

COPY

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7 Attorneys for Defendant
8 FORD MOTOR COMPANY

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

11) NO. 828684
12 IN RE: COMPLEX ASBESTOS LITIGATION) RESPONSES OF FORD MOTOR
13) COMPANY TO GENERAL ORDER
14) 129 STANDARD INTERROGATORIES
15) TO FRICTION DEFENDANTS

16 PROPOUNDING PARTIES: PLAINTIFFS
17 RESPONDING PARTY: FORD MOTOR COMPANY
18 SET NUMBER: GENERAL ORDER NUMBER 129 STANDARD
19 INTERROGATORIES TO FRICTION DEFENDANTS

20 PRELIMINARY STATEMENT

21 Ford's Response to Plaintiffs' Interrogatories has been prepared
22 in full compliance with the California Civil Practice Law and Rules
23 ("California Court Rules"), pursuant to a reasonable and duly diligent
24 search for information properly requested. For many years Ford has
25 had at any time hundreds of thousands of employees in different
26 locations throughout the world. In conducting its business Ford has
created every year millions of documents that have been kept in

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1 numerous different locations and have been moved frequently from site
2 to site as employees have changed jobs. Accordingly, Ford does not,
3 and could not possibly, represent that its responses constitute all
4 of the information requested. Rather, as required by the California
5 Court Rules, Ford's responses reflect all responsive information
6 identified by Ford before the date of the responses pursuant to a
7 reasonable and duly diligent search and investigation conducted in
8 connection with these requests. To the extent that the requests
9 purport to require more, Ford objects on the grounds that (a) the
10 requests seek to compel Ford to conduct a search beyond the scope of
11 permissible discovery contemplated by the California Court Rules and
12 (b) compliance with the requests would impose an undue burden and
13 expense.

14 Furthermore, in compliance with the California Court Rules, Ford
15 responds to Plaintiffs' Interrogatories only with respect to
16 information and/or documents in Ford's possession, custody, or
17 control. Some or all of Plaintiffs' Interrogatories purport to call
18 for information or documents not in the possession, custody or control
19 of Ford but in the possession, custody, or control of other, separate
20 legal entities. To the extent that Plaintiffs' Interrogatories
21 attempt to require Ford to obtain information and/or documents not in
22 Ford's possession, custody, or control, Ford objects on the grounds
23 that they (a) seek to compel Ford to conduct a search beyond the scope
24 of permissible discovery contemplated by the California Court Rules
25 and (b) impose an undue burden and expense on Ford.

26 Ford does not concede that any of its responses will be

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1 admissible evidence at trial. Further, Ford does not waive any
2 objections, whether or not stated herein, to use such answers at
3 trial.

4 When Ford uses any terms or phrases that Plaintiffs have
5 purported to define, such terms and phrases should be given either (a)
6 the meanings set out by Ford herein or in the individual responses or
7 (b) in cases of ordinary words that Plaintiffs have attempted to
8 define in a manner inconsistent with their meanings, the ordinary
9 meaning of such words.

10 Additionally, Ford in its own ongoing searches for information
11 which may be relevant to asbestos litigation has accumulated
12 approximately 20,000 pages of non-privileged documents. To the extent
13 that Plaintiffs' Interrogatories may seek information that may be
14 contained in these documents, Ford will make them available for
15 inspection and copying at Plaintiffs' expense at its offices in
16 Dearborn, Michigan, at a mutually agreeable time during regular
17 business hours. Ford objects to sorting through these documents and
18 copying and mailing them to Plaintiffs in answer to these requests,
19 since to do so would require the expenditure of thousands of dollars,
20 hundreds of hours of human effort, and would in all likelihood take
21 several weeks, if not months, to complete.

22 INTERROGATORIES

23 INTERROGATORY NO. 1

24 IDENTIFY the individual verifying these answers on YOUR
25 behalf.

26 ///

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1 RESPONSE:

2 Without waiving the objections stated below, Ford states that
3 these are the answers of Defendant Ford Motor Company and are signed
4 on behalf of Ford by the authorized agent identified on the attached
5 verification. They were prepared under the direction and supervision
6 of Ford's attorneys, including outside counsel.

7 To the extent this interrogatory seeks an additional or different
8 response, Ford objects on the grounds that it seeks information
9 protected by the attorney-client privilege or attorney-work product
10 doctrine, and on the additional grounds that the interrogatory (a) is
11 overly broad, and (b) seeks information that is neither relevant to
12 the subject matter of this action nor reasonably calculated to lead
13 to the discovery of admissible evidence.

14 INTERROGATORY NO. 2

15 State the date of first employment with YOU and the dates and
16 titles of each job position the person who verified these
17 interrogatories has held while employed by YOU.

18 RESPONSE:

19 Without waiving the objections stated below, Ford states that
20 these are the answers of Defendant Ford Motor Company and are signed
21 on behalf of Ford by the authorized agent identified on the attached
22 verification. They were prepared under the direction and supervision
23 of Ford's attorneys, including outside counsel.

24 To the extent this interrogatory seeks an additional or different
25 response, Ford objects on the grounds that it seeks information
26 protected by the attorney-client privilege or attorney-work product

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1 doctrine, and on the additional grounds that the interrogatory (a) is
2 overly broad, and (b) seeks information that is neither relevant to
3 the subject matter of this action nor reasonably calculated to lead
4 to the discovery of admissible evidence.

5 INTERROGATORY NO. 3

6 State whether or not YOU are a corporation and, if so, state:

7 A. YOUR correct corporate name;

8 B. YOUR state of incorporation;

9 C. The date of YOUR incorporation;

10 D. The address of YOUR principal place of business;

11 E. Whether or not YOU have ever held a certificate of
12 authority to do business in the State of California and, if so, the
13 inclusive dates of any certificate;

14 F. If YOU are wholly owned or the majority interest of YOUR
15 COMPANY is owned by another business entity, state the entity's
16 name and principal place of business;

17 G. Whether YOU have any business offices in California and,
18 if so, YOUR principal place of business in California.

19 RESPONSE:

20 Yes.

21 (a) Ford Motor Company;

22 (b) Delaware;

23 (c) July 9, 1919;

24 (d) One The American Road, Dearborn, Michigan 48126;

25 (e) Yes.

26 (f) Not applicable.

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1 (g) Yes.

2 INTERROGATORY NO. 4

3 Have YOU ever been identified, known or done business under
4 any other name in the State of California?

5 RESPONSE:

6 No.

7 INTERROGATORY NO. 5

8 If YOUR answer to Interrogatory No. 4 is in the affirmative,
9 please state such name or names and the time period during which
10 THIS DEFENDANT was so known or identified.

11 RESPONSE:

12 Not applicable.

13 INTERROGATORY NO. 6

14 If YOU are not a corporation, what is YOUR business structure
15 (partnership, joint venture, sole proprietorship, etc.).

16 RESPONSE:

17 Not applicable.

18 INTERROGATORY NO. 7

19 If YOU are not a corporation, please IDENTIFY all persons or
20 other entities with an ownership interest in YOU.

21 RESPONSE:

22 Not applicable.

23 INTERROGATORY NO. 8

24 If YOU are not a corporation, please state the following:

25 A. The address where the HISTORICAL RECORDS of THIS
26 DEFENDANT are currently located; and

1 B. The name, job title and current address of the custodian;
2 for THIS DEFENDANT'S HISTORICAL RECORDS.

3 As used herein, "HISTORICAL RECORDS" shall include all
4 DOCUMENTS relating to the formation of THIS DEFENDANT, all minutes
5 of partners', general partners' or other owners' meetings and all
6 DOCUMENTS relating to THIS DEFENDANT'S merger with, acquisition of
7 or purchase or sale of or by any other COMPANY.

8 RESPONSE:

9 Not applicable.

10 INTERROGATORY NO. 9

11 IDENTIFY YOUR custodian of Business Records.

12 RESPONSE:

13 Without waiving any of the objections stated below and as
14 mentioned in Ford's Preliminary Statement, Ford will make available
15 for inspection at a mutually agreeable time in Dearborn, Michigan, a
16 collection of documents and other materials pertaining to asbestos,
17 which may contain information responsive to this request.

18 To the extent this request seeks an additional or different
19 response, Ford objects on the grounds that it (a) is overly broad, (b)
20 seeks information that is neither relevant to the subject matter of
21 this lawsuit nor reasonably calculated to lead to the discovery of
22 admissible evidence at the trial of this matter, and (c) is unduly
23 burdensome and oppressive.

24 INTERROGATORY NO. 10

25 IDENTIFY the person or persons most knowledgeable about:

26 A. YOUR acquisition of RAW ASBESTOS and/or ASBESTOS-

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1 CONTAINING FRICTION PRODUCTS;

2 B. YOUR use of RAW ASBESTOS and/or ASBESTOS-CONTAINING
3 FRICTION PRODUCTS;

4 C. YOUR contracting with others to do work involving use or
5 handling of RAW ASBESTOS or ASBESTOS-CONTAINING FRICTION PRODUCTS.

6 RESPONSE:

7 Without waiving any of the objections stated below, Ford states
8 that it has not mined, processed or manufactured asbestos-containing
9 friction products. Ford sold vehicles and replacement parts which
10 included asbestos-containing brake linings, pads and clutch facings
11 through thousands of franchised Ford dealers and authorized
12 distributors in the United States, under names such as Ford, Mercury,
13 Ford Authorized Remanufacturers, and under various lines and series
14 names such as Motorcraft. No one person was responsible for
15 "creating, directing or setting the policy" at Ford with regard to
16 asbestos-containing friction products. Complete information regarding
17 these areas of inquiry would require input from numerous sources.
18 However, Mr. Frederick King, a Ford Design Analysis engineer, is
19 generally knowledgeable regarding asbestos-containing friction
20 products.

21 To the extent this interrogatory seeks an additional or different
22 response, Ford objects on the grounds that it (a) is overly broad, (b)
23 seeks information that is neither relevant to the subject matter of
24 this lawsuit nor reasonably calculated to lead to the discovery of
25 admissible evidence at the trial of this matter, (c) is unduly
26 burdensome and oppressive, and (d) is vague and ambiguous.

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1 INTERROGATORY NO. 11

2 For DEFENDANTS involved in the MARKETING of ASBESTOS-
3 CONTAINING FRICTION PRODUCTS, state the IDENTITY of physicians,
4 medical directors and/or industrial hygienists employed by THIS
5 DEFENDANT. All other DEFENDANTS need only respond as to medical
6 directors and/or industrial hygienists or physicians employed in
7 the area of employee health and safety. PREMISES owners and
8 domestic corporations need only respond as to the United States
9 only.

10 RESPONSE:

11 Without waiving the objections below, Ford states that it has
12 employed medical directors as part of the Staff to monitor the
13 health and safety of the employees. They are located in Dearborn,
14 Michigan. They have been:

15 --Harley Krieger, M.D.: 7 to 1954; now deceased;

16 E.A. Irvin, M.D.: 1954 to 1970, now deceased;

17 Duane L. Block, M.D.: 1970 to 1987; and

18 John Triebwasser, M.D.: 1987 to present.

19 Ford further states that an aggregate of approximately 40
20 industrial hygienists have been employed at Ford in the past 45
21 years. Industrial Hygiene at Ford is a central staff function of
22 the Staff. In general, all 40 were classified as industrial
23 hygienists with responsibility to perform industrial hygiene field
24 studies only at Ford locations. The names of the 40 are presented
25 as follows in two groups-those presently employed and those who
26 have left Ford. Credentials and dates of employment will be listed

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1 where known.

2 Present Industrial Hygienists
3 D. S. Carruthers, B.S., M.S.
Occ & Env Health, CIH

4 L. Lattore, B.S., M.S.
5 Industrial Hygiene, CIH, CSP, 1976

6 H. B. Lick, B.A., M.B.A., M.S.
Occ & Env Health, CIH, CSP, 1968

7 S.S. Mingela, B.S., M.S.
8 Occ & Env Health, CIH, CSP, 1977

9 M.D. Kelly, B.S., CIH

10 T.F. Strow, B.S., M.S., CIH

11 P.A. Brogan, M.S.
Occ & Health, CIH

12 D. Hands, M.S., CIH

13 Past Industrial Hygienists

14 R. Anderson 1960s

15 E. Brown 1960s

16 N. Brush 1972-77

17 W. Delhey 1950s

18 H. Dryer 1978-80

19 D. Eschelbach 1950s

20 A. Frazho 1960s

21 L. Jenson 1960s

22 A. Karpowich 1978-80

23 R. Kersten 1977

24 W. Kronberger

25 T. Mooney 1930

26 M. O'Brien 1977-81

D. Padden 1930s

D. Greschaw 1956-80s

C. Plasters 1960s-80s

K. Swaney 1980s

L. Parrish 1978-81

W. Preston

S. Rabinovitz 1970s

J. Radcliff fmr. Mgr.,
1948-72

L. Redmond 1950s

E. Ross 1950s

J. Sattelmeier 1960s

J. Slosar 1960s

F. Snitz 1960s

J. Sproat 1977

J. Stanko 1973

R. Stites 1940s

P. Toth, fmr. Mgr.,
1960-82

J. Ware 1960s

R. Wabeke, fmr. Mgr.,
1970s-
1980s

25 To the extent this interrogatory seeks an additional or different
26 response, Ford objects on the grounds that it (a) is overly broad, (b)

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1 seeks information that is neither relevant to the subject matter of
2 this lawsuit nor reasonably calculated to lead to the discovery of
3 admissible evidence at the trial of this matter, (c) is unduly
4 burdensome and oppressive, and (d) is vague and ambiguous.

5 INTERROGATORY NO. 12

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

- 11 A. The caption and case number;
12 — B. The court filing including state and county;
13 C. The date of deposition or trial testimony;
14 D. The name and address of plaintiffs counsel of record;
15 E. The name and address of the court reporter.

16 RESPONSE:

17 Without waiving the objections below, Ford states that it does
18 not maintain a list of individuals who have been deposed in
19 asbestos litigation. Furthermore, its records do not allow Ford to
20 reasonably identify each and every former employee who has ever
21 been deposed in connection with asbestos litigation. However, in
22 the spirit of cooperation, Ford states that Mr. Arnold Anderson,
23 P.O. Box 2008, Livonia, Michigan, and Mr. Jack Ridenour, Ford Motor
24 Company, c/o Office of the General Counsel, Parklane Towers West,
25 Three Parklane Boulevard, Suite 300, Dearborn, Michigan, have
26 testified for Ford in asbestos related litigation in both

1 deposition and trial.

2 To the extent this interrogatory seeks an additional or
3 different response, Ford objects to this interrogatory on the
4 grounds that it (a) is overly broad and unlimited in scope, (b)
5 seeks information that is neither relevant to the subject matter of
6 this lawsuit nor reasonably calculated to lead to the discovery of
7 admissible evidence at the trial of this matter, (c) is unduly
8 burdensome and oppressive, (d) is premature in nature, and (e)
9 seeks information that is in the public domain and is equally
10 accessible to Plaintiffs as to Ford.

11 INTERROGATORY NO. 13

12 For each of the following, please state whether THIS DEFENDANT
13 has ever been a member or paid dues for any representative of THIS
14 DEFENDANT to be a member of the following (please answer to the
15 present):

- 16 A. American Conference of Governmental Industrial
17 Hygienists;
18 B. American Industrial Hygiene Association;
19 C. American Petroleum Institute;
20 D. American Railroad Association;
21 E. Asbestos Cement Producers Association;
22 F. Asbestos Information Association (AIA);
23 G. Asbestos Information Association/North America (AIA/NA);
24 H. Asbestos Textile Institute (ATI);
25 I. Industrial Hygiene Foundation and/or Industrial Health
26 Foundation (IHF);

- 1 J. Industrial Mineral Insulation Manufacturers Institute;
2 K. Magnesia Insulation Manufacturers' Association;
3 L. Magnesia Silica Insulation Manufacturers Association;
4 M. Mineral Wool Institute;
5 N. National Insulation Manufacturers Association (NIMA);
6 O. National Safety Council;
7 P. New York Academy of Sciences;
8 Q. Quebec Asbestos Mining Association (QAMA);
9 R. Refractories Institute;
10 S. Safe Building Alliance;
11 T. Thermal Insulation Manufacturers Association (TIMA);
12 U. U.S. Maritime Commission;
13 V. IDENTIFY any other organizations, associations or groups
14 of manufacturers, miners, distributors, importers, labelers,
15 suppliers and/or sellers of RAW ASBESTOS and/or ASBESTOS-CONTAINING
16 FRICTION PRODUCTS of which THIS DEFENDANT was a member;
17 W. IDENTIFY any such representative of THIS DEFENDANT.

18 RESPONSE:

19 Without waiving the objections below, Ford states that Ford or
20 Ford employees, or both, have had memberships in the American
21 Society for Testing and Materials, Society of Automotive Engineers
22 and the American Industrial Hygiene Association. Ford cannot
23 identify all of its employees who have been or are members of these
24 organizations. Ford also had a membership from January 1947
25 through December 1974 in the Industrial Health Foundation, formerly
26 known as the Industrial Hygiene Foundation.

1 Ford is a member of the National Association of Manufacturers,
2 1176 F. St., N.W., Washington, D. C. 20006; Michigan Manufacturers
3 Association; Motor Vehicle Manufacturers Association, 300 New
4 Center Building, Detroit, Michigan 48202; and the National Safety
5 Counsel, 444 N. Michigan Ave., Chicago, Illinois 60611.

6 It has been reported by representative of these respective
7 organizations that there is no record of Ford's memberships in
8 these following organizations: Institute of Occupational and
9 Environmental Health, Quebec Asbestos Mining Association, Brake
10 Lining Manufacturers Association, Friction Materials Standards
11 Institute, Grinding Wheel Institute, Asbestos Tile Institute,
12 Asbestos Information Association, Trudeau Foundation, Asbestos
13 Brake Lining Manufacturers Institute.

14 To the extent that this interrogatory seeks an additional or
15 different response, Ford objects on the grounds that it is (a)
16 overly broad, (b) lacks particularity, (c) seeks information that
17 is neither relevant to the subject matter of this lawsuit nor
18 reasonably calculated to lead to the discovery of admissible
19 evidence at the trial of this matter, (d) unduly burdensome and
20 oppressive, and (e) premature.

21 INTERROGATORY NO. 14

22 For each organization, association or other entity identified
23 in YOUR response to Interrogatory No. 13, please 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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1 C. The name of any committee or subcommittee of which THIS
2 DEFENDANT was a member and the dates of such committee or
3 subcommittee membership.

4 RESPONSE:

5 Ford refers to and incorporates herein its response and
6 objections to Interrogatory No. 14.

7 INTERROGATORY NO. 15

8 Had THIS DEFENDANT prior to 1973 received any DOCUMENTS
9 containing results or conclusions of any studies and/or tests
10 conducted by Bonsib for Standard Oil of New Jersey relating to
11 asbestos exposure in the workplace or the human health consequences
12 of exposure to asbestos? If so:

13 A. Either attach all DOCUMENTS or disks containing such
14 data, evidencing the information sought in this interrogatory and
15 its subparts to YOUR answers to these interrogatories or describe
16 such DOCUMENTS with sufficient particularity that they may be made
17 the subject of a request for production of documents.

18 B. State the date upon which THIS DEFENDANT first received
19 such DOCUMENTS;

20 C. State the IDENTITY of the custodian of such DOCUMENTS;

21 D. This interrogatory does not apply to DOCUMENTS contained
22 in a library maintained by a DEFENDANT hospital or a DEFENDANT's
23 library providing access to the general public.

24 RESPONSE:

25 No.

26 ///

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1 INTERROGATORY NO. 16

2 Had THIS DEFENDANT prior to 1973 received a copy or any
3 portion of any studies and/or tests conducted by any insurance
4 company, including but not limited to Metropolitan Life Insurance
5 Company and Aetna Insurance relating to asbestos exposure in the
6 workplace or the human health consequences of exposure to asbestos?
7 If so:

8 A. Either attach all DOCUMENTS or disks containing such
9 data, evidencing the information sought in this interrogatory and
10 its subparts to YOUR answers to these interrogatories, or describe
11 such DOCUMENTS with sufficient particularity that they may be made
12 the subject of a request for production of documents;

13 B. State the date upon which THIS DEFENDANT first received
14 such DOCUMENTS;

15 C. State the IDENTITY of the custodian of such DOCUMENTS;

16 D. This interrogatory does not apply to DOCUMENTS contained
17 in a library maintained by a DEFENDANT hospital or a DEFENDANT'S
18 library providing access to the general public.

19 RESPONSE:

20 No.

21 INTERROGATORY NO. 17

22 Had THIS DEFENDANT prior to 1973 received any DOCUMENTS
23 containing results or conclusions of any studies and/or tests
24 conducted by any laboratory, including but not limited to the
25 Saranac Laboratory relating to asbestos exposure in the workplace
26 or the human health consequences of exposure to asbestos? If so:

1 A. Either attach all DOCUMENTS or disks containing such
2 data, evidencing the information sought in this interrogatory and
3 its subparts to YOUR answers to these interrogatories or describe
4 such DOCUMENTS with sufficient particularity that they may be made
5 the subject of a request for production of documents;

6 B. State the date upon which THIS DEFENDANT first received
7 such DOCUMENTS;

8 C. State the IDENTITY of the custodian of such DOCUMENTS;

9 D. This interrogatory does not apply to DOCUMENTS contained
10 in a library maintained by a DEFENDANT hospital or a DEFENDANT's
11 library providing access to the general public.

12 RESPONSE:

13 No.

14 INTERROGATORY NO. 18

15 State whether THIS DEFENDANT has ever maintained a library (or
16 libraries) which contains books, articles, periodicals, journals
17 and/or reference materials that relate to the subjects of asbestos,
18 industrial hygiene, medicine, safety and/or occupational disease.
19 If so, state:

20 A. The date each such library was established;

21 B. The location of each such library;

22 C. The IDENTITY of each librarian or other person in charge
23 of such library.

24 RESPONSE:

25 Without waiving any of the objections stated below, Ford states
26 that libraries are maintained in the following functional areas in

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1 Dearborn, Michigan: medical, industrial hygiene, toxicology, and
2 health surveillance. Among the items in these libraries there surely
3 are journals, books, and other publications with references to
4 asbestos. There is no specific depository solely dedicated to the
5 topic of asbestos.

6 The following journals, among others, were subscribed to at some
7 time during the period from 1928 to the present by the medical and
8 health interests:

9 Industrial Health
10 Industrial Medicine & Surgery
11 Journal of Occupational Medicine
12 Journal of American Medical Association
13 Archives of Environmental Health
14 British Journal of Industrial Medicine
15 Annals of Occupational Hygiene
16 Journal of American Industrial Hygiene
17 Association

18 The following journals, among others, were subscribed to at some
19 time by industrial hygiene interests:

20 Archives of Environmental Health
21 American Industrial Hygiene Journal
22 Industrial Hygiene and Toxicology
23 British Journal of Industrial Medicine
24 The Annals of Occupational Hygiene

25 Some health information relative to asbestos is maintained at the
26 Industrial Hygiene and Employee Health Department.

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1 To the extent this interrogatory seeks an additional or different
2 response, Ford objects on the grounds that it (a) is overly broad, (b)
3 seeks information that is neither relevant to the subject matter of
4 this lawsuit nor reasonably calculated to lead to the discovery of
5 admissible evidence at the trial of this matter, and (c) is unduly
6 burdensome and oppressive.

7 INTERROGATORY NO. 19

8 With the exception of OSHA compliance, had THIS DEFENDANT
9 prior to 1980 exchanged DOCUMENTS or communicated with any
10 individual or other COMPANY expressly regarding the results of
11 tests and/or studies relating to asbestos exposure in the workplace
12 or the human health consequences of exposure to asbestos? If so,
13 state:

14 A. Each individual or COMPANY with whom the information was
15 exchanged or to whom it was communicated;

16 B. The date(s) of any such exchanges or communications;

17 C. The IDENTITY of the custodian of such DOCUMENTS.

18 RESPONSE:

19 Without waiving the objections below, Ford states that in the
20 early 1970's Arnold Anderson and Roy Gealer of Ford's Scientific
21 Research Staff conducted tests to determine the quantity of
22 asbestos fibers liberated from brake linings during the braking
23 process. They concluded that over 99.98% of the asbestos fibers in
24 brake linings decomposed during the braking process into other
25 materials. Their results were published in 1973.

26 In addition, Ford states that commencing in the early 1970's,

1 Ford participated in and provided partial funding for studies done
2 by Dr. Irving Selikoff and others at what is now the Mt. Sinai
3 School of Medicine in New York, which work was reported on in a
4 paper entitled Asbestos Exposure During Brake Lining and
5 Maintenance and Repair, published in "Environmental Research", Vol.
6 112, pp. 110-128 (1976). The work done was a study of the
7 environmental pollution, if any, caused by asbestos in brake
8 linings. The study came to focus on the occupational exposure of
9 mechanics during brake repair and maintenance. Ford's Research and
10 Engineering Department and Industrial Hygiene Department were
11 advised of the study. The 1976 publication acknowledges the
12 support received from Ford.

13 In 1973, Ford's Industrial Hygiene Department conducted air
14 sampling tests on brake linings being cleaned by brake mechanics
15 using air hoses. They determined that asbestos levels were well
16 below existing or proposed O.S.H.A. standards. This testing was
17 done by Mr. Anderson and Henry Lick, under the supervision of Paul
18 Toth, the then manager of Industrial Hygiene.

19 Ford further states that there exists today no medical or
20 scientific knowledge that establishes risks associated with
21 exposure to its friction products.

22 To the extent that this interrogatory seeks an additional or
23 different response, Ford objects on the grounds that it is (a)
24 overly broad, (b) lacks particularity, (c) seeks information that
25 is neither relevant to the subject matter of this lawsuit nor
26 reasonably calculated to lead to the discovery of admissible

1 evidence at the trial of this matter, (d) unduly burdensome and
2 oppressive, and (e) premature.

3 INTERROGATORY NO. 20

4 Has any employee or designee of THIS DEFENDANT testified on
5 behalf of THIS DEFENDANT before the Occupational Safety and Health
6 Administration, the National Institute of Occupational Health and
7 Safety or any committee or subcommittee of the United States
8 Congress relating to asbestos exposure in the workplace or the
9 human health consequences of exposure to asbestos? If so, please
10 state:

- 11 A. The entity before whom such testimony was given;
- 12 B. The date(s) and location(s) of such testimony;
- 13 C. The IDENTITY of the individual(s) who so testified;
- 14 D. Whether any DOCUMENTS were presented to the entity before
15 which testimony was given;
- 16 E. Whether copies of DOCUMENTS presented were retained by
17 THIS DEFENDANT and, if so, state the IDENTITY of the custodian of
18 such DOCUMENTS.

19 RESPONSE:

20 Without waiving the objections below, Ford states that it
21 does not maintain a list of individuals who have been deposed in
22 asbestos litigation. Furthermore, its records do not allow Ford to
23 reasonably identify each and every former employee who has ever
24 been deposed in connection with asbestos litigation. However, in
25 the spirit of cooperation, Ford states that Mr. Arnold Anderson,
26 P.O. Box 2008, Livonia, Michigan, and Mr. Jack Ridenour, Ford Motor

1 Company, c/o Office of the General Counsel, Parklane Towers West, 1
2 Three Parklane Boulevard, Suite 300, Dearborn, Michigan, have
3 testified for Ford in asbestos related litigation in both
4 deposition and trial.

5 To the extent this interrogatory seeks an additional or
6 different response, Ford objects to this interrogatory on the
7 grounds that it (a) is overly broad and unlimited in scope, (b)
8 seeks information that is neither relevant to the subject matter of
9 this lawsuit nor reasonably calculated to lead to the discovery of
10 admissible evidence at the trial of this matter, (c) is unduly
11 burdensome and oppressive, (d) is premature in nature, and (e)
12 seeks information that is in the public domain and is equally
13 accessible to Plaintiffs as to Ford

14 INTERROGATORY NO. 21

15 Has THIS DEFENDANT conducted or caused to be conducted, tests
16 and/or studies of asbestos dust created during the manufacture,
17 processing and/or assembling for sale of ASBESTOS-CONTAINING
18 FRICTION PRODUCTS? If so, state:

19 A. Each manufacturing facility, including location and
20 address, at which any such test and/or study was conducted;

21 B. The date of each such test and/or study;

22 C. The individual(s) or entity conducting each such test
23 and/or study;

24 D. Whether THIS DEFENDANT has any DOCUMENTS containing the
25 results and/or conclusions of each such study;

26 E. The IDENTITY of the custodian of such DOCUMENTS.

1 RESPONSE:

2 Ford refers to and incorporates herein its response and
3 objections to Interrogatory No. 19.

4 INTERROGATORY NO. 22

5 Has THIS DEFENDANT conducted or caused to be conducted, any
6 tests and/or studies on ambient asbestos dust levels at any
7 location or job site where ASBESTOS-CONTAINING FRICTION PRODUCTS
8 were installed, utilized or removed? If so, for the first five
9 tests and/or studies, state:

10 A. The location, including name and address, at which each
11 such test and/or study was conducted;

12 B. The individual(s) or entity conducting each such test
13 and/or study;

14 C. The date of each such test and/or study;

15 D. Whether THIS DEFENDANT has any DOCUMENTS containing the
16 results and/or conclusions of each such test and/or study;

17 E. The IDENTITY of the custodian of such DOCUMENTS.

18 RESPONSE:

19 Ford refers to and incorporates herein its response and
20 objections to Interrogatory No. 19.

21 INTERROGATORY NO. 23

22 Did THIS DEFENDANT have any laboratory or other similar type
23 of facility anywhere in the United States at which it conducted or
24 caused to be conducted, any tests and/or studies of ASBESTOS-
25 CONTAINING FRICTION PRODUCTS or RAW ASBESTOS relating to the health
26 consequences of asbestos or the dust generated by any use of

1 asbestos or ASBESTOS-CONTAINING FRICTION PRODUCTS. If so, state:

2 A. The location, including name and address, at which each
3 test and/or study was conducted;

4 B. The individual(s) or entity conducting each such test
5 and/or study;

6 C. The date of each such test and/or study;

7 D. Whether THIS DEFENDANT has any DOCUMENTS containing the
8 results and/or conclusions of each such test and/or study;

9 E. The IDENTITY of the custodian of such DOCUMENTS.

10 RESPONSE:

11 Without waiving the objections below, Ford states that in
12 addition to Mt. Sinai research, a great many hours were spent by a
13 multitude of Ford employees assisting, consulting with and
14 supplying the Mt. Sinai researchers with ideas, comments and
15 materials. It is impossible to place a dollar value on these
16 contributions. Dr. Selikoff 's 1976 article discussing the
17 potential health hazards of brake linings expressly acknowledges
18 the support and assistance he received from Ford.

19 To the extent that this interrogatory seeks an additional or
20 different response, Ford objects on the grounds that it is (a)
21 overly broad, (b) unduly burdensome, (c) premature, (d) lacks
22 particularity, and (e) seeks the discovery of information or
23 documents that are neither relevant to the issues in this lawsuit
24 nor reasonably calculated to lead to the discovery of admissible
25 evidence.

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1 INTERROGATORY NO. 24

2 Has THIS DEFENDANT made available to its employees a medical
3 examination program to determine the absence or presence of
4 asbestos-related disease? If so, state:

5 A. Whether chest x-rays or pulmonary function tests were
6 part of such program(s);

7 B. Whether participation in any such program was a mandatory
8 condition of employment or was voluntary;

9 C. Whether THIS DEFENDANT has DOCUMENTS of such program(s);

10 D. The IDENTITY of the custodian of such DOCUMENTS.

11 RESPONSE:

12 Without waiving the objections below, Ford states that it
13 maintains medical facilities at its plants and facilities to treat
14 ill or injured employees for all medical complaints or refers them
15 elsewhere for appropriate medical care.

16 To the extent that this interrogatory seeks an additional or
17 different response, Ford objects on the grounds that it is (a)
18 overly broad, (b) unduly burdensome, (c) premature, (d) lacks
19 particularity, and (e) seeks the discovery of information or
20 documents that are neither relevant to the issues in this lawsuit
21 nor reasonably calculated to lead to the discovery of admissible
22 evidence.

23 INTERROGATORY NO. 25

24 Prior to 1973, did any person file a Workers' Compensation
25 claim for asbestos-related injury against THIS DEFENDANT or any
26 Workers' Compensation carrier for THIS DEFENDANT which provided

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1 coverage for THIS DEFENDANT? If so, state the total number of such,
2 claims and, for the first 20 such claims, state:
3 A. The date of such claim;
4 B. The name of the claimant;
5 C. The case number;
6 D. The court in which the claim was filed;
7 E. The IDENTITY of THIS DEFENDANT's custodian of DOCUMENTS
8 evidencing such claims.

9 RESPONSE:

10 Without waiving the objections stated below, Ford states that
11 its records do not permit retrieval of this information as injuries
12 alleged are described in general terms such as: lungs, chest, back,
13 silicosis, bronchitis, emphysema, pneumoconiosis, cough, pulmonary
14 system, etc., resulting from exposure to "deleterious substances"
15 or "atmospheric pollutants." It is impossible to ascertain from
16 these records whether or not the alleged injury was associated with
17 asbestos exposure. Furthermore, because of the differences in
18 occupational exposure, the information sought would not be relevant
19 to the claims asserted herein.

20 To the extent that this interrogatory seeks an additional or
21 different response, Ford objects on the grounds that it is (a)
22 overly broad, (b) unduly burdensome, (c) premature, (d) lacks
23 particularity, and (e) seeks the discovery of information or
24 documents that are neither relevant to the issues in this lawsuit
25 nor reasonably calculated to lead to the discovery of admissible
26 evidence.

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1 INTERROGATORY NO. 26

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

5 A. The name and principal place of business of any insurance
6 carrier who has issued such policy of insurance;

7 B. The number and effective date of each policy;

8 C. The amount(s) of coverage of each policy;

9 D. The applicable dates of coverage.

10 RESPONSE:

11 Ford is essentially self-insured for amounts in excess of a
12 reasonable jury-award for the damages claimed in this lawsuit. Any
13 judgment rendered against Ford would be satisfied from its assets.

14 INTERROGATORY NO. 27

15 State whether YOU have controlled, purchased or in any way
16 acquired a controlling interest in any corporation or business
17 entity which has mined, manufactured, produced, processed,
18 compounded, sold, supplied, distributed and/or otherwise placed RAW
19 ASBESTOS or ASBESTOS-CONTAINING FRICTION PRODUCTS in the stream of
20 commerce. If so, state:

21 A. The name and address of said corporation or business
22 entity;

23 B. The dates YOU controlled, purchased or acquired any
24 interest;

25 C. The nature of the business as it pertains to asbestos.

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1 RESPONSE:

2 No.

3 INTERROGATORY NO. 28

4 If THIS DEFENDANT entered into any agreements for the
5 rebranding of any ASBESTOS-CONTAINING FRICTION PRODUCTS by THIS
6 DEFENDANT for resale or distribution by another person or entity,
7 describe each agreement's terms and the parties to said agreement,
8 the duration of the agreement and the name of each product(s)
9 and/or material(s) covered by each such agreement.

10 RESPONSE:

11 Assuming that this interrogatory asks whether Ford sells any
12 asbestos-containing friction products to others for resale, Ford
13 responds that it engaged in the sale of asbestos-containing brake
14 and clutch service replacement parts. Ford purchases brake and
15 clutch assemblies from suppliers and markets them as new products
16 under the Ford logo. The remanufactured product is produced by
17 "Authorized" remanufacturers who either buy components directly
18 from Ford or use "Ford Quality" components purchased elsewhere.
19 These products are marketed under the name of Ford Authorized
20 Remanufacturers. Ford will produce a list of Ford Authorized
21 Remanufacturers.

22 INTERROGATORY NO. 29

23 If THIS DEFENDANT entered into any agreements for the
24 rebranding of ASBESTOS-CONTAINING FRICTION PRODUCTS manufactured,
25 sold, supplied or distributed by another person or entity for
26 resale or distribution by YOU, describe each of the agreements and

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1 the parties to said agreement, the terms, the duration and the
2 names of each product(s) and/or material(s) covered by each such
3 agreement.

4 RESPONSE:

5 Ford refers to and incorporates herein its response and
6 objections to Interrogatory No. 28.

7 INTERROGATORY NO. 30

8 Between the years 1930 and 1985, did YOU purchase or otherwise
9 acquire any ASBESTOS-CONTAINING FRICTION PRODUCT lines from another
10 person or entity? If so, state for each such purchase:

11 A. Date of purchase or acquisition;

12 B. Terms of purchase or acquisition agreement;

13 C. Either attach all DOCUMENTS or disks containing such
14 data, evidencing said acquisition, or describe such DOCUMENTS with
15 sufficient particularity that they may be made the subject of a
16 request for production of documents;

17 D. Trade, brand and/or generic name of each such product
18 line so acquired;

19 E. Name of the person or entity from whom YOU purchased or
20 acquired each such ASBESTOS-CONTAINING FRICTION PRODUCT line;

21 F. Location of any manufacturing facilities so acquired and
22 the type of ASBESTOS-CONTAINING FRICTION PRODUCTS manufactured
23 therein.

24 RESPONSE:

25 Without waiving its objections below, Ford states that a
26 historical list revised as of May 1, 1995, of some suppliers to

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1 Ford of some brake linings and assemblies is being offered.

2 To the extent that this interrogatory seeks an additional or
3 different response, Ford objects on the grounds that it is (a)
4 overly broad, (b) unduly burdensome, (c) premature, (d) lacks
5 particularity, and (e) seeks the discovery of information or
6 documents that are neither relevant to the issues in this lawsuit
7 nor reasonably calculated to lead to the discovery of admissible
8 evidence.

9 INTERROGATORY NO. 31

10 Between the years 1930 to 1985, did YOU sell any ASBESTOS-
11 CONTAINING FRICTION PRODUCT line to another person or entity? If
12 so, state for each such sale:

13 A. Date of sale;

14 B. Terms of sales agreement;

15 C. Either attach all DOCUMENTS or disks containing such
16 data, evidencing said sale, or describe such DOCUMENTS with
17 sufficient particularity that they may be made the subject of a
18 request for production of documents;

19 D. Trade, brand and/or genetic name of each such product
20 line sold;

21 E. Name of person or entity to whom YOU sold each such
22 ASBESTOS-CONTAINING FRICTION PRODUCT line; and

23 F. Location of any manufacturing facilities so sold and the
24 type of ASBESTOS-CONTAINING FRICTION PRODUCTS manufactured therein.

25 RESPONSE:

26 Without waiving the objections states below, Ford states that

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1 it sells its vehicle and replacement parts through franchised
2 dealers and authorized distributors throughout the United States.
3 Ford sold these vehicles and parts, including brake linings, pads
4 and clutch facings under names such as Ford, and Mercury and under
5 various lines and series names, as well as names such as
6 Motorcraft. Aftermarket parts were sold under the name of Ford or
7 Ford Authorized Remanufacturers. Ford further states that it is not
8 feasible to respond to this interrogatory in part because of the
9 record retention program at Ford.

10 To the extent that this interrogatory seeks an additional or
11 different response, Ford objects on the grounds that it is (a)
12 overly broad, (b) unduly burdensome, (c) premature, (d) lacks
13 particularity, and (e) seeks the discovery of information or
14 documents that are neither relevant to the issues in this lawsuit
15 nor reasonably calculated to lead to the discovery of admissible
16 evidence.

17 INTERROGATORY NO. 32

18 IDENTIFY all brochures, pamphlets, catalogs or other
19 advertising relating to ASBESTOS-CONTAINING FRICTION PRODUCTS
20 and/or RAW ASBESTOS which YOU manufactured, sold, distributed or
21 supplied from the year 1930 to 1985. For each such document,
22 state:

- 23 A. A description of the document;
24 B. The year it was printed;
25 C. The period of time in which it was used;
26 D. The purpose of said document;

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1 E. Whether the documents or copies of said document
2 presently exist;

3 F. If said documents or copies still exist, where they are
4 located;

5 G. The IDENTITY of the custodian of such documents.

6 RESPONSE:

7 Without waiving the objections stated below, Ford has not
8 manufactured asbestos-containing friction products for use in its
9 vehicles. Ford purchased these products as pre-assembled parts, which
10 were subsequently installed in its vehicles or sold as replacement
11 parts. Most promotional material concerning such products would
12 pertain to the vehicle as a whole or to pre-assembled replacement
13 parts. Furthermore, Ford is not aware of any sales or promotional
14 literature which describe asbestos-containing friction products.
15 However, in the spirit of cooperation, Ford will produce a copy of a
16 sample aftermarket carton.

17 To the extent this interrogatory seeks an additional or different
18 response, Ford objects to this interrogatory on the grounds that it
19 (a) is overly broad, (b) seeks information that is neither relevant
20 to the subject matter of this lawsuit nor reasonably calculated to
21 lead to the discovery of admissible evidence at the trial of this
22 matter, (c) is unduly burdensome and oppressive, and (d) is vague and
23 ambiguous.

24 INTERROGATORY NO. 33

25 When do YOU contend THIS DEFENDANT first became aware that
26 there is an association between asbestos exposure and disease in

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1 human beings?

2 RESPONSE:

3 Without waiving the objections stated below, Ford states that
4 scattered case reports of carcinoma in persons occupationally
5 exposed to asbestos began appearing in the literature in the 1930s.
6 Ford cannot state when a Ford employee first had knowledge of such
7 information. It is known, however, that the initial knowledge of a
8 suggestion of potential hazards associated with asbestos-lined
9 brakes came in a telephone call from Dr. Selikoff to Dr. Roy Gealer
10 of Ford Research and Engineering in April 1975.

11 Ford cannot state when it or one of its employees first had
12 knowledge of asbestos-related disease among its employees.
13 Furthermore, because of the difference in occupational exposure,
14 the information sought would not be relevant to the claims asserted
15 herein.

16 To the extent this interrogatory seeks an additional or different
17 response, Ford objects to this interrogatory on the grounds that it
18 (a) is overly broad, (b) seeks information that is neither relevant
19 to the subject matter of this lawsuit nor reasonably calculated to
20 lead to the discovery of admissible evidence at the trial of this
21 matter, (c) is unduly burdensome and oppressive, and (d) is vague and
22 ambiguous.

23 INTERROGATORY NO. 34

24 How do YOU contend THIS DEFENDANT first became aware that
25 there is an association between asbestos exposure and disease in
26 human beings?

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1 RESPONSE:

2 Without waiving the objections stated below, Ford states that
3 scattered case reports of carcinoma in persons occupationally
4 exposed to asbestos began appearing in the literature in the 1930s.
5 Ford cannot state when a Ford employee first had knowledge of such
6 information. It is known, however, that the initial knowledge of a
7 suggestion of potential hazards associated with asbestos-lined
8 brakes came in a telephone call from Dr. Selikoff to Dr. Roy Gealer
9 of Ford Research and Engineering in April 1975.

10 Ford cannot state when it or one of its employees first had
11 knowledge of asbestos-related disease among its employees.
12 Furthermore, because of the difference in occupational exposure,
13 the information sought would not be relevant to the claims asserted
14 herein.

15 To the extent this interrogatory seeks an additional or different
16 response, Ford objects to this interrogatory on the grounds that it
17 (a) is overly broad, (b) seeks information that is neither relevant
18 to the subject matter of this lawsuit nor reasonably calculated to
19 lead to the discovery of admissible evidence at the trial of this
20 matter, (c) is unduly burdensome and oppressive, and (d) is vague and
21 ambiguous.

22 INTERROGATORY NO. 35

23 Either attach all DOCUMENTS or disks containing such data,
24 evidencing the information upon which YOUR contentions in
25 Interrogatory Nos. 34 and 35 are based or describe such DOCUMENTS
26 with sufficient particularity that they may be made the subject of

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1 a request for production of documents.

2 RESPONSE:

3 Ford refers to and incorporated herein its response and
4 objections to Interrogatory No. 33.

5 INTERROGATORY NO. 36

6 When did YOU first warn YOUR employees that exposure to
7 asbestos could be hazardous to human health? State:

8 - A. Whether the first such warning was written or oral;

9 B. Whether copies of DOCUMENTS containing such warning
10 exist;

11 C. The IDENTITY of the custodian of such DOCUMENTS;

12 D. The content of the warning.

13 RESPONSE:

14 Without waiving its objections, Ford states that it did not
15 issue any warning to its employees concerning the hazards of -
16 asbestos because it purchased brake and clutch assemblies which
17 were already preassembled and affixed to metal shoes or plates.
18 Since these products were installed as assemblies the employees
19 were not subjected to any exposure.

20 To the extent that this interrogatory seeks an additional or
21 different response, Ford objects on the grounds that it (a) is overly
22 broad, (b) seeks information that is neither relevant to the subject
23 matter of this lawsuit nor reasonably calculated to lead to the
24 discovery of admissible evidence at the trial of this matter, and (c)
25 is unduly burdensome and oppressive.

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1 INTERROGATORY NO. 37

2 Did YOU ever issue a written COMPANY policy discontinuing
3 warning YOUR employees that exposure to asbestos could be hazardous
4 to human health? If so:

5 A. Provide the date;

6 B. Describe the circumstances;

7 C. Either attach all DOCUMENTS or disks containing such
8 data, evidencing the information sought in this interrogatory and
9 its subparts to YOUR answers to these interrogatories or describe
10 such DOCUMENTS with sufficient particularity that they may be made
11 the subject of a request for production of documents.

12 RESPONSE:

13 Without waiving its objections, Ford states that it did not
14 issue any warning to its employees concerning the hazards of
15 asbestos because it purchased brake and clutch assemblies which
16 were already preassembled and affixed to metal shoes or plates.
17 Since these products were installed as assemblies the employees
18 were not subjected to any exposure.

19 To the extent that this interrogatory seeks an additional or different
20 response, Ford objects on the grounds that it (a) is overly broad, (b)
21 seeks information that is neither relevant to the subject matter of
22 this lawsuit nor reasonably calculated to lead to the discovery of
23 admissible evidence at the trial of this matter, and (c) is unduly
24 burdensome and oppressive.

25 INTERROGATORY NO. 38

26 At any time between 1930 and 1985, did YOU import, export,

1 ship, transship or otherwise transport RAW ASBESTOS into, out of or
2 through any port in the GEOGRAPHIC AREA? If so, for each occasion:

3 A. IDENTIFY and describe the NATURE and amount of RAW
4 ASBESTOS;

5 B. IDENTIFY the ship or ships (including the owners and
6 operators thereof) onto or from which the RAW ASBESTOS was loaded,
7 unloaded or transshipped;

8 C. State the dates, port and pier involved for each
9 occasion;

10 D. Either attach all DOCUMENTS or disks containing such
11 data, evidencing
12 the information sought in this interrogatory and its subparts to
13 YOUR answers to these interrogatories or describe such DOCUMENTS
14 with sufficient particularity that they may be made the subject of
15 a request for production of documents.

16 RESPONSE:

17 No.

18 INTERROGATORY NO. 39

19 Did YOU or any of YOUR predecessors-in-interest manufacture
20 any of the following products which contained ASBESTOS-CONTAINING
21 FRICTION PRODUCTS at any time between 1930 and 1985:

- 22 A. Automobiles;
- 23 B. Light duty trucks;
- 24 C. Heavy duty trucks or trailers;
- 25 D. Buses/coaches;
- 26 E. Motorcycles;

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- 1 F. Winches, drilling rig or other stationary machinery;
2 G. Aircraft;
3 H. Rubber-tired crawler, construction or farm equipment;
4 I. Railed engines or cars including light-railed vehicles;
5 J. Ships;
6 K. Off-road vehicles;
7 L. Fork lifts;
8 M. Other machinery or equipment (please describe).

9 RESPONSE:

10 Without waiving any of the objections stated below, Ford
11 states as follows:

12 A. Yes.

13 B. Yes.

14 C. Yes.

15 D. Ford has been unable to locate records conclusively
16 eliminating the possibility that it manufactured those products
17 during the relevant time.

18 E. No.

19 F. No.

20 G. No.

21 H. Yes.

22 I. No.

23 J. No.

24 K. Yes.

25 L. No.

26 M. If Plaintiff will define the phrase "other machinery or

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1 equipment" Ford will attempt to further respond to this
2 interrogatory.

3 To the extent that this interrogatory seeks an additional or
4 different response, Ford objects on the grounds that it is overly
5 broad, unduly burdensome and seeks the discovery of information or
6 documents that are neither relevant to the issues in this lawsuit
7 nor reasonably calculated to lead to the discovery of admissible
8 evidence.

9 INTERROGATORY NO. 40

10 For each product identified in Interrogatory No. 39, state:

11 A. IDENTIFY the ORIGINAL EQUIPMENT including inclusive dates
12 of production;

13 B. For each, IDENTIFY and describe the NATURE of the
14 ASBESTOS-CONTAINING FRICTION PRODUCTS and the inclusive dates
15 thereof;

16 C. IDENTIFY the manufacturer and/or distributor of the
17 ASBESTOS-CONTAINING FRICTION PRODUCTS which were included as
18 component parts in YOUR ORIGINAL EQUIPMENT;

19 D. Either attach all DOCUMENTS or disks containing such
20 data, evidencing the information sought in this interrogatory and
21 its subparts to YOUR answers to these interrogatories or describe
22 such DOCUMENTS with sufficient particularity that they may be made
23 the subject of a request for production of documents (as to
24 ORIGINAL EQUIPMENT vehicle manufacturers, the documents responsive
25 to this subpart are limited to ASBESTOS-CONTAINING FRICTION
26 PRODUCTS);

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1 E. IDENTIFY the person(s) presently most knowledgeable about,
2 the information sought in this interrogatory or its subparts.

3 RESPONSE:

4 Without waiving the objections stated below, Ford states as
5 follows:

6 A. Ford believes that asbestos-containing friction products
7 were incorporated into its vehicles since it began selling mass
8 production vehicles in the early 1900s. Ford states that asbestos-
9 containing friction products, on the majority of Ford's regular
10 production vehicles were phased out by 1984. Such products on the
11 remainder of the regular production vehicles were phased out by
12 1993 as suitable substitutes were found. However, Ford believes
13 asbestos is still used on some heavy trucks and limousines rear
14 brake assemblies as an appropriate substitute has not yet been
15 found for these applications. No one person authorized or directed
16 the "stoppage" of asbestos-containing friction products. Such
17 products were phased out as O.S.H.A regulations changed and
18 suitable alternatives were discovered.

19 B. Ford states that a brake lining is a narrow rectangle,
20 shaped to fit around a circle. A clutch facing is a flat, round,
21 metal plate with two rings, one on each side of friction material.
22 The facing is between the fly-wheel of the engine and the pressure
23 plate of the transmission.

24 C. Ford states that it will provide Plaintiff with a copy of
25 a list of some historic suppliers of asbestos-containing friction
26 products.

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1 D. As mentioned in Ford's Preliminary Statement, Ford will
2 make available for inspection at a mutually agreeable time in
3 Dearborn, Michigan, a collection of documents and other materials
4 pertaining to asbestos, which may contain information responsive to
5 this interrogatory.

6 E. Mr. Frederick King, a Ford Design Analysis engineer, is
7 generally knowledgeable regarding asbestos-containing friction
8 products.

9 INTERROGATORY NO. 41

10 Did YOU manufacture or have manufactured or distribute in the
11 United States for a foreign manufacturer ORIGINAL EQUIPMENT? If
12 so, please IDENTIFY each of YOUR authorized dealers during the
13 period 1930-1985 in the DEFINED GEOGRAPHIC AREA.

14 RESPONSE:

15 Without waiving its objections, Ford states that it sells its
16 vehicles and replacement parts through franchised dealers and
17 authorized distributors in every state. It is not feasible to
18 respond to this Request in part because of the record retention
19 program at Ford. Ford states that records of this nature, if ever
20 in the possession of Ford Motor Company, would no longer be in its
21 possession, as the retention period for documents of this nature is
22 less than 7 years.

23 To the extent that this interrogatory seeks an additional or
24 different response, Ford objects on the grounds that it is (a)
25 overly broad, (b) unduly burdensome, (c) premature, (d) lacks
26 particularity, and (e) seeks the discovery of information or

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1 documents that are neither relevant to the issues in this lawsuit
2 nor reasonably calculated to lead to the discovery of admissible
3 evidence.

4 INTERROGATORY NO. 42

5 Did YOU or any of YOUR predecessors-in-interest MARKET brake
6 shoes, brake blocks, brake pads, brake linings or brake bands for
7 any of the uses listed below at any time between 1930 and 1985?

- 8 A. Automobiles or light duty tracks;
- 9 B. Heavy duty tracks or trailers;
- 10 C. Buses or coaches;
- 11 D. Motorcycles;
- 12 E. Winches,--drilling rigs or other stationary machinery;
- 13 F. Aircraft;
- 14 G. Rubber tired crawlers, construction or farm equipment;
- 15 H. Railed engines or cars including light railed vehicles;
- 16 I. Shipboard;
- 17 J. Off-road vehicles;
- 18 K. Forklifts;
- 19 L. Other uses.

20 RESPONSE:

21 Ford refers to and incorporates herein its response and
22 objections to Interrogatory No. 39.

23 INTERROGATORY NO. 43

24 For each use identified in Interrogatory No. 42, state:

- 25 A. The trade, brand and generic name by which the product
- 26 was known from 1930 to 1985;

1 B. The date(s) YOU:

2 1. began MARKETING the product;

3 2. ceased to MARKET the product;

4 3. recalled the product from the market, if ever as a
5 result of asbestos-related health concerns, if any;

6 C. A description of the type and grade of RAW ASBESTOS in
7 the ASBESTOS-CONTAINING FRICTION PRODUCT and the range of asbestos
8 fiber by percentage of weight in each such ASBESTOS-CONTAINING
9 FRICTION PRODUCT for each year between 1930 and 1985, inclusive;

10 D. A general description of the physical appearance and
11 NATURE of each type of ASBESTOS-CONTAINING FRICTION PRODUCT
12 including any generally used method of identification of the
13 product such as distinctive markings and/or logos and the date,
14 inclusive, during which they appeared. In addition to describing
15 the distinctive markings and/or logos, please IDENTIFY the
16 manufacturer or distributor of each type of ASBESTOS-CONTAINING
17 FRICTION PRODUCT;

18 E. IDENTIFY the suppliers of the RAW ASBESTOS used in each
19 type of ASBESTOS-CONTAINING FRICTION PRODUCT and the time period of
20 supply;

21 F. The purpose for the inclusion of asbestos in each type of
22 ASBESTOS-CONTAINING FRICTION PRODUCT (e.g., binding agent, fire
23 retardant, etc.);

24 G. The type of shipping package and the range of shipping
25 package dimensions, if not solid, and the inclusive period of time
26 during which YOU used each such container, package or carton;

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1 H. A detailed description of any printed material or
2 trademark appearing on each type of container, package or carton
3 identified in G above and the inclusive period of time during which
4 each such combination of printed material and trademark was used;

5 I. A detailed description of any written instructions,
6 wrapping or printed insert which was or is placed in the container,
7 package or carton with each such product and the inclusive period
8 of time during which each instruction, wrapping or printed insert
9 was placed in the container, package or carton;

10 J. Whether or not YOU have in YOUR possession of under YOUR
11 control samples or exemplars of: 1) each container, package or
12 carton; 2) each printed material or trademark appearing thereon; or
13 3) each written instruction, wrapping or printed insert mentioned
14 in YOUR response to G, H and I above.

15 K. Did YOU place edge codes on the ASBESTOS-CONTAINING
16 FRICTION PRODUCTS YOU MARKETING and, if so, during what period of
17 time?;

18 L. Either attach all DOCUMENTS or disks containing such
19 data, evidencing the information sought in this interrogatory and
20 its subparts to YOUR answer to these interrogatories or describe
21 such DOCUMENTS with sufficient particularity that they may be made
22 the subject of a request for production of documents;

23 M. IDENTIFY the person(s) presently most knowledgeable about
24 the information sought in this interrogatory or its subparts.

25 RESPONSE:

26 Without waiving any of the objections stated below, Ford

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1 states as follows:

2 A. Ford has not mined, processed or manufactured asbestos-
3 containing friction products. Ford sold vehicles and replacement
4 parts which included asbestos-containing brake linings, pads and
5 clutch facings through thousands of franchised Ford dealers and
6 authorized distributors in the United States, under names such as
7 Ford, Mercury, Ford Authorized Remanufacturers, and under various
8 lines and series names such as-Motorcraft.

9 B. Ford believes that asbestos-containing friction products
10 were incorporated into its vehicles since it began selling mass
11 production vehicles in the early 1900s. Ford states that asbestos-
12 containing friction products, ~~on~~ the majority of Ford's regular
13 production vehicles were phased out by 1984. Such products on the
14 remainder of the regular production vehicles were phased out by
15 1993 as suitable substitutes were found. However, Ford believes
16 asbestos is still used on some heavy trucks and limousines rear
17 brake assemblies as an appropriate substitute has not yet been
18 found for these applications. No one person authorized or directed
19 the "stoppage" of asbestos-containing friction products. Such
20 products were phased out as O.S.H.A regulations changed and
21 suitable alternatives were discovered.

22 C. Ford has not manufactured asbestos-containing brake linings,
23 pads or clutch facings. Ford purchased these products from suppliers.
24 Ford understands the type of asbestos fibers in these to be
25 chrysotile. However, since Ford does not manufacture these products,
26 it does not know percentages of asbestos that they contain, but,

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1 generally, it is thought to be, for example, between 40% and 60%
2 asbestos, by weight, in brake linings. Ford will produce a list of
3 some historic suppliers for Plaintiff's reference.

4 D. Ford states that a brake lining is a narrow rectangle,
5 shaped to fit around a circle. A clutch facing is a flat, round,
6 metal plate with two rings, one on each side of friction material.
7 The facing is between the fly-wheel of the engine and the pressure
8 plate of the transmission.

9 E. Ford has not manufactured asbestos-containing brake linings,
10 pads or clutch facings. Ford purchased these products from suppliers.
11 Ford understands the type of asbestos fibers in these to be
12 chrysotile. However, since Ford does not manufacture these products,
13 it does not know percentages of asbestos that they contain, but,
14 generally, it is thought to be, for example, between 40% and 60%
15 asbestos, by weight, in brake linings. Ford will produce a list of
16 some historic suppliers for Plaintiff's reference.

17 F. Ford used these lining and pads to assist in braking through
18 transmitting rotational force from the engine and fly-wheel to the
19 rear wheels.

20 G. Ford vehicles are generally not shipped in packages.
21 Aftermarket brake linings, pads and clutch facings are shipped in
22 cartons. With respect to the aftermarket brake linings sold by Ford,
23 the Ford logo, as well as a label which reads along the following
24 lines has been placed on cartons since 1980:

25 CAUTION: CONTAINS ASBESTOS FIBERS. AVOID CREATING DUST.
26 BREATHING ASBESTOS DUST MAY CAUSE SERIOUS BODILY HARM. WHEN

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1 SERVICING THIS BRAKE LINING OR ANY COMPONENT RELATED TO IT OR
2 LOCATED NEAR IT, PREVENT ASBESTOS DUST FROM BEING AIRBORNE BY
3 VACUUMING THIS ASSEMBLY WITH AN INDUSTRIAL TYPE VACUUM CLEANER
4 EQUIPPED WITH A HIGH EFFICIENCY FILTER SYSTEM AND BY WASHING THE
5 ASSEMBLY WITH AN APPROPRIATE BRAKE PARTS WASHER IF NECESSARY.
6 NEVER REMOVE DUST OR DIRT FROM THIS ASSEMBLY BY BLOWING WITH
7 COMPRESSED AIR.

8 H. Ford refers to and incorporates herein its response to
9 Interrogatory 43G.

10 I. Ford refers to and incorporates herein its response to
11 Interrogatory 43G.

12 J. Ford will produce a sample aftermarket carton used for an
13 asbestos-containing friction product.

14 K. Ford states that it did not place edge codes on
15 asbestos products. Ford purchases asbestos-containing friction
16 products from suppliers. The manufacturers of some asbestos-
17 containing friction products can be ascertained by part numbers,
18 formulation codes, and logos on the brake lining.

19 L. Ford will produce all documentation described in this
20 response.

21 M. Mr. Frederick King, a Ford Design Analysis engineer, is
22 generally knowledgeable regarding asbestos-containing
23 friction products.

24 To the extent that this interrogatory seeks an additional or
25 different response, Ford objects on the grounds that it is (a)
26 overly broad, (b) unduly burdensome, (c) premature, (d) lacks

1 particularity, and (e) seeks the discovery of information or
2 documents that are neither relevant to the issues in this lawsuit
3 nor reasonably calculated to lead to the discovery of admissible
4 evidence.

5 INTERROGATORY NO. 44

6 Did YOU or any of YOUR predecessors-in-interest MARKET
7 clutch facings, clutch plates or automatic transmission plates
8 for any of the uses listed below at any time between 1930 and
9 1985?

- 10 A. Automobiles or light duty trucks;
- 11 B. Heavy duty trucks or trailers;
- 12 C. Buses or coaches;
- 13 D. Motorcycles;
- 14 E. Winches, drilling rigs or other stationary machinery;
- 15 -- F. Aircraft; - - - -
- 16 G. Rubber tired crawlers, construction or farm equipment;
- 17 H. Railed engine or cars, including light railed
18 vehicles;
- 19 I. Shipboard;
- 20 J. Off-road vehicles;
- 21 K. Forklifts;
- 22 L. Other uses.

23 RESPONSE:

24 Ford refers to and incorporates herein its response and
25 objections to Interrogatory No. 39.

26 INTERROGATORY NO. 45

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1 For each use identified in Interrogatory No. 44, state:
2 A. The trade, brand and genetic name by which the product
3 was known from 1930 to 1985;
4 B. The date(s) YOU:
5 1. began MARKETING the product;
6 2. ceased to MARKET the product;
7 3. recalled the product from the market, if ever, as
8 a result of asbestos-related health concerns, if any;
9 C. A description of the type and grade of RAW ASBESTOS in
10 the ASBESTOS-CONTAINING FRICTION PRODUCT and the range of
11 asbestos fiber by percentage of weight in each such ASBESTOS-
12 CONTAINING FRICTION PRODUCT for each year between 1930 and 1985,
13 inclusive;
14 D. A general description of the physical appearance and
15 NATURE of each type of ASBESTOS-CONTAINING FRICTION PRODUCT
16 including any generally used method of identification of the
17 product such as distinctive markings and/or logos and the dates,
18 inclusive, during which they appeared. In addition to
19 describing the distinctive markings and/or logos, please
20 IDENTIFY the manufacturer or distributor of each type of
21 ASBESTOS-CONTAINING FRICTION PRODUCT;
22 E. IDENTIFY the suppliers of the RAW ASBESTOS used in
23 each type of ASBESTOS-CONTAINING FRICTION PRODUCT and the time
24 period of supply;
25 F. The purpose for the inclusion of asbestos in each type
26 of ASBESTOS-CONTAINING FRICTION PRODUCT (e.g., binding agent,

1 fire retardant, etc.);

2 G. The type of shipping package and the range of shipping
3 package dimensions, if not solid, and the inclusive period of
4 time during which YOU used each such container, package or
5 carton;

6 H. A detailed description of any printed material or
7 trademark appearing on each type of container, package or carton
8 identified in G above, and the inclusive period of time during
9 which each such combination of printed material and trademark
10 was used;

11 I. A detailed description of any written instructions,
12 wrapping or printed insert which was or is placed in the
13 container, package or carton with each such product, and the
14 inclusive period of time during which each instruction, wrapping
15 or printed insert was placed in the container, package or
16 carton;

17 J. Whether or not YOU have in YOUR possession or under
18 YOUR control samples or exemplars of: 1) each container, package
19 or carton; 2) each printed material or trademark appearing
20 thereon; or 3) each written instruction, wrapping or printed
21 insert mentioned in YOUR response to G, H and I above;

22 K. Did YOU place edge codes on the ASBESTOS-CONTAINING
23 FRICTION PRODUCTS YOU MARKETING and, if so, during what period of
24 time?;

25 L. Either attach all DOCUMENTS or disks containing such
26 data, evidencing the information sought in this interrogatory

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1 and its subparts to YOUR answers to these interrogatories or
2 describe such DOCUMENTS with sufficient particularity that they
3 may be made the subject of a request for production of
4 documents;

5 M. IDENTIFY the person(s) most knowledgeable about the
6 information sought in this interrogatory or its subparts.

7 RESPONSE:

8 Ford refers to and incorporates herein its response and
9 objections to Interrogatory No. 43.

10 INTERROGATORY NO. 46

11 Did YOU or any of YOUR predecessors-in-interest MARKET any
12 ASBESTOS-CONTAINING FRICTION PRODUCTS to any ORIGINAL EQUIPMENT
13 MANUFACTURER? If so, IDENTIFY each ORIGINAL EQUIPMENT
14 MANUFACTURER to whom YOU MARKETING ASBESTOS-CONTAINING FRICTION
15 PRODUCTS and as to each ORIGINAL EQUIPMENT MANUFACTURER,
16 IDENTIFY the ASBESTOS-CONTAINING FRICTION PRODUCT that YOU
17 MARKETING to them and the inclusive years that YOU did so.

18 A. Either attach all DOCUMENTS or disks containing such
19 data, evidencing the information sought in this interrogatory
20 and its subparts to YOUR answer to these interrogatories or
21 describe such DOCUMENTS with sufficient particularity that they
22 may be made the subject of a request for production of
23 documents;

24 B. IDENTIFY the person(s) presently most knowledgeable
25 about the information sought in this interrogatory or its
26 subparts.

1 RESPONSE:

2 Ford refers to and incorporates herein its response and
3 objections to Interrogatory No. 43.

4 INTERROGATORY NO. 47

5 Did YOU or any of YOUR predecessors-in-interest MARKET any
6 ASBESTOS-CONTAINING FRICTION PRODUCTS to any PRIVATE BRAND
7 ACCOUNT CUSTOMER? If so, for each PRIVATE BRAND ACCOUNT
8 CUSTOMER, IDENTIFY and describe the NATURE of the product
9 MARKETING to that PRIVATE BRAND ACCOUNT CUSTOMER, the inclusive
10 dates thereof and, if known, the name(s) under which the PRIVATE
11 BRAND ACCOUNT CUSTOMER MARKETING the product.

12 A. DESCRIBE to the best of YOUR knowledge how the PRIVATE
13 BRAND ACCOUNT CUSTOMER MARKETING the product which YOU sold or
14 distributed to it;

15 B. Either attach all DOCUMENTS or disks containing such
16 data, evidencing the information sought in this interrogatory or
17 its subparts to YOUR answers to these interrogatories or
18 describe such DOCUMENTS with sufficient particularity that they
19 may be made the subject of a request for production of
20 documents;

21 C. IDENTIFY the person(s) presently most knowledgeable
22 about the information sought in this interrogatory or its
23 subparts.

24 RESPONSE:

25 Ford refers to and incorporates herein its response and
26 objections to Interrogatory No. 43.

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1 INTERROGATORY NO. 48

2 Did YOU or any of YOUR predecessors-in-interest MARKET any
3 ASBESTOS-CONTAINING FRICTION PRODUCTS to any AFTER MARKET or
4 REPLACEMENT PART RETAILER operating 10 or more stores in the
5 GEOGRAPHIC AREA? If so, IDENTIFY each AFTER MARKET or
6 REPLACEMENT PART RETAILER in the GEOGRAPHIC AREA and for each
7 please state:

8 A. The inclusive years during which YOU MARKETING products
9 to said AFTER MARKET or REPLACEMENT PART RETAILER;

10 B. IDENTIFY the ASBESTOS-CONTAINING FRICTION PRODUCTS
11 which YOU MARKETING to the AFTER MARKET or REPLACEMENT PART
12 RETAILER;

13 C. Either attach all DOCUMENTS or disks containing such
14 data, evidencing the information sought in this interrogatory
15 and its subparts to YOUR answers to these interrogatories or
16 describe such DOCUMENTS with sufficient particularity that they
17 may be made the subject of a request for production of
18 documents;

19 D. IDENTIFY the person(s) presently most knowledgeable
20 about the information sought in this interrogatory or its
21 subparts.

22 RESPONSE:

23 Ford refers to and incorporates herein its response and
24 objections to Interrogatory No. 43.

25 INTERROGATORY NO. 49

26 Did YOU or any of YOUR predecessors-in-interest MARKET any

1 ASBESTOS-CONTAINING FRICTION PRODUCTS to any warehouse
2 distributor who MARKETED the product under YOUR name in the
3 GEOGRAPHIC AREA? If so, IDENTIFY each warehouse distributor who
4 MARKETED the product under YOUR name in the GEOGRAPHIC AREA and
5 for each state:

6 A. The inclusive years during which YOU MARKETED
7 ASBESTOS-CONTAINING FRICTION PRODUCTS to said warehouse
8 distributor who distributed the product under YOUR name;

9 B. IDENTIFY the ASBESTOS-CONTAINING FRICTION PRODUCTS
10 which YOU MARKETED to the warehouse distributor who distributed
11 the products under YOUR name;

12 C. Either attach all DOCUMENTS or disks containing such
13 data, evidencing the information sought in this interrogatory
14 and its subparts to YOUR answers to these interrogatories or
15 describe such DOCUMENTS with sufficient particularity that they
16 may be made the subject of a request for production of
17 documents;

18 D. IDENTIFY the person(s) presently most knowledgeable
19 about the information sought in this interrogatory or its
20 subparts.

21 RESPONSE:

22 Ford refers to and incorporates herein its response and
23 objections to Interrogatory No. 43.

24 INTERROGATORY NO. 50

25 Did YOU or any of YOUR predecessors-in-interest MARKET any
26 ASBESTOS-CONTAINING FRICTION PRODUCTS to any warehouse

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1 distributor who MARKETED YOUR ASBESTOS-CONTAINING FRICTION
2 PRODUCTS under a name other than YOURS in the GEOGRAPHIC AREA?
3 If so, IDENTIFY each warehouse distributor who MARKETED YOUR
4 ASBESTOS-CONTAINING FRICTION PRODUCTS under a name other than
5 YOURS in the GEOGRAPHIC AREA and for each please state:
6 A. The inclusive years during which YOU MARKETED
7 ASBESTOS-CONTAINING FRICTION PRODUCTS through said warehouse
8 distributor;
9 B. IDENTIFY the products which YOU MARKETED through the
10 warehouse distributor and for each the name under which the
11 warehouse distributed MARKETED the product;
12 C. Either attach all DOCUMENTS or disks containing such
13 data, evidencing the information sought in this interrogatory
14 and its subparts to YOUR answers to these interrogatories or
15 describe such DOCUMENTS with sufficient particularity that they
16 may be made the subject of a request for production of
17 documents;
18 D. IDENTIFY the person(s) presently most knowledgeable
19 about the information sought in this interrogatory or its
20 subparts.
21 RESPONSE:
22 Ford refers to and incorporates herein its response and
23 objections to Interrogatory No. 43.
24 INTERROGATORY NO. 51
25 Did YOU or any of YOUR predecessors-in-interest MARKET any
26 ASBESTOS-CONTAINING FRICTION PRODUCTS to any retailer operating

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1 10 or more stores in the GEOGRAPHIC AREA who sold ASBESTOS-
2 CONTAINING FRICTION PRODUCTS under YOUR name in the GEOGRAPHIC
3 AREA? If so, IDENTIFY each retailer who sold ASBESTOS-
4 CONTAINING FRICTION PRODUCTS under YOUR name in the GEOGRAPHIC
5 AREA and for each state:
6 A. The inclusive years during which YOU MARKETING
7 ASBESTOS-CONTAINING FRICTION PRODUCTS to said retailer who sold
8 the product under YOUR name;
9 B. Please identify the ASBESTOS-CONTAINING FRICTION
10 PRODUCTS which YOU MARKETING to the retailer who sold the product
11 under YOUR name;
12 C. Either attach all DOCUMENTS or disks containing such
13 data, evidencing the information sought in this interrogatory
14 and its subparts to YOUR answers to these interrogatories or
15 describe such DOCUMENTS with sufficient particularity that they
16 may be made the subject of a request for production of
17 documents;
18 D. IDENTIFY the person(s) presently most knowledgeable
19 about the information sought in this interrogatory or its
20 subparts.
21 RESPONSE:
22 Ford refers to and incorporates herein its response and
23 objections to Interrogatory No. 43.
24 INTERROGATORY NO. 52
25 Did YOU or any of YOUR predecessors-in-interest MARKET any
26 ASBESTOS-CONTAINING FRICTION PRODUCTS to any retailer operating

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1 10 or more stores in the GEOGRAPHIC AREA who MARKETED the
2 product under any other name in the GEOGRAPHIC AREA? If so,
3 IDENTIFY each retailer who MARKETED the product under any other
4 name in the GEOGRAPHIC AREA and for each state:

5 A. The inclusive years during which YOU MARKETED products
6 through said retailer;

7 B. IDENTIFY the products which YOU MARKETED through each
8 retailer and, for each, the name under which the retailer
9 MARKETED the product;

10 C. Either attach all DOCUMENTS or disks containing such
11 data, evidencing the information sought in this interrogatory
12 and its subparts to YOUR answers to these interrogatories or
13 describe such DOCUMENTS with sufficient particularity that they
14 may be made the subject of a request for production of
15 documents;

16 D. IDENTIFY the person(s) presently most knowledgeable
17 about the information sought in this interrogatory or its
18 subparts.

19 RESPONSE:

20 No.

21 INTERROGATORY NO. 53

22 Did YOU or any of YOUR predecessors-in-interest MARKET any
23 ASBESTOS-CONTAINING FRICTION PRODUCTS to any FABRICATOR OF
24 ORIGINAL EQUIPMENT PARTS? If so, IDENTIFY each FABRICATOR OF
25 ORIGINAL EQUIPMENT PARTS to whom YOU MARKETED products and as to
26 each FABRICATOR OF ORIGINAL EQUIPMENT PARTS, state:

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- 1 A. The inclusive years during which YOU MARKETED said
2 products to each FABRICATOR OF ORIGINAL PARTS;
3 B. IDENTIFY each product YOU MARKETED to each FABRICATOR
4 OF ORIGINAL PARTS;
5 C. Either attach all DOCUMENTS or disks containing such
6 data, evidencing the information sought in this interrogatory
7 and its subparts to YOUR answers to these interrogatories or
8 describe such DOCUMENTS with sufficient particularity that they
9 may be made the subject of a request for production of
10 documents;
11 D. IDENTIFY the person(s) presently most knowledgeable
12 about the information sought in this interrogatory or its
13 subparts.

14 RESPONSE:

15 Ford refers to and incorporates herein its response and
16 objections to Interrogatory No. 43.

17 INTERROGATORY NO. 54

18 Did YOU or any of YOUR predecessors-in-interest MARKET any
19 ASBESTOS-CONTAINING FRICTION PRODUCTS to any agency or
20 department of the U.S. Government? If so, IDENTIFY each agency
21 or department of the U.S. Government to whom YOU MARKETED
22 products and as to each agency or department of the U.S.
23 Government IDENTIFY the product that YOU MARKETED to them and
24 the inclusive years that YOU did so.

- 25 A. Either attach all DOCUMENTS or disks containing such
26 data, evidencing the information sought in this interrogatory

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1 and its subparts to YOUR answers to these interrogatories or
2 describe such DOCUMENTS with sufficient particularity that they
3 may be made the subject of a request for production of
4 documents;

5 B. IDENTIFY the person(s) presently most knowledgeable
6 about the information sought in this interrogatory or its
7 subparts.

8 RESPONSE:

9 --- Without waiving its objections below, Ford states that it
10 sells its vehicles and replacement parts through franchised
11 dealers, authorized distributors and to the U.S. Military.
12 Vehicles sold to the U.S. Military contained friction products,
13 some of which contained asbestos containing brake linings and pads.
14 Further, Ford states that as mentioned in its Preliminary
15 Statement, Ford will make available for inspection at a mutually
16 agreeable time in Dearborn, Michigan, a collection of documents and
17 other materials pertaining to asbestos, which may contain
18 information responsive to this request.

19 To the extent that this interrogatory seeks an additional
20 or different response, Ford objects on the grounds that it is
21 (a) overly broad, (b) unduly burdensome, (c) premature, (d)
22 lacks particularity, and (e) seeks the discovery of information
23 or documents that are neither relevant to the issues in this
24 lawsuit nor reasonably calculated to lead to the discovery of
25 admissible evidence.

26 ///

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1 INTERROGATORY NO. 55

2 Did YOU or any of YOUR predecessors-in-interest MARKET
3 any ASBESTOS-CONTAINING FRICTION PRODUCTS to any agency or
4 department of any governmental entity other than the U.S.
5 Government? If so, IDENTIFY any agency or department of any
6 governmental entity other than the U.S. Government to whom YOU
7 MARKETED products and as to each agency or department of said
8 governmental entity other than the U.S. Government, IDENTIFY
9 the product that YOU MARKETED to them and the inclusive years
10 that YOU did so.

11 A. Either attach all DOCUMENTS or disks containing such
12 data, evidencing the information sought in this interrogatory
13 and its subparts to YOUR answers to these interrogatories or
14 describe such DOCUMENTS with sufficient particularity that
15 they may be made the subject of a request for production of
16 documents;

17 B. IDENTIFY the person(s) presently most knowledgeable
18 about the information sought in this interrogatory or its
19 subparts.

20 RESPONSE:

21 Ford refers to and incorporates herein its response and
22 objections to Interrogatory No. 43.

23 INTERROGATORY NO. 56

24 Did YOU purchase or acquire any of the RAW ASBESTOS YOU
25 used, processed, manufactured, supplied, distributed, labeled
26 or sold from the General Services Administration or any branch

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1 or agency of the U.S. Government during the period 1930 to
2 1985? If yes, state:
3 A. The name and address of the agency which supplied
4 the RAW ASBESTOS;
5 B. The grade and types of RAW ASBESTOS purchased or
6 acquired;
7 C. The quantities of each type of RAW ASBESTOS
8 purchased or acquired from 1930 to 1985;
9 D. The means of packaging;
10 E. Any health warning which accompanied each shipment
11 of asbestos and indicate when the warnings were first made;
12 F. Either attach all DOCUMENTS or disks containing such
13 data, evidencing the information sought in this interrogatory
14 and its subparts to YOUR answers to these interrogatories or
15 describe such DOCUMENTS with sufficient particularity that
16 they may be made the subject of a request for production of
17 documents;
18 G. IDENTIFY the person(s) presently most knowledgeable
19 about the information sought in this interrogatory or its
20 subparts.
21 RESPONSE:
22 Without waiving the objections below, Ford states that it
23 has not manufactured asbestos-containing brake parts used in its
24 production vehicles and, therefore, has not purchased processed
25 asbestos used in their manufacture.
26 To the extent that this interrogatory seeks an additional

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1 or different response, Ford objects on the grounds that it is
2 (a) overly broad, (b) unduly burdensome, (c) lacks
3 particularity, (d) premature, (e) forms an improper opinion, and
4 (f) seeks the discovery of information or documents that are
5 neither relevant to the issues in this lawsuit nor reasonably
6 calculated to lead to the discovery of admissible evidence.

7 INTERROGATORY NO. 57

8 As to each ASBESTOS-CONTAINING FRICTION PRODUCT listed in
9 YOUR preceding answers to these interrogatories, did DEFENDANT
10 warn of the health hazards of asbestos? If so, state for each
11 such warning:

12 A. The content, size, color and location; whether the
13 warning appeared on the material and/or on the container
14 and/or placed on a tag; whether the warning was included in
15 contracts; whether the warning was included in advertising or
16 other promotional material;

17 B. State whether YOU have any photographs thereof;

18 C. The inclusive dates on which YOU used each such
19 warning;

20 D. State all changes YOU made in such warnings and the
21 dates of such changes;

22 E. IDENTIFY the person most knowledgeable about YOUR
23 warnings and warning policy;

24 F. Do YOU have or know of samples, photographs or
25 DOCUMENTS depicting the above warnings?

26 ///

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1 RESPONSE:

2 Ford refers to and incorporates herein its response and
3 objections to interrogatory No. 56.

4 INTERROGATORY NO. 58

5 State whether any surveys or studies of ambient asbestos
6 dust have been conducted by YOU or on YOUR behalf at vehicle
7 repair or maintenance facilities. If yes, state as to each
8 such survey or study:

9 A. The subject matter, title and date of each study;

10 B. The date and the name of the person authorizing the
11 study;

12 C. The reason for the study;

13 D. IDENTIFY the persons who conducted the study;

14 E. The date the study was completed;

15 F. Whether the results were published and disseminated
16 and, if so, where and to whom;

17 G. The results of the study;

18 H. If statistical analyses were made, state the date
19 and describe the results and assumptions upon which they were
20 based;

21 I. Either attach all DOCUMENTS or disks containing such
22 data, evidencing the information sought in this interrogatory
23 and its subparts to YOUR answers to these interrogatories or
24 describe such DOCUMENTS with sufficient particularity that
25 they may be made the subject of a request for production of
26 documents;

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1 J. IDENTIFY the person(s) presently most knowledgeable
2 about the information sought in this interrogatory or its
3 subparts.

4 RESPONSE:

5 Without waiving the objections stated below, Ford states
6 that in the early 1970's Arnold Anderson and Roy Gealer of
7 Ford's Scientific Research Staff conducted tests to determine
8 the quantity of asbestos fibers liberated from brake linings
9 during the braking process. They concluded that over 99.98%
10 of the asbestos fibers in brake linings decomposed during the
11 braking process into other materials. Their results were
12 published in a 1973 SAE paper by A. Anderson and R. Gealer
13 entitled "Asbestos Emissions From Brake Dynamometer Tests."

14 In 1973, Ford's Industrial Hygiene Department conducted
15 air sampling tests on brake linings being cleaned by brake
16 mechanics using air hoses. They determined that asbestos
17 levels were well below existing or proposed O.S.H.A.
18 standards. This testing was done by Mr. Anderson and Henry
19 Lick, under the supervision of Paul Toth, the then manager of
20 Industrial Hygiene.

21 In addition, Ford partially financed studies done at Mt.
22 Sinai School of Medicine which reached the same conclusions as
23 the Ford Anderson/Gealer studies.

24 To the extent this request seeks an additional or
25 different response, Ford objects to this request on the
26 grounds that it (a) is overly broad, (b) seeks information

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1 that is neither relevant to the subject matter of this lawsuit
2 nor reasonably calculated to lead to the discovery of
3 admissible evidence at the trial of this matter, (c) is unduly
4 burdensome and oppressive, and (d) does not adequately
5 designate the items sought.

6 INTERROGATORY NO. 59

7 With respect to each product identified in YOUR answers
8 to these interrogatories, describe:

9 A. The procedure which YOU recommended for installing
10 the ASBESTOS-CONTAINING FRICTION PRODUCT in the vehicle or
11 machine for which it was manufactured;

12 B. The procedure which YOU recommended for removing the
13 ASBESTOS- CONTAINING FRICTION PRODUCT from the vehicle or
14 machinery for which it was manufactured;

15 C. Whether the procedure YOU recommended for the use,
16 maintenance or servicing of the ASBESTOS-CONTAINING FRICTION
17 PRODUCT included:

- 18 1. Grinding;
- 19 2. Arcing;
- 20 3. Beveling;
- 21 4. Sanding.

22 D. Either attach all DOCUMENTS or disks containing such
23 data, evidencing the information sought in this interrogatory
24 and its subparts to YOUR answers to these interrogatories or
25 describe such DOCUMENTS with sufficient particularity that
26 they may be made the subject of a request for production of

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1 documents;

2 E. IDENTIFY the person(s) presently most knowledgeable
3 about the information sought in this interrogatory or its
4 subparts.

5 RESPONSE:

6 Without waiving the objections stated below, Ford states
7 as follows:

8 A-B Ford issued an August 3, 1973, memorandum to Plant
9 Safety Engineers directing that brake drums be cleaned using
10 industrial type vacuum cleaners. The memo directed that air
11 hoses should not be used to clean brake drums.

12 Simultaneously, Maintenance Bulletin 137 was issued by the
13 Plant Engineering Office to the same effect.

14 On October 24, 1975, Ford Technical Service Bulletin 99 was
15 distributed to Ford and Lincoln-Mercury Dealers. It recommended
16 that a vacuum cleaner be used for cleaning brakes. In January
17 1976, a Technical Service Bulletin 104 was issued to the dealers
18 indicating that Ford recommended the use of an industrial vacuum
19 cleaner in brake cleaning operations. The 1977 edition of the
20 Rotunda Catalog and Ford's Shop Manual for Dealerships
21 recommended that brakes not be cleaned with an air hose and that
22 a vacuum cleaner be used for this purpose. In November 1983,
23 Ford issued Bulletin No. 83-22 on brake and clutch servicing.
24 Technical Service Bulletins are presently distributed to
25 approximately 29,000 Ford and Lincoln-Mercury dealer
26 technicians. These documents are the results of corporate

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1 activity and are not the work of any single author. These
2 bulletins have not been superseded. In the spirit of
3 cooperation, Ford will produce the above described documents.

4 C. At one time, it was the practice to shape and fit
5 linings by cutting, grinding and beveling. Also, at one time,
6 it was the practice to affix friction material to the metal
7 shoes or plates by riveting and bonding.

8 D. Ford states that as mentioned in its Preliminary
9 Statement, Ford will make available for inspection at a mutually
10 agreeable time in Dearborn, Michigan, a collection of documents and
11 other materials pertaining to asbestos, which may contain
12 information responsive to this request.

13 E. Mr. Frederick King, a Ford Design Analysis engineer,
14 is generally knowledgeable regarding asbestos-containing
15 friction products.

16 To the extent this interrogatory seeks an additional or
17 different response, Ford objects to this interrogatory on the
18 grounds that it is (a) overly broad, (b) unduly burdensome and
19 oppressive, and (c) vague and ambiguous.

20 INTERROGATORY NO. 60

21 Did any of the individuals or COMPANIES identified in
22 YOUR answer to Interrogatory Nos. 46-55 inclusive and
23 Interrogatory No. 61 have an exclusive relationship with YOU?
24 If so, IDENTIFY the individual or COMPANY, the production for
25 which the exclusive relationship existed and the inclusive
26 dates of the exclusive relationship.

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1 A. Either attach all DOCUMENTS or disks containing such
2 data, evidencing the information sought in this interrogatory
3 and its subparts to YOUR answers to these interrogatories or
4 describe such DOCUMENTS with sufficient particularity that
5 they may be made the subject of a request for production of
6 documents;

7 B. IDENTIFY the person(s) presently most knowledgeable
8 about the information sought in this interrogatory or its
9 subparts.

10 RESPONSE:

11 No.

12 INTERROGATORY NO. 61

13 Did YOU at any time between 1930 and 1985 own or operate
14 a wholesale or retail business or store in the DEFINED
15 GEOGRAPHIC AREA at which ASBESTOS-CONTAINING FRICTION PRODUCTS
16 were MARKETED? If so:

17 A. State the name, address and years that the BUSINESS
18 or store were in operation;

19 B. IDENTIFY the owner and operator of the store or
20 BUSINESS and the inclusive dates thereof;

21 C. IDENTIFY and describe the NATURE of the ASBESTOS-
22 CONTAINING FRICTION PRODUCTS sold at the BUSINESS or store and
23 the inclusive dates thereof;

24 D. Did the store of BUSINESS have an exclusive
25 relationship with any manufacturer or MARKETER of ASBESTOS-
26 CONTAINING FRICTION PRODUCTS? If so, IDENTIFY the

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1 manufacturer or MARKETER, IDENTIFY the ASBESTOS-CONTAINING
2 FRICTION PRODUCTS and state the inclusive dates of the
3 exclusive relationship;

4 E. Either attach all DOCUMENTS or disks containing such
5 data, evidencing the information sought in this interrogatory
6 and its subparts to YOUR answers to these interrogatories or
7 describe such DOCUMENTS with sufficient particularity that
8 they may be made the subject of a request for production of
9 documents;

10 F. IDENTIFY the person(s) presently most knowledgeable
11 about the information sought in this interrogatory or its
12 subparts.

13 RESPONSE:

14 Without waiving its objections below, Ford states that it
15 sells vehicles and replacement parts through franchised
16 dealers and authorized distributors throughout the United
17 States.

18 To the extent this interrogatory seeks an additional or
19 different response, Ford objects to this interrogatory on the
20 grounds that it is (a) overly broad, (b) unduly burdensome and
21 oppressive, and (c) vague and ambiguous.

22 INTERROGATORY NO. 62

23 If any person YOU have identified in YOUR answers to these
24 interrogatories has had his or her deposition taken, IDENTIFY
25 the deposition by the name of the deponent, the date the
26 deposition was taken, the caption and number of the action in

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1 which it was taken, the court which had jurisdiction over the
2 action in which it was taken (including state and county) and
3 either the name and address of the court reporting agency which
4 took the deposition or the name and address of deponent's
5 counsel of record.

6 RESPONSE:

7 Without waiving the objections states below, Ford refers
8 to and incorporates herein its response to Interrogatory No. 12.
9 Ford further states that Mr. Fredrick King has been deposed in
10 several cases on behalf of Ford, however, none of these cases
11 alleged asbestos-related injuries.

12 To the extent this interrogatory seeks an additional or
13 different response, Ford objects to this interrogatory on the
14 grounds that it (a) is overly broad and unlimited in scope, (b)
15 seeks information that is neither relevant to the subject matter
16 of this lawsuit nor reasonably calculated to lead to the
17 discovery of admissible evidence at the trial of this matter,
18 (c) is unduly burdensome and oppressive, (d) is premature in
19 nature, and (e) seeks information that is in the public domain
20 and is equally accessible to Plaintiffs as to Ford.

21
22 DATED: January 16, 1998

23 DRYDEN, MARGOLES, SCHIMANECK,
24 KELLY & WAIT

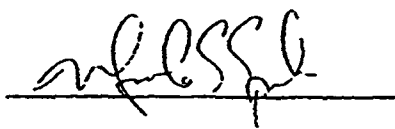
25 By:

26 LAWRENCE A. MARGOLES
Attorney for Defendant
FORD MOTOR COMPANY

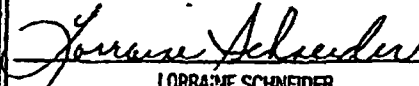
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1 STATE OF MICHIGAN)
2) ss
3 COUNTY OF WAYNE)
4
5

6 MARK S. SPARSCHU, being duly sworn, deposes and says that
7
8 the deponent is an authorized agent of Ford Motor Company, and that the deponent
9 verifies the foregoing FORD MOTOR COMPANY'S RESPONSE TO PLAINTIFFS'
10 STANDARD INTERROGATORIES for and on behalf of Ford Motor Company and is duly
11 authorized so to do; that the matters stated therein are not within the personal knowledge
12 of the deponent; that the facts stated therein have been assembled by authorized
13 employees and counsel of Ford Motor Company, and the deponent is informed that the
14 facts stated therein are true.
15

16
17 
18
19

20
21 Subscribed and sworn to before me this
22 16 day of January 1998
23

24 
25 LORRAINE SCHNEIDER
26 Notary Public, Macomb County Michigan
27 Acting in Wayne County, Michigan
28 My Commission Expires February 19, 2000
29

AFFIDAVIT OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ALAMEDA

I, JULIE M. JACOBY, declare:

I am a citizen of the United States, over 18 years of age and not a party to the within action. I am employed in the County of Alameda; my business address is 1999 Harrison Street, Eighteenth Floor, Oakland, California.

On January 30, 1998, I served the within:

RESPONSES OF FORD MOTOR COMPANY TO GENERAL ORDER 129 STANDARD INTERROGATORIES TO FRICTION DEFENDANTS

on all parties in this action, as addressed below, by causing a true copy thereof to be distributed as follows:

X BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid of postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

BY HAND DELIVERY: I caused such envelope to be hand delivered to the stated parties.

VIA TELEFACSIMILE: I caused such documents to be transmitted via telefacsimile to the stated parties at their respective facsimile numbers.

VIA EXPRESS CARRIER: I caused such documents to be collected by an agent for _____ to be delivered to the offices of the stated parties.

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P.O. Box 2109
Novato, CA 94948

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1300 Clay Street, 9th Fl.
Station D, P.O. Box 70250
Oakland, CA 94612-0250

Harry F. Wartnick, Esq.
WARTNICK, CHABER, et al.
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& NETTELS
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Pasadena, CA 91106

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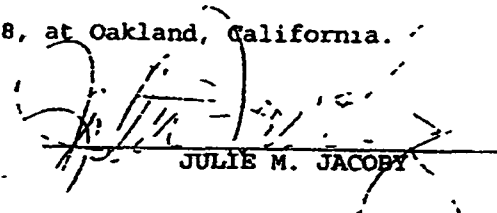
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er, 18th

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the penalty of perjury, under the laws of
nia that the foregoing is true and correct.

Executed on January 30, 1998, at Oakland, California.


JULIE M. JACOBY

28
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