STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF CHARLESTON	)	C/A NO. 97-CP-10-5485
	)	
	)	
JAMES W. HENDERSON, JR., and BETTY LEE HENDERSON, his wife,	)	
	)	
Plaintiffs,	)	
vs.	)	
	)	
MAREMONT CORPORATION, et al.	)	
	)	
Defendants.	)	
	)	

PLAINTIFF'S EXHIBIT

MAR-31

DEFENDANT MAREMONT CORPORATION'S RESPONSES TO PLAINTIFFS' FIRST SET AND SUPPLEMENTAL INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANTS

PRELIMINARY STATEMENT

Maremont Corporation ("Defendant Maremont"), One Noblitt Plaza, Columbus, Indiana 47201, incorporated in the State of Delaware, is primarily engaged in the manufacture and distribution of automotive exhaust systems, shock absorbers, MacPherson struts and related hardware and parts.

On or about December 15, 1953, Maremont purchased the assets of a company in Paulding, Ohio known as Grizzly Manufacturing Company ("Grizzly"). Grizzly manufactured friction products, including brake linings, clutch facings and lined brake shoes.

Maremont sold this division on or about June 30, 1977, to Nuturn Corporation, a wholly-owned subsidiary of Turner and Newall, LTD., except for a 20% interest, which was retained by Maremont. The remaining 20% interest was sold to Nuturn on or about April 23, 1982.

Soon after the purchase of Grizzly by Nuturn, Nuturn closed the Paulding facility and transferred the operation to a facility in Smithville, Tennessee.

At this time, Maremont does not have in its employ any person or persons who previously worked at the Paulding facility. Furthermore, it appears that very few Maremont employees continued employment with Nuturn.

Very little documentation exists within Maremont concerning the Paulding, Ohio operation. Any documentation pertaining to the site which was not discarded by Nuturn upon its move to Smithville would presumably be under the custody and control of Nuturn Corporation, now known as Ferodo.

FIRST SET OF INTERROGATORIES

1. Identify the registered name of the answering Defendant as well as all prior names or predecessor entities by which the Defendant has existed.

(a) For each give the current address and the state of incorporation and whether or not it is an active corporation.

RESPONSE:

See Preliminary Statement.

2. Set forth the full and correct name, the principle place of business and the state and date of incorporation of the answering Defendant.

RESPONSE:

Maremont Corporation, One Noblitt Plaza, Columbus, Indiana 47201, incorporated June 13, 1979 in the State of Delaware.

3. Identify all divisions, subsidiaries or affiliated companies to the answering Defendant.

RESPONSE:

Defendant Maremont objects to this question as seeking information not relevant to the subject matter of this case, and also objects to it as being overly broad.

4. For each entity or division listed in response to #3, state whether or not it ever has presently engages in any phase of mining, manufacturing, sale, supply, distribution, or design of asbestos or asbestos-containing products.

RESPONSE:

See Preliminary Statement and Response to Interrogatory 3. Grizzly was a manufacturer, seller, supplier, distributor and designer.

5. With respect to each division, subsidiary or company listed in #4, identify the nature and extent of its function during the period of time it was in existence.

RESPONSE:

Grizzly manufactured, sold, labeled, distributed and supplied friction products, including disc pads, brake shoes, brake blocks, wound clutch facings, and brake linings

and brake lining products for automobiles, vans and trucks.

6. Has this answering Defendant been sued under its correct name? If not, please state the correct legal name of the Defendant and provide the information requested in Interrogatory #1 above concerning the Defendant as correctly named.

RESPONSE:

Yes.

7. Please state whether or not you have ever held a certificate of authority to do business in this state and the address for your registered agent for service of this state.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

8. Have you ever mined asbestos?

RESPONSE:

No.

9. If the answer to the previous Interrogatory is "yes", please state the dates in which you were involved in mining asbestos, and the locations of your mines.

RESPONSE:

Not applicable.

10. Have you ever sold raw asbestos fiber to any of the co-Defendants? If so, what years and in what quantities did you make such sales.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

11. As to any product containing asbestos in any form or quantity, has this Defendant ever:

(a) designed such a product;
(b) manufactured such a product;
(c) processed such a product;
(d) sold such a product;
(e) distributed such a product;
(f) relabeled such a product manufactured or designed by another;
(g) held a patent for such a product.

RESPONSE:

See Preliminary Statement.

(a). Yes. See Interrogatory 12(b) below.

(b). Yes. See Preliminary Statement.

(c). N/A

(d). Yes.

(e). Yes. See Preliminary Statement.

(f). Grizzly marketed and distributed primarily products of its own manufacture. However, for low volume items, Grizzly occasionally bought disc pads from other brake manufacturers and other products and relabeled them.

(g). Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

12. If the answer to the previous Interrogatory or any subpart thereof was in the affirmative, please state the following information about such product:

(a) the manufacturer of the product;
(b) the designer of the product;
(c) the supplier of the raw asbestos fiber used in the product;
(d) the dates of its manufacture or sale by the answering Defendant;
(e) the percentage of asbestos content of the product;
(f) the type of asbestos used in the manufacture of the product.

RESPONSE:

Defendant Maremont objects to this interrogatory as being overly broad and unduly burdensome. Without waiving such objection:

(a). See interrogatory 11(f). The major source of supply of purchased disc pads was Lear Siegler, Inc. and Fras-le. Grizzly sold these products under its own trade names. Defendant Maremont is unable to respond further to this subpart.

(b). Defendant Maremont believes the following people were involved in the design of brake products from 1970-76: Keith Barhnardt, Bernard R. Flint, Gerald Fogel, Gary Fogle, Harold Fuerst, Frank C. Skelton, Frank B. Strobl, Melvin L. Surbrook, John H. Woodring, and Steven F. Wyess. Defendant Maremont is unable to respond further to this subpart.

(c). Grizzly's suppliers were: Asbestos Corporation Limited, Bell Asbestos Mines, Ltd, Cassiar Asbestos Corp., Ltd, Ural Asbestos (Purchased from Huxley Development Corporation), Atlas Asbestos Corp; Hedman Mines, Ltd; Johns-Manville Corporation and Vermont Asbestos Group.

(d). Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory. However, Grizzly was engaged in the manufacture of ACPs from 1953 until 1977 and in the distribution of such products from 1953 until 1980.

(e). Defendant Maremont has no knowledge of the quantitative percentage of asbestos content of these products.

(f). Grizzly products, collectively, contained the following ingredients: Asbestos, 5R; Asbestos, 6D; Asbestos, 7D; Asbestos, 7M; Asbestos, 8T; Barium Ferrite; Barytes, Bleaches and unbleached; Carbon, Black; Cashew Particles; Cast Iron Dust; Emery Flour; Hexamethylenetetramine; Lime; Linseed Oil; Mineral Spirits; Oxide, Brown; Oxide, Red; Resin, Bakelite 5095; Resin, Borden 774-113; Resin, Monsanto 6823; Resin, Schenectady 868; Resin, Varcum 6019A; Rubber dust; Seacoal; Silica, Sulfur; Talc.

13. In what year did the answering Defendant first begin selling or distributing asbestos-containing products? Please be specific for each asbestos-containing products manufactured, sold or distributed by you.

RESPONSE:

We object to this interrogatory as being incapable of being answered. Without waiving such objection, Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

14. In what year did the answering Defendant last sell, distribute or manufacture an asbestos-containing products? Please be specific for each asbestos-containing product.

RESPONSE:

See Preliminary Statement. Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

15. For each asbestos-containing product manufactured and/or distributed by you, state:

(a) the brand name of the product and the inclusive years of its manufacture and/or distribution;
(b) the asbestos content by weight of each product for each year;
(c) the type of asbestos fiber used in each product;
(d) the application for which such product was advertised or sold;
(e) the temperature ranges for the products used;
(f) whether the product was a cement, a pipe covering, a cloth or other type of thermal insulation product.

RESPONSE:

(a). Grizzly manufactured friction products, including disc pads, brake shoes, brake blocks, wound clutch facings, and brake linings and brake lining products, from 1953 until 1977

and distributed such products from 1953 until 1980. Grizzly manufactured and distributed these products under the brand names: Grizzly, Ultra, Leland, Hyper,

All-In-One A.I.O., Over-The-Counter (OTC), Saftgrip and Silvertip, X-T Woven, Syncro, SS Metallic, and Tru-gard.

(b). Defendant Maremont has no knowledge of the asbestos content by weight of these products.

(c). See Interrogatory 12(f) above.

(d). These products were for use in the automotive and truck aftermarket.

(e). Defendant Maremont has insufficient knowledge or belief to respond to this subpart.

(f). No.

16. Describe each product as to its color and physical characteristics and appearances.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond adequately to this Interrogatory; however, some information in this regard may be contained in the documents which Defendant Maremont will make available to Plaintiff at a time and place to be agreed upon by both Parties.

17. As to each product, state how such product was packaged or supplied.

RESPONSE:

Grizzly products were packaged in either white cardboard or brown cardboard boxes. The boxes had either the Grizzly label on the outside or not, depending on the arrangement with the customer. With respect to brake products sold to Sears Roebuck & Co., prior to 1973 all Sears cartons were plain white with a label. From 1973 to 1976, there was a running change made to the OTC carton with a man working on a car. AIO products were still packaged in plain white boxes with a label. From 1976 to 1977, there was a running change made to the OTC products and the AIO products with a stop sign or a stop light on the carton. Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

18. Does the answering Defendant claim that any patent would cover any product listed in response to the Interrogatories above? If so, give the number of the patent, the date same was issued and the number of each patent application that is pending.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

19. For each asbestos-containing product manufactured or designed by you, please state the specific batching requirements for that product.

RESPONSE:

Defendant Maremont does not know what the term "batching requirements" means.

20. State the time period each particular batching requirement was followed and any changes that were made.

RESPONSE:

Defendant Maremont does not know what the term "batching requirements" means.

21. For each asbestos-containing product that you manufactured, please set forth the supplier of the raw asbestos fiber used for that product.

RESPONSE:

See interrogatory 12(c) above.

22. As to each product mentioned above, identify the following:

(a) any pertinent trademark that was applicable to the product during any time of its sale;
(b) the label on the packaging of that particular product for each year of its manufacture;
(c) all sales brochures, specification sheets, performance data or other promotional material, as well as any and all installation materials, data or brochures which would have accompanied or been distributed in connection with the installation, application or use of each of the products listed above;
(d) the advertised use of the product (as to this Interrogatory, you may provide a copy of the document in lieu of describing the same).

RESPONSE:

(a) ***See interrogatory 17 above. Defendant Maremont has insufficient knowledge or belief to respond further to these subparts.***

(b) ***See interrogatory 17 above. Defendant Maremont has insufficient knowledge or belief to respond further to these subparts***

(c) ***Documents, if any, still in Defendant Maremont's possession will be made available to Plaintiff at a time and place to be agreed upon by the Parties.***

(d) ***Grizzly did engage in advertising programs to promote its products. Defendant Maremont will make available documents, if any, detailing advertising to Plaintiff at a time and place to be agreed upon by both parties.***

23. For each document listed or described above, please indicate the name or the names of the individuals having custody of said documents or copies thereof, and where they are located.

RESPONSE:

Records of Defendant Maremont's former Grizzly division were kept by Grizzly when it was still owned by Defendant Maremont, and some records were retained by Defendant Maremont after it sold the Grizzly division to Nuturn. Other records were subsequently destroyed in accordance with Defendant Maremont's record retention policy. Nuturn may still have some Grizzly records. What copies of Grizzly records survived in Defendant Maremont's possession are currently maintained by Defendant Maremont at its corporate headquarters by Philippa M. Guthrie.

24. Please describe in detail the method for disbursement and sale of each asbestos-containing product manufactured, designed or distributed by the answering Defendant.

RESPONSE:

See Interrogatories 11(f), 12(a), and 17. Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

25. Have any of the products listed in the answer to Interrogatories Nos. 12, 13 and 16 above been altered in chemical composition or asbestos type or content since their first being marketed?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

26. If so, please state:
    (a) the trade name of each such product;
    (b) the date such product was altered;
    (c) the nature of that alteration;
    (d) the reason for the alteration;
    (e) what person has knowledge concerning the alterations.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

27. Identify all sales literature including brochures, advertisements, pamphlets or other material describing each asbestos-containing product manufactured by you beginning in 1925 and coming forward to date.

RESPONSE:

Defendant Maremont objects to this interrogatory as being overly broad and unduly burdensome. Without waiving such objection, see Interrogatory 23.

28. Prior to 1960, did you conduct any tests concerning the health consequences of the use of your asbestos-containing product?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

29. Prior to 1960, did you conduct any tests concerning the health consequences related to the manufacture of your asbestos-containing product?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

30. Do any written memoranda, specifications, recommendations or other written materials of any kind or character related to the testing of said products exist?

RESPONSE:

To the best of its knowledge, Defendant Maremont has no documents responsive to this request.

31. If so, please state:

(a) identify each such written material or document;
(b) who presently has possession of each such document and where is it located?

RESPONSE:

Not applicable.

32. Have you conducted any tests concerning the health consequences of the use of your product between 1960 and 1975 or the date that the asbestos content was removed from the product, whichever is the later.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

33. If so, please state:

(a) what tests were done;
(b) who was responsible for conducting the tests;
(c) what the results of the tests were;
(d) identify any documents concerning the tests.

RESPONSE:

Not applicable.

34. When did the asbestos-containing products manufactured by you first contain any warning or caution concerning the health consequences of the use of the product or the breathing of asbestos dust?

RESPONSE:

From 1973 forward a warning and caution concerning health consequences of the use of the product or breathing asbestos dust appeared on Grizzly boxes containing asbestos-containing products.

35. For each such product, please state:

(a) the wording of each warning or caution;
(b) the description of each such printed warning or caution;
(c) the method used to distribute the warning to persons who were likely to use the products;
(d) the date each such warning was issued;
(e) the name, address and job classification of each person who presently has possession of the above-described warning or caution;
(f) identify the warning or caution by date and content;
(g) state whether any industrial psychologist or human factors engineers were consulted prior to utilizing such warnings, or cautions;
(h) identify any special instructions provided with each product regarding its use or safety procedures to be employed by persons handling such product.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to fully respond to this interrogatory. However, the following warning appeared on Grizzly boxes containing products:

Caution
Contains Asbestos Fibers
Avoid Creating Dust
Breathing Asbestos May Cause Serious Bodily Harm

Also, see Interrogatory 17 above.

36. For any warning ever provided on an asbestos-containing product manufactured or distributed by you, please state:

(a) when the warning first appeared;
(b) what the precise wording of the warning when it first appeared;
(c) was the warning ever altered, amended or changed in any manner and, if so, how and when;
(d) where was the warning located on the product or packaging.

RESPONSE:

See Interrogatory No. 35.

37. When did you first become aware that warnings were placed on products distributed by other Defendants?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to fully respond to this interrogatory. However, it was a matter of general knowledge from the 1960 onward that prolonged exposure to airborne asbestos could possibly be harmful. The initial knowledge in this area pertained to asbestos mining operations.

38. State the manner in which each of your products was shipped and the type of container it was shipped in to the retailers.

RESPONSE:

See Interrogatory 17. Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

39. When, if ever, did you specifically inform the purchaser or user of your products that contained asbestos that the use of that product or exposure to asbestos dust could cause cancer, asbestosis or other serious diseases? Please identify the document containing this information by date and location.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond fully to this interrogatory. However, Defendant Maremont did at one time prepare a report for one of its largest customers, Sears Roebuck & Company, regarding the proper installation of brakes, including recommending the use of ventilation and personal protective equipment under appropriate circumstances. ("Asbestos Exposure vs. Back Shop Brake Shoe Grinding," prepared by W.M. Bockay for J.H. Batogowski.) This report is undated and Defendant Maremont will make available to Plaintiff at a time and place to be agreed upon by both Parties.

40. Identify any and all labeling or relabeling agreements in existence since 1925 between you and any other person including co-Defendants.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to these interrogatories. Responsive documents, if any, will be included in the documents to be made available to Plaintiff at a time and place to be agreed upon by both Parties.

41. Did you sell any of your products containing asbestos fibers or to any of the companies named as co-Defendants in this suit?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

42. If so, please state:

(a) the name, address and job classification of each individual who currently has possession of such knowledge, either by documents or records;
(b) please list the names of each co-Defendant to whom your problems have been sold;
(c) please state the dates of each such and the amount and kind of materials sold.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to these

interrogatories. Responsive documents, if any, will be included in the documents to be made available to Plaintiff at a time and place to be agreed upon by both Parties.

43. State whether your company manufactured asbestos-containing insulation products for a co-Defendant and placed the co-Defendant's labels, logos or insignia on said products and list each such co-Defendant.

RESPONSE:

Defendant Maremont never manufactured insulation products.

44. Has this Defendant ever acquired another corporation, company or business which manufactured, sold, processed, distributed or contracted to apply insulation products containing asbestos.

RESPONSE:

No.

45. If the answer to the above interrogatory is "yes", please state the following concerning such other entity:

(a) the full and correct name;
(b) the principle place of business;
(c) the state of incorporation;
(d) the date of its acquisition by you;
e) the products that the other entity manufactured, distributed, sold or used.

RESPONSE:

Not applicable.

46. Did you ever stamp or imprint the name of your company, its initials or any identifying logo on any of your asbestos-containing products? If so, please describe the identifying logo or initials and the dates of its inclusion on the product and the product on which it was included.

RESPONSE:

See Interrogatory No. 17. Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

47. As of the date of your answers to these Interrogatories, is your company still manufacturing, selling or distributing any asbestos-containing products? If so, give the brand names of each such product.

RESPONSE:

No.

48. For each product identified as being manufactured, sold or distributed by you in Interrogatories No. 12, 13, or 16, state whether or not:

(a) you have actual containers or photographs of containers in which said products were sold or distributed;
(b) who is the custodian or keeper of said containers or photographs including their address and telephone number.

RESPONSE:

See Preliminary Statement. Defendant Maremont has no knowledge as to whether or not actual containers or photographs of containers exist.

49. From what source or sources did you obtain raw asbestos fiber beginning in 1940 and going to date, on a yearly basis?

RESPONSE:

See Interrogatory No. 12(c). Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

50. State whether or not any warnings, cautions, caveats, or directions accompanied the raw asbestos fiber referred to in the previous Interrogatory and identify the nature and extent of said warnings, cautions.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

51. State what date said warnings, cautions, caveats or directions first appeared on the mined asbestos fiber.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

52. If you have discontinued manufacturing and/or selling asbestos products, please state the reason or reasons therefore.

RESPONSE:

See Preliminary. The primary division that manufactured asbestos-containing products was sold.

53. When was the first time that you received notice that any person was claiming an injury as the result of using asbestos-containing products manufactured and/or sold by your company?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

54. For each such injury that you received notice of or a claim for prior to 1970, please list:

(a) the name and address of each claimant;
(b) the date of the notice of each claim;
(c) a description of the claim (i.e. workmen's compensation or a third party liability action);
(d) the type of injury allegedly sustained;
(e) the name and address of each attorney who represents individuals making such claims;
(f) the style and the court number of each claim;
(g) the resolution of each claim that has been disposed of;

(h) the custodian of the records that relate to the claim (In lieu of answering the above questions you may attach copies of any and all claims).

RESPONSE:

Not applicable.

55. Do you contend that insulation products containing asbestos can be manufactured or treated so as to eliminate all potential health hazards to workers installing the same? If so, please explain in detail what your contentions are and the basis for each contention.

RESPONSE:

Defendant Maremont objects to responding to this interrogatory on the grounds that it is irrelevant—Defendant Maremont never dealt in insulation products.

56. Did you receive any reports or communications from your workmen's compensation insurance carrier or products liability insurance carrier with regards to the hazards incident to the use of asbestos-containing insulation products? If so, please state who has possession of the contents of such reports, the location of such reports and the substance of the contents of such reports, listing for each such report the respective insurance company, its address, the agents signing such correspondence and the date of such notice or report.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

57. Have any of the co-Defendants names in this litigation ever furnished you with any information as to the state of the medical knowledge regarding the connection between asbestos dust exposure and the contracting of pulmonary diseases including asbestosis and cancer.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

58. If the answer to the proceeding Interrogatory is in the affirmative, please identify:

(a) what information you were furnished;
(b) who furnished that information;
(c) when that information was furnished.

RESPONSE:

Not applicable.

59. Have you at any time since 1930 interchanged results of research tests, medical studies or experiments regarding the state of the medical knowledge regarding the connection between asbestos exposure and the contracting of pulmonary diseases including lung cancer and asbestosis with any other person, including any co-Defendants in this action?

RESPONSE:

See Preliminary Statement, Interrogatories 35 and 39. Any written communications still in Defendant Maremont's possession will be made available to Plaintiff at a time and place to be agreed upon by both Parties. Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

60. If the answer to the preceding Interrogatory is in the affirmative, please state:

(a) when this interchange took place;
(b) who participated in these interchanges;
(c) summarize the content of these interchanges or studies.

RESPONSE:

We object to this interrogatory as being incapable of being answered. Without waiving such objection, see Interrogatory 59. Defendant Maremont has insufficient knowledge or belief to respond further to this subpart.

61. Please state if you or anyone on your behalf ever conducted, sponsored or contributed financially to any studies or research to determine if the inhalation of asbestos fibers may be harmful.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

62. If the answer to the above question is in the affirmative, please state:

(a) by whom the research was conducted, giving complete names and addresses;
(b) the dates that each such research project or test was conducted;
(c) the complete results of each test or study;
(d) identify all documents that refer, reflect or relate to the test or study;
(e) supply copies of the reports of the research department pertaining to the use by the corporation of asbestos in their manufacture of insulation products.

RESPONSE:

Not applicable.

63. Please state the names and addresses of your chief medical officers from 1930 until the present time, listing the periods of time each such medical officer was employed by Defendant in that capacity. If you did not have a medical officer, please indicate what persons or persons performed that function.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to fully respond to this interrogatory. However, Grizzly never had a Chief Medical Officer, but it is believed that a

physician was retained for the purpose of general examinations and first aid for two days per week as of an unknown date in 1969. Other physicians are believed to have visited the facility after 1969 to take X-rays and after 1972 to conduct pulmonary function and hearing tests for plant personnel as required by OSHA. If any findings were deemed questionable, Grizzly paid for extensive physical examinations at a clinic in Defiance, Ohio. Grizzly required all new employees to undergo a pre-employment physical conducted by the employee's own physician. Grizzly reimbursed the employee for the cost of the physical.

64. Please state the names and addresses of all physicians who were employed, retained or otherwise engaged by you at any of your facilities from the years 1930 until the present.

RESPONSE:

See Interrogatory No. 63.

65. Please state the names and addresses of all persons employed by you from 1930 until the present time who functioned as industrial hygienists. As used in this Interrogatory, an industrial hygienist is one who performs engineering or health studies to identify and evaluate potential health hazards and suggests methods of detailing with the same.

RESPONSE:

Grizzly employed an industrial hygienist, Debbie Henderson, at the Paulding facility from 1977. Defendant Maremont has no other information on this or any other individuals who might have been employed by Grizzly in this capacity.

66. For each industrial hygienist listed above, please state:

(a) the facility or office to which that individual was assigned;
(b) the complete and precise duties and responsibilities.

RESPONSE:

See answer to Interrogatory No. 65. Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

67. Did anyone ever make any recommendations and/or suggestions to you pertaining to the risks and hazards associated with the manufacturing or use of insulation products obtaining asbestos?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

68. If the answer to the above question is yes, please state:

(a) where such recommendations or suggestions were made;
(b) who made such recommendations or suggestibns;
(c) to whom were these recommendations or suggestions made;
(d) the substance of the recommendations or suggestions;
(e) what actions did you take as the result of those recommendations and suggestions?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

69. Do you agree that there is a causal connection between the asbestos dust exposure and :

(a) asbestosis?
(b) lung cancer?
(c) mesothelioma?
(d) other cancers?

RESPONSE:

Defendant Maremont objects to this Interrogatory because it requires Defendant to make a medical conclusion or opinion which Defendant Maremont is not qualified to render. Without waiving such objection, Defendant Maremont states that it is aware that there is medical literature, as well as some medical opinion, equating exposure to asbestos with various diseases.

70. If your answer to the previous Interrogatory is yes as to any or all subparts, please identify the following as to each disease process listed above:

(a) when and how you first learned of such connection;
(b) if the knowledge was obtained by the attendance of any conference, lecture, convention, symposium, or meeting, identify such event and provide the name of the person attending or the documents obtained from that meeting;
(c) if knowledge was obtained from a medical or scientific study or any other published works, identify the same;
(d) if the knowledge was otherwise obtained, identify the manner of receipt of the document or communication.

RESPONSE:

It has been a matter of general knowledge since the 1960s that prolonged exposure to airborne asbestos would possibly be harmful. This initial knowledge pertained to asbestos mining operations. Defendant Maremont has insufficient knowledge or belief to further answer this interrogatory. Any responsive documents would be contained in the documents to be made available to Plaintiffs at a time to be agreed upon by both Parties.

71. With regard to any knowledge obtained subsequent to that identified in the previous Interrogatory, please identify:

(a) all documents or other communications, oral or written, concerning the causal connection between exposure to asbestos dust or asbestos products and the disease processes identified in question No. 60 above;
(b) identify the person communicating the information.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

72. When and by what manner were you first aware of the hazards of asbestos or asbestos-containing products to the users of those products?

RESPONSE:

See Interrogatory 70.

73. Identify any medical examination programs offered or sponsored by you or your insurance carrier for employees handling or otherwise exposed to asbestos and asbestos products. With respect to each such program, please state:

(a) the manner of communicating with employees about such program;
(b) whether examination was mandatory or optional;
(c) what percentage of workers permitted to undergo such examination actually participated;
(d) what percentage of workers were found to have asbestosis or mesothelioma or bronchogonic carcinoma;
(e) with respect to (d), what percentage of such workers were paid disability, workmen's compensation benefits or for whose benefit medical expenses were paid to undergo treatment for such conditions.

RESPONSE:

See Interrogatory 63. Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

74. Identify all trade organizations, associations or other entities, including but not limited to ATI, IHF, NAIMA, AIA, NICA, TIMA, QAMA, PICA, QAPA, to which you belonged or in which you have participated since 1925 and the years of your participation.

RESPONSE:

Defendant Maremont states that it knows that it had associations with the Asbestos Information Association, the Friction Materials Standards Institute, the Automotive Parts and Accessories Association, the Motor Equipment Manufacturers Association and the Automotive Service Industry Association. Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

75. Identify all persons attending on your behalf any meetings held by any trade organization listed in the Interrogatory stated above.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this

interrogatory.

76. Identify the names or nature of all asbestos notes, reports studies or other writings submitted by you or received by you at meetings identified in the Interrogatory stated above.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

77. Identify all documents you received from or submitted to those trade organizations, associations or other entities identified in Interrogatory #65 relating to the relationship between asbestos exposure and disease.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

78. Did you direct to be performed, sponsor, finance or receive the results of any studies or tests performed by the Saranac Lake Laboratory or the Trudeau Foundation relating to asbestos exposure and its effect on human life? If so, identify:

(a) all documents summarizing findings or results of those studies or tests which you have in your possession or control;
(b) all communications, oral or written, between answering Defendant and Saranac personnel, including but not limited to Gerrit W.H. Schepers, M.D.;
(c) all documents relating to Saranac studies received or submitted by you, either directly, through associated or predecessor companies, through other companies or through any trade associations, organizations or entities;
(d) all recommendations or findings of such studies in relating to:
    (1) adequacy or inadequacy of the threshold limit values;
    (2) the substitution of materials other than asbestos to be used in insulation process;
(e) where the documents and/or communications identified in this Interrogatory are presently maintained.

RESPONSE:

Responsive documents, if any, still in Defendant Maremont's possession will be made

available to Plaintiff at a time and place to be agreed upon by the Parties. Defendant Maremont

has insufficient knowledge or belief to respond further to this interrogatory.

79. Identify all persons who have testified on your behalf and all documents presented to or utilized in preparation of testimony before the Occupational Safety and Health Administration, the National Institute of Occupational Safety and Health, any U.S. Congressional committee or sub-committee or governmental hearing or investigative proceeding on the subjects of biological effects on human life from exposure to asbestos and the setting, modification, feasibility and acceptance of allegedly safe or proper levels of such exposure to asbestos and asbestos products.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

80. For all testimony set forth above, please identify:

(a) the dates and descriptions of the proceedings;
(b) the relationship between the person who testified or responded and you;
(c) all studies, test results or other scientific or medical documents relied upon by said person as a basis for any recommendations made or testimony given;
(d) whether at any time prior to or following such testimony you possessed knowledge of documents suggesting that existing or proposed threshold limit values were not safe or proper or that lower threshold limit values were necessary in order to prevent disease; as to this response, please identify the origin of the knowledge and all documents relating thereto;
(e) whether at any time prior to the following such testimony you were aware that the proper method for determination of safe levels of asbestos dust was to test concentrations of fibers in the air rather than the total number of particles. If your answer is in the affirmative, identify the origin of said knowledge and all documents relating thereto.

RESPONSE:

Not applicable.

81. What do you understand "threshold limit value" to mean?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

82. What do you understand "dose response relationship" to mean?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

83. What is being measured when you take the measurement of threshold limit value as you define it?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

84. Did you advertise any of your asbestos-containing products for use on ships or navy vessels?

RESPONSE:

Not to Defendant Maremont's knowledge.

85. If the response to Interrogatory No 84 was yes, please state:

(a) the name of the product;
(b) in what years you advertised the product;
(c) the intended purpose of the product.

RESPONSE:

Not applicable.

86. Did you design any asbestos-containing products for use on ships or navy vessels?

If so, please state:
(a) the name of the products;
(b) the year of their design;
(c) the manufacturer;
(d) the intended use.

RESPONSE:

No.

87. Did you sell any asbestos-containing materials to the :

(a) United States government?
(b) General Services Agency?
(c) United States Navy?
(d) any naval shipyard?
(e) any shipyard?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond further to this interrogatory.

88. Do you ever conduct any dust studies in any of your asbestos product manufacturing facilities? If so, please state:

(a) the date of each such study;
(b) the person conducting the study;
(c) the result or conclusion;
(d) who presently has possession of the report or study.

RESPONSE:

Defendant Maremont no longer has any such facilities.

SUPPLEMENTAL INTERROGATORIES

1. Did you sell and/or distribute products containing asbestos to the employers and job sites of Plaintiff as listed in the Answer to Defendant Interrogatory No. 4 attached during the time listed or one year prior thereto? Please note that this Interrogatory includes thermal insulation asbestos products or cloth or spray products containing asbestos.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

2. Did you sell and/or distribute products containing asbestos to job sites at which Plaintiff was employed as described in Exhibit A for the time periods that Plaintiff was at each job site?

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

3. If the answer to Interrogatory No. 1 or No. 2 is in the affirmative, please state:

(a) The names of the products sold;
(b) To whom the product was sold and shipped;
(c) As to each of the above-mentioned products, please include the quantities of each shipped to each company during the applicable time period; the site to which each product was shipped; and the date of shipment.
(d) As to each of the products mentioned above, will you provide without a Motion to Produce copies of:
    (1) Any pertinent trademark, copy of such trademark, and the trademark registration number;
    (2) The label, or copy of the label, used in the packaging of the particular product;
    (3) A photograph of the product itself;
    (4) Sales brochures, specification sheets, performance data, or other promotional material as well as any and all installation materials, date or brochures which would have accompanied or been distributed in connection with the installation, application or use of each of the above-mentioned products;
    (5) Copies of any invoices, sales receipts or other documents which show sales referred to in Interrogatories No. 1 and No. 2 above.
(e) If you cannot provide all of the above documents, please indicate the name or names of the individuals having custody of said documents or copies thereof.

RESPONSE:

Not applicable.

4. Have you consulted with any expert whom you expect to call as an expert witness at the trial of this case? If so, please give:

(a) The name and address of each such person so consulted;
(b) When the person was consulted and what did the person do as a result;
(c) The subject matter on which the expert is expected to testify;

(d) State the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds of each opinion of the expert.

RESPONSE:

Defendant Maremont has no such experts to list at this time.

5. State the names and addresses of all witnesses the defendant intends to call to testify and give a brief statement of the substance of the testimony of each witness.

RESPONSE:

Defendant Maremont has no such experts to list at this time.

6. With regard to the preceeding Interrogatory, state whether or not a written or recorded statement or deposition or testimony has been given by such witness and indicate who has possession of such statement, deposition or testimony.

RESPONSE:

Not applicable.

7. Set forth a list of photographs, plats, sketches, or other documents relating to the individual Plaintiff in this case in the possession of the party or its attorneys that will potentially be used as an exhibit at the trial of this case by you.

RESPONSE:

Plaintiff's medical records, work records and social security records. Defendant reserves the right to supplement this response.

8. Did you provide instructions and/or warnings concerning the potential health hazards of asbestos exposure to Plaintiff's employers during the time period during which Plaintiff was employed by each of his employers as listed in Answer to Defendant Interrogatory No. 4?

If so, please state:

(a) Whether the employer was expected or requested to transfer the instructions and/or warnings to its employees such as Plaintiff;
(b) The date(s) you provided instructions and/or warnings to Plaintiff's employer;
(c) Who prepared the instructions and/or warnings;
(d) To whom the instructions and/or warnings were addressed;
(e) The manner in which the instructions and/or warnings were transmitted to Plaintiff's employers (i.e., orally, printed pamphlets, printed on carton, etc.);
(f) The precise wording used in the instructions and/or warnings or in lieu thereof attach an authenticated copy of the instructions and/or warnings.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

9. Did you provide instructions and/or warnings concerning the potential health hazards of asbestos exposure to Plaintiff and/or his co-workers at each of the job sites listed in Answer to defendant Interrogatory No. 4?

If so, please state:
(a) The date(s) you provided instructions and/or warnings to Plaintiff and/or co-workers;
(b) Who prepared the instructions and/or warnings;
(c) To whom the instructions and/or warnings were addressed;
(d) The manner in which the instructions and/or warnings were transmitted to Plaintiff and/or his co-workers (i.e., orally, printed pamphlets, printed on carton, etc.);
(e) The precise wording used in the instructions and/or warnings or in lieu thereof attach an authenticated copy of the instructions and/or warnings.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

10. Did you provide instructions and/or warnings concerning the potential health hazards of asbestos exposure to any persons at Plaintiff's job sites during the time period during which Plaintiff was employed at each job site as listed in Answer to Defendant Interrogatory No. 4?

If so, please state:
(a) Whether the employer was expected or requested to transfer the instructions and/or warnings to persons at Plaintiff's job sites;
(b) The date(s) you provided instructions and/or warnings to persons at Plaintiff's job sites;
(c) Who prepared the instructions and/or warnings;
(d) To whom the instructions and/or warnings were addressed;

(e) The manner in which the instructions and/or warnings were transmitted to Plaintiff and/or his co-workers (i.e., orally, printed pamphlets, printed on carton, etc.):

(f) The precise wording used in the instructions and/or warnings or in lieu thereof attach an authenticated copy of the instructions and/or warnings.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

11. Did you provide respirators to Plaintiff, Plaintiff's employers or persons at Plaintiff's job sites during the time period Plaintiff was employed at each as listed in Answer to Defendant Interrogatory No. 4?

If so, please state:

(a) The dates respirators were provided;

(b) To whom the respirators were provided;

(c) The type of respirators provided;

(d) The instructions and/or warnings provided with the respirators, if any.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

12. Did you receive any comments or complaints concerning asbestos dust and/or asbestos health hazards from any persons who were co-employees or employed at Plaintiff's job sites during the time period Plaintiff was employed as described in Answer to Defendant Interrogatory No. 4?

If so, please state:

(a) The name and address of the person commentating or complaining;

(b) The precise wording of the comment and/or complaint;

(c) The date the comment and/or complaint was received by you;

(d) What action, if any, was taken in response to the comment, and/or complaint.

RESPONSE:

Defendant Maremont has insufficient knowledge or belief to respond to this interrogatory.

HOOD LAW FIRM, LLC
172 Meeting Street
P.O. Box 1508
Charleston, SC 29402

BY James G. Kennedy
ROBERT H. HOOD
JAMES G. KENNEDY
JAMES D. GANDY, III
Attorneys for the Defendants named herein

Feb. 21, 2000
Charleston, South Carolina
sc/forms/interrog/Maremont Res Section A INT (Henderson)

CERTIFICATE OF SERVICE

I certify that on this date a copy of the foregoing was served on each party or counsel of record by mailing or hand delivery in the manner prescribed by the applicable Rule of Civil Procedure.

This 21st day of February, 2000.
Christine L. Carr

ROBERT H. HOOD
G. MARK PHILLIPS
(SC & FL)
JOHN K. BLINCOW, JR.
JAMES G. KENNEDY
BARBARA WYNNE SHOWERS
(SC, TN, PA & NJ)
JAMES D. GANDY, III
HUGH W. BUYCK

HOOD LAW FIRM, LLC
ATTORNEYS AT LAW
172 MEETING STREET
POST OFFICE BOX 1508
CHARLESTON SC 29401
(843) 577-4435
FAX: (843) 722-1630
E-MAIL: HLF@HOODLAW.COM

MARY AGNES HOOD CRAIG
P. GUNNAR NISTAD
ROBERT H. HOOD, JR.
(SC & NC)
SARAH G. ANDERSON
(SC & NY)
WILLIAM O. HANAHAN, III
RYAN A. EARHART
DAVID W. OVERSTREET

(843) 577-1206
DIRECT DIAL:

James_Kennedy@hoodlaw.com
EMAIL:

February 21, 2000

Richard J. Lutzel, Esquire
WALLACE & GRAHAM, P.A.
525 North Main Street
Salisbury, NC 28144

Re: James W. Henderson, Jr. and Betty Lee Henderson
CA No. 97-CP-10-5485
Our File No: 40091.45

Dear Rick:

Enclosed please find Defendant Maremont Corporation Responses to Plaintiffs' First Set and Supplemental Interrogatories and Request for Production of Documents in the above-referenced matter along with appropriate Verifications.

Please give me a call should you have any questions.

Kind regards,

Yours truly,

James G. Kennedy

JGK/clc
Enclosures
cc: W. Thomas Causby, Esquire
Michael T. Cole, Esquire
Timothy W. Bouch, Esquire
Glen Bowers, Esquire
Andrew S. Halio. Esquire
D. Cravens Ravenel, Esquire
Thomas J. Wills, Esquire
Daniel B. White, Esquire
Ivan A. Gustafson, Esquire
C. Michael Evert, Jr., Esquire
Mark H. Wall, Esquire
Cody W. Smith, Jr., Esquire
Thomas F. Dougall, Esquire
Joseph H. McGee, Esquire
Trudy Y. Hartzog, Esquire
Mary Lou Hill, Esquire
Frederick F. Saunders, Jr., Esquire
James B. Pressley, Jr., Esquire
Asbpi\sc\forms\interrog\L-Wallace& Graham (Responses-Henderson1)