

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN SECTION

* * * * *
PAUL M. CULLINAN, et al.,
Plaintiffs,
v.
MONSANTO COMPANY, et al.,
Defendants.
* * * * *

CIVIL ACTION NO.
85-0378-F

ANSWERS AND OBJECTIONS OF DEFENDANT THE B.F. GOODRICH
COMPANY TO INTERROGATORIES PROPOUNDED BY
THE PLAINTIFF(S), SET I

The defendant The B.F. Goodrich Company (BFG) submits the following answers and objections to the plaintiffs' first set of interrogatories addressed to it. In responding to these interrogatories BFG has complied with the appropriate provisions of the Federal Rules of Civil Procedure, which may vary from the "instructions" and "definitions" included therein.

INTERROGATORY NO. 1:

Please state your corporate name, state and date of incorporation, corporate purpose, address of principal place of business, names of all subsidiaries and predecessor corporations, corporate purposes of all subsidiaries and predecessor corporations, and the date of acquisition by you of all subsidiaries, and the dissolution of all predecessor corporations.

BFG10995

21171001

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OBJECTION TO INTERROGATORY NO. 1:

This interrogatory is objected to to the extent that it seeks information not relevant to the subject matter involved in this action and is unnecessarily broad. Relevant information is hereafter supplied.

ANSWER TO INTERROGATORY NO. 1:

The B.F. Goodrich Company; incorporated May 2, 1912, New York; 500 South Main Street, Akron, Ohio 44318. The B.F. Goodrich Company is a diversified manufacturer of plastics, specialty chemicals, tires, aerospace and defense products and other industrial products.

INTERROGATORY NO. 2:

For all products or materials containing polyvinyl chloride ("PVC") and/or vinyl chloride ("VC") or for which PVC and/or VC was a product of decomposition sold or supplied by you to the Monsanto Company between the years 1953 and 1979, please state:

- a. trade name;
- b. the name and address of the plant to which the product or material was shipped;
- c. the dates during which the product was shipped to that plant.

OBJECTION TO INTERROGATORY NO. 2:

This interrogatory is objected to to the extent that it seeks information not relevant to the subject matter involved in this action insofar as it seeks information relating to sales

to Monsanto Company for delivery and use at plants other than the Indian Orchard, Massachusetts, plant. Relevant information is hereafter supplied.

ANSWER TO INTERROGATORY NO. 2:

The only record of sales to Monsanto's Indian Orchard, Massachusetts, plant are as follows:

- a.
 - i. Vinyl chloride monomer
 - ii. 85642 G.P. 260 rigid PVC pipe extrusion compound
 - iii. 3007 grey 250 CPVC compound
- b. Monsanto, Indian Orchard, Massachusetts
- c.
 - i. November 1974
 - ii. January 1975
 - iii. January 1975

INTERROGATORY NO. 3:

For each product identified in response to Interrogatory 2, please state the following:

- a. composition, including amount and nature of PVC and/or VC;
- b. intended use;
- c. form of product or material and manner of packaging;
- d. place of manufacture, marketing, sale and distribution;
- e. dates during which you manufactured, produced, shipped, marketed, sold or distributed this product.

ANSWER TO INTERROGATORY NO. 3:

- a.
 - i. 100% vinyl chloride monomer
 - ii. 88% PVC resin with various additives (stabilizers, impact modifiers, pigments)
 - iii. 90% CPVC resin with various additives (stabilizers, impact modifiers, pigments)

- b.
 - i. Manufacture of PVC (assumed)
 - ii. Unknown - small sample size indicates test sample
 - iii. Unknown - small sample size indicates test sample
- c.
 - i. Tank car (assumed)
 - ii. Unknown
 - iii. Unknown
- d. Unknown - no records available
- e.
 - i. November, 1974
 - ii. January, 1975
 - iii. January, 1975

INTERROGATORY NO. 4:

For all products containing PVC and/or VC or for which PVC and/or VC was a product of decomposition sold or supplied by you to the Monsanto Company during the years 1953-1979, please identify:

- a. all purchase orders evidencing such sales or supply;
- b. all invoices evidencing such sales or supply;
- c. all statements of account evidencing such sales or supply;
- d. any other written materials including office memoranda relating to such sales or supply;
- e. all correspondence with or between officers or agents of the Monsanto Company relating to such sales.

OBJECTION TO INTERROGATORY NO. 4:

This interrogatory is objected to to the extent that it seeks information not relevant to the subject matter involved in this action insofar as it seeks information relating to sales to Monsanto Company for delivery and use at plants other than the Indian Orchard, Massachusetts plant. Relevant information is hereafter supplied.

ANSWER TO INTERROGATORY NO. 4:

The only available information is in the form of sales summaries. The relevant information contained in those summaries is as follows:

<u>Product</u>	<u>Quantity Sold</u>	<u>Date Sold</u>
VCM	925,270 #	November 1974
PVC compound	600 #	January 1975
CPVC compound	200 #	January 1975

INTERROGATORY NO. 5:

For each individual in your employ at any time subsequent to 1953, who has knowledge of the sales or supply by you of PVC and/or VC-containing products or materials, or products or materials for which PVC and/or VC is a product of decomposition, to the Monsanto Company between the years 1953 and 1959, please state:

- a. the individual's name;
- b. his or her present address and telephone number;
- c. his or her present employment and job classification if still in your employ;
- d. his or her job title during the time that he or she had such knowledge, with dates for each job title.

OBJECTION TO INTERROGATORY NO. 5:

This interrogatory is objected to to the extent that it seeks information not relevant to the subject matter involved in this action insofar as it seeks information relating to sales to Monsanto Company for delivery and use at plants other than the Indian Orchard, Massachusetts, plant. Relevant information is hereafter supplied.

ANSWER TO INTERROGATORY NO. 5:

We have not been able to locate any specific individual with this knowledge.

INTERROGATORY NO. 6:

Please state the full name, home address and telephone number, business address and telephone number, and employment capacity or title of the individual signing these interrogatories on behalf of the answering defendant, and of all other individuals who have supplied information in answer to these interrogatories, specifying next to the name of each such individual the number of the interrogatory or interrogatories to which that individual contributed the response.

ANSWER TO INTERROGATORY NO. 6:

Gary A. Jones, Manager, Litigation Support
6100 Oak Tree Boulevard
Cleveland, Ohio 44131

Donald R. Hise Nos. 2, 3, 4, 5
Manufacturing Manager-Petrochemicals
P.O. Box 527
Highway 1523 Industrial Loop
Calvert City, Kentucky 42029

The following individuals are located at
6100 Oak Tree Boulevard
Cleveland, Ohio 44131

Veronica Zalewski Nos. 2, 3, 4, 5
Records and Forms Supervisor

Gary D. Garman Nos. 2, 3, 4, 5
Marketing Specialist, Temprite CPVC Group

Joseph C. Kelley Nos. 2, 3, 4, 5
Technical Service Manager, Geon Vinyl Division

James D. Tanzilli Nos. 2, 3
Manager, Product Safety Literature

STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

PAUL M. CULLINAN, as Executor of)
the Estate of Paul R. Cullinan,)
deceased, and in his own behalf;)
Edward Cullinan; Patricia Layton;)
and Margaret Cullinan,)

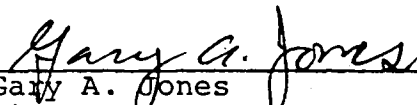
Plaintiffs,)

vs.)

MONSANTO COMPANY; THE DOW)
CHEMICAL CO.; B.F.GOODRICH CO.;)
GREAT AMERICAN CHEMICAL CORP.,)

Defendants.)

I, Gary A. Jones, being duly sworn, state that I am Manager,
Litigation Support of The B.F.Goodrich Company; that the foregoing
Answers to Interrogatories are not based upon my personal
knowledge but are based upon information contained in regular
business records and upon information received from other employ-
ees; and that the foregoing Answers to Interrogatories are true
and correct to the best of my knowledge and information.



Gary A. Jones
Manager, Litigation Support
The B.F.Goodrich Company
6100 Oak Tree Blvd.
Cleveland, OH 44131
(216) 447-6226

Subscribed and sworn to before me this 22nd day of April, 1986.



Notary Public

GAIL L. CHIRAK, Attorney At Law
Notary Public - State of Ohio
My commission has no expiration date.
Section 147.03 R. C.

Signed as to the within objections to interrogatories numbered 1, 2, 4 and 5 this 22nd day of April, 1986.


Allan van Gestel, Attorney for
The B.F. Goodrich Company

CERTIFICATE OF SERVICE

Boston, Massachusetts

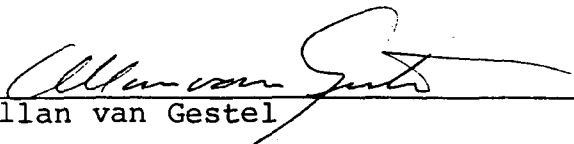
April 24, 1986

I, Allan van Gestel, attorney for The B.F. Goodrich Company, hereby certify that I this day served a copy of the within ANSWERS AND OBJECTIONS OF DEFENDANT THE B.F. GOODRICH COMPANY TO INTERROGATORIES PROPOUNDED BY THE PLAINTIFF(S), SET I to all parties of record by mailing a copy of the Answers and Objections, postage prepaid, to the following:

Keith S. Halpern, Esquire
Silverglate, Gertner, Baker
& Fine
88 Broad Street
Boston, MA 02110

Robert P. Powers, Esquire
Melick & Porter
11 Arlington Street
Boston, MA 02116

Lane McGovern, Esquire
Ropes & Gray
225 Franklin Street
Boston, MA 02110


Allan van Gestel