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7
8 Attorney for Plaintiffs

9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 IN AND FOR THE COUNTY OF ALAMEDA

11
12 IN RE: COMPLEX ASBESTOS LITIGATION)

No. 607734-9

13
14 IN RE: SHIPYARD AND APPLICATOR
15 ASBESTOS CASES (CONSOLIDATED FOR
16 DISCOVERY)

No. 537868-7

PLAINTIFFS' FIRST SET
OF INTERROGATORIES TO
DEFENDANT *

DATE: Dec. 16, 1988
TIME: 1:00 p.m.
DEPT: TBA

17
18 PROPOUNDING PARTY: Plaintiffs

19 RESPONDING PARTY: Defendant *

20 SET NUMBER: ONE (1)

21 TO DEFENDANT AND ITS ATTORNEYS OF RECORD:

22 Plaintiffs require that said defendant answer, under oath,
23 pursuant to Section 2030 of the California Code of Civil
24 Procedure the following interrogatories.
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1
2 DEFINITIONS

3 GEOGRAPHIC LIMITATION. Unless otherwise specifically set
4 forth, the geographic scope of these interrogatories is the state
5 of California.

6 TIME LIMITATION. Unless otherwise specifically set forth,
7 the time frame of these interrogatories is 1930 to the present.

8 "THIS DEFENDANT" (THIS DEFENDANT'S) shall mean the named
9 defendant herein, all of its predecessors in interest, and all of
10 its successors in interest.

11 "YOU" and "YOUR" refer to the defendant who is named above
12 as the responding party.

13 "ASBESTOS-CONTAINING PRODUCT(S)" shall mean any product(s)
14 of THIS DEFENDANT which contain(s) the mineral asbestos.

15 "RAW ASBESTOS FIBER" means asbestos fiber mined or milled,
16 either packaged or in bulk, not compounded with other substances
17 and essentially pure with the exception of naturally occurring
18 trace amounts of other substances.

19 "MARKET" (MARKETING, MARKETED) shall mean the mining,
20 supply, sale, labelling, distribution, importing, processing or
21 manufacturer of raw asbestos fiber and/or asbestos-containing
22 products.

23 A request to describe the "NATURE" of ASBESTOS-CONTAINING
24 PRODUCT(S) shall mean to describe the: (a) color, (b) texture,
25 (c) form (i.e., powder, liquid, paste, solid, board, cloth,
26 blanket, wire insulation, etc.), and (d) physical dimensions
(length, width, height, volume and weight).

1
2 "DOCUMENT(s)" or "WRITING(s)" shall include all writings as
3 defined by Section 250 of the California Evidence Code.

4 A request to "IDENTIFY" a "DOCUMENT" or "WRITING" shall mean
5 a request to state: (a) the author; (b) addressee; (c) date of
6 origin; (d) the nature of the writing or document (e.g., letter,
7 telephone memorandum, audio tape recording, photograph, etc.);
8 and (e) its present location and name and present address of
9 custodian thereof.

10 A request to state the "IDENTITY" of a person or individual
11 means to state his or her name, the place of employment, job
12 title, present business or present or last known home address,
13 and present business telephone number.

14 "NORTHERN CALIFORNIA" shall encompass the following
15 forty-six (46) counties: Alameda, Alpine, Amador, Butte,
16 Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno,
17 Glenn, Humboldt, Kern, Kings, Lake, Lassen, Marin, Mariposa,
18 Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer,
19 Plumas, Sacramento, San Francisco, San Joaquin, San Mateo, Santa
20 Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma,
21 Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo and
22 Yuba.

23 A "CONTRACT UNIT(S)" shall mean a department, division,
24 subdivision, branch, or group which has been or is now engaged in
25 installation and/or removal of RAW ASBESTOS FIBER and/or
26 ASBESTOS-CONTAINING PRODUCT(S).

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2 "COMPANY" means any profit making private enterprise,
3 including corporations, partnerships, joint ventures, and sole
4 proprietorships.

5 INTERROGATORY NO. 1:

6 State the IDENTITY of each person who has supplied
7 information used in answering these interrogatories.

8 ANSWER: -

9
10 INTERROGATORY NO. 2:

11 State whether YOU are a corporation. If so, state:

- 12 a. YOUR full corporate name;
13 b. the state of incorporation;
14 c. the date of incorporation;
15 d. the address of YOUR principal place of business;
16 e. if YOU are wholly-owned or if more than five (5) percent
17 of the ownership interest of YOUR COMPANY is owned by another
18 business entity, state that entity's name and principal place of
19 business.

20 ANSWER:

21
22 INTERROGATORY NO. 3:

23 Has THIS DEFENDANT ever been identified, known, or done
24 business under any other name? If so, please state such name or
25 names and the time period during which THIS DEFENDANT was so
26 known or identified.

ANSWER:

1
2 INTERROGATORY NO. 4:

3 State whether YOU have ever been registered or qualified to
4 do business in the State of California. If so, state the date
5 YOU became qualified to conduct business in the State of
6 California.

7 ANSWER:

8
9 INTERROGATORY NO. 5:

10 Does THIS DEFENDANT currently have, or has THIS DEFENDANT
11 had a department, division, subdivision, branch or group
12 responsible for the design, development, manufacture, testing and
13 use of ASBESTOS-CONTAINING PRODUCT(S). If so, state:

14 a. the name of each present or former corporate department,
15 division, subdivision, branch or group;

16 b. the IDENTITY of the person most knowledgeable about such
17 department, division, subdivision, branch or group.

18 ANSWER:

19
20 INTERROGATORY NO. 6:

21 Has THIS DEFENDANT engaged in the MARKETING of ASBESTOS-
22 CONTAINING PRODUCT(S) comprised in whole or in part of amosite
23 asbestos fiber; if so, please state:

24 a. the trade, brand name and/or generic name of each type
25 of product;

26 b. the date(s) THIS DEFENDANT first MARKETed each type of
product;

1
2 c. the date(s) THIS DEFENDANT ceased MARKETing each type of
3 product;

4 d. a description of the chemical composition of each type
5 of product, including:

6 (i) the type(s) and/or grade(s) of RAW ASBESTOS FIBER
7 contained in each type of product;

8 (ii) the quantitative percentage of the type(s) of RAW
9 ASBESTOS FIBER in each type of product;

10 (iii) any change(s) in the quantitative percentages of
11 the type(s) of RAW ASBESTOS FIBER in each type of product;

12 e. the NATURE of each type of product;

13 f. a description of any wording, markings and/or logo on
14 each type of product;

15 g. the recommended use(s) of each type of product,
16 including temperature limits;

17 h. the name(s) of the manufacturer(s) of each type of
18 product;

19 i. the name(s) and address(es) of the supplier(s) of the
20 amosite asbestos fiber used in each type of product;

21 j. the IDENTITY of the person(s) most knowledgeable
22 concerning the purchase of amosite asbestos fiber by THIS
23 DEFENDANT.

24 ANSWER:

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2 INTERROGATORY NO. 7:

3 Has THIS DEFENDANT engaged in the MARKETing of amosite
4 asbestos fiber; if so, please state:

5 a. the name and location of each amosite asbestos mine
6 which THIS DEFENDANT presently operates, has operated, or in
7 which THIS DEFENDANT has or had an ownership interest, including
8 the dates of such ownership, and the grade of amosite asbestos
9 fiber mined;

10 b. the date(s) THIS DEFENDANT first MARKETed amosite
11 asbestos fiber;

12 c. the date(s) THIS DEFENDANT ceased MARKETing amosite
13 asbestos fiber;

14 d. the grade(s) of such amosite asbestos fiber MARKETed by
15 THIS DEFENDANT;

16 e. the recommended use(s) of each grade of such amosite
17 asbestos fiber, including any temperature limits;

18 f. the name(s) and address(es) of the supplier(s) of
19 amosite asbestos fiber to THIS DEFENDANT.

20 ANSWER:

21
22 INTERROGATORY NO. 8:

23 Has THIS DEFENDANT engaged in the MARKETing of ASBESTOS-
24 CONTAINING PRODUCTS comprised in whole or in part of chrysotile
25 asbestos fiber; if so, please state:

26 a. the trade, brand name and/or generic name of each type
of product;

- 1
- 2 b. the date(s) this DEFENDANT first MARKETed each type of
- 3 product;
- 4 c. the date(s) this DEFENDANT ceased MARKETing each type of
- 5 product;
- 6 d. a description of the chemical composition of each type
- 7 of product, including:
- 8 (i) the type(s) and grade(s) of asbestos fiber
- 9 contained in each type of product;
- 10 (ii) the quantitative percentage of the types of
- 11 asbestos fiber in each type of product;
- 12 (iii) any change(s) in the quantitative percentages of
- 13 the type(s) of asbestos fiber in each type of product;
- 14 e. the NATURE of each type of product;
- 15 f. a description of any wording, markings and/or logo on
- 16 each type of product;
- 17 g. the recommended use(s) of each type of product,
- 18 including temperature limits;
- 19 h. the name of the manufacturer of each type of product;
- 20 i. the name(s) and address(es) of the supplier(s) of the
- 21 chrysotile asbestos fiber used in each type of product;
- 22 j. the IDENTITY of the person(s) most knowledgeable
- 23 concerning the purchase of chrysotile asbestos fiber by THIS
- 24 DEFENDANT.

25 ANSWER:

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2 INTERROGATORY NO. 9:

3 Has THIS DEFENDANT engaged in the MARKETing of chrysotile
4 asbestos fiber; if so, please state:

5 a. the name and location of each chrysotile asbestos mine
6 which THIS DEFENDANT presently operates, has operated, or in
7 which THIS DEFENDANT has or had an ownership interest, including
8 the dates-of such ownership, and the grade of chrysotile asbestos
9 fiber mined;

10 b. the date(s) THIS DEFENDANT first MARKETed chrysotile
11 asbestos fiber;

12 c. the date(s) THIS DEFENDANT ceased MARKETing chrysotile
13 asbestos fiber;

14 d. the grade(s) of such chrysotile asbestos fiber MARKETed
15 by THIS DEFENDANT;

16 e. the recommended use(s) of each grade of such chrysotile
17 asbestos fiber, including temperature limits;

18 f. the name(s) and address(es) of the supplier(s) of
19 chrysotile asbestos fiber to THIS DEFENDANT.

20 ANSWER:

21
22 INTERROGATORY NO. 10:

23 Has THIS DEFENDANT engaged in the MARKETing of ASBESTOS-
24 CONTAINING PRODUCTS comprised in whole or in part of crocidolite
25 asbestos fiber; if so, please state:

26 a. the trade, brand name and/or generic name of each type
of product;

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2 b. the date(s) THIS DEFENDANT first MARKETed each type of
3 product;

4 c. the date(s) THIS DEFENDANT ceased MARKETing each type of
5 product;

6 d. a description of the chemical composition of each type
7 of product, including:

8 (i) the type(s) and grade(s) of asbestos fiber
9 contained in each type of product;

10 (ii) the quantitative percentage of the type(s) of
11 fiber in each type of product;

12 (iii) any change(s) in the quantitative percentages of
13 the type(s) of asbestos fiber in each type of product;

14 e. the NATURE of each type of product;

15 f. a description of any wording, markings and/or logo on
16 each type of product;

17 g. the recommended use(s) of each type of product,
18 including temperature limits;

19 h. the name of the manufacturer of each type of product;

20 i. the name(s) and address(es) of the supplier(s) of the
21 crocidolite asbestos fiber used in each type of product;

22 j. the IDENTITY of the person(s) most knowledgeable
23 concerning the purchase of crocidolite asbestos fiber by THIS
24 DEFENDANT.

25 ANSWER:

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2 INTERROGATORY NO. 11:

3 Has THIS DEFENDANT engaged in the MARKETING of crocidolite
4 asbestos fiber; if so, please state:

5 a. the name and location of each crocidolite asbestos mine
6 which THIS DEFENDANT presently operates, has operated, in the,
7 and/or in which THIS DEFENDANT has or had an ownership interest,
8 including the dates of such ownership, and the grade of asbestos
9 fiber mined;

10 b. the date(s) THIS DEFENDANT first MARKETed crocidolite
11 asbestos fiber;

12 c. the date(s) THIS DEFENDANT ceased MARKETING crocidolite
13 asbestos fiber;

14 d. the grade(s) of such crocidolite asbestos fiber MARKETed
15 by THIS DEFENDANT;

16 e. the recommended use(s) of each grade of such crocidolite
17 asbestos fiber, including temperature limits;

18 f. the name(s) and address(es) of the supplier(s) of
19 crocidolite asbestos fiber to THIS DEFENDANT.

20 ANSWER:

21
22 INTERROGATORY NO. 12:

23 Does or did THIS DEFENDANT own shares of stock or otherwise
24 have an ownership interest in a COMPANY which MARKETed ASBESTOS-
25 CONTAINING PRODUCT(S); if so, please state:

26 a. the name of such COMPANY;

b. the date of incorporation of such COMPANY;

- 1
- 2 c. the state of incorporation of such COMPANY;
- 3 d. the date such interest was acquired;
- 4 e. the date such interest changed or terminated, if
- 5 applicable;
- 6 f. the name and location of each facility of such COMPANY;
- 7 g. the name of each type of ASBESTOS-CONTAINING PRODUCT(S)
- 8 manufactured, processed and/or assembled by such COMPANY.

9 ANSWER:

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11 INTERROGATORY NO. 13:

12 Did THIS DEFENDANT own any shares of stock or otherwise have

13 an ownership interest in a COMPANY that MARKETed RAW ASBESTOS

14 FIBER; if so, please state:

- 15 a. the name of such COMPANY;
- 16 b. the date of incorporation or charter of such COMPANY;
- 17 c. the state or country of incorporation of such COMPANY;
- 18 d. the date such interest was acquired;
- 19 e. the dates such interest changed or terminated, if
- 20 applicable;
- 21 f. the name and location of each asbestos mine owned by
- 22 such COMPANY;
- 23 g. the grade and type of RAW ASBESTOS FIBER mined at each
- 24 mine.

25 ANSWER:

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2 INTERROGATORY NO. 14:

3 Has THIS DEFENDANT warehoused any RAW ASBESTOS FIBER or
4 ASBESTOS-CONTAINING PRODUCT(S) in the State of California; if so,
5 please state:

- 6 a. the address of each warehouse facility;
7 b. the year(s) THIS DEFENDANT utilized each facility;
8 c. the IDENTITY of the custodian of warehousing records.

9 ANSWER:

10
11 INTERROGATORY NO. 15:

12 Has THIS DEFENDANT owned or operated facilities anywhere in
13 the United States in which ASBESTOS-CONTAINING PRODUCT(S) have
14 been manufactured, processed and/or assembled; if so, state:

- 15 a. the dates said facilities have been in operation;
16 b. the name of each type of ASBESTOS-CONTAINING PRODUCT
17 manufactured, processed or assembled at each such facility;
18 c. the address of each such facility, including city and
19 state.

20 ANSWER:

21
22 INTERROGATORY NO. 16:

23 Has THIS DEFENDANT purchased or otherwise acquired any
24 rights to the manufacture of ASBESTOS-CONTAINING PRODUCT(S) from
25 another COMPANY? If so, state:

- 26 a. the date of purchase or acquisition of such rights;

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2 b. the trade, brand and/or generic name of such ASBESTOS-
3 CONTAINING PRODUCT(S);

4 c. the name and location of any COMPANY from which such
5 rights were purchased or acquired;

6 d. the IDENTITY of the custodian of records of such
7 purchase(s) or acquisition(s).

8 ANSWER: -

9
10 INTERROGATORY NO. 17:

11 Has THIS DEFENDANT applied for and/or received any patent(s)
12 for any ASBESTOS-CONTAINING PRODUCT(S). If so, state for each
13 such ASBESTOS CONTAINING PRODUCT:

14 a. the product for which each patent was applied and/or
15 issued;

16 b. the date(s) of application;

17 c. the date(s) of issuance of the patent(s) if granted;

18 d. the date(s) of renewal, if any;

19 e. the patent number(s);

20 f. the name of the individual or COMPANY to whom each
21 patent was issued;

22 g. the IDENTITY of the custodian of patent records of THIS
23 DEFENDANT.

24 ANSWER

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2 INTERROGATORY NO. 18:

3 Has THIS DEFENDANT registered any trademark(s) for any
4 ASBESTOS-CONTAINING PRODUCT(S); if so, state for each such
5 ASBESTOS-CONTAINING PRODUCT:

- 6 a. the product for which each trademark was registered;
7 b. whether the registration was State or Federal;
8 (i) if a State, name the State;
9 c. date(s) of registration;
10 d. the term(s) thereof;
11 e. the date(s) of renewal;
12 f. the name of the individual or COMPANY to whom each
13 trademark was registered;
14 g. the IDENTITY of the custodian of such trademark records
15 of THIS DEFENDANT.

16 ANSWER:

17
18 INTERROGATORY NO. 19:

19 Did THIS DEFENDANT contract with the General Services
20 Administration and/or other federal-government agency for the
21 sale, anywhere in the United States, of RAW ASBESTOS FIBER; if
22 so, state for each such sale:

- 23 a. the grade(s) and type(s) of RAW ASBESTOS FIBER;
24 b. the quantity;
25 c. the date(s) of delivery;
26 d. the location(s), including the address(es), of delivery.

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2 e. the name(s) of the agency with which THIS DEFENDANT
3 contracted;

4 f. the date(s) of execution of such contract(s);

5 g. the IDENTITY of the custodian of such contract records
6 of THIS DEFENDANT.

7 ANSWER:

8
9 INTERROGATORY NO. 20:

10 Did THIS DEFENDANT contract with the General Services
11 Administration and/or other federal-government agency for the
12 sale, anywhere in the United States, of ASBESTOS CONTAINING
13 PRODUCT(S), please state for each such sale:

14 a. the type of product;

15 b. the quantity;

16 c. the date(s) of delivery;

17 d. the location(s), including the address(es), of delivery.

18 e. the name(s) of the agency with which THIS DEFENDANT
19 contracted;

20 f. the date(s) of execution of such contract(s);

21 g. the IDENTITY of the custodian of such contract records
22 of THIS DEFENDANT.

23 ANSWER:

24
25 INTERROGATORY NO. 21:

26 Does THIS DEFENDANT have any records of the MARKETing,
advertisement, or delivery of its RAW ASBESTOS FIBER and/or

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2 ASBESTOS-CONTAINING PRODUCT(S) in or to NORTHERN CALIFORNIA? If
3 so, state:

4 a. the manner in which the records are kept, (e.g., in
5 boxes, files, on microfilm, microfiche or computer tape or disk);

6 b. The location(s) and address(es) where such records are
7 maintained;

8 c. the IDENTITY of the custodian of such records.

9 ANSWER:

10
11 INTERROGATORY NO. 22:

12 If this defendant has in its possession any records of the
13 MARKETING, advertisement, or delivery of its RAW ASBESTOS FIBER
14 and/or ASBESTOS-CONTAINING PRODUCTS (including microfilm,
15 microfiche, computer tape or disk, or any other system in which
16 data is taken from other records), state whether THIS DEFENDANT
17 has retained the original DOCUMENTS from which the data entered
18 into these modes of storage was obtained. If THIS DEFENDANT has
19 not retained such original DOCUMENTS, state:

20 a. the date(s) when and location(s) where the original
21 DOCUMENTS were disposed of;

22 b. the IDENTITY of the custodian of the original DOCUMENTS
23 at the time of their disposal.

24 ANSWER:

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2 INTERROGATORY NO. 23:

3 Does THIS DEFENDANT have in its possession any exemplar(s)
4 of advertisements or brochures describing its RAW ASBESTOS FIBER
5 and/or ASBESTOS-CONTAINING PRODUCTS; if so, please state:

- 6 a. the location of each exemplar;
7 b. the year(s) in which said exemplar(s) was utilized;
8 c. the IDENTITY of the custodian of such exemplars.

9 ANSWER:

10
11 INTERROGATORY NO. 24:

12 State the following:

- 13 a. the address(es) where the corporate records of THIS
14 DEFENDANT (including minutes from the Board of Directors meetings
15 and corporation annual reports), are currently located;
16 b. the IDENTITY of the custodian of such records.

17 ANSWER:

18
19 INTERROGATORY NO. 25:

20 Describe the packaging or containers in which THIS DEFENDANT
21 sold and/or distributed RAW ASBESTOS FIBER, including
22 composition, dimension, shape and color.

23 ANSWER:

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2 INTERROGATORY NO. 26:

3 Describe any logo, design, marking or printing, including
4 size and color, which appeared on the packaging or containers in
5 which THIS DEFENDANT sold and/or distributed RAW ASBESTOS FIBER.

6 ANSWER:

7
8 INTERROGATORY NO. 27:

9 Describe the packaging or containers in which THIS DEFENDANT
10 sold and/or distributed ASBESTOS-CONTAINING PRODUCT(S), including
11 composition, dimension, shape and color.

12 ANSWER:

13
14 INTERROGATORY NO. 28:

15 Describe any logo, design, marking or printing, including
16 size and color, which appeared on the packaging or containers in
17 which THIS DEFENDANT sold and/or distributed ASBESTOS-CONTAINING
18 PRODUCT(S).

19 ANSWER:

20
21 INTERROGATORY NO. 29:

22 Does THIS DEFENDANT have any exemplars of packaging or
23 containers in which its RAW ASBESTOS FIBER and/or ASBESTOS-
24 CONTAINING PRODUCTS were sold and/or distributed; If so, state:

- 25 a. the location of each exemplar;
26 b. the year(s) in which said exemplar(s) was utilized;
c. the IDENTITY of the custodian of such exemplars.

1
2 ANSWER:

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4 INTERROGATORY NO. 30:

5 Did THIS DEFENDANT put warnings of asbestos-related health
6 hazards on bags of RAW ASBESTOS FIBER; if so, please state:

7 a. the wording of such warning(s), including size,
8 location, and color;

9 b. whether the warning was put on a tag attached to the
10 bags;

11 c. the date such warning(s) was first used;

12 d. whether any change was made in the wording of such
13 warnings, the date(s) of such change, and the reasons for such
14 change.

15 ANSWER:

16
17 INTERROGATORY NO. 31:

18 Did THIS DEFENDANT put warnings of asbestos-related health
19 hazards on the packaging or containers of ASBESTOS-CONTAINING
20 PRODUCT(S)? If so, please state:

21 a. the wording of such warnings, including size, location
22 on the packaging) or containers, and color;

23 b. the date such warning(s) was first used;

24 c. whether any change was made in the wording of such
25 warning(s), the date(s) of such change, and the reason(s) for
26 such change.

ANSWER:

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2 INTERROGATORY NO. 32:

3 Has THIS DEFENDANT distributed any brochures or pamphlets
4 that contain warnings of any asbestos-related health hazards; if
5 so, please state:

- 6 a. the wording of such warning;
7 b. the method used to distribute such brochures or
8 pamphlets;
9 c. the date(s) such brochures or pamphlets were first
10 issued;
11 d. whether THIS DEFENDANT has exemplars of such brochures
12 or pamphlets;
13 e. the IDENTITY of the custodian of such exemplars.

14 ANSWER:

15
16 INTERROGATORY NO. 33:

17 Did THIS DEFENDANT warn its employees and/or CONTRACT
18 UNIT(S), anywhere in the United States, that exposure to asbestos
19 could be hazardous to human health. If so, state:

- 20 a. whether copies of documents containing such warnings
21 exist;
22 b. the IDENTITY of the custodian of such documents.

23 ANSWER:

24
25 INTERROGATORY NO. 34:

26 State the IDENTITY of medical directors and/or industrial
hygienists employed by THIS DEFENDANT in the United States.

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2 ANSWER:

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4 INTERROGATORY NO. 35:

5 Has any employee of THIS DEFENDANT testified by deposition
6 on behalf of THIS DEFENDANT in a third-party case, brought in the
7 United States, wherein the plaintiff has alleged an asbestos-
8 related injury? If so, for each such third party case, please
9 state:

- 10 a. the caption and case number;
11 b. the court of filing including state and county;
12 c. the date of the deposition;
13 d. the name and address of plaintiff's counsel of record.

14 ANSWER:

15
16 INTERROGATORY NO. 36:

17 Has THIS DEFENDANT had a CONTRACT UNIT? If so, for each
18 CONTRACT UNIT, please state:

- 19 a. the date such CONTRACT UNIT commenced operation;
20 b. the date such CONTRACT UNIT(s) ceased operation;
21 c. the name and location in the State of California of each
22 job site at which such CONTRACT UNIT worked.

23 ANSWER:

24
25 INTERROGATORY NO. 37:

26 Has THIS DEFENDANT been a member of the following:

- a. Asbestos Textile Institute (ATI);

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2 b. Industrial Hygiene Foundation and/or Industrial Health
3 Foundation (IHF);

4 c. Mineral Wool Institute;

5 d. Industrial Mineral Insulation Manufacturers Institute;

6 e. Magnesia Silica Insulation Manufacturers Association;

7 f. National Insulation Manufacturers Association (NIMA);

8 g. Thermal Insulation Manufacturers Association (TIMA);

9 h. Asbestos Information Association (AIA);

10 i. Quebec Asbestos Mining Association (QAMA);

11 j. National Safety Council;

12 k. Asbestos Cement Producers Association;

13 l. Refractories Institute;

14 m. any other organizations or associations of
15 manufacturers, miners, distributors, importers, labellers,
16 suppliers and/or sellers of ASBESTOS-CONTAINING PRODUCTS;

17 (i) please state the name(s) of such organizations or
18 associations.

19 ANSWER:

20 INTERROGATORY NO. 38:

21 For each organization, association or other entity
22 identified in your Response to Interrogatory No. 37, please
23 state:

24 a. The dates during which THIS DEFENDANT was a member.

25 b. The name(s) of any publication(s) received by this
26 defendant from such association or organization.

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2 c. The name of such committee or subcommittee of which THIS
3 DEFENDANT was a member, and the dates of such committee or
4 subcommittee membership.

5 ANSWER:

6
7 INTERROGATORY NO. 39:

8 Has THIS DEFENDANT received any DOCUMENTS containing results
9 or conclusions of any studies and/or tests conducted by the
10 Saranac Laboratory at the Trudeau Foundation relating to the
11 human health consequences of exposure to asbestos? If so,
12 please:

- 13 a. IDENTIFY all such DOCUMENT(S); —
14 b. state the date upon which THIS DEFENDANT first received
15 such DOCUMENT(S);
16 c. the IDENTITY of the custodian of such DOCUMENT(S).

17 ANSWER:

18
19 INTERROGATORY NO. 40:

20 State whether THIS DEFENDANT has ever maintained a library
21 (or libraries) in the United States which contains books,
22 articles,. periodicals, journals and/or reference materials that
23 relate to the subjects of asbestos, industrial hygiene, medicine,
24 safety, occupational disease and/or engineering. If so, state:

- 25 a. the date each such library was established;
26 b. the location of each such library;

///

1
2 c. the IDENTITY of each librarian or other person in charge
3 of such library;

4 ANSWER:

5
6 INTERROGATORY NO. 41:

7 Has THIS DEFENDANT exchanged or communicated with any
8 individual or other COMPANY documents containing the results of
9 tests and/or studies of the relationship between the inhalation
10 of asbestos fibers and development of disease(s); if so, please
11 state:

12 a. each individual or COMPANY with whom the information was
13 exchanged or to whom it was communicated; _

14 b. the date(s) of any such exchanges or communications;

15 c. the IDENTITY of the custodian of such documents.

16 ANSWER:

17
18 INTERROGATORY NO. 42:

19 Has any employee of THIS DEFENDANT testified before the
20 Occupational Safety and Health Administration, the National
21 Institute of Occupational Safety and Health, or any committee or
22 subcommittee of the United States Congress on the inhalation of
23 asbestos dust and the development of disease; if so, please
24 state:

25 a. the entity before whom such testimony was given;

26 b. the date(s) and location(s) of such testimony;

c. the IDENTITY of the individual(s) who so testified;

1
2 d. whether any DOCUMENTS were presented to the entity
3 before which testimony was given;

4 e. whether copies of DOCUMENTS presented were retained by
5 THIS DEFENDANT;

6 (i) if so, state the IDENTITY of the custodian of such
7 DOCUMENTS.

8 ANSWER: -

9
10 INTERROGATORY NO. 43:

11 At any of the physical facilities identified in the response
12 to Interrogatory No. 15, has THIS DEFENDANT conducted, or caused
13 to be conducted, tests and/or studies of ambient asbestos dust
14 created during the manufacture, processing and/or assembling of
15 ASBESTOS-CONTAINING PRODUCT(S); if so, please state:

16 a. each manufacturing facility, including location and
17 address, at which any such test and/or study was conducted;

18 b. the date of each such test and/or study;

19 c. the individual(s) or entity conducting each such test
20 and/or study;

21 d. whether THIS DEFENDANT has any documents containing the
22 results and/or conclusions of each such study;

23 e. the IDENTITY of the custodian of such documents.

24 ANSWER:

25 ///

26 ///

1
2 INTERROGATORY NO. 44:

3 Has THIS DEFENDANT conducted, or caused to be conducted, any
4 tests and/or studies on ambient asbestos dust levels at any
5 location or job site where its ASBESTOS-CONTAINING PRODUCTS were
6 utilized in the United States; if so, please state:

7 a. the location, including name and address, at which each
8 such test and/or study was conducted;

9 b. the individual(s) or entity conducting each such test
10 and/or study;

11 c. the date of each such test and/or study;

12 d. whether THIS DEFENDANT has any documents containing the
13 results and/or conclusions of each such test and/or study;

14 e. the IDENTITY of the custodian of such documents.

15 ANSWER:

16
17 INTERROGATORY NO. 45:

18 Did THIS DEFENDANT have any laboratory or other facility
19 anywhere in the United States at which it conducted, or caused to
20 be conducted, any tests and/or studies of its ASBESTOS-CONTAINING
21 PRODUCTS to measure the amount asbestos dust generated by any use
22 for which such products were designed; if so, please state:

23 a. the location, including name and address, at which each
24 such test and/or study was conducted;

25 b. the individual(s) or entity conducting each such test
26 and/or study;

c. the date of each such test and/or study;

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1
2 d. whether THIS DEFENDANT has any documents containing the
3 results and/or conclusions of each such test and/or study;

4 e. the IDENTITY of the custodian of such documents.

5 ANSWER:

6
7 INTERROGATORY NO. 46:

8 Has THIS DEFENDANT financially supported any research into
9 the relationship between the inhalation of asbestos fiber and
10 development of disease(s); if so, please state the date(s) and
11 recipient(s) of such financial support.

12 ANSWER:

13
14 INTERROGATORY NO. 47:

15 Has THIS DEFENDANT made available to its employees engaged
16 in, anywhere in the United States, the MARKETING of its RAW
17 ASBESTOS FIBER and/or its ASBESTOS-CONTAINING PRODUCT(S), a
18 medical examination program; if so, please state:

19 a. whether chest x-rays or pulmonary function tests were
20 part of such program(s);

21 b. whether participation in any such program was a
22 mandatory condition of employment or was voluntary;

23 (i) if mandatory as a condition of employment, how
24 frequently each employee was required to undergo such
25 examination;

26 c. whether THIS DEFENDANT has DOCUMENTS of such programs;

d. the IDENTITY of the custodian of such DOCUMENTS.

1
2 ANSWER:

3
4 INTERROGATORY NO. 48:

5 _____Has THIS DEFENDANT notified in writing any individuals or
6 COMPANIES to whom it MARKETed RAW ASBESTOS FIBER and/or ASBESTOS-
7 CONTAINING PRODUCT(S), anywhere in the United States, of the
8 potential-relationship between exposure to asbestos and disease;
9 if so, please state:

- 10 a. the date(s) THIS DEFENDANT provided this information;
11 b. the means used for transmittal of such information;
12 c. whether THIS DEFENDANT has any copies of any DOCUMENTS
13 transmitting such information;
14 d. the IDENTITY of the custodian of such documents.

15 ANSWER:

16
17 INTERROGATORY NO. 49:

18 Has THIS DEFENDANT required any individual(s) who MARKETed
19 its ASBESTOS-CONTAINING PRODUCT(S), anywhere in the United
20 States, to wear respirators or face masks; if so, please state:

- 21 a. the job title(s), if known, of individual(s) required to
22 wear respirators or face masks;
23 b. the date(s) on which THIS DEFENDANT first required the
24 wearing of respirators or face masks;
25 c. the means by which the requirement to wear respirators
26 or face masks was communicated;

///

1
2 d. whether THIS DEFENDANT has any copies of DOCUMENTS
3 communicating such requirements;

4 e. the IDENTITY of the custodian of such DOCUMENTS.

5 ANSWER:

6
7 INTERROGATORY NO. 50:

8 Does-or did THIS DEFENDANT utilize or employ any CONTRACT
9 UNIT. If so, please state:

10 a. the inclusive periods of time the CONTRACT UNIT(S) was
11 utilized or employed;

12 b. the business address and name of the CONTRACT UNIT(S);

13 c. whether THIS DEFENDANT has any DOCUMENTS showing the
14 location(s) of the job site(s) where the CONTRACT UNIT(S) worked,
15 and if so, state the IDENTITY of the custodian of such DOCUMENTS.

16 ANSWER:

17
18 INTERROGATORY NO. 51:

19 Has THIS DEFENDANT received any written communication or
20 other DOCUMENT, other than a claim for workers' compensation,
21 that any person was claiming injury as a result of exposure to
22 its RAW ASBESTOS FIBER and/or ASBESTOS-CONTAINING PRODUCT(S); if
23 so, please IDENTIFY the first such written communication or
24 DOCUMENT.

25 ANSWER:

26
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1
2 INTERROGATORY NO. 52:

3 Has any person filed a claim for asbestos-related injury
4 against any workers' compensation insurance carrier which
5 provided coverage for THIS DEFENDANT; if so, please state:

6 a. the date of such claim;

7 b. the name of claimant;

8 c. the caption;

9 d. the case number;

10 e. the court in which the claim was filed;

11 f. the IDENTITY of the custodian of such documents.

12 ANSWER:

13
14 INTERROGATORY NO. 53:

15 Has any person filed a workers' compensation claim for
16 asbestos-related injury against THIS DEFENDANT; if so, please
17 state:

18 a. the date of such claim;

19 b. the name of claimant;

20 c. the caption;

21 d. the case number;

22 e. the court in which the claim was filed;

23 f. the IDENTITY of the custodian of such documents.

24 ANSWER:

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1
2 INTERROGATORY NO. 54:

3 Does THIS DEFENDANT have insurance available to cover
4 judgment(s) entered against it in asbestos-related personal
5 injury lawsuits; if so, please state:

- 6 a. the name and principal place of business of any
7 insurance carrier who has issued such policy of insurance;
8 b. the number and effective date of each policy;
9 c. the amount(s) of coverage of each policy;
10 d. the applicable dates of coverage;
11 e. any reservation of rights contained in each such policy;
12 f. the amount of coverage presently exhausted under each
13 such policy;
14 g. the amount of coverage presently available under each
15 such policy;
16 h. whether limits contained in each such policy include
17 costs of defense.

18 ANSWER:

19
20 INTERROGATORY NO. 55:

21 Has THIS DEFENDANT owned or operated any petroleum refining
22 facilities; if so, please state:

- 23 a. whether any ASBESTOS-CONTAINING PRODUCTS were MARKETed
24 on the premises of such refining facilities;
25 b. the location, including the name and address of all such
26 refining facilities;
c. the dates of operation of such refining facilities;

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1
2 d. the types of ASBESTOS-CONTAINING PRODUCTS MARKETed on
3 such premises;

4 e. the names of the manufacturers of any ASBESTOS-
5 CONTAINING PRODUCTS MARKETed on such premises;

6 f. whether THIS DEFENDANT has documents identifying such
7 MARKETing;

8 g. The IDENTITY of the custodian of such documents.

9 ANSWER:

10
11 INTERROGATORY NO. 56:

12 Has THIS DEFENDANT held any ownership interest in a COMPANY
13 which owned or operated petroleum refining facilities: if so,
14 for the period(s) of time during which THIS DEFENDANT held such
15 interest, please state:

16 a. whether any ASBESTOS-CONTAINING PRODUCTS were MARKETed
17 on the premises of such refining facilities;

18 b. the location, including the name and address of all such
19 refining facilities;

20 c. the dates of operation of such refining facilities;

21 d. the types of ASBESTOS-CONTAINING PRODUCTS MARKETed on
22 such premises;

23 e. the names of the manufacturers of any ASBESTOS-
24 CONTAINING PRODUCTS MARKETed on such premises;

25 f. whether THIS DEFENDANT has documents identifying such
26 MARKETing;

g. The IDENTITY of the custodian of such documents.

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2 ANSWER:

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4 INTERROGATORY NO. 57:

5 Has THIS DEFENDANT contracted with any COMPANY for the
6 MARKETing of ASBESTOS-CONTAINING PRODUCT(S) on any premises owned
7 or leased by THIS DEFENDANT; if so, please state:

8 a. the location, including name and address of such
9 premises;

10 b. the name and address of each such COMPANY;

11 c. the types of ASBESTOS-CONTAINING PRODUCTS;

12 d. the name of the manufacturers of such ASBESTOS-
13 CONTAINING PRODUCTS;

14 e. whether THIS DEFENDANT has DOCUMENTS of such MARKETing;

15 f. the IDENTITY of the custodian of such DOCUMENTS.

16 ANSWER:

17
18 DATED: January 19, 1989

19 KAZAN & McCLAIN
A Professional Law Corporation

20
21 By: DANIEL M. MURPHY

DANIEL D. MURPHY

22 Attorney for Plaintiffs
23
24
25
26

PROOF OF SERVICE

I declare that:

I am employed in the County of Alameda, State of California. I am over the age of 18 years and not a party to the within action. My business address is 171 Twelfth Street, Suite 300, Oakland, California, 94607.

On January 19, 1989 I served the following document(s):
LETTER TO JUDGE DIEDEN
LETTER TO LAURA M. HILLENBRAND, ESQ.
PROPOSED PLAINTIFFS' FIRST SET OF INTERROGATORIES TO
DEFENDANT

on the parties in said action by placing a true copy in a sealed envelope and each envelope addressed as follows:

(SEE BELOW AND/OR ATTACHED LIST)

____ (By Facsimile Machine [FAX]) By personally transmitting a true copy thereof via an electronic facsimile machine between the hours of 9:00 a.m. and 5:00 p.m.

X (By Mail) I am readily familiar with this office's business practice for collection and processing of correspondence for mailing with the United States Postal Service and that this document with postage fully prepaid will be deposited with the United States Postal Service this date in the ordinary course of business.

____ (By Personal Service) By personally delivering a true copy thereof to the office of the addressee above.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 19, 1989 at Oakland, California.

Annette DiGiovanni

J. Michael Mathews
650 California Street, 24th Flr.
San Francisco, CA 94108
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Pacific Gas & Electric
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San Francisco, CA 94106

LANDELS, RIPLEY & DIAMOND
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San Francisco, CA 94133
FOR: FLINTKOTE/GENSTAR

Wright, Robinson, et al.
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San Francisco, CA 94111
FOR: OWENS-CORNING FIBERGLAS

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605 Market Street, Suite 700
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IN RE COMPLEX ASBESTOS LITIGATION - ALAMEDA COUNTY

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IN RE COMPLEX ASBESTOS LITIGATION - ALAMEDA COUNTY

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IN RE COMPLEX ASBESTOS LITIGATION - ALAMEDA COUNTY

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IN RE COMPLEX ASBESTOS LITIGATION - ALAMEDA COUNTY

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IN RE COMPLEX ASBESTOS LITIGATION - ALAMEDA COUNTY

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Stumbos & Mason, P.O. Box 868, Sacramento, CA 95804	916/448-2711
Sullivan, Roche & Johnson, 220 Bush Street, 20th Floor	
Mills Tower Bldg., San Francisco, CA 94104-3559	415/362-2822
Tarkington, O'Connor & O'Neill, #1 Market Plaza, Spear Street	
Tower, 41st Floor, Ste. 4100 San Francisco, CA 94105	415/777-5501
Thelen, Marrin, Johnson & Bridges, #2 Embarcadero Center	
San Francisco, CA 94111	415/392-6320
Thompson & Michel, 3500 American River Dr., Ste., 101	
Sacramento, CA 95864	916/978-7300
Tolpegin, Imai & Tadlock, One Post Street, Ste. 2400	
San Francisco, CA 94104	415/989-8687
Toy & Coleman, 1425 River Park Dr., Ste. 226, Sacramento, CA 95815	916/920-3434
Van De Poel, Strickland & Haapala, 1999 Harrison Street	
Ste. 1100, Oakland, CA 94612	415/763-2342
Walsh, Donovan, Lindh & Keech, 595 Market Street	
Ste. 2000, San Francisco, CA 94105-2831	415/957-8700
Law Office of Jeffrey P. Walsworth, 220 Bush Street	
15th Floor, San Francisco, CA 94104	415/781-7072
Webster & Sheffield, 1 Rockefeller Plaza, New York, NY 10020	212/957-9800
Weintraub & Genshlea, Hardy, Erich & Brown	
2535 Capitol Oaks Drive, Sacramento, CA 95833	916/648-9400
Whitehorn & Ravazzini, 2150 Franklin Street, Ste. 571	
Oakland, CA 94612	415/893-6300
Wild & Jeffrey, 1700 Montgomery Street, Ste. 110	
San Francisco, CA 94111	415/434-0640
Wilson, Elser, Moskowitz, Edelman & Dicker	
555 Montgomery Street, San Francisco, CA 94111	415/433-0990
Wise, Wiezorek, Timmons & Wise, 888 South Figueroa Street	
Ste. 840, Los Angeles, CA 90017	213/628-3717
Berry & Berry, 505 Fourteenth Street, 12th Floor, Oakland, CA 94612	415/835-8330
Brobeck, Phleger & Harrison, Spear Street Tower	
#1 Market Plaza, San Francisco, CA 94105	415/442-0900
Hassard, Bonnington, Rogers & Huber, 5 Fremont Center	
50 Fremont Street, Ste. 3400, San Francisco, CA 94105	415/543-6444
Morgenstein & Jubelirer, The Federal Reserve Bank Bldg.	
101 Market Street, 6th Floor, San Francisco, CA 94105	415/896-0666
Jackson & Ladd, P.O. Box 26883, San Francisco, CA 94126-6883	
Self & Dang, Ordway Bldg., Ste. 1410, One Kaiser Plaza,	
Oakland, CA 94612	
Gordon & Reese, 601 Montgomery St. 4th Fl., San Francisco, CA 94111	
Hanna, Brophy, MacLean et al., 595 Market St., Ste. 900, San Francisco, Ca 94105	
Pelavin, Norberg, Harlicknbeck, 2 Embarcadero Center, Ste. 2360	
San Francisco, CA 94111	
Corrigan & Whitney, Southern Pacific Bldg., 1 Market Plaza, Ste. 200	
San Francisco, CA 94105	

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 BENNETT, SAMUELSEN, REYNOLDS & ALLARD, 1951 Webster St., Ste. 200, Oakland, Ca 94612 for: U.S. Mineral/E.J. Bartells
 BERRY & BERRY, 505 Fourteenth St., 12th Fl., Oakland, CA 94612 for: Medical Records
 BISHOP, BARRY, HOWE & REID, 465 California St., 11th Floor, San Francisco, CA 94104 for: PPG
 BJORK, FLEER & LAWRENCE, 192 Tenth St., 12th Floor, Oakland, CA 94607 for: Raymark/Celotex/Carey Canada
 BLEDSOE, CATHCART, ELIOT, CURFMAN & ALLSWANG, 650 California St., Ste. 2828, San Francisco, CA 94108
 BRANSON, FITZGERALD & HOWARD, 643 Bair Island Rd., Ste. 400, P.O. Box 2189, Redwood City, CA 94064-2189 for: Synkoloid
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 CAPPS, STAPLES, et al., P.O. Box 5607, Walnut Creek, CA 94596 for: Mead Clark
 CARROLL, BURDICK & McDONOUGH, One Ecker Bld., Ecker & Stevenson Streets, Ste. 400, San Francisco, CA 94105
 for: Detrick/Volkswagen
 CLAPP, MORONEY, BELLASAMBA, DAVIS & VUCINICH, 505 Hamilton Ave., Ste. 103, Palo Alto, CA 94301 for: Grace, W.R. Co./Zonolite
 CROSBY, HEAFEY, ROACH & MAY, 1999 Harrison St., Oakland, CA 94612 for: Lear Siegler/Chrysler/Westinghouse/Phillips/Shell/Chevron
 ERICKSEN, ARBUTHNOT, WALSH, et al., 535 Mira Vista Ave., Oakland, CA 94610
 for: Firestone/Goodyear Tire & Rubber/Swinerton & Walberg
 ERNSTER & MOFFAT, 5200 E. Sheila St., Los Angeles, CA 90040 for: Atchison, Topeka & Santa Fe Railway
 FABRIS, BURGESS & RING, 44 Montgomery St., Ste. 4130, San Francisco, CA 94104 for: Shell Oil
 GLASPY & GLASPY, 201 No. Civic Dr., Ste. 245, Walnut Creek, CA 94596 for: Garlock/Colt Ind.
 GORDON & REES, 601 Montgomery, 4th Fl., San Francisco, CA 94111 for: Bendix/UNOCAL/W.R. Grace
 HARDIN, COOK, LOPER, et al., Lake Merritt Plaza, 1999 Harrison St., 18th Fl., Oakland, CA 94612-3508 for: Western MacArthur
 HASSARD, BONNINGTON, ROGERS & HUBER, 5 Fremont Center, 50 Fremont St., Ste. 3400, San Francisco, CA 94105
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 for: Kaiser Cement/Kaiser Gypsum/Domtar/Calaveras
 KNOX, RICKSEN, et al., 1999 Harrison St., Ste. 1700, Oakland, CA 94612 for: Combustion Eng./J.T. Thorpe
 LANDELS, RIPLEY & DIAMOND, 450 Pacific, San Francisco, CA 94133 for: Flintkote/Genstar
 LEACH, BIESTY & MCGREEVY, 1735 Pacific Ave., San Francisco, CA 94109 for: H.K.Porter
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