

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA



IN RE: Ralph C. Manguno
Pre-Trial Discovery and
Related Proceedings

CIVIL ACTION

NO. 82-1570

SECTION "A"

-and-

ALL MANGUNO
CONSOLIDATED CASES

RESPONSE OF THE DEFENDANT,
COMBUSTION ENGINEERING, INC.,
TO THE REQUEST FOR PRODUCTION OF DOCUMENTS
PROPOUNDED BY THE PLAINTIFFS

NOW INTO COURT, through undersigned counsel, comes the defendant, Combustion Engineering, Inc., who responds to the plaintiffs' Request for Production of Documents as follows:

REQUEST NO. 1:

The purchase agreement detailing the terms and conditions under which Combustion Engineering, Inc. acquired all the assets of Refractory & Insulation Corporation in 1963.

RESPONSE TO REQUEST NO. 1:

The defendant objects to this Request on the grounds that the requested documents are so numerous that to produce them at the time and place requested by the plaintiffs would be unduly burdensome to the defendant. Without waiving this objection, the defendant responds that the requested documents will be produced at a time mutually convenient to the plaintiffs and the defendant at the offices of the defendant's corporate counsel, Mr. Robert Preston; Arter & Hadden; in Cleveland, Ohio.

REQUEST NO. 2:

The purchase agreement detailing the terms and conditions under which Combustion Engineering, Inc. acquired the Insulation Division of the M.H. Detrick Co. in 1964.

RESPONSE TO REQUEST NO. 2:

The defendant objects to this Request on the grounds that the requested documents are so numerous that to produce them at the time and place requested by the plaintiffs would be unduly burdensome to the defendant. Without waiving this objection, the defendant responds that the requested documents will be produced at a time mutually convenient to the plaintiffs and the defendant at the offices of the defendant's corporate counsel, Mr. Robert Preston; Arter & Hadden; in Cleveland, Ohio.

REQUEST NO. 3:

The purchase agreement detailing the terms and conditions under which Combustion Engineering, Inc. acquired Walsh Refractories Corporation in 1969.

RESPONSE TO REQUEST NO. 3:

The defendant objects to this Request on the grounds that the requested documents are so numerous that to produce them at the time and place requested by the plaintiffs would be unduly burdensome to the defendant. Without waiving this objection, the defendant responds that the requested documents will be produced at a time mutually convenient to the plaintiffs and the defendant at the offices of the defendant's corporate counsel, Mr. Robert Preston; Arter & Hadden; in Cleveland, Ohio.

REQUEST NO. 4:

Any material safety data sheets pertaining to ceramic fiber products manufactured by Combustion Engineering, Inc.

RESPONSE TO REQUEST NO. 4:

The defendant objects to this request on the grounds that the requested documents deal with a material referred to by the plaintiffs as "ceramic fiber products." This term was not defined by the plaintiffs, and the defendant is unable to respond to this request due to the plaintiffs' use of this vague, ambiguous term. The defendant further objects on the grounds that the requested documents are irrelevant to the issues in these cases, and are not reasonably calculated to lead to the discovery of admissible evidence, since they do not deal with asbestos, asbestos dust, asbestos fiber, and/or asbestos-containing products.

REQUEST NO. 5:

Any brochures or other marketing pamphlets pertaining to ceramic fiber products manufactured by Combustion Engineering, Inc.

RESPONSE TO REQUEST NO. 5:

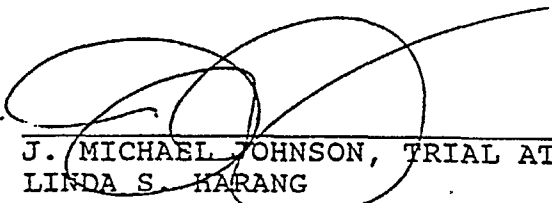
The defendant objects to this request on the grounds that the requested documents deal with a material referred to by the plaintiffs as "ceramic fiber products." This term was not defined by the plaintiffs, and the defendant is unable to respond to this request due to the plaintiffs' use of this vague, ambiguous term. The defendant further objects on the grounds that the requested documents are irrelevant to the issues in these cases, and are not reasonably calculated to lead to the discovery of admissible evidence, since they do not deal with asbestos, asbestos dust, asbestos fiber, and/or asbestos-containing products.

REQUEST NO. 6:

Any warning labels or other documents providing any information regarding proper use of ceramic fiber products and potential hazards associated therewith.

RESPONSE TO REQUEST NO. 6:

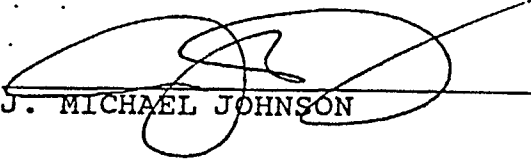
The defendant objects to this request on the grounds that the requested documents deal with a material referred to by the plaintiffs as "ceramic fiber products." This term was not defined by the plaintiffs, and the defendant is unable to respond to this request due to the plaintiffs' use of this vague, ambiguous term. The defendant further objects on the grounds that the requested documents are irrelevant to the issues in these cases, and are not reasonably calculated to lead to the discovery of admissible evidence, since they do not deal with asbestos, asbestos dust, asbestos fiber, and/or asbestos-containing products.



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon opposing counsel by placing a copy of same in the United States mail, postage prepaid, this 30th day of January, 1987.



J. MICHAEL JOHNSON

EXHIBIT "A"

<u>INSULATING BLOCK</u>	<u>C-E START</u>	<u>ESTIMATED STOP</u>	<u>PERCENT AND TYPE OF ASBESTOS</u>	<u>CONTAINER</u>
(m) #12 Insulating Block (R)	1963	1966	4.5(A)	Cardboard Carto
(m) #19 Insulating Block (R)	1963	1966	4.6(A)	Cardboard Carto
(m) Griptex* Mineral Wool Block (D)	1964	1972	2.0(C)	Cardboard Carto
(m) Kaiser M. Block (D)	Unknown	1971	2.0(C)	Cardboard Carto
<u>INSULATING CEMENTS</u>				
(m) Stic-tite* (R)	1963	6/27/72	38.6-42.2(C)	50 lb bags
(D)	1964	8/30/72		
(m) Super Stic-tite (R)	1964	6/27/72	9.89-10(C)	50 lb bags
(D)	1964	8/30/72		
(m) Super Finish Stic-tite (R)	1963	6/27/72	11.5-13.1(C)	50 lb bags
(m) Super Finish (R)	8/10/65	1/10/68	14.2(C)	40 lb bags
(m) Super 711(D)	1964	6/27/72	13.7(C)	50 lb bags
(m) Kaiser Mineral Wool Cement (D)	1964	1971	13.7(C)	50 lb bags
(m) Utility Thermal Finish Cement (D)	1964	2/28/72	4.75(C)	50 lb bags
(m) Casing Cement (D)	1964	1969	4.9(C)	50 lb bags
(m) MHD Finishing Cement (D)	1964	1968	68.03(C)	50 lb bags
(m) Pyroscat* Fireproofing Cement (D)	1964	6/8/72	3.0(C)	50 lb bags
(m) Hilite Insulating Cement (D)	1964	1968	9.1(C)	50 lb bags
(m) Cement (R)	1963	1.56	43.4(C)	50 lb bags
				50 lb bags

(H) Super Finish (K)				
(m) Super 711(D)	1964	6/27/72	13.7(C)	50 lb bags
(m) Kaiser Mineral Wool Cement (D)	1964	1971	13.7(C)	50 lb bags
(m) Utility Thermal Finish Cement (D)	1964	2/28/72	4.75(C)	50 lb bags
(m) Casing Cement (D)	1964	1969	4.9(C)	50 lb bags
(m) MHD Finishing Cement (D)	1964	1968	68.03(C)	50 lb bags
(m) Pyroscat* Fireproofing Cement (D)	1964	6/8/72	3.0(C)	50 lb bags
(m) Hilite Insulating Cement (D)	1964	1968	9.1(C)	50 lb bags
(m) A-1199 Insulating Cement (R)	1963	1.56	43.4(C)	50 lb bags
(m) SDK 50 (R)	1963	1966	0.4(A)	50 lb bags
(m) Buck Stay Cement A-1360 (R)	1965	1966	0.8(A)	50 lb bags
(m) Castablock* (R)	1965	1/19/66	1.2(A)	50 lb bags
(m) Stirrup Cement (R)	1965	1966	42.7(C)	50 lb bags
(m) Calcrete 30 (D)	1964	1970	7.8(C)	50 lb bags

MISCELLANEOUS PRODUCTS

(d) Asbestos Rope (D)	1964	1965	100.00(C)	tied 100 ft coil 1/2 to 3" in dia
(d) Permiseal (D) (fibers in emulsion)	1964	1975	Approx. 3.0(C)	5 & 54 gal. steel containers
(d) Weatherkote (R) (fibers in emulsion) (Thermal Kote since 1976)	1963	1977	Approx. 3.0(C)	5, 30 & 55 gal. steel containers
(d) Duriseal (D) (fibers in emulsion)	1964	1973	Approx. 3.0(C)	5, 30 & 55 gal. steel container
ermal Coat (D) ibers in emulsion)	1964	1964	Approx. 3.0(C)	5, 30 & 55 gal. steel container
Check (R) bers in emulsion)	1963	1971	Approx. 3.0(C)	5, 30 & 55 gal. steel container

<u>MISCELLANEOUS PRODUCTS</u>	<u>C-E START</u>	<u>ESTIMATED STOP</u>	<u>PERCENT AND TYPE OF ASBESTOS</u>	<u>CONTAINER</u>
(m) Block Stick (R)	1963	6/28/72	22.0(C)	6 gal. steel containers
(m) Gunisul (R)	1963	1966	Approx. 1.0(A)	50 lb. bags
(m) Mix A (R)	1963	6/27/72	6.0(C)	40 lb. bags
(m) Fibrous Adhesive (D)	1964	1965	13.1(C)	Steel containe
(m) Hytempt Flexible Compound (R)	1963	1972	30.0(C)	5 gal. steel containers
(m) Expansion Joint Material (R)	1963	1966	100.0(A)	25 lb. bags

INSULATING REFRACTORIES

(m) Light Wate 22 (W)	1969	6/26/72	10.0(C)/ 27.0(C)	50 lb. bags
(m) Light Wate 50 (W)	1969	1972	10.0(C)	50 lb. bags

MISCELLANEOUS PRODUCTS DISTRIBUTED BY C-E

(d) K-12 Calcium Silicate Block	1963	1969	Unknown	
(d) K-12 Calcium Silicate Pipe Covering	1963	1969	Unknown	
(d) K-20 Insulating Block	1963	1969	Unknown	
(d) Kaylo 10 Calcium Silicate Block	1963	1969	Unknown	
(d) Kaylo Calcium Silicate Pipe Covering	1963	1969	Unknown	
	1963	1969	Unknown	

MISCELLANEOUS PRODUCTS
DISTRIBUTED BY C-E

(d) K-12 Calcium Silicate Block	1963	1969	Unknown
(d) K-12 Calcium Silicate Pipe Covering	1963	1969	Unknown
(d) K-20 Insulating Block	1963	1969	Unknown
(d) Kaylo 10 Calcium Silicate Block	1963	1969	Unknown
(d) Kaylo Calcium Silicate Pipe Covering	1963	1969	Unknown
(d) Kaylo 20 Block	1963	1969	Unknown
(d) J-M Thermobestos Calcium Silicate Block	1963	1969	Unknown
(d) J-M Thermobestos Calcium Pipe Covering	1963	1969	Unknown
(d) J-M Asbestos Cloth	1963	1969	Unknown
(d) J-M Asbestos Gasketing	1963	1969	Unknown

KEY

(R) - R & I - Port Kennedy, Pennsylvania
(D) - Detrick - Aurora, Illinois
(W) - Walsh - St. Louis, Missouri
(m) - manufactured
(d) - distributed
(C) - containing chrysotile
(A) - containing amosite
(*) - Trademark