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MASTER FILE

IN RE: \$ IN THE DISTRICT COURT
ASBESTOS \$ OF
LITIGATION \$ HARRIS COUNTY, TEXAS

DEFENDANT, THORPE INSULATION COMPANY'S
ANSWERS TO PLAINTIFFS' INTERROGATORIES

TO: PLAINTIFFS, BY AND THROUGH THEIR ATTORNEY OF RECORD, JOHN E. WILLIAMS, JR.

NOW COMES Thorpe Insulation Company, Defendant in the above-styled and numbered cause of action, and files this its Answers to the Interrogatories of the Plaintiffs and in answer to said Interrogatories makes the following answers thereto as shown on the attached pages.

Respectfully submitted,

FAIRCHILD, PRICE, RUSSELL,
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By:

C. VICTOR HALEY, TEA #08738400
ATTORNEY FOR DEFENDANT,
THORPE INSULATION COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been deposited in a United States mail receptacle, certified mail, return receipt requested, on this the 23rd day of October, 1992, addressed to Mr. John E. Williams, Jr.


C. VICTOR HALEY

VERIFICATION

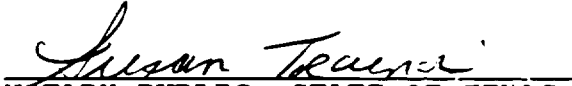
THE STATE OF TEXAS §

COUNTY OF HARRIS §

Richard Nowland, being first duly sworn, on oath deposes and says that he is a duly authorized representative of **Thorpe Insulation Company** Defendant in the above-entitled action; that he has read and is qualified to give the foregoing response to Answers to Interrogatories and knows the content thereof; that said answers were prepared by and with the assistance of former employees and representatives of **Thorpe Insulation Company** with the assistance and advice of counsel, upon which he has relied; that the answers set forth herein, subject to inadvertent or undiscovered errors, are based on and therefore necessarily limited by the records and information still in existence, presently recollected and thus far discovered in the course of the preparation of these answers, that consequently **Thorpe Insulation Company** reserves the right to make any changes in the answers if it appears at any time that omissions or errors have been made therein or that more accurate information is available; and that subject to the limitations set forth herein the said answers are true and correct.


RICHARD NOWLAND

SUBSCRIBED AND SWORN TO before me on this _____ day of _____, 1992, to certify which witness my hand and seal of office.


NOTARY PUBLIC, STATE OF TEXAS

GENERAL OBJECTIONS

1. Defendant, Thorpe Insulation Company, adopts the objections asserted by any and all other Defendants herein, and incorporates same by reference.

ANSWERS

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

ANSWER: Thorpe Insulation Company

2. Identify all past and present divisions, subsidiaries or affiliated companies of the answering Defendant, having any function which now or in the past engaged in any phase of mining, manufacturing, sale, supply, purchase, application, installation, relabeling, processing or distribution of asbestos or asbestos-containing products. With respect to each of such divisions, subsidiaries or companies, set forth with particularity the precise relationship with the answering Defendant the dates thereof, and identify the nature and extent of such functions during the relevant periods of time in which such activities have or had occurred.

ANSWER: Thorpe Insulation Company (1965-early 1970's)

3. List by brand name all of your asbestos-containing products. Your asbestos-containing products includes all products which contain any amount of asbestos manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed by you or for you by others. By you and yours, Plaintiffs' refer to Defendant, to all your predecessors in interest, (whether by purchase, merger, consolidation or otherwise) to all of your subsidiaries, divisions, joint ventures of affiliates. As to each product, state the following:

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, objects specifically to Plaintiffs Interrogatory No. 3 in that it relates to products that have not been identified by Plaintiffs' or through other discovery in this matter as having been used by or in the presence of Plaintiffs. Subject to and without waiving the foregoing objections, Defendant sold on a very limited basis from 1965-early 1970's the following Johns Manville products: Maranite, Flexstone, Flexboard, Paper, Felt, Tape, Rope, Insulkote, Firetard, Zeroseal, Duxseal, Pipe insulation, sheet, block, Super X, Thermobestos, Asbestos mill board, Asbestos roll cloth and various Asbestos cements including 301, 302 and 352.

a. type of product (e.g., acoustical plaster, fireproofing,

etc.);

ANSWER: Industrial insulation and coating and cement respectively.

b. the date the product first went into production;

ANSWER: Unknown since we were only a distributor. This question should be directed to the manufacturer.

c. the last date the product was produced;

ANSWER: Unknown since we were only a distributor. This question should be directed to the manufacturer.

d. the last date the product was sold;

ANSWER: Thorpe Insulation Company discontinued the sales of any asbestos-containing products in 1972. Thorpe Insulation Company does not know when the sales of all asbestos products were discontinued by the manufacturers or by others.

e. all manufacturing locations;

ANSWER: Unknown since we were only a distributor. This question should be directed to the manufacturer.

f. dates of manufacture at each location;

ANSWER: Unknown since we were only a distributor. This question should be directed to the manufacturer.

g. the percentage of asbestos (state if percentage is by volume or weight), and the dates and all reasons for any modification thereof;

ANSWER: Unknown since we were only a distributor. This question should be directed to the manufacturer.

h. the type of asbestos;

ANSWER: According to information from the manufacturer, Chrysotile.

i. the specific source of asbestos with dates:

ANSWER: According to information from the manufacturer, Canada.

j. the color, physical characteristic, and appearance of the

product;

ANSWER: The color was essentially white. Maranite was sold in sheets, Super X and Thermobestos were sold in boxes. Millboard was sold in sheets. Roll cloth was sold in rolls secured with bands and cement was sold in sacks.

- k. a full and precise description of the package in which the product was sold, including, but not limited to, type of package, size, color(s), and writings thereon;

ANSWER: Please refer to j above.

- l. all other names under which the product was sold;

ANSWER: None as to this Defendant; unknown for the manufacturer or other distributors.

- m. the number and dates of each patent or patent application as to the product;

ANSWER: Unknown since we were only a distributor. This question should be directed to the manufacturer.

- n. if the product continued to be produced after the deletion of asbestos, all reasons why the asbestos was deleted, the identity of the person who made the decision to delete the asbestos, and the date the product was first produced without the asbestos;

ANSWER: Unknown since we were only a distributor. This question should be directed to the manufacturer.

- o. if the product is no longer produced, all reasons it was discontinued, the identity of the person who made the decision to discontinue the product, the brand name of the replacement product, and the date the replacement product, and the date the replacement product first went into production;

ANSWER: Unknown since we were only a distributor. This question should be directed to the manufacturer.

- p. a precise description of your identifying logo or initials and the dates of inclusion on the product;

ANSWER: Thorpe Insulation Company was a small distributor of asbestos products. The manufacturer packaged each product and the packaging was not altered prior to sale by Thorpe Insulation Company.

q. state during what period of time such product has been associated with Defendant;

ANSWER: 1965-early 1970's as to any products which contained asbestos.

r. identify all sales literature, including brochures, advertisements, pamphlets or other material describing such product, its uses and methods of application or installation;

ANSWER: None known by current management except for documents generated by the manufacturer.

s. identify any warning labels, inserts or other writings provided with such product and with every such printed warning, state what period of time it has or had accompanied the product, the exact wording of the warning, any amendments made to the wording, where the warning was located on each product or packaging, and on what asbestos products the warning appear(ed);

ANSWER: Thorpe Insulation Company was a small distributor of asbestos-containing products and all warning labels, inserts, or other writings provided with such product were provided by the manufacturer. Warnings by the manufacturer were placed on such asbestos containing products according to Interrogatory No. 3 of Defendant, Manville Corporation Asbestos Disease Compensation Fund, to Plaintiffs' Master Set of Interrogatories.

t. geographic distribution range of each such product.

ANSWER: Thorpe Insulation Company distributed the products indicated above on a very small scale in several counties in and around Harris County, Texas.

4. Did you claim your asbestos product(s) to be safe, effective and/or easy to handle? If so, identify all documents, which have made such assertions, including, but not limited to, brochures or advertisements (radio, television or printed), and revisions thereof by publication(s) and date. Your asbestos products includes all products which contain any amount of asbestos manufactured, sold, designed, supplied, distributed, mined, milled, re-labeled, resold, processed, applied or installed by you or for you by others.

ANSWER: Thorpe Insulation Company was a small distributor of asbestos products and would have made no claims regarding such products. This question should be directed to the manufacturer.

5. Did you specifically inform the purchaser or user of your products at the time your product was sold, installed, used, supplied or subsequently, that your products could cause lung cancer, asbestosis, and mesothelioma? If so, identify the document containing such information by date and location.

ANSWER: Thorpe Insulation Company provided any warnings, instruction, directions, inserts or other writings provided with such products by the manufacturer. There were warnings and writings placed with or upon such products and containers by the manufacturer. Please refer to Answer to Interrogatory No. 3 and 5 of Defendant, Manville Corporation Asbestos Disease Compensation Fund, to Plaintiffs' Master Set of Interrogatories.

6. Identify any and all labelling or relabelling agreements between answering Defendant and other entities, including other Defendants concerning asbestos containing products and materials.

ANSWER: Thorpe Insulation Company was a small distributor of asbestos products. The manufacturer packaged each product and the packaging was not altered prior to sale by Thorpe Insulation Company.

7. Have you ever mined asbestos? If so, as to each mine and type of asbestos produced there, state the following:

ANSWER: No.

a. the location;

ANSWER: N/A

b. the dates of operation by you;

ANSWER: N/A

c. the type (e.g., chrysotile, amosite, etc.) produced;

ANSWER: N/A

d. the grade of each type of asbestos fiber produced, the percentage of each grade to the total fiber produced by year or other period, and the recommended use of the grade of fiber;

ANSWER: N/A

e. the gross annual sales in dollars and in volume for each type and grade of asbestos fiber;

ANSWER: N/A

- f. a full and precise description of the package in which the asbestos fiber was sold, including, but not limited to, type of package, size, color(s), and writing thereon;

ANSWER: N/A

- g. all names under which the asbestos fiber was sold;

ANSWER: N/A

- h. the identity of all records reflecting the sale or transfer of said asbestos fiber;

ANSWER: N/A

- i. the identity of the present custodian of photographs of the burlap bags in which the asbestos fibers was stored and/or shipped;

ANSWER: N/A

- j. the address of each sales office and sales region for the sale of the asbestos fiber;

ANSWER: N/A

- k. the name of each authorized distributor of the asbestos fiber produced;

ANSWER: N/A

- l. the identity of each owner and operator of the mine prior to the date you first began operation of the mine, and the dates thereof, and

ANSWER: N/A

- m. the identity of each owner and operator of the mine subsequent to your ceasing operation of the mine.

ANSWER: N/A

8. Is answering Defendant aware of the possible connection between exposure to asbestos or asbestos products and:

ANSWER: Defendant objects to this Interrogatory as not being relevant nor reasonably calculated to lead to the discovery of relevant evidence. Defendant objects to this Interrogatory in that it calls for medical conclusions

beyond the scope and knowledge of Thorpe Insulation Company. Additionally, Defendant objects to the term "aware". Such term is argumentative and overbroad and unduly burdensome. They involve questions of law. It is impossible for this Defendant to determine, at different periods of time, which employees of the Corporation may have acquired information which may have at some point risen to the level of "aware" with respect to the matters pertaining to each specific Interrogatory. Additionally, each portion of the Interrogatory utilizes "asbestos" or "asbestos products" as general terms without definition or consideration of a specific period of time or type, nature, concentration or duration of exposure. Furthermore, Defendant hereby adopts and incorporates by reference all objections made by any other Defendants. Subject to and without waiving the foregoing objections, Defendant would answer as follows:

a. Asbestosis?

ANSWER: Defendant objects to this subpart of Interrogatory No. 8 on the grounds set forth above as to the terms "aware", "asbestos" and "asbestos products". Subject to the qualification that asbestos per se does not pose a risk of harm, Defendant admits that a risk of harm may exist depending on the existence of a sufficient exposure period and level of exposure. Additionally, Defendant objects to this request to the extent that it seeks to imply that Defendants had knowledge of any reported causal connection at the time of publication of any such studies.

b. Lung cancer, all cell types?

ANSWER: Defendant objects to this subpart of Interrogatory No. 8 on the grounds set forth above as to the terms "aware", "asbestos" and "asbestos products". Defendant further objects to this subpart of Interrogatory No. 8 to the extent it implies that the medical communities knowledge and agreement regarding such a causal connection was universal or without evolution over time. Because Defendants dispute the premise that there is a causal connection between exposure to asbestos and lung cancer without defining the circumstances of the exposure and reasonable medical probabilities relating to various circumstances of exposure. Additionally, Defendant objects to this request to the extent that it seeks to imply that Defendants had knowledge of any reported causal connection at the time of publication of any such studies.

c. Mesothelioma?

ANSWER: Defendant objects to this subpart of Interrogatory No. 8 on the grounds set forth above as to the terms "aware", "asbestos" and "asbestos products". Defendant further objects to this subpart of Interrogatory No. 8 to the extent it implies that the medical communities knowledge and agreement regarding such a causal connection was universal or without evolution over time. Because Defendants dispute the premise that there is a causal connection between exposure to asbestos and mesothelioma without defining the circumstances of the exposure and reasonable medical probabilities relating to various circumstances of exposure. Additionally, Defendant objects to this request to the extent that it seeks to imply that Defendants had knowledge of any reported causal connection at the time of publication of any such studies.

d. Colon cancer?

ANSWER: Defendant objects to this subpart of Interrogatory No. 8 on the grounds set forth above as to the terms "aware", "asbestos" and "asbestos products". Defendant further objects to this subpart of Interrogatory No. 8 to the extent it implies that the medical communities knowledge and agreement regarding such a causal connection was universal or without evolution over time. Because Defendants dispute the premise that there is a causal connection between exposure to asbestos and colon cancer without defining the circumstances of the exposure and reasonable medical probabilities relating to various circumstances of exposure. Additionally, Defendant objects to this request to the extent that it seeks to imply that Defendants had knowledge of any reported causal connection at the time of publication of any such studies.

e. Stomach cancer?

ANSWER: Defendant objects to this subpart of Interrogatory No. 8 on the grounds set forth above as to the terms "aware", "asbestos" and "asbestos products". Defendant further objects to this subpart of Interrogatory No. 8 to the extent it implies that the medical communities knowledge and agreement regarding such a causal connection was universal or without evolution over time. Because Defendants dispute the premise that there is a causal connection between exposure to asbestos and stomach cancer without defining the circumstances of the exposure and reasonable medical probabilities relating to various

circumstances of exposure. Additionally, Defendant objects to this request to the extent that it seeks to imply that Defendants had knowledge of any reported causal connection at the time of publication of any such studies.

f. Laryngeal cancer?

ANSWER: Defendant objects to this subpart of Interrogatory No. 8 on the grounds set forth above as to the terms "aware", "asbestos" and "asbestos products". Defendant further objects to this subpart of Interrogatory No. 8 to the extent it implies that the medical communities knowledge and agreement regarding such a causal connection was universal or without evolution over time. Because Defendants dispute the premise that there is a causal connection between exposure to asbestos and laryngeal cancer without defining the circumstances of the exposure and reasonable medical probabilities relating to various circumstances of exposure. Additionally, Defendant objects to this request to the extent that it seeks to imply that Defendants had knowledge of any reported causal connection at the time of publication of any such studies.

g. Cancer of the Kidney?

ANSWER: Defendant objects to this subpart of Interrogatory No. 8 on the grounds set forth above as to the terms "aware", "asbestos" and "asbestos products". Defendant further objects to this subpart of Interrogatory No. 8 to the extent it implies that the medical communities knowledge and agreement regarding such a causal connection was universal or without evolution over time. Because Defendants dispute the premise that there is a causal connection between exposure to asbestos and kidney cancer without defining the circumstances of the exposure and reasonable medical probabilities relating to various circumstances of exposure. Additionally, Defendant objects to this request to the extent that it seeks to imply that Defendants had knowledge of any reported causal connection at the time of publication of any such studies.

h. Cancer of the Esophagus?

ANSWER: Defendant objects to this subpart of Interrogatory No. 8 on the grounds set forth above as to the terms "aware", "asbestos" and "asbestos products". Defendant further objects to this subpart of Interrogatory No. 8 to the extent it implies that the medical communities knowledge

and agreement regarding such a causal connection was universal or without evolution over time. Because Defendants dispute the premise that there is a causal connection between exposure to asbestos and cancer of the esophagus without defining the circumstances of the exposure and reasonable medical probabilities relating to various circumstances of exposure. Additionally, Defendant objects to this request to the extent that it seeks to imply that Defendants had knowledge of any reported causal connection at the time of publication of any such studies.

i. Other gastrointestinal cancers?

ANSWER: Defendant objects to this subpart of Interrogatory No. 8 on the grounds set forth above as to the terms "aware", "asbestos" and "asbestos products". Defendant further objects to this subpart of Interrogatory No. 8 to the extent it implies that the medical communities knowledge and agreement regarding such a causal connection was universal or without evolution over time. Because Defendants dispute the premise that there is a causal connection between exposure to asbestos and gastrointestinal cancer without defining the circumstances of the exposure and reasonable medical probabilities relating to various circumstances of exposure. Additionally, Defendant objects to this request to the extent that it seeks to imply that Defendants had knowledge of any reported causal connection at the time of publication of any such studies.

j. Pneumoconiosis?

ANSWER: Defendant objects to this subpart of Interrogatory No. 8 on the grounds set forth above as to the terms "aware", "asbestos" and "asbestos products". Defendant further objects to this subpart of Interrogatory No. 8 to the extent it implies that the medical community's knowledge and agreement regarding such a causal connection was universal or without evolution over time. Because Defendants dispute the premise that there is a causal connection between exposure to asbestos and pneumoconiosis without defining the circumstances of the exposure and reasonable medical probabilities relating to various circumstances of exposure. Additionally, Defendant objects to this request to the extent that it seeks to imply that Defendants had knowledge of any reported causal connection at the time of publication of any such studies.

9. If your answer to the above interrogatory, as to any or all of

its sub-parts, is affirmative, identify:

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, objects specifically to Plaintiffs' Interrogatory No. 9 for the reason that it calls for medical conclusions beyond the scope of knowledge of Thorpe Insulation Company and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant would answer as follows: Based on information within the knowledge of current management, Defendant first became aware of the reported association between Asbestos dust exposure and asbestosis and pneumoconiosis in approximately late 1970. As far as any reported connection between asbestos dust exposure and lung cancer, mesothelioma, colon cancer, stomach cancer, laryngeal cancer, cancer of the kidney, cancer of the esophagus and other gastrointestinal cancers, Defendant first became aware of any reported associations in approximately 1984.

a. When and how Defendant first learned of such connections;

ANSWER: Based on the knowledge of Defendant's current management, Defendant first became aware of the reported association between exposure to certain levels of asbestos dust and asbestosis in late 1970 and early 1971 through information regarding Dr. Selikoff's reports and OSHA Rules and Regulations. As to other disease processes, Defendant became aware over the course of litigation.

b. If knowledge was obtained by attendance at any conference, lecture, convention, symposium or meeting, identify such meeting and provide the identity of person attending or documents obtained;

ANSWER: N/A

c. If knowledge was obtained from medical or scientific studies, or any other published work, identify same;

ANSWER: N/A

d. If otherwise obtained, identify manner of receipt of document or communication.

ANSWER: N/A

10. With regard to any knowledge obtained subsequent to that identified in the above interrogatory, and up until the time that

you ceased to sell and/or manufacture asbestos products, identify:

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, objects specifically to Plaintiffs' Interrogatory No. 10 for the reason that it calls for medical conclusions beyond the scope of knowledge of Thorpe Insulation Company and is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, please see the following answers:

- a. All documents or other communications, oral or written, concerning the casual connection between exposure to asbestos or asbestos products and disease, and identify of persons so communicating:

ANSWER: Dr. Selikoff's report and OSHA regulations.

- b. Did answering Defendant obtain from or transmit any such information to other Defendants in this case? If so, identify:

ANSWER: Not to Defendant's current knowledge.

1. manner of receipt or communication for each contact;

ANSWER: N/A

2. all documents and persons involved.

ANSWER: N/A

11. As to any knowledge possessed by answering Defendant at any time referred to in answers to the preceding three interrogatories did you educate your employees, distributors, or purchasers about the hazards known to you and any safety precautions necessary to guard against cancer and other diseases arising from the use and handling of your asbestos containing products? If so, identify:

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, objects specifically to Interrogatory No. 11 for the reason that it calls for medical conclusions beyond the scope of knowledge of Thorpe Insulation Company and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects on the ground Interrogatory No. 11 is over broad in scope. Subject to and without waiving the foregoing objections, yes.

- a. When and in what manner customers, insulators, non-employee factory workers and the general public were so informed;

ANSWER: Defendant relied upon the manufacturer to provide such information and would have supplied its customers with the information supplied by the manufacturer. Additionally, Defendant relied upon the purchaser of any Asbestos Insulation Products to utilize knowledge in its possession to warn of hazards it knew about. Additionally, Defendant complied with OSHA Rules and Regulations as to its own employees.

- b. Documents communicating or otherwise disseminating such information;

ANSWER: None.

- c. Programs initiated or sponsored to establish or promote safety procedures, methods or usage of asbestos containing products;

ANSWER: N/A

- d. Published articles or reports by employees (present or prior), including those of medical directors, scientists, engineers or other professionals;

ANSWER: N/A

- e. Symposia or lectures sponsored for the benefit of asbestos workers and/or the general public.

ANSWER: N/A

12. When, before 1972, and by what manner were you first aware of the health hazards relating to exposure to asbestos or asbestos products for insulators, plasterers, pipefitters, boilermakers, operators, sheet metal workers, helpers, drywall finishers, mechanics, carpenters, shipfitters, machinist and bystanders exposed to inhalers.

ANSWER: Please refer to Objections and Answers to Interrogatories Nos. 8 and 9(a) above. Subject to the qualification that any knowledge obtained as indicated in answer Nos. 8 & 9 was limited to health hazards for insulators. To the Defendant's knowledge, it was not aware prior to 1972 of any health hazards for trades other than insulators.

13. Did you perform, direct to be performed, finance, sponsor or receive the results of any studies or tests concerning potential

health hazards involved with the use of asbestos containing materials? If so, identify such studies or tests and state:

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 13 to the extent it seeks information which is protected by virtue of the attorney-client privilege of constitutes the work product of Defendant's counsel. Subject to and without waiving the foregoing objections, Defendant was a small distributor in a limited area of asbestos-containing products and relied upon the manufacturer for this information. Therefore, Thorpe Insulation Company would answer in the negative.

- a. When, where and at what intervals such studies were performed;

ANSWER: N/A

- b. Were such studies in writing or reported at a later date in writing;

ANSWER: N/A

- c. Were the results of such studies published or otherwise disseminated? If so, state to whom and when:

ANSWER: N/A

- d. Who performed such studies;

ANSWER: N/A

- e. What were the results of such studies?

ANSWER: N/A

14. During the time period that you manufactured, sold, supplied, applied, distributed or installed asbestos containing products, what tests have been performed by any governmental agency, body, commission or health organization including, but not limited to, the U. S. Public Health Service, OSHA, or NIOSH, in your plants or on job sites owned or controlled by you concerning: specific hazards associated with the use and handling of asbestos and asbestos products; any restrictions in use of same; requirements for medical surveillance and examinations for your workers, dust monitoring or availability of safety equipment? If such findings were made, identify:

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 14 for the reasons that same is overly burdensome, overly broad, vague, indefinite and ambiguous. Subject to and without waiving the foregoing objections, Thorpe Insulation Company was a small distributor of asbestos-containing products in a limited area and never owned or controlled any job sites or plants where asbestos was installed.

- a. The date or dates of such findings and by which organization or entity such findings were made;

ANSWER: N/A

- b. The form in which such findings were made and, if written, the exact wording of same or location in regulation, order, bulletin, report or other writing;

ANSWER: N/A

- c. What steps were taken to comply with such findings and the dates when such acts of compliance occurred;

ANSWER: N/A

- d. How users of or bystanders exposed to asbestos or asbestos containing products were informed or such findings and if such information was written identifying same.

ANSWER: N/A

15. During the time that you manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed asbestos containing products, did you perform, direct to be performed, finance, sponsor or receive the results of any dust monitoring tests at job sites where asbestos-containing products were being applied and/or removed? If so, state:

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 15 on the grounds it is overly broad, unduly burdensome and requests information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thorpe Insulation Company further objects to this Interrogatory to the extent it seeks information which is protected from disclosure under the

attorney-client privilege or the work product doctrine. Subject to and without waiving the foregoing objections, yes.

- a. The date and location of the first such test;

ANSWER: J. T. Thorpe Company - December, 1972

- b. When, where and at what intervals subsequent tests were performed;

ANSWER: N/A

- c. Who performed such tests;

ANSWER: Johns-Manville

- d. Where the results of such tests are maintained;

ANSWER: J. T. Thorpe Company, Houston, Texas

- e. What steps were taken by you to improve results of such tests, and dates when such improvements were made.

ANSWER: None, in that the test results indicated Defendant was in compliance with OSHA regulations.

16. If your answer to the above interrogatory is in the negative, state your reasons for not performing dust monitoring tests.

ANSWER: N/A

17. During the time that Defendant sold, manufactured, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied or installed asbestos containing products, did the Defendant ever have any inspectors or anyone from your company or hired by your company whose job it was to go to areas where your asbestos containing products were being used, removed or installed to make a dust level count? If so, state when this procedure started, the purpose of such procedure and the findings and what action, if any, was taken in response to the findings, and attach results.

ANSWER: No.

18. During the time that Defendant manufactured, sold, designed, supplied, distributed, mined, milled, relabeled, resold, processed, applied, or installed asbestos containing products, identify any medical examination programs offered or sponsored by answering Defendant or its insurance carrier(s) for employees of its insured handling or otherwise exposed to asbestos and asbestos products.

ANSWER: None known.

- a. Manner of communication with employees about such program;

ANSWER: N/A

- b. Whether examination was mandatory or optional;

ANSWER: N/A

- c. What percentage of workers permitted to undergo such examination participated;

ANSWER: N/A

- d. What percentage of workers were found to have asbestosis or mesothelioma;

ANSWER: N/A

- e. With respect to (d), what percentage of such workers were paid disability or workmen's compensation benefits or for whose benefit medical expenses were paid to undergo treatment for such conditions.

ANSWER: N/A

19. Does the Defendant have or has it ever had, a Medical department, and/or a research department and/or an Industrial Hygiene department. If so, give the date upon which such Medical department and/or Industrial Hygiene department was established, and whether or not such department has operated continuously since being established.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Thorpe Insulation Company specifically objects to Plaintiffs' Interrogatory No. 19 as overly broad and unduly burdensome. Subject to and without waiving the foregoing objection, not during the period of time Thorpe Insulation Company sold any asbestos-containing material.

- a. Name each director, chief or head of your Medical department and/or Industrial Hygiene department year by year with the first year you had a director of such department. Give the last known address of each.

ANSWER: N/A.

- b. State in detail the duties, responsibilities and purpose of such department(s);

ANSWER: N/A.

20. Identify all asbestos related trade organizations, associations, or other entities including, but not limited to the Gypsum Association, Vermiculite Institute, Asbestos Textile Institute, Industrial Hygiene Foundation, Magnesite Insulation Manufacturers Association, National Insulation Manufacturers Association, Asbestos Information Association, National Insulation Contractors Association, Thermal Insulation Manufacturers Association, Quebec Asbestos Manufacturers Association, Quebec Asbestos Producers Association to which you have belonged or in which you have participated and as to each respective organization, identify the dates of membership or participation.

ANSWER: None

21. Identify any documents, not currently on file in the Master Asbestos File of Harris County, either received by you from those trade organization, associations or other entities identified in the preceding interrogatory or else submitted by you to those trade associations, organizations or other entities that relate to any relationship between asbestos exposure and disease.

ANSWER: None, except documents received by our attorney, during the course of this litigation.

22. Identify all agreements, oral or written, between you, any of the other Defendants in this lawsuit, and/or any other organizations, associations or other entities identified in your answer to Interrogatory No. 20 and/or any medical or scientific foundations, not currently on file in the Master Asbestos File of Harris County, relating to the standardization of:

ANSWER: None.

- a. Specifications for paper or burlap bags, or other packaging to be used for the transport and/or storage of asbestos-containing products during the time that you manufactured, sold, distributed, or applied asbestos-containing products.

ANSWER: N/A

- b. Warning or caution labels to be applied to asbestos products and/or their packaging, cartons, containers, or boxes during the time that you manufactured, sold, distributed, or applied asbestos-containing products.

ANSWER: N/A

- c. Methods of dissemination or public relation information to Defendant's purchasers, advertisers, distributors, factory workers, contractors, insulators, users, consumers of asbestos products and/or the general public pertaining to asbestos health hazards.

ANSWER: N/A

- d. Safety equipment and/or protective clothing to be utilized while handling Defendant's asbestos products.

ANSWER: N/A

- e. Medical programs related to asbestos health hazards to be offered or sponsored by Defendant.

ANSWER: N/A

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

ANSWER: No.

- a. All documents summarizing findings or results of those studies or tests which you have in your possession or control;

ANSWER: N/A

- b. All communications oral or written, between answering Defendant and Saranac personnel including, but not limited to, Gerrit W. H. Schepers, M.D. and George Wilbur Wright, M.D.;

ANSWER: N/A

- c. All documents relating to Saranac studies received or submitted by you whether directly, through associated or predecessor companies, through other companies, or through trade associations, organizations or other entities;

ANSWER: N/A

- d. All recommendations or findings of such studies relating to:

ANSWER: N/A

1. adequacy or inadequacy of threshold limit values;

ANSWER: N/A

2. substitution of materials other than asbestos.

ANSWER: N/A

- e. Where documents and/or communications identified in answers to (a) - (d) of this Interrogatory are maintained.

ANSWER: N/A

24. Prior to December 31, 1989, has any employee of answering Defendant ever made a claim for any asbestos related disease under the Occupational Disease or Workmen's Compensation Statute of any state? If so, state;

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 24 for the reason same is overly broad, unduly burdensome and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence as Thorpe Insulation Company's employees are not the subject of this litigation. Subject to and without waiving the foregoing objections, yes.

- a. The date that Defendant first received notice of such claim;

ANSWER: 1987.

- b. The total number of such claims per year received to date;

ANSWER: To be supplied subject to Defendant's objections.

- c. The number of such claims for which disability benefits and/or medical expenses were paid by Defendant;

ANSWER: To be supplied subject to Defendant's objections.

- d. Identify all persons to whom disability benefits and/or medical expenses were paid by Defendant and the exact medical diagnosis, disease and/or condition for which such benefits/expenses were paid.

ANSWER: To be supplied subject to Defendant's objections.

25. Identify each and every magazine or trade publication in which answering Defendant advertised its asbestos products from 1950 until the time you ceased mining, milling, selling, distributing, and/or applying asbestos containing products.

ANSWER: None known.

26. As to the person(s) answering these interrogatories, state:

a. name;

ANSWER: Richard A. Nowland

b. title or position with Defendant;

ANSWER: Former Director

c. length of time employed by Defendants.

ANSWER: 1982-1986 (Corporation now dissolved)

27. Have you ever sold raw asbestos fiber? If so, state the dates you were involved in the sale of raw asbestos fiber.

ANSWER: No.

28. State whether or not you have any information as to your relative market share regarding each of your asbestos containing products. If so, as to each year between 1940 or the time that you began mining, milling, selling, distributing and/or applying asbestos containing products until cessation of same, and with respect to each type of product, provide such information or opinion as to your market share and identify each document which provides any information to assist you in this determination. Give the same answers as to asbestos containing products in the Texas Gulf Coast area.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 28 on the ground that it requests information which is irrelevant, not limited in time and scope and not reasonably calculated to lead to the discovery of admissible evidence, and is further vague, ambiguous, overly broad, unduly burdensome, oppressive and harassing. By way of further objection to this Interrogatory, Thorpe Insulation Company has insufficient information as to "total Market" for the "Texas Gulf Coast area" or otherwise of all

asbestos-containing insulation products of other manufacturers and consequently is unable to state any percentages. Subject to and without waiving the foregoing objections, Thorpe Insulation Company was small retailer for a limited area and has no specific information relative to market share, at this time.

29. Have you designated distributors of your asbestos containing products in the State of Texas? If so, then state the name of all companies, their addresses, give the years that each was a designated distributor and the products each distributed.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 29 on the ground it requests information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, and is further overly broad and burdensome. Subject to and without waiving the foregoing objections, no, Thorpe Insulation Company is designated distributor.

30. If you did not have designated distributors in the State of Texas, then state by what method sales of asbestos containing materials were made. Give the name and addresses of all Defendant's sales offices, relating to asbestos containing products, located in the State of Texas.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 30 on the ground it request information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, and is further overly broad and burdensome. Subject to and without waiving the foregoing objections, please refer to Answer to Interrogatory No. 29 above.

31. Did you ever have a division or subsidiary company engaged in the contracting business of applying insulation products? If so, give the name of such division or subsidiary company, the full address of the home office of such division or subsidiary company, and the dates such division or subsidiary company was engaged in the contracting business.

ANSWER: Yes. Thorpe Insulation Company (1965-early 1970's).
Address: P.O. Box 330403
Houston, TX 77233

32. Based upon the contents of your products, the method of manufacturing and the method of application, could or can your products be generally applied or removed without liberating asbestos fibers? Your answer may be limited to those asbestos-containing products that have been identified in any Harris County asbestos case.

- a. If there is a different answer concerning different products manufactured, sold, distributed, or used by your company then specify the different products by manufacturer's name and popular name.
- b. If there is a difference in your answer depending on the year or years in which a particular product was used, then specify in detail what year or years you are referring to and the specific products you are referring to and the year involved.
- c. If there is a difference in your answer depending on the trade or type worker, then specify which type workers you are referring to.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 32 for the reason that this Interrogatory is overly broad and burdensome. Subject to and without waiving the foregoing objection, it is impossible to determine the amount of dust, if any, that would be liberated during application or removal of asbestos-containing products. The extent of exposure to asbestos dust depends on the product involved, protective equipment, the general environment, work practices, installation safety procedures and worker compliance.

33. Was it anticipated that your asbestos containing products may have to be removed, stripped, disturbed, or replaced at any time after installation?

ANSWER: Yes, under certain circumstances some asbestos-containing products may be removed after installation.

34. Did the Defendant, during the time it mined, manufactured, milled, sold or applied asbestos-containing products, give users or other persons exposed to asbestos containing products or their employers who would be applying, using, removing your asbestos containing products instructions concerning safety precautions to use in applying, using or removing such products? If so, describe such instructions, to whom they were given, the dates they were given, and the manner of giving such instructions.

ANSWER: See Answer to No. 5 regarding warnings and/or cautions.

35. If you have pled that the Plaintiff misused Defendant's asbestos containing products, then state in what manner the Defendant contends that Plaintiff misused its products? If "Yes", then state in what manner and under what circumstances each product was misused. Also state what Plaintiff could have done to avoid such misuse.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 35 on the ground it request information which is irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence, and is further overly broad and burdensome. Subject to and without waiving the foregoing objections, Defendant makes no such contention at this time. Discovery is continuing as to specific Plaintiffs and this response will be updated as discovery progresses.

36. List all the job sites, contractors and/or facilities in the Gulf Coast area of Texas, including, but not limited to, oil refineries, chemical plants, power plants, shipyards, commercial buildings, and manufacturing plants, where or to whom Defendant's asbestos products were supplied, distributed, sold and/or used. Also, list which products were involved, the date or time period of such sale, distribution, use or installation and if known, the physical location within the facility listed. Alternatively, you may produce the documents requested in Request for Production No. 1.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 36 for the reason that same requests information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, not limited in time and scope and is overly broad, indefinite, overly burdensome and harassing. Subject to and without waiving the foregoing objections, Defendant could confirm or deny whether the contractors and/or facilities where Plaintiffs worked concerning the sales of any asbestos-containing material to such contractors and/or facilities when Plaintiffs provide this specific information to Defendants. Otherwise, in the absence of specific invoices dating back to the periods when Thorpe Insulation Company sold any asbestos containing products, it would be incapable of rendering a precise answer.

Subject to this objection, and without waiving same, Defendant would answer as follows:

Any sale of asbestos containing material during the relevant time period would have been made by the following separate and distinct corporation:

Thorpe Insulation Company (1965-early 1970's).

The following is a list of job sites in the Gulf Coast Area of Texas to which Thorpe Insulation Company may have supplied products. However, Defendant does not have any supporting documents to confirm if the products supplied were, or were not, asbestos nor the exact date or time period of such distribution. Additionally, please refer to the Answer to Interrogatory No. 3 for the types of products involved. Furthermore, since Thorpe Insulation Company was only the distributor of said products the physical location of the products within the facilities listed is unknown.

JOB SITES

ALUMINUM CO. OF AMERICA, PT COMFORT

AMOCO OIL CO., TEXAS CITY

AMOCO CHEMICALS, CHOCOLATE BAYOU, ALVIN, TEXAS

ARCO CHEMICAL, CHANNELVIEW

ARCO REFINING, PASADENA, TEXAS

BROWN & ROOT, HOUSTON, TEXAS

CAMERON IRON WORKS, HOUSTON, TEXAS

CAMPBELL IND & COMM INSULATORS, PASADENA, TEXAS

CENTRAL POWER & LIGHT CO., ALL PLANTS

CHAMPION PAPER (NOW SIMPSON PAPER) PASADENA, TEXAS

DIAMOND SHAMROCK, ALL PLANTS IN HOUSTON, TEXAS

DOW CHEMICAL CO., FREEPORT, TEXAS

DOW CHEMICAL CO, LAPORTE, TEXAS (FORMERLY UPJOHN)

E.I. DUPONT, ORANGE, TEXAS
E.I. DUPONT, BEAUMONT, TEXAS
ETHYL CORP., PASADENA, TEXAS
EXXON CHEMICALS, BAYTOWN, TEXAS
EXXON REFINING, BAYTOWN, TEXAS
FLOUR CORP.
FMC CORP., BAYPORT, TEXAS
GOODYEAR TIRE & RUBBER, BEAUMONT, TEXAS
GULF STATES UTILITIES, BEAUMONT, TEXAS,
HOUSTON LIGHT & POWER CO., ALL PLANTS
MARATHON OIL, TEXAS CITY, TEXAS
MERICHEM CO., HOUSTON, TEXAS
MOBIL CHEMICAL, BEAUMONT, TEXAS
MOBIL CHEMICAL, (FORMERLY OLIN MATHIESON), PASADENA, TEXAS
MOBIL OIL CO., BEAUMONT, TEXAS (ALL PLANTS IN TEXAS)
MONSANTO CHEMICAL, TEXAS CITY, TX (NOW STERLING CHEMICAL)
NALCO CHEMICAL, SUGARLAND, TEXAS
OCCIDENTAL CHEMICAL CORP.
OLIN CORPORATION, BEAUMONT, TEXAS (FORMERLY OLIN MATHIESON)
PENNWALT CORP, HOUSTON, TEXAS
PETROTEX CHEMICAL, PASADENA, TEXAS (NOW MOBAY SYNTHETICS)
PHILLIPS CHEMICAL, PASADENA, TEXAS
PHILLIPS PETR CO, SWEENEY, TX
PURE OIL CO (NOW UNOCAL)
SHELL OIL CO, DEER PARK
TEXACO, INC., PT ARTHUR

TEXACO CHEMICAL CO., PT. NECHES AND ALL OTHER PLANTS

TEXAS CITY REFINERY

TEXAS GULF SULPHUR, BEAUMONT, NEWGULF

UNION CARBIDE & CHEMICAL CORP.

UNION TEXAS PETRO. CO.

WARREN PETRO., MOUNT BELVIEW, TX

37. For the attached list of San Antonio job sites, state whether or not Defendant's asbestos products were supplied, distributed, sold and/or used. Also, list which products were involved, the date or time period of such sale, distribution, use of installation and, if known, the physical location within the facility listed.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporate by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 37 for the reason that same requests information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, is overly broad, indefinite, overly burdensome and harassing, and it does not contain any limitation regarding time or geographical area. The term "San Antonio area of Texas" is undefined and renders this Interrogatory meaningless. Subject to and without waiving the foregoing objections, please see Answer to No. 36.

38. Up until the time that you ceased to sell and/or manufacture asbestos containing products, had the Defendant ever conducted or caused to be conducted any studies designed to minimize or eliminate the inhalation of asbestos dust or fibers by those exposed to the use of the Defendant's asbestos containing products? If so, give the following:

- a. Name of the person or firm conducting such studies;
- b. The date the studies began and the date completed;
- c. Any publication or dissemination of the results of the studies;
- d. The nature of any action to eliminate or minimize inhalation of asbestos dust or fibers;
- e. Attach copies.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 38 on the ground it requests information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, and is further overly broad and burdensome. Subject to and without waiving the foregoing objection, no.

39. Has the Defendant ever directly advised any person or party to whom you sell your asbestos containing products of threshold limit values for exposure to asbestos dust recommended by the American Conference of Governmental Industrial Hygienist, or mandated by any governmental entity? If so, state the date that you so advised such person or party, the manner in which you advised such person or party, and the name of each.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 39 on the ground it requests information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, and is further overly broad and burdensome. Subject to and without waiving the foregoing objection, Thorpe Insulation Company was a small retailer in a limited area and relied upon the manufacturer to the dissemination of such information. Additionally, see Answer to Interrogatory Nos. 3 and 5.

40. State the year that this Defendant was first advised of threshold limit values and maximum allowable concentrations of both asbestos dust and total dust by the American Conference of Governmental Industrial Hygienists, and state the name of the employee of the company receiving such information, the information received, the method of receipt of such information and attach copies of the instrument communicating such advice.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 40 on the ground it requests information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, and is further overly broad and burdensome. Subject to and without waiving the foregoing objection, approximately 1970-71, with the advent of the Occupational Safety and Health Administration. Defendant does not know specifically who received this information

or how same was transmitted.

41. Was such threshold limit values of maximum allowable concentrations inquired about in the preceding interrogatory total dust or just asbestos dust?

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 41 on the ground it requests information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, and is further overly broad and burdensome. Subject to and without waiving the foregoing objection, please see Answer to Interrogatory No. 40.

42. Up until the time that Defendant ceased to sell and/or manufacture asbestos containing products, state in detail what test, if any your company or its predecessor(s) ever made with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which users or bystanders were exposed while using your asbestos containing products.

- a. If there were any such tests or studies, give the name or names of the person(s) conducting the tests, the date of the tests and attach true copies of any reports, findings or memoranda concerning such tests or studies.

ANSWER: Please see Answer to Interrogatory No. 15.

43. Does the Defendant possess or have in its control any written documents and/or written materials prior to 1980 which indicate that other manufacturers of asbestos containing products had any knowledge, information or understanding that asbestos would, could or might be harmful? If so, list each document and/or written material, and attach a copy.

ANSWER: None, except documents obtained by our attorney during the course of this or other litigation. The Defendant has no such list but would refer you to the Master Exhibit List filed by any party to this litigation.

44. Did your company or its predecessor(s) ever place any warning directly on any of its asbestos containing products? (i.e. on insulation pipe covering itself). If so, state the wording of such warning, the size, how it was marked and the dates of placement.

ANSWER: Thorpe Insulation Company was a small distributor in a limited area and all warning labels, inserts or other writings provided with such products were by the manufacturer. This question should be directed to the

manufacturer. Any warnings, instructions or cautions were sold with the product as the product was packaged by the manufacturer.

45. Did the Defendant ever provide a warning within its sales literature pertaining to asbestos containing products? If so, list the wording, the dates and what literature it was placed in.

ANSWER: Please see Answer to Interrogatory No. 44. Additionally, please see Answer to Interrogatory No. 5. Also see Answer to No. 3 of Defendant, Manville Corporation Asbestos Disease Compensation fund, to Plaintiffs' Master Set of Interrogatories.

46. Were any Material Safety Data sheets ever prepared by the Defendant for your asbestos products? If so, attach copies.

ANSWER: Please see Answer to Interrogatory No. 45 above.

47. Does Defendant have insurance policies that might cover the claims made by Plaintiff in this case?

ANSWER: Yes.

48. If the answer to the above interrogatory is affirmative, please state:

- a. the amounts of insurance coverage that is currently available as of the date you answer these interrogatories, and
- b. how much is in dispute.

ANSWER: Please refer to Response to No. 6 of Defendant, Thorpe Insulation Company's Responses to Plaintiffs' Master Set of Request for Production.

49. If you have not previously supplied the requested information in the Master Asbestos File, then for each and every expert witness, medical or otherwise, whom you may call to testify during the trial of this cause, please state the following:

- a. Full name,
- b. Address,
- c. Phone number,
- d. Each subject matter on which the expert witness is expected to testify,

- e. The mental impressions and opinions held by the expert which relate to this case in any way, and
- f. The facts known to the expert (regardless of when the factual information was acquired) which relate to or form the basis of the mental impression and opinions held by the expert.
- g. Who will be paying each such expert and how much.

ANSWER: Please refer to the Harris County Master Witnesses List for Defendants. Thorpe Insulation Company incorporates by reference, as if set forth completely herein, the contents of the Harris County Master Witness List for Defendants previously filed in the Master Asbestos Docket for Harris County.

50. If you have previously supplied the requested information in the Master Asbestos File, then for each expert who will not be called as a witness, but whose work product forms the basis in whole or in part of the opinions of any expert who will be called as a witness, state:

- a. the name, address and telephone number to the non-testifying expert;
- b. the subject matter of the work product on which the testifying expert will rely;
- c. the mental impression of the non-testifying expert; and
- d. the facts known to the non-testifying expert.

ANSWER: Please see Answer to Interrogatory No. 49.

51. Identify the name, address and telephone number every person whom you intend to call as a witness at trial, who has not previously been listed as a witness in Defendant's Master Witness List on file in the Master Asbestos File.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 51 for the reason that same requests information which falls outside the permissible scope of discovery as provided by the Texas Rules of Civil Procedure, Rule 168. Defendant further objects for the reason that the Texas Rules of Civil Procedure do not require the disclosure of witnesses to be called at trial. Gutierrez vs. Dallas I.S.D., 729 S.W.2d 691 (Tex. 1987). To require Defendants

to so state would be burdensome, prejudicial, invade the attorney-client privilege and work product privilege. Subject to and without waiving the foregoing objections, please refer to Defendants' Master List on file in the Master Asbestos File for Harris County, Texas.

52. What is Defendant's present net worth?

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 52 on the ground it request information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence as there has been no finding of punitive liability in these cases, not limited in time and scope, and is overly broad, harassing, indefinite and burdensome. Subject to and without waiving the foregoing objections, Defendant is in the process of gathering this information and will supplement upon receipt.

53. Has this Defendant, or its present directors or officers acting on its behalf, made monetary contributions in excess of \$5,000.00 within the past ten years to the following scientists or researchers who have written on the subject of asbestos-related diseases or to their employing universities on behalf of or at the request of the scientist or researcher:

Raymond Murphy - Harvard Medical School and Harvard School of Public Health.

Margaret Becklake - McGill University, Montreal, Canada.

Stuart Brooks - University of Florida at Tampa.

Edward A. Gaensler - Boston University of Medicine, Harvard Medical School, Tufts Medical School.

Bernard Gee - Yale University School of Medicine.

Allan Goldman - South Florida College of Medicine, Division of Pulmonary, Critical Care and Occupational Medicine.

Jerome Kleinerman - Case Western Reserve University School of Medicine.

Hilton Lewinsohn - University of Connecticut, Yale University.

Hans Weill - Tulane University

Morton Corn - John Hopkins

Brooke Mossman - University of Vermont

John Craighead - University of Vermont

J. Christopher Wagner

J. Corbett McDonald - McGill University

Peter Elmes

Paul E. Wheeler - John Hopkins

Lee Reichman - University of Medical and Dentistry of New Jersey,
Newark, New Jersey.

J.M.G. Davis - Institute of Occupational Medicine, Edinburgh, U.K.
(England).

J.N.P. Davies - Albany Medical College, New York.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 53 for the reason that same is overly broad, unduly burdensome, irrelevant, a matter of attorney-client or work product privilege, not limited in time or scope and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant would answer that it knows of none.

54. In what year did this Defendant first become aware of the 1938 Public Health Bulletin No. 241 entitled "A Study of Asbestosis in the Textile Industry"?

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 54 for the reason that this information may have been obtained through the process of litigation and therefore, irrelevant. Subject to and without waiving the foregoing objections, Thorpe Insulation Company, through its management, was not aware of same.

55. In what year did this Defendant first become aware of the 1946 article entitled "A Health Survey of Pipe Covering Operations in Construction Naval Vessels" by Fleisher, Drinker, et al.

ANSWER: See Objections and Answer subject thereto in

Interrogatory No. 54.

56. How many claims or lawsuits (other than workers' compensation claims) were filed against this Defendant in the 1930's alleging, in whole or in part injury, damage or disease from exposure to or inhalation of various dusts? This interrogatory includes cases of asbestosis, pneumoconiosis and silicosis due to the fact individuals were or may have been exposed to mixed types of dusts.

ANSWER: None.

57. Has this Defendant in other litigation ever alleged or admitted that the health hazards of asbestos containing insulation products were known prior to 1945?

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Interrogatory No. 57 for the reason that same is overly broad, burdensome and harassing. It is not limited in time or scope. Further objection is levied for the reason that same is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, no as to this Defendant. As to the knowledge of other persons or entities discovery is ongoing and this Defendant will supplement its response if necessary.

MASTER FILE

IN RE: § **IN THE DISTRICT COURT**

ASBESTOS § **OF**

LITIGATION § **HARRIS COUNTY, TEXAS**

DEFENDANT THORPE INSULATION COMPANY'S, RESPONSES
TO PLAINTIFFS' REQUEST FOR PRODUCTION

TO: PLAINTIFFS, BY AND THROUGH THEIR ATTORNEY OF RECORD, JOHN E. WILLIAMS, JR.

NOW COMES Thorpe Insulation Company, Defendant in the above-styled and numbered cause of action, and files this its Responses to the Request for Production of the Plaintiffs and in response to said Request for Production makes the following responses thereto as shown on the attached pages.

Respectfully submitted,

FAIRCHILD, PRICE, RUSSELL,
THOMAS & HALEY

P. O. Drawer 1336
Center, Texas 75935
(409) 598-2981
(409) 598-7712 - fax

C. Victor Haley
C. VICTOR HALEY, TBA #08738400
ATTORNEY FOR THE DEFENDANT,
THORPE INSULATION COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been deposited in a United States mail receptacle, certified mail, return receipt requested, on this the _____ of _____, 1992, addressed to Mr. John E. Williams, Jr.


C. VICTOR HALEY

GENERAL OBJECTIONS

1. Defendant, Thorpe Insulation Company, initially objects on the ground that this Defendant was never properly served with a copy of Plaintiffs' Request for Production to all Defendants. Defendant, Thorpe Insulation Company, after being named as a Defendant, was unable to procure a Master Set of Request for Production to all Defendants and was required to contact Plaintiff regarding same. As such, Defendant objects to answering such Request for Production, which were never properly served.

2. Defendant, Thorpe Insulation Company, adopts the objections asserted by any and all other Defendants herein, and incorporates same by reference.

3. Defendant, Thorpe Insulation Company, objects to these Requests for Production for the reason they exceed the permissible number as allowed by the Texas Rules of Civil Procedure and because they are overly broad and unduly burdensome. Thorpe Insulation Company objects to any Request for Production which requests information relating to products about which there has been no particular product identification or to which Plaintiffs claim no exposure. To require information about such products would result in production of information which is totally irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

RESPONSES TO REQUEST FOR PRODUCTION

1. Copies of at least ten depositions or trial transcripts taken since July, 1988, for all expert and fact witnesses listed by the Defendants in this case. The Defendants do not have to produce copies of the requested documents if this Plaintiff's attorney was present for the deposition or trial testimony of the witness. The Defendants do not have to provide copies of the requested documents if they were previously produced. Further, Defendants do not have to produce documents for witnesses that they strike from their lists prior to this production being due. However, this request remains in effect for all Defendants who have not yet listed witnesses and for witnesses that may be listed before trial in this case. Further, this request is only for depositions and trial transcripts where testimony related in whole or in part to asbestos, asbestos related diseases, asbestos products and materials and/or asbestos litigation. This request does not include any such deposition or trial testimony from Dr. Keith Wilson nor Dr. Paul Stevens or Corwin Hinshaw.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Request for Production No. 1 on the ground that same is overly burdensome and harassing and for the further reason that same is not reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects for the reason that this information is as readily available to Plaintiffs as it is to Defendant. Additionally, Defendant may not have all transcripts and depositions of expert witnesses and may be unaware of certain transcripts; some expert witnesses have testified in other states in cases with different Defendants and different Plaintiffs' attorneys. Subject to and without waiving the foregoing objection, please refer to Defendant's expert witnesses list attached to Answers to Interrogatories. Additionally, given Plaintiffs' request as worded, no response in the form of production should be required of this Defendant.

2. Copies of all reports provided to Defendants in this case from all testifying expert witnesses listed by the Defendants in this case except for reports or individuals where this Plaintiffs counsel was the attorney of record.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Request for Production No. 2 on the ground

that same is overly broad on its face; many reports would involve Plaintiffs represented by other attorneys in asbestos litigation. Such reports would be confidential as to that person and his attorney; experts may have rendered reports in cases in which this Defendant is not a party and would have no access to such reports; further reports related to other cases would be irrelevant to any issue in this case and would be unavailable to any party to which that report was not submitted. Subject to and without waiving the foregoing objections, Defendant presently has no documents responsive to this Request.

3. Copies of all billing statements from and payments to all expert witnesses listed by the defendants in this case. This request does not call for the production of financial records from the expert witnesses themselves.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Request for Production No. 3 on the ground that same is overly broad, vague, indefinite and unclear. Subject to and without waiving the foregoing objection, this Defendant has no documents responsive to this request.

4. Copies of all photos, videotapes and recordings of the Plaintiff in this case.

ANSWER: None to date.

5. Copies of all photos, videotapes and recordings of the Plaintiff in this case.

ANSWER: None to date.

6. Copies of all insurance policies and copies of settlement agreements between the Defendants and their insurance carriers which show coverage available to each Defendant in this case.

ANSWER: See attached schedule. Additionally, see previous material supplied by J. T. Thorpe Company in response to this Request for Production.

7. All documents, invoices and/or purchase orders that reflect all sales, purchases for application or resale, payment and use of asbestos and/or asbestos containing products in the Texas Gulf Coast area from 1930 to the date of your last sale or purchase.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference,

Defendant, Thorpe Insulation Company, specifically objects to Request for Production No. 7 on the ground that same is overly burdensome, broad and harassing. Defendant further objects for the reason that it is unsure of the meaning of "Texas Gulf Coast area" and that such description is extremely vague and indefinite. Subject to and without waiving the foregoing objections, Defendant has not located documents responsive to this request at this time, except for any invoices or purchase records on file in the Master Asbestos File.

8. All internal or external memoranda or documents that identify the suppliers and/or distributors of your asbestos and asbestos containing products, (limited to those asbestos containing products supplied and/or distributed in the Texas Gulf Coast area), from 1930 to the date of your last sale or purchase.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Request for Production No. 8 on the ground that same is overly burdensome, broad and harassing. Defendant further objects for the reason that it is unsure of the meaning of "Texas Gulf Coast area" and that such description is extremely vague and indefinite. Subject to and without waiving the foregoing objection, Thorpe Insulation Company has no document responsive to this Request as same is interpreted.

9. All documents reflecting how and when the defendant or its employees first learned of the health hazards associated with asbestos exposure.

ANSWER: Please refer to Defendant, Thorpe Insulation Company's, Answer to Interrogatory No. 9. Additionally, Defendant has not located any documents responsive to this request as of this date.

10. All sales brochures, and/or literature pertaining to asbestos containing products manufactured, purchased for resale, designed, distributed, installed, applied and/sold by the Defendant, its predecessor(s) or subsidiaries, in the Texas Gulf Coast area from 1930 to the date of your last sale or purchase.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Request for Production No. 10 on the ground that same is overly broad, vague, indefinite and unclear; also, Defendant is unsure of the meaning of "Texas Gulf Coast area" and such description is extremely vague and

unclear. Subject to and without waiving the foregoing objections, Defendant has no documents responsive to this Request and would refer Plaintiff to Thorpe Insulation Company's Answer to No. 3 to Plaintiffs' Master Set of Interrogatories to All Defendants.

11. All documents reflecting how and when the Defendant or its employees first learned of the health hazards associated with asbestos exposure.

ANSWER: Please refer to Defendant, Thorpe Insulation Company's, Answer to Interrogatory No. 9. Additionally, Defendant has not located any documents responsive to this request as of this date.

12a. All documents from 1930 till the date of your last sale or purchase which indicates when other manufacturers of asbestos containing products, and Metropolitan Life Insurance Company had any knowledge, information or understanding that asbestos would, could, or might produce harmful effects to a person's health.

ANSWER: Please refer to Plaintiffs' Master Exhibit List and the documents in your possession.

12b. All documents from 1930 till the date of your last sale or purchase that indicate when other manufacturers of asbestos containing products and Metropolitan Life Insurance Company first issued health warnings associated with the use of their products.

ANSWER: Please refer to Plaintiffs' Master Exhibit List and the documents in your possession.

13. All documents relating to research and testing of products containing asbestos conducted by the 'Defendant's personnel pertaining to the health hazards of ventilation to human beings from 1930 until the date of your last sale or purchase.

ANSWER: Thorpe Insulation Company was a small distributor in a limited area around Harris County, Texas and relied upon the manufacturer for this information. Therefore, Thorpe Insulation Company has no documents responsive to this Request.

14. All books pamphlets, memoranda, or written materials of any kind or character in the Defendant's possession prior to 1972 that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically

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objects to Request for Production No. 14 on the ground that same is overly broad, vague and ambiguous and Defendant is unclear as to the meaning of "in the Defendant's possession" for which a specific response would be impossible. Subject to and without waiving the foregoing objections, the only documents which were known to have been within Defendant's possession prior to 1972 would have been information concerning Dr. Selikoff's studies obtained by this Defendant in late 1970 and documents pertaining to OSHA Rules and Regulations. The Defendant is attempting to determine if such documents are in its current possession and if located will be furnished.

15. All material safety data sheets pertaining to Defendants and/or its predecessor's asbestos and asbestos containing products.

ANSWER: Thorpe Insulation Company was a small distributor of asbestos-containing products in a limited area and any material safety data sheets which accompanied the sale of such products would have been provided with the product by the manufacturer. Therefore, Thorpe Insulation Company has none.

16. Any and all records which reflect the dollar value amount spent annually on medical research since 1930 by this defendant, including all subsidiaries, divisions, and predecessor entities pertaining to the health effects of asbestos.

ANSWER: Thorpe Insulation Company has no documents responsive to this Request.

17a. All correspondence, in-house memos, correspondence to or from third parties, and/or correspondence between defendant and defendant's customers concerning the hazards of asbestos from 1930 until the date of your last sale or purchase.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Request for Production No. 17 to the extent the terms "correspondence" and in-house memos" include communication between Thorpe Insulation Company, its officers and its employees with counsel and retained counsel, the correspondence is protected by the attorney-client privilege. Subject to and without waiving the foregoing objections, Thorpe Insulation Company has no documents responsive to this Request.

17b. All correspondence, in-house memos, correspondence to and from

third parties, and/or correspondence between defendant and defendant's customers regarding the content of defendant's asbestos-containing products from 1930 until the date of your last sale or purchase.

ANSWER: Defendant has none.

18. Copies of all photographs of warnings placed on the asbestos-containing products manufactured by the defendant, or any products it sold, distributed, purchased, applied or installed with reference to the date and product involved.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Request for Production No. 18 to the extent the Request is not limited to asbestos containing products, the Request is irrelevant, overly broad, burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Defendant has no such photographs. Additionally, Defendant would refer Plaintiff to Thorpe Insulation Company's Answer to Interrogatory No. 3 to Plaintiffs' Master Set of Interrogatories and Defendant, Manville Corporation Asbestos Disease Compensation Fund's, Answer to Interrogatory No. 3 to Plaintiffs' Master Set of Interrogatories.

19. All records reflecting any warnings given to you by the mining companies or suppliers of raw asbestos.

ANSWER: Thorpe Insulation Company has no warnings given by the mining companies or suppliers of raw asbestos.

20. Any correspondence and/or records to or from purchasers, users of defendant's products or services, insurance carriers, distributors, suppliers, or subsidiary reflecting any warnings pertaining to asbestos, and/or asbestos-containing products.

ANSWER: Please refer to Response to No. 18.

21. All documents which indicate any instructions and/or safety precautions relating to the removal, replacement, application and/or installation of defendant's asbestos containing products from 1930 until the date of your last sale or purchase.

ANSWER: Defendant was a small retailer of asbestos-containing products in a limited area and relied upon the manufacturer for any such instructions and/or safety precautions. Therefore, Defendant would refer Plaintiff

to the manufacturer since the Defendant has none in its possession.

22. All documents that indicate the location of the mine, identity of the mine, and/or present or prior ownership of the mine from which the asbestos contained in the defendant's products was obtained.

ANSWER: Thorpe Insulation Company has no documents responsive to this Request.

23. All documents and depositions containing information about worker's compensation claims or suits by employees of the defendant where there was a claim that the injury was due to asbestos exposure.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Request for Production No. 23 that same seeks correspondence pertaining to rates and the reason for rates which are unrelated to products containing asbestos, the Request is irrelevant, immaterial, overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Thorpe Insulation Company has no documents responsive to this Request.

24. All correspondence between the defendant its worker's compensation agents or insurers that refers to changes in rates due to asbestos exposure for the period in which defendant's products containing asbestos were sold, used, supplied or installed.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Request for Production No. 24 that same seeks correspondence pertaining to rates and the reason for rates which are unrelated to products containing asbestos, the Request is irrelevant, immaterial, overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections, Thorpe Insulation Company has no documents responsive to this Request.

25. All Securities and Exchange Commission filings that refer to asbestos litigation against the defendant, its predecessor(s) or subsidiaries.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Request for Production No. 25 that Securities and Exchange Commission filings are a matter of public record equally available to Plaintiff as to Thorpe Insulation Company and the Request is unduly burdensome. Subject to and without waiving the foregoing objections, Thorpe Insulation Company has no documents responsive to this Request.

26. For each of the past five years, an annual report of this Defendant or a balance sheet that reflects the Defendant's corporate worth and financial status.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Plaintiffs' Request for Production No. 26 on the ground it requests information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence as there has been no finding of punitive liability in these cases, not limited in time and scope, and is overly broad, harassing, indefinite and burdensome. Additionally, this constitutes proprietary information of Thorpe Insulation Company. Subject to and without waiving the foregoing objections, Defendant will produce or provide its net worth upon request.

27. Any and all documents referred to in your response to Plaintiff's interrogatories.

ANSWER: In addition to all objections made by other Defendants, which this Defendant hereby incorporates by reference, Defendant, Thorpe Insulation Company, specifically objects to Request for Production No. 27 to the extent that documents referred to in Thorpe Insulation Company's Answers to Interrogatories were objected to, Thorpe Insulation Company objects to producing such documents, if any. Additionally, such Request is overly broad, vague and indefinite. Subject to and without waiving the foregoing objections, Thorpe Insulation Company has no additional documents responsive to this Request.

28. Any and all patents issued or assigned to this Defendant for asbestos products.

ANSWER: Thorpe Insulation Company was a small distributor of asbestos containing products and had no patents issued or assigned to it.

**RESPONSE TO REQUEST FOR PRODUCTION
NUMBER 6**

J T THORPE COMPANY INSURERS

"PRIMARY"

Insurer	From	To	Policy No.	Person	Acc Occ	Address
American Motorist	1/1/54	1/1/55	4YM 425-192	250/per	500/acc	500/prod ag
American Motorist	1/1/55	1/1/55	5ZM-425 192	250/per	500/acc	500/prod ag
American Motorist	1/1/56	1/1/57	6ZM-425 192	250/per	500/acc	500/prod ag
American Motorist	1/1/57	1/1/57	7ZM-425 192	250/per	500/acc	500/prod ag
American Motorist	1/1/58	1/1/60	8ZM-94 278	250/per	500/acc	500/prod ag
American Motorist	1/1/59	1/1/60	9ZM 94278	250/per	500/acc	500/prod ag
American Motorist	1/1/60	1/1/61	0ZM 94278	250/per	500/acc	500/prod ag
American Motorist	1/1/61	1/1/62	1ZM 94278	250/per	500/acc	500/prod ag
St. Paul Fire & Marine	1/1/62	1/1/63	542AC8412	100/per	300/acc	300/prod ag
St. Paul Fire & Marine	1/1/62	1/1/63	542AC8412	100/per	300/acc	300/prod ag
St. Paul Fire & Marine	1/1/63	1/1/64	542AD3778	100/per	300/acc	300/prod ag
St. Paul Fire & Marine	1/1/64	1/1/65	542AD8612	100/per	300/acc	300/prod ag
St. Paul Fire & Marine	1/1/65	1/1/66	542AE3462	100/per	300/acc	300/prod ag
St. Paul Fire & Marine	1/1/66	1/1/67	542AE7838	100/per	300/acc	300/prod ag
St. Paul Fire & Marine	1/1/67	1/1/68	542AG1362	100/per	300/acc	300/ag
St. Paul Fire & Marine	1/1/68	1/1/69	542AG8400	100/per	300/acc	300/ag
St. Paul Fire & Marine	1/1/69	1/1/70	542AH4354	100/per	300/acc	300/ag
St. Paul Fire & Marine	1/1/70	1/1/71	542AJ0297	100/per	300/acc	300/ag
St. Paul Fire & Marine	1/1/70	1/1/71	542 AJ 0298			
St. Paul Insurance Co	1/1/71	1/1/72	542TA8181	100/per	300/acc	300/ag
St. Paul Insurance Co	1/1/71	1/1/72	542 TA 8182			
Federal Ins Co-Chubb	1/1/72	1/1/73	7762-89-08	100/per	300/acc	300/ag
Federal Ins Co-Chubb	1/1/72	1/1/73	7762-89-07	100/per	300/acc	300/ag
Federal Ins Co-Chubb	1/1/73	1/1/74	77769201	300/per	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/74	1/1/75	77778995	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/74	1/1/75	77778994	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/75	1/1/76	(76)77778995	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/75	1/1/76	(76)77778994	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/76	1/1/77	(77)77778995	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/76	1/1/77	(77)77778994	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/77	1/1/78	(78)77778995	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/77	1/1/78	(78)77778994	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/78	3/1/78	77778995	NA	300/acc	300/ag
Vigilant Ins Co-Chubb	1/1/78	3/1/78	77778994	NA	300/acc	300/ag
Home Insurance Co	3/1/78	4/1/79	GA 998482	NA	300/acc	300/ag
Home Insurance Co	4/1/79	4/1/79	GA 998589	NA	300/acc	300/ag
Natl Union Fire Ins Co	4/1/80	7/1/82	GLA 1270898 RA	NA	1,000/acc	1,000/ag
Natl Union Fire Ins Co	7/1/81	7/1/82	GLA 1272848 RA	NA	1,000/acc	1,000/ag
Natl Union Fire Ins Co	7/1/82	7/1/83	GLA 9485563 RA	NA	1,000/acc	1,000/ag
Natl Union Fire Ins Co	7/1/83	7/1/84	GLA 9486885 RA	NA	1,000/acc	1,000/ag
Natl Union Fire Ins Co	7/1/84	7/1/85	GLA 1824271 RA	NA	1,000/acc	1,000/ag
Natl Union Fire Ins Co	7/1/85	7/1/86	GLA 1802923 RA	NA	1,000/acc	1,000/ag
Natl Union Fire Ins Co	7/1/85	7/1/86	GLA 1802924 RA	NA	1,000/acc	1,000/ag
Employers Casualty Co	7/1/86	7/1/87	CGL A 512336	NA	500/acc	500/ag
Employers Casualty Co	7/1/87	7/1/88	CGL B 512336	NA	500/acc	500/ag
Employers Casualty Co	7/1/88	8/15/89	LCR C 512336	NA	1,000/acc	2,000/PCO
Natl Union Fire Ins Co	8/15/89	8/15/90	RMQL 4897088	NA	1,000/acc	1,000/PCO
Natl Union Fire Ins Co	8/15/89	8/15/90	RMQL TX4897087	NA	1,000/acc	1,000/PCO

The above Insurance Policy list represents the face amounts of the policies and does not purport to represent whether coverage is applicable or available to satisfy the claims asserted by any party against the defendant.