asbestos inhalation.

RESPONSE TO REQUEST NO. 32:

This defendant objects to this Request on the grounds set forth in the preliminary objections and on the further grounds that it is wholly irrelevant to the subject matter of the pending action and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, this defendant states that, with respect to persons using its products, it relied on tests performed by and/or for the U.S. Bureau of Mines which were the basis for that Bureau approving the use of certain respirators for pneumoconiosis producing dust.

REQUEST NO. 33:

You never performed or contributed funds to any studies or research to determine the effectiveness of any respirators to prevent asbestos inhalation.

RESPONSE TO REQUEST NO. 33:

This defendant objects to this Request on the grounds set forth in the preliminary objections and on the further grounds that it is wholly irrelevant to the subject matter of the pending action and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, this defendant states that, with respect to persons using its products, it relied on tests performed by and/or for the U.S. Bureau of Mines which were the basis for that Bureau approving the use of certain respirators for pneumoconiosis producing dust.

REQUEST NO. 34:

You, at various times during the period from 1929 to 1984, manufactured, sold and/or distributed the asbestos-containing products listed on Exhibit A attached hereto in the following areas:

- a. Maryland;
- b. Washington, D.C.;
- c. Pennsylvania;
- d. Delaware;
- e. Nationwide.

RESPONSE TO REQUEST NO. 34:

This defendant objects to this Request for the reasons set forth in the preliminary paragraphs of this Response and on the further grounds that it entered into no distributor agreements, although there were credit agreements which may have used "distributor" terminology. It further objects to b-e on the grounds of relevance. As to a, it admits that at some time during the period of time inquired about it sold Calsilite pipecovering and block and 115 Insulation Cement in Maryland; as to the remaining items referred to in Exhibit A, it states: denied.

REQUEST NO. 35:

That from 1930 to 1984 you were never qualified under the laws of the State of Maryland to conduct business within the State of Maryland.

RESPONSE TO REQUEST NO. 35:

Subject to the objections set forth in the preliminary paragraphs of this Response, denied.

REQUEST NO. 36:

You were a member of the Air Hygiene Foundation in:

- | | |
|----------|----------|
| a. 1934; | b. 1935; |
| c. 1936; | d. 1937; |
| e. 1938; | f. 1939; |
| g. 1940; | h. 1941. |

RESPONSE TO REQUEST NO. 36:

Subject to the objections set forth in the preliminary paragraphs of this Response, a - h: Denied.

REQUEST NO. 37:

You were a member of the Industrial Hygiene Foundation in:

- | | |
|----------|----------|
| a. 1941; | b. 1942; |
| c. 1943; | d. 1944; |
| e. 1945; | f. 1946; |
| g. 1947; | h. 1948; |
| i. 1949; | j. 1950; |
| k. 1951; | l. 1952; |
| m. 1953; | n. 1954; |
| o. 1955; | p. 1956; |
| q. 1957; | r. 1958; |
| s. 1959; | t. 1960; |
| u. 1961; | v. 1962; |
| w. 1963; | x. 1964; |
| y. 1965; | z. 1966; |

aa. 1967; bb. 1968;
cc. 1969; dd. 1970;
ee. 1971.

RESPONSE TO REQUEST NO. 37:

Subject to the objections set forth in the preliminary paragraphs of this Response, this defendant responds that it is aware of documents reflecting that General Aniline & Film Corporation was a new member of the Industrial Hygiene Foundation during the years 1945 to 1947, a period when General Aniline & Film Corporation was under government ownership and not even in any aspect of the asbestos business, and further reflecting that The Ruberoid Co. was a prospective new member for a limited period in 1953-1954. GAF does not have any internal documents which reflect actual, as opposed to contemplated, membership at any time. Moreover, this defendant knows of no evidence that it ever received IHF documents at any time. Subject to the above, this defendant states: denied.

REQUEST NO. 38:

You were a member of the Industrial Health Foundation in:

a. 1971; b. 1972;
c. 1973; d. 1974;
e. 1975; f. 1976;
g. 1977; h. 1978;

REQUEST NO. 40:

You were a member of the Magnesia Insulation Manufacturers Association in:

- | | |
|---------------|---------------|
| a. 1930-1939; | b. 1940-1948; |
| c. 1949; | d. 1950; |
| e. 1951; | f. 1952; |
| g. 1953; | h. 1954; |
| i. 1955; | j. 1956. |

RESPONSE TO REQUEST NO. 40:

Subject to the objections set forth in the preliminary paragraphs of this Response, denied.

REQUEST NO. 41:

You were a member of the National Insulation Manufacturers Association in:

- | | |
|----------|----------|
| a. 1956; | b. 1957; |
| c. 1958; | d. 1959; |
| e. 1960; | f. 1961; |
| g. 1962; | h. 1963; |
| i. 1964; | j. 1965; |
| k. 1966; | l. 1967; |
| m. 1968; | n. 1969; |
| o. 1970; | p. 1971; |
| q. 1972; | r. 1973; |
| s. 1974; | t. 1975. |

RESPONSE TO REQUEST NO. 41:

Subject to the objections set forth in the preliminary paragraphs of this Response, and without waiver thereof, this defendant responds:

a - b: Denied

c - p: Admitted

q: Denied

r - t: Objected to. This defendant states that it may have rejoined NIMA during all or part of these years, but its membership was not in connection with asbestos-containing thermal insulation products.

REQUEST NO. 42: The Saranac Laboratory performed medical reviews for you concerning Workers' compensation claims filed by your employees alleging asbestos-related lung disease in:

a. 1930-1934; b. 1935-1939;

c. 1940-1944; d. 1945-1949;

e. 1950-1954; f. 1955-1959.

RESPONSE TO REQUEST NO. 42:

Subject to the objections set forth in the preliminary paragraphs of this Response, denied.

REQUEST NO. 43:

You attended symposiums or conferences at the Saranac Laboratory where the health hazards of asbestos exposure were discussed in:

- | | |
|---------------|---------------|
| a. 1930-1934; | b. 1935-1939; |
| c. 1940-1944; | d. 1945-1949; |
| e. 1950-1954; | f. 1955-1959. |

RESPONSE TO REQUEST NO. 43:

Subject to the objections set forth in the preliminary paragraphs of this Response, denied.

REQUEST NO. 44:

You received written materials directly or indirectly from the Saranac Laboratory which discussed the potential health hazards of asbestos exposure in:

- | | |
|---------------|---------------|
| a. 1930-1934; | b. 1935-1939; |
| c. 1940-1944; | d. 1945-1949; |
| e. 1950-1954; | f. 1955-1959. |

RESPONSE TO REQUEST NO. 44:

Subject to the objections set forth in the preliminary paragraphs of this Response, denied.

REQUEST NO. 45:

Your corporate officials compared and/or discussed Workers' Compensation claims filed by insulators alleging asbestos-related lung disease With officials of other asbestos product manufacturers in:

- a. 1940-1949; b. 1950-1959;
- c. 1960-1969; d. 1970-1979;
- e. 1980-1990.

RESPONSE TO REQUEST NO. 45:

This defendant objects to e; subject to the objections set forth in the preliminary paragraphs of this Response, it states:

a - d: Denied

REQUEST NO. 46:

Your corporate officials received notice that Workers' Compensation claims had been filed by insulators alleging asbestos-related lung disease against other asbestos product manufacturers in:

- a. 1940-1949; b. 1950-1959;
- c. 1960-1969; d. 1970-1979.

RESPONSE TO REQUEST NO. 46:

Subject to the objections set forth in the preliminary paragraphs of this response, denied.

REQUEST NO. 47:

You never told users of your asbestos-containing products or bystanders exposed to such products the results of your discussions with officials of other asbestos product manufacturers concerning Workers' compensation claims filed by insulators alleging asbestos-related lung disease.

RESPONSE TO REQUEST NO. 47:

This defendant objects to this Request on the grounds set forth in the preliminary paragraphs of this Response and on the further grounds that the request assumes non-existent facts.

REQUEST NO. 48:

You never informed any bystanders who worked in the vicinity of users of asbestos-containing products that you sold, supplied and/or distributed that insulators had filed Workers' Compensation claims against you alleging asbestos-related lung disease.

RESPONSE TO REQUEST NO. 48:

This defendant objects to this Request on the grounds that the requested statement is phrased so it cannot be admitted or denied without explanation and/or phrased so as to infer unfairly a particular varied conclusion from any admission thereof. Johnstone v. Cronlund, 25 F.R.D. 42 (E.D. Pa. 1960).

REQUEST NO. 49:

You never informed any bystanders who worked in the vicinity of users of asbestos-containing products that you sold, supplied and/or distributed about your discussions with officials of other asbestos product manufacturers concerning Workers' Compensation claims filed by insulators alleging asbestos-related lung disease.

RESPONSE TO REQUEST NO. 49:

This Defendant objects to this Request on the grounds set forth in the preliminary paragraphs of this Response and on the further grounds that the request assumes non-existent facts.

REQUEST NO. 50:

You never informed any bystanders who worked in the vicinity of users of asbestos-containing products that you sold, supplied and/or distributed about your discussions with your insurance carrier(s) concerning Workers' Compensation claims filed by insulators alleging asbestos-related lung disease.

RESPONSE TO REQUEST NO. 50:

This defendant objects to this Request on the grounds that the requested statement is phrased so it cannot be admitted or denied without explanation and/or phrased so as to infer unfairly a particular varied conclusion from any admission thereof. Johnstone v. Cronlund, 25 F.R.D. 42 (E.D. Pa. 1960).

REQUEST NO. 51:

You agreed with your insurance carrier(s) to not inform any users of your asbestos-containing products and/or bystanders exposed to such products about Workers' Compensation claims filed by insulators alleging asbestos-related lung disease in:

- a. 1940-1949; b. 1950-1959;
- c. 1960-1969; d. 1970-1979.

RESPONSE TO REQUEST NO. 51:

Subject to the objections set forth in the preliminary paragraphs of this Response, this defendant states:

a - d: denied

REQUEST NO. 52:

You never specifically warned bystanders about the potential health hazards of inhaling asbestos fibers generated during the use of asbestos-containing products that you sold, supplied and/or distributed.

RESPONSE TO REQUEST NO. 52:

This defendant objects to this Request on the grounds that the requested statement is phrased so it cannot be admitted or denied without explanation and/or phrased so as to infer unfairly a particular varied conclusion from any admission thereof. Johnstone v. Cronlund, 25 F.R.D. 42 (E.D. Pa. 1960).

REQUEST NO. 53:

You never recalled asbestos-containing products that you sold, supplied and/or distributed after becoming aware of the potential health hazards associated with asbestos inhalation.

RESPONSE TO REQUEST NO. 53:

This Request is unintelligible and therefore this defendant cannot respond.

REQUEST NO. 54:

You were informed that inhaling asbestos fibers generated during the use of asbestos-containing products could cause lung cancer in:

- | | |
|---------------|---------------|
| a. 1940-1949; | b. 1950-1959; |
| c. 1960-1969; | c. 1970-1979. |

RESPONSE TO REQUEST NO. 54:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds, denied; prior to 1964, Ruberoid officials were not aware of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, and

might result in an increased risk of cancer, although the opinion did not relate to the use of Ruberoid products.

REQUEST NO. 55:

You were informed that inhaling asbestos fibers generated during the use of asbestos-containing products could cause mesothelioma in:

- | | |
|---------------|---------------|
| a. 1940-1949; | b. 1950-1959; |
| c. 1960-1969; | c. 1970-1979. |

RESPONSE TO REQUEST NO. 55:

Subject to the objections set forth in the preliminary paragraphs of this response, this defendant responds, denied; prior to 1964, Ruberoid officials were not aware of health hazards from asbestos to users of its asbestos-containing industrial thermal insulation products. In approximately 1964, Ruberoid became aware of opinions expressed by some members of the medical profession that inhalation of asbestos dust in excessive quantities which might be released while using asbestos-containing thermal insulation products over long periods of time could be harmful, and might result in an increased risk of mesothelioma, although the opinion did not relate to the use of Ruberoid products.

REQUEST NO. 56:

You knew that the threshold limit value for asbestos exposure did not apply to the possibility of persons contracting lung cancer and/or mesothelioma from asbestos inhalation in:

- a. 1930-1939; b. 1940-1949;
- c. 1950-1959; d. 1960-1969;
- e. 1970-1979.

RESPONSE TO REQUEST NO. 56:

This defendant objects to this Request for the reasons set forth in the preliminary paragraphs of this Response and on the further grounds of redundancy. See Request No. 28.

REQUEST NO. 57:

You were jointed as a party in the United States District Court for the Eastern District of Texas in the claim of Claude Tomplait who alleged asbestos-related lung disease as a result of his asbestos insulation work in:

- a. 1965; b. 1966;
- c. 1967; d. 1968.

RESPONSE TO REQUEST NO. 57:

This defendant objects to this Request on the grounds set forth in the preliminary paragraphs of this Response and on the

further grounds that the Request is not relevant and is not calculated to lead to the discovery of admissible evidence.

REQUEST NO. 58:

You attended meetings of the National Insulation Manufacturers Association in:

a. 1956;	b. 1957;
c. 1958;	d. 1959;
e. 1960;	f. 1961;
g. 1962;	h. 1963;
i. 1964;	j. 1965;
k. 1966;	l. 1967;
m. 1968;	n. 1969;
o. 1970;	p. 1971;
q. 1972;	r. 1973;
s. 1974;	t. 1975.

RESPONSE TO REQUEST NO. 58:

Subject to the objections set forth in the preliminary paragraphs of this Response, and without waiver thereof, this defendant states:

a, b, and q: denied

c - o: admitted

p, r - t: this defendant does not possess sufficient facts to admit or deny.

REQUEST NO. 59:

You received minutes of the meetings of the National Insulation Manufacturers Association in:

- | | |
|----------|----------|
| a. 1956; | b. 1957; |
| c. 1958; | d. 1959; |
| e. 1960; | f. 1961; |
| g. 1962; | h. 1963; |
| i. 1964; | j. 1965; |
| k. 1966; | l. 1967; |
| m. 1968; | n. 1969; |
| o. 1970; | p. 1971; |
| q. 1972; | r. 1973; |
| s. 1974; | t. 1975. |

RESPONSE TO REQUEST NO. 59:

Subject to the objections set forth in the preliminary paragraphs of the Response, and without waiver thereof, this defendant states that it may have received such documents during its period of membership, but at this time it is able neither to admit nor to deny.

REQUEST NO. 60: You never required any of your employees who were exposed to asbestos to change their work clothes before they left their job.

RESPONSE TO REQUEST NO. 60:

This defendant objects to this Request on the grounds set forth in the preliminary paragraphs of this Response and on the further grounds that the request is not relevant and is not calculated to lead to the discovery of admissible evidence.

REQUEST NO. 61:

You never required any of your employees who were exposed to asbestos to store their work clothes at their job after being exposed to asbestos.

RESPONSE TO REQUEST NO. 61:

This defendant objects to this Request on the grounds set forth in the preliminary paragraphs of this Response and on the further grounds that the request is not relevant to the subject matter involved in the pending action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 62:

You never had an employee health and safety department.

RESPONSE TO REQUEST NO. 62:

This defendant objects to this Request on the grounds set forth in the preliminary paragraphs of this Response and on the

further grounds that the request is not relevant to the subject matter involved in the pending action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 63:

You never had a safety engineering department.

RESPONSE TO REQUEST NO. 63:

This defendant objects to this Request on the grounds set forth in the preliminary paragraphs of this Response and on the further grounds that the request is not relevant to the subject matter involved in the pending action and not reasonably calculated to lead to the discovery of admissible evidence.

REQUEST NO. 64:

You did not employ a full-time medical director prior to:

- | | |
|----------|----------|
| a. 1958; | b. 1959; |
| c. 1960; | d. 1961; |
| e. 1962; | f. 1963; |
| g. 1964; | h. 1965; |
| i. 1966; | j. 1967; |
| k. 1968; | l. 1969; |
| m. 1970; | n. 1971; |
| o. 1972; | p. 1973; |
| q. 1974; | r. 1975; |

s. 1976-1980;

t. 1981-1990.

RESPONSE TO REQUEST NO. 64:

Subject to the objections set forth in the preliminary paragraphs of this Response, admitted.

REQUEST NO. 65:

You did not employ a part-time medical director prior to:

- | | |
|---------------|---------------|
| a. 1958; | b. 1959; |
| c. 1960; | d. 1961; |
| e. 1962; | f. 1963; |
| g. 1964; | h. 1965; |
| i. 1966; | j. 1967; |
| k. 1968; | l. 1969; |
| m. 1970; | n. 1971; |
| o. 1972; | p. 1973; |
| q. 1974; | r. 1975; |
| s. 1976-1980; | t. 1981-1990. |

RESPONSE TO REQUEST NO. 65:

Subject to the objections set forth in the preliminary paragraphs of this Response, admitted.

REQUEST NO. 66:

You did not consult any physician concerning the potential health hazards from inhaling asbestos fibers prior to:

- | | |
|---------------|---------------|
| a. 1958; | b. 1959; |
| c. 1960; | d. 1961; |
| e. 1962; | f. 1963; |
| g. 1964; | h. 1965; |
| i. 1966; | j. 1967; |
| k. 1968; | l. 1969; |
| m. 1970; | n. 1971; |
| o. 1972; | p. 1973; |
| q. 1974; | r. 1975; |
| s. 1976-1980; | t. 1981-1990. |

RESPONSE TO REQUEST NO. 66:

This defendant objects to this Request for the reasons set forth in the preliminary paragraphs of this Response and on the further grounds that the Request is misleading. Without waiving these objections, this defendant states that it consulted physicians from time to time in relation to employee health generally, and those consultations might be responsive to the Request. However, no such consultations are believed to have occurred specifically with regard to the potential health hazards of inhaling asbestos fibers.

REQUEST NO. 67:

You did not consult any industrial hygienist concerning the potential health hazards from inhaling asbestos fibers prior to:

- | | |
|---------------|---------------|
| a. 1958; | b. 1959; |
| c. 1960; | d. 1961; |
| e. 1962; | f. 1963; |
| g. 1964; | h. 1965; |
| i. 1966; | j. 1967; |
| k. 1968; | l. 1969; |
| m. 1970; | n. 1971; |
| o. 1972; | p. 1973; |
| q. 1974; | r. 1975; |
| s. 1976-1980; | t. 1981-1990. |

RESPONSE TO REQUEST NO. 67:

Subject to the objections set forth in the preliminary paragraphs of this Response, and without waiver thereof, this defendant states:

- a - s: admitted
- t: objected to

REQUEST NO. 68:

You never had a medical department.

RESPONSE TO REQUEST NO. 68:

Subject to the objections set forth in the preliminary paragraphs of this Response, admitted.

REQUEST NO. 69:

You never had a research department.

RESPONSE TO REQUEST NO. 69:

Subject to the objections set forth in the preliminary paragraphs of this Response, denied.

REQUEST NO. 70:

That Exhibit A attached hereto accurately lists the following:

- a. The identity of asbestos-containing products manufactured, sold and/or distributed by you.
- b. The years during which each such asbestos-containing product was manufactured, sold and/or distributed by you.
- c. The asbestos content of each asbestos-containing product manufactured, sold and/or distributed by you.

RESPONSE TO REQUEST NO. 70:

This defendant objects to this Request for the reasons set forth in the preliminary paragraphs of this Response and on the further grounds of redundancy. See Request No. 34.

REQUEST NO. 71:

That Exhibit B attached hereto accurately lists the following:

- a. The trademarks used by you in the manufacture, sale and/or distribution of asbestos-containing products.
- b. The dates each trademark was registered and first used by you in the manufacture, sale and/or distribution of asbestos-containing products.
- c. The original owner of each trademark used by you in the manufacture, sale and/or distribution of asbestos-containing products.
- d. The last assignee of each trademark registered and used by you in the manufacturer, sale and/or distribution of asbestos-containing products.

RESPONSE TO REQUEST NO. 71:

This defendant objects to this Request for the reason set forth in the preliminary paragraphs of this Response, and particularly on the grounds of relevance.

REQUEST NO. 72:

In April of 1929 American I. G. Chemical Corp. was incorporated in the State of Delaware.

RESPONSE TO REQUEST NO. 72:

Subject to the objections set forth in the preliminary paragraphs of this Response, admitted.

REQUEST NO. 73:

In October of 1939 American I. E. (sic) Chemical Corp. merged with its wholly owned subsidiary General Aniline Works, Inc. and assumed the name General Aniline & Film Corp.

RESPONSE TO REQUEST NO. 73:

Subject to the objections set forth in the preliminary paragraphs of this Response, this defendant admits that the name of American I.G. Corporation was changed in 1939 to General Aniline & Film Corporation.

REQUEST NO. 74:

In May of 1967 General Aniline & Film Corp. merged Ruberoid Company into itself.

RESPONSE TO REQUEST NO. 74:

Subject to the objections set forth in the preliminary paragraphs of this Response, this defendant admits that on May 26, 1967, General Aniline & Film Corporation merged with The Ruberoid Co.

REQUEST NO. 75:

In 1886 Ruberoid Company incorporated in the State of New York as the Standard Paint Company.

RESPONSE TO REQUEST NO. 75:

Subject to the objections set forth in the preliminary paragraphs of this Response, this defendant admits that The Ruberoid Co. was originally incorporated in New York in 1886 as the Standard Paint Company.

REQUEST NO. 76:

The Standard Paint Company reincorporated in the State of West Virginia in 1889.

RESPONSE TO REQUEST NO. 76:

Subject to the objections set forth in the preliminary paragraphs of this Response, admitted.

REQUEST NO. 77:

The Standard Paint Company reincorporated in the State of New Jersey in 1905.

RESPONSE TO REQUEST NO. 77:

Subject to the objections set forth in the preliminary paragraphs of this Response, admitted.

REQUEST NO. 78:

In March of 1921 the Standard Paint Company changed its name to Ruberoid Company.

RESPONSE TO REQUEST NO. 78:

Subject to the objections set forth in the preliminary paragraphs of this Response, this defendant admits that the name of the Standard Paint Company was changed to The Ruberoid Co. on March 10, 1921.

REQUEST NO. 79:

The Ruberoid Company acquired the following in the following years:

- a. H. F. Watson Company - 1928
- b. Eternit, Inc. - 1930-32
- c. Vermont Asbestos Corp. - 1936
- d. Gold Seal Asphalt Roofing Company - 1937
- e. Longhorn Roofing Products Company - 1946
- f. American Asphalt Roofing Corp. - 1952

RESPONSE TO REQUEST NO. 79:

This defendant objects to this Request for the reasons set forth in the preliminary paragraphs of this Request. Without waiving these objections, this defendant states:

- c: admitted
- a, b, d - f: objected to as irrelevant

REQUESTS 80 through 82 were not served on counsel for GAF. Accordingly, this defendant can neither admit nor deny those Requests.

REQUEST NO. 83:

In November of 1981 GAF Corp. sold its Erie, Pennsylvania plant to Quin-T-Corp.

RESPONSE TO REQUEST NO. 83:

This defendant objects to this Request for the reasons set forth in the preliminary paragraphs of this Request and particularly on the grounds of relevance.

REQUEST NO. 84:

In July of 1986 GAF Corp. transferred the assets of GAF Chemicals Division and GAF Material Division to two new wholly owned subsidiaries incorporated in Delaware as GAF Chemicals corp. and GAF Building Materials Corp.

RESPONSE TO REQUEST NO. 84:

Subject to the objections set forth in the preliminary paragraphs of this Response, this defendant admits that on July 1, 1986, the majority of the assets of the Chemicals Division and the Building Materials Division and certain other investment assets were transferred to wholly owned subsidiaries of GAF Corporation, incorporated for that purpose in Delaware as GAF Chemicals Corporation and GAF Building Materials Corporation.

REQUEST NO. 85:

In March of 1989 GAF Corp. was merged into a wholly owned subsidiary of Newco Holdings, Inc.

RESPONSE TO REQUEST NO. 85:

This defendant objects to this Request for the reasons set forth in the preliminary paragraphs of this Response, and particularly on the grounds of relevance and Court Order that such inquiries need not now be answered.

REQUEST NO. 86:

That GAF Corp. is currently privately owned by Newco Holdings, Inc.

RESPONSE TO REQUEST NO. 86:

This defendant objects to this Request for the reasons set forth in the preliminary paragraphs of this Response, and particularly on the grounds of relevance and Court Order that such inquiries need not now be answered.



Terwis S. Finney
Warren B. Daly, Jr.
Charles T. Smith, II
Ober, Kaler, Grimes & Shriver
120 East Baltimore Street
Baltimore, Maryland 21202
(301) 685-1120



Edward F. Houff
Todd J. Buddleson
Church & Houff, P.A.
Suite 700
117 Water Street
Baltimore, Maryland 21202

Attorneys for GAF Corporation